

Government Watchdogs



Ombudsman

The Namibian Constitution requires that Namibia has an independent Ombudsman to guard against corruption and injustice, and to help protect the fundamental rights and freedoms of all people.

The Ombudsman, who can be a man or a woman, is a lawyer or a judge appointed by the President on the recommendation of a body of lawyers and judges called the Judicial Service Commission. Like a judge, the Ombudsman stays in office until he or she retires at age 65, and can be removed from office sooner only if mentally unfit or guilty of serious misconduct. The Ombudsman is an independent official who is answerable only to the Constitution and the laws of Namibia. No one can stop the Ombudsman from doing his or her job, not even Parliament or Cabinet.

You can make a complaint to the Ombudsman about corruption or abuse of power by government officials, about violations of fundamental rights and freedoms by anyone (including private persons and institutions) or about over-utilisation of natural resources or damage to the natural environment. You can make a complaint to the Office of the Ombudsman by letter, telephone, fax or text message, or you can go to the Office in person. The Office of the Ombudsman visits Namibia's regions regularly, to give the public information about its functions and about how to file complaints. The Ombudsman has a duty to give you feedback on the outcome of your complaint.



Anti-Corruption Commission

The Anti-Corruption Commission is another independent body created by the Namibian Constitution. It has the duty to prevent and combat corruption, including the duty to investigate corrupt practices and educate the public on corruption.

The Director and Deputy Director of the Anti-Corruption Commission are appointed for five years by the National Assembly, upon nomination by the President.

You can take a complaint about any corrupt practices to this Commission. This might include, for example, a complaint about a public official or someone in the private sector who asked for a bribe for their services. The Commission will decide if the matter should be investigated, and whether the investigation should be carried out by the Commission or by some other authority. You can make a report of corruption by letter, telephone, fax or online, or you can go to the Commission's office in person. The Commission has a duty to give you feedback on its actions in the matter you have reported.

The identity of anyone who supplies information to the Commission is normally kept confidential. A person who makes a report in good faith will have no liability even if it turns out that the information is incorrect, but it is a criminal offence to supply false information to the Commission intentionally.

The following are some other contact points for complaints about poor service by a government body or unfair treatment by a government official. In most cases, it is possible to make a complaint by letter, telephone or fax - and some agencies have online complaint forms. Contact information is not supplied here because this changes from time to time. You should be able to find the contact information for the relevant agency online or in the telephone directory. You should always start out by trying to resolve your complaint directly with the person involved, or with the head of the body or agency concerned. This factsheet lists the agencies which deal with common types of problems. There are other government agencies which deal with other kinds of complaints.



Namibian Police

If you are not happy with the treatment you receive at a police station, you should first complain to the Station Commander. If you are still not satisfied with the outcome, you can make a complaint to the Internal Investigations Directorate at the Head Office of the Namibian Police in Windhoek. If you have a complaint about the service at a Gender-Based Violence Investigation Unit which is not resolved by the Unit Commander, you can contact the same directorate. ►

Magistrates, maintenance officers, clerks of court

If you have a complaint about the conduct of a **magistrate**, you can file a written complaint with the **Secretary of the Magistrate's Commission** at the **Ministry of Justice** in Windhoek. If you have a complaint about a **maintenance officer or clerk of court**, contact the **Chief of Lower Courts** at the **Ministry of Justice**.

Labour issues

The **Ministry of Labour, Industrial Relations and Employment Creation** has **labour inspectors** who enforce the provisions of the Labour Act on working conditions and the protection of workers from unfair labour practices. This would include, for example, complaints about hours of work, leave, non-payment of wages and child labour. Labour inspectors have extensive powers of investigation, including the power to inspect workplaces, to examine documents and to question people. They attempt to resolve complaints by bringing together employees and employers to mediate the issue, or by conducting investigations to gather the relevant facts.

Healthcare services

If you have a problem relating to a doctor, dentist, nurse or other healthcare professional, you can complain to the Registrar of the **Health Professions Councils of Namibia (HPCNA)**. The Registrar will ask you to sign a consent form to allow access to your medical records, in case this is necessary to investigate the complaint. The Registrar will forward the complaint to the council which governs the medical professional in question.

Liquor licences

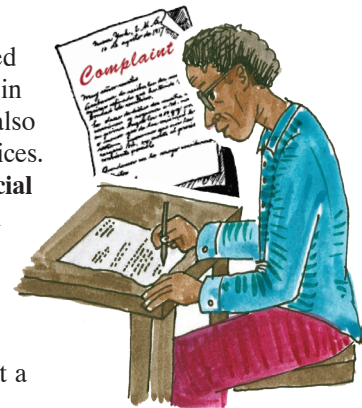
Complaints about an establishment with a liquor licence can be made to the relevant **Regional Liquor Licensing Committee** by means of a written petition signed by at least 15 adults who live close to the place serving alcohol (within 1 kilometre inside local authorities, and within 20 kilometres elsewhere). The residents can request that the liquor licence be cancelled, suspended for a specified time period, amended or reviewed.

Administration of estates of deceased persons

If you are not happy with the way that a magistrate or an executor is handling the estate of a deceased person, you should contact the **Master of the High Court**, who has offices in Windhoek and Oshakati. If the deceased died without leaving a will and the value of the estate is less than N\$100 000, then the administration of the estate is normally supervised by the **magistrate** nearest to where the deceased last lived. In such a case, you can take your complaint to that magistrate.

Financial services

Banking institutions are supervised by the **Bank of Namibia**, which is a body established by the Namibian Constitution. It publishes a Code of Banking Practice which explains in simple language how banks are supposed to treat their clients. The Bank of Namibia also helps with the resolution of problems relating to a banking institution's products or services. The supervisory authority for financial institutions other than banks is the **Namibia Financial Institutions Supervisory Authority (NAMFISA)**. You can take complaints to NAMFISA about matters such as insurance, pensions, medical aid and hire-purchase contracts.



Election-related issues

Elections are supervised by the **Electoral Commission of Namibia**. If you want to report a problem such as intimidation or election irregularities, contact this agency.

Radio, television, cell phone and internet services

The **Communications Regulatory Authority of Namibia (CRAN)** tries to ensure that consumers receive the full benefits of competitive electronic communication services and are protected from any exploitation or abuse. It has a complaints procedure for problems relating to issues such as charges and refunds, service delivery, customer treatment, service interruptions and dropped calls, delays in connecting customers, and service contracts. CRAN requires that you must have first raised your problem with the relevant service provider and given them 14 days to resolve the matter. ■

Another way to air dissatisfaction with government bodies is through input to the print media or a radio programme such as Prime Minister's Question Time or a community concerns response programme.

Civil society is the ultimate government watchdog. Civil society includes the press and non-governmental organisations. A strong democracy needs a strong civil society to keep government on its toes.
