

## The role of the Ombudsman of the Republic of Indonesia (ORI) in Handling of Maladministration as the Realization of Good and Clean Governance

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**Abstract:** *The Ombudsman has been institutionalized in many countries, but not all citizens in the country are aware of the existence of the Ombudsman. The Ombudsman in Belgium and Sweden for example they shows that the Public Organization in the country needs much improvement but the Ombudsman never receives complaints about it. According to Article 1 number 3 of Law Number 37 Year 2008 concerning the Ombudsman of the Republic of Indonesia, Maladministration is a Behavior or act against the law, exceeds the authority, uses authority for other purposes of the authority, including negligence or neglect of legal obligations in the provision of public services Undertaken by the State Organizer and government, including individuals who assist the government in providing public services that cause material and / or immaterial damages to the community and to individuals. The Ombudsman continues to carry out its duties in socializing prevention and completion of incoming reports. The Ombudsman Institution of the Republic of Indonesia has a very important role in overseeing the performance of public services as part of Indonesia in realizing Good and Clean Governance. The need for improvements in socialization / seminars / workshops organized by the Ombudsman in cooperation with Indonesian schools and universities to better introduce these institutions to educators and to future generations as an important part of the future of the State. This is necessary since there are still many people who do not know about the presence of Ombudsman institutions.*

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### I. Introduction

Currently, the issue of Good Governance became the topic of conversation is often heard in various media. Society is faced by variety of information about the deviation conducted by the Government official and published by the printed and electronic media. Indonesian society ultimately fell of distrust to their own government . Based on the results of surveys conducted by SMRC or Saiful Muljani Research and Consulting, in June 2015, the level of public dissatisfaction to the Government of Indonesia is at a point that is high enough that 55%. Meanwhile, in March 2016 has shown the decrease in number by 39%. This decreasing followed by the performance of government officials who showed better performance than the previous year (www.cnnindonesia access date 7 Februari 2017).

In order to restore public confidence and satisfaction it is necessary to the improve the quality of public services so that it can create good public services. Public services are the main functions of government that should be created by the Government. This represents the implementation of good governance and clean (good and clean governance).

One of the many events that make the society fell dissatisfied and loss of confidence are often found some mistake in the procedures in Government Office. These mistakes are called maladministration of public services. This makes the Government shall establish a special institution maladministration in handling the public services.

In 1999, according to Presidential Decree number 55 of 1999, which is the rationale the necessity to establish the Ombudsman which is a Government agency in charge to improve the protection of the rights of members of the community for actors of state organizers that does not comply with its legal obligations, by providing opportunities to members of disadvantaged communities to complain to an independent institution known as the Ombudsman. On October 7, 2008 was stimulated Law of the Republic of Indonesia Number 37 Year 2008 on the Ombudsman of the Republic of Indonesia (ORI). The changing of name from year to year shows that the Ombudsman is no longer in the form of the State Commission is a temporary, but a permanent state institutions like institutions of other countries and temporary state commission in carrying out its duties and authorities are free from interference by other powers.

## **II. Literature Review**

### **Definition Mal Administration**

According to Big Indonesian Dictionary (KBBI) online, Understanding Administration is the efforts and activities include setting goals and establishing ways of organizing coaching organization. So "maladministration" is defined as an error in the procedure for the organization and development of the organization.

Philip and Titik Sri Djatmayati (2005), Defining the administration as "The concept of maladministration is related to administrative behavior. Maladministration as derived from the latin mall - malum meaning bad or evil and Administration administrare meaning service. In Thus Spake sense. Maladministration stands for bad service. So it is clear that maladministration is a bad service performed by an organization.

According to Article 1 paragraph 3 of Law No. 37 of 2008 on the Ombudsman of the Republic of Indonesia, the meaning of maladministration Conduct or act against the law, beyond the authority, use authority for any purpose other than under the authority, including negligence or neglect of legal obligations in the implementation of public service performed by the Operator of State and government, including individual who helps the government to provide public services which causes material loss and / or immaterial for communities and individuals.

In the Indonesian positive law there are 9 criteria into the category of maladministration (1) Conduct and tort (2) Conduct and act beyond the authority, (3) Using the authority for any purpose other than the purpose of the authority, (4) Negligence (5) neglect of legal obligations (6) In the public service (7) Conducted by the Operator of State and government (8) Potential loss of material and / or immaterial (9) For the public and individuals.

### **Good and Clean Governance**

According to the United Nations Economic and Social Commission for Asia and the Pacific, Good governance has eight major characteristics among other things, participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minority taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

Good governance is the procedure of government is good, the organizing and the management is good, or good administration are based on early principles of transparency, participation and accountability in order to regulate the relationship between the government, private business, and society (Bappenas 2008). Good Governance is closely related to Clean Governance as they both have the same function, namely to better governance and free from corruption.

Clean Governance or Government of the net is filled in by the government officials honest, and work according to the task in hand, do not do corruption (Corruption, Collusion and Nepotism), can act in an objective, neutral and non-discriminatory (Bappenas, 2008). The principles of good governance, reflected in Act No. 28 of 1999 regulating the principles of the Clean government and Free of Corruption, Collusion and Nepotism. As a general principle in achieving clean governance are as follows: (a) The principle of legal certainty, (b) The principle of the orderly administration of the state, (c) The principle of public interest, (d) The principle of openness, (e) The principle of proportionality, (f) Principle professionalism, (g) The principle of accountability.

### **Ombudsman of the Republic of Indonesia (ORI)**

Ombudsman of the Republic of Indonesia (then referred to as the Ombudsman) is the state agency that has the authority to supervise the implementation of public service both held by the organizers of state and government including those organized by the State-Owned Enterprises, Regional-Owned Enterprises and State Owned Legal Entity and private entities or individuals were given the task to organize certain public services partly or entirely funded by the budget of revenues and expenditures and / or budgetary revenue and expenditure (Article 1 paragraph 1 of Law No. 37 Year 2008 on the Ombudsman of the Republic of Indonesia).

Ombudsman is in charge of receiving reports of maladministration in the implementation of public service to follow up reports / complaints from the public within the scope of authority of the Ombudsman, conduct an investigation based on its own initiative to alleged maladministration in the public service, and coordinate, co-operate and the develop of the networks with state agencies or other government agencies.

Ombudsman role in preventing the occurrence of maladministration in public service plays the role apparatus so that the improvement of public service standards were mandated by Law No. 25 of 2009 can be realized. Excellent public service standards create good governance, bureaucratic reform and clean government.

#### **a. Functions, Duties and Authorities of the Ombudsman**

#### Function

Based on Article 6 of Law No. 37 Year 2008 The function of the Ombudsman is to supervise the implementation of public service held by the Operator of State and government at both central and local levels including those organized by the State-Owned Enterprises, Regional Owned Enterprises, and Legal Entities Owned state and private entities or individuals are given the task of organizing certain public services.

#### Task

As the mandate of Article 7 of Law No. 37 Year 2008, the Ombudsman has the task:

- a. Receive reports of alleged maladministration in the implementation of public services;
- b. Conduct checks on the substance of the report;
- c. Following up on a report that is included in the scope of authority of the Ombudsman;
- d. Conduct an investigation on its own initiative into alleged maladministration in the implementation of public services;
- e. Coordination and cooperation with state institutions, government agencies, and community organizations and individuals;
- f. Building networks;
- g. Maladmirasirasi prevention efforts in the implementation of public services; and
- h. Perform other duties assigned by law

#### Authority

Under Article 8 of Law No. 37 Year 2008, the Ombudsman has the authority:

- a. Request information orally and / or in writing from the complainant, reported, or a related party of the reports submitted to the Ombudsman;
- b. Checking decisions, correspondence, or other documents that exist in the reporting or reported for the truth of a report;
- c. Asked for clarification and / or a copy or photocopy of documents required for checking reports from the agency reported;
- d. Summoning the complainant, reported, and other parties related to the report;
- e. Completing a report through mediation and conciliation at the request of the parties;
- f. Make recommendation to the completion of the report, including the recommendation to pay compensation and / or rehabilitation of the injured party; and
- g. In the public interest to announce the findings, conclusions, and recommendations.

In addition to these powers, the Ombudsman also authorized:

- Giving advice to the President, Regional Head, or the leadership of the other State Officials to correct and to improve the organization and / or public service procedures; and
- Giving advice to Parliament and / or the President, Parliament and / or the Head of the Region amend to laws and other legislation the amendment in order to prevent maladministration.

As the implementation of other duties assigned by law, the authority of the Ombudsman is getting wider and stronger, among others:

- With the enactment of Law No. 25 of 2009 on Public Service, the Ombudsman has wider including service monitoring of goods, services, and / or administrative services provided by public service providers. In terms of accomplishing compensation, the Ombudsman can conduct mediation, conciliation, and special adjudication (Article 50).
- With the enactment of Law No. 23 Year 2014 on Regional Government, the authority of the Ombudsman is getting stronger. Pursuant to Article 351: Regional Head who do not implement the recommendations of the Ombudsman as a follow up public complaints given special coaching sanctioned deepening field of governance implemented by the Ministry as well as the duties and authority held by the deputy head or a designated official.

#### Example of Maladministration

Example 1: The delay is solved

Protracted Delays on the process of Improvement of Supreme Court Decision Letter no. XXXXX / PDT / 2008 which has been tking time 22 (twenty two months (almost 2 years) Since Disconnected

#### Report

The Reporting Party as the applicant for Kasasi( appeal to the Suprime Court) sent a letter to the Chief Justice of the Supreme Court of the Republic of Indonesia with no. Y / S-BLT / SBY / II / 2012 dated February 3, 2012, contains questions on the certainty of delivery Improvement of Supreme Court Kasasi Decision. XXXXX / PDT / 2008. Because the Reporting Party received a letter from District Court A with No. Letter WXX-U13 / 806 /

Pdt.01.01 / XII / 2011 dated December 20, 2011, contains the submission of a mistake in writing in the decision No. XXXXX / PDT / 2008 which should be corrected. Given a copy of the Supreme Court's decision with Cassation No. XXXXX / PDT / 2008 dated July 14, 2010 until now it has taken 22 (twenty two months) since it is decided, it has not been received by the Reporting Party. The Reporting party has questioned the Standard Operational Procedure (SOP) of the term of decision should be accepted by the Court, as it causes disadvantage to the Reporting Party and the possibility of illegal charges by irresponsible parties.

Further action of Ombudsman RI

The Ombudsman of RI requested the first explanation / clarification to the Chief Justice of the Supreme Court on May 31, 2012 through letter no. 0XXX / KLA / 0601-2011 / IT02 / Tim.2 / V / 2011, essentially asking for protracted process of repairing the verdict of civil case according to the decision of Supreme Court of the Republic of Indonesia registers no. XXXXX / PDT / 2008 which was decided on July 14, 2010 which until now has not been corrected and sent to District Court A. The second request for clarification / clarification was sent to the Chief Justice of the Supreme Court on July 9, 2012, with No. 0XXX / KLA / 0601-2011 / IT-02 / Team.2 / VII / 2011.

Response / Implementation

This report was successfully completed by the Ombudsman of RI with the information from the Registrar of the Supreme Court R.I. in meeting with the Ombudsman Team RI held at the Office of the Registrar of the Supreme Court R.I. May 20, 2012. The Registrar of the Supreme Court R.I. Replied that the decision was in the process of renvoi and the Supreme Court R.I. Has sent a letter to the Reporting Party dated May 21, 2012 with the number: XXXX / PAN.2 / 241 / P / 2011 / SK / Perd which is based on the Reporting Letter dated May 16, 2011. 0XXX / V / 2011, the said cassation decision is still in the process of minutation.

Example 2: Misuse of authority

Money Reward Request that is not in accordance with the provisions in the Issuance of Extension of Trading Business License (SIUP)

Report

The Reporting Party is the Director of the Company deal with goods trading, the company was established in 1999, obtained the Business License Number (SIUP) Number A / BB / P1 / 09-01 / PB / IV / 99 dated 27 April 1999, with the big business category from the Office Region of the Ministry of Industry and Trade X. On July 6, 2009 the Reporting Party wishes to extend the Trading Business License (SIUP) at the Office of Cooperatives, SMEs and Trade X Province, Jl. Y Number 3 Prop.X, with SIUP issuance fee for big business category listed on bulletin board of Rp. 250.000, -.

The Reporting Party meets the officer by saying that the SIUP renewal requirements are complete, but the Reporting Party is required to pay Rp. 1,000,000, - and if he doesn't pay, SIUP can not be obtained. The Reporting Party is not willing to pay Rp. 1.000.000, - because the cost as it is stated in procedure only Rp. 250.000, -.

further action

Ombudsman RI Ombudsman RI asked for explanation / clarification by letter dated 4 August 2009 and dated December 7, 2009 to the Head of Dinas Koperasi, UMKM and Trade Province X. Ombudsman RI has also contacted by phone directly to the Office of Cooperatives, UMKM and Trade Province X to know Settlement process.

Response / Implementation

This report was successfully completed by the Ombudsman of the Republic of Indonesia because the Head of Cooperative, UMKM and Trad Provincial X Office sent a letter dated January 27, 2010 containing the extension of SIUP proposed by the Reporting Party has been issued on December 23, 2010 without any money requested by the Officer.

Example 3: The procedure deviation

Rejection of the Director of Brandf the Ministry of Justice and Human Rights on the Application of Trademarks Named X

Report

The Reporting Party is a clothing convection entrepreneur registering the Patent of brand "X" in the Regional Office of the Department of Law and Human Rights Prop. A, according to the letter of application for brand registration dated May 6, 2008. Head of Regional Office of the Department of Justice and Human Rights Prop. A sent a registration application to the Brand Director in Tangerang, by mail on May 6, 2008 along with the completeness of the file. Known other party named O also registered a similar brand (X) dated May 26, 2008. The Reporting Party has attempted a peaceful way with O, but was rejected. By a letter dated December 21, 2009, the Reporting Party was represented by P. (HKI Consultant of BNL Patent) filed an objection upon the request of a similar brand registration by O dated May 26, 2008. Since the Reporting Party filed a registration of the brand earlier than that filed by O dated May 6, 2008 The Brand Director of the Department of Justice and Human Rights answers the objection of the Reporting Entity by letter dated February 25, 2010, stating that the

application for registration of the brand from the Reporting Party dated May 6, 2008 was rejected as having similarities with the application of the brand filed by O dated May 26, 2008. The Reporting Party considered that the refusal from the Brand Director Department of Justice and Human Rights, by letter dated March 6, 2010, which stated objection because the Agenda Number originally obtained dated May 6, 2008 is not dated May 26, 2008. The Reporting Party told that filing date is the same as the completion of the file submission. On the rejection of the Director of the Department of Law and Human Rights, the business The Reporting Party suffers losses because there is an oral request from O to the Reporting Party not to sell the remaining product and withdraw all products that have been marketed.

Further action of Ombudsman RI

Ombudsman RI requested clarification to the Director of Trademark Ministry of Justice and Human Rights of the Republic of Indonesia with a letter dated May 7, 2010. On August 2, 2010, the Ombudsman Team of Indonesia conducted an investigation into the Director of Trademark Ministry of Law and Human Rights of Indonesia and obtained explanation that it was found some An irregularity associated with the time of receipt of application files from the Reporting Party. The IPR Directorate General can not provide proof / receipt or indicate who the officer received the first application file, the application submission schedule / receipt for 2007 was lost and only found after September 2008. On August 31, 2010, the reporting Party gave information to the Ombudsman RI that the case is being processed at trial in the Commercial Court.

Response / Implementation

This report was successfully completed by Ombudsman R.I, because on November 11, 2010, the Reporting Party sent a letter of gratitude to the Ombudsman of RI that the matter has been completed, the Director of Trademark is willing to be an expert witness in the case of the Reporting Party. The Commercial Court of Surabaya granted the Reporting Party in the case of cancellation of the X brand certificate on behalf of O and stipulated:

1. Registration of X brand dated May 6, 2008 is on behalf of Q.
2. Declare the X brand on behalf of O based on bad faith.
3. Cancel brand X certificate on behalf of O.
4. Order the Directorate of Trademark to write off the trademark registration X from the general list of DII brand names.

Example 4: Abandonment of legal obligations

Unenforced Decision of Courts that has Permanent Law Power

Report

The Indonesian Ombudsman receives a report from Br. X, about alleged irregularities in the appointment of structural officials at Echelon III of the Ministry of Culture and Tourism on September 30, 2005, because at that time the reported problem was in court, so the Ombudsman RI was not authorized to intervene so that the Ombudsman of RI could not follow up. The Ombudsman of the Republic of Indonesia received a copy letter from the Chairman of the Jakarta Administrative Court Number XX / HK.06 / V / 2009 dated 12 May 2009 to the Secretary General of the Ministry of Culture and Tourism regarding the supervision of the execution of the decision which has obtained permanent legal force in this case. X. as the Plaintiff against the Secretary General of the Ministry of Culture and Tourism as the Defendant. Mr. X in his letter to the State Business Court attached a copy of the letter of the Secretary General of the Ministry of Culture and Tourism Number: XX / SEKJEN / DKP / 2009 dated July 15, 2009 regarding "Implementation of Decision which has obtained permanent legal force" addressed to the Chairman of the State Administrative Court Jakarta. Amar the Decision of the State Administrative High Court Jakarta Number: XXX / B / 2006 / PT.TUN-JKT, dated January 11, 2007, which has obtained permanent legal force, among others, reads in the Principal Case:

- A. To grant the Plaintiff's claim entirely,
- B. Declare null Decision of the Secretary General of the Ministry of Culture and Tourism No.SK XXX / KP.XXX / SEKJEN / DKP / 05 dated 28 September 2005 regarding the dismissal in the office within the Ministry of Culture and Tourism, in the Attachment of the Decree No.3 on behalf of Mr. X;
- C. Ordered the Defendant to revoke the decision of the Secretary General of the Ministry of Culture and Tourism. In Attachment to Decree No. 3 above Mr.X;
- D. Returns the status and position of the Plaintiff / Competitor to the Echelon III Structural Official. Mr. X.

Investigation / Action and consideration of the Ombudsman

The Ombudsman of RI has followed up by sending recommendation No. 000X / REK / OXXX.2006 / MM-04 / V / 2009 dated May 19, 2009. Then continued 00XX / LNJ / OXXX.2006 / MM-04 / III / 2009 dated 28th August 2009

Response / Implementation

This report is successful.

Example 5: Not transparent

Absence of Clarity of Treatment Rates for Patient of Askes ( Health Insurance) User

Report

The Reporting Party is one of the Askes users in a hospital / RSUP at Prop.X. For check-ups for patients using Askes, it is compulsory to pay the difference between RSUP tariff with assistance tariff of Askes , except the one who doesn't want to pay can be given a dispensation (no pay ). The Reporting Party as Askes requested that any clear procedure and the certainty for the payment of medical expenses for Askes users, because what is the cost for if it has been given a dispensation.

Further action of Ombudsman RI

The Indonesian Ombudsman requested clarification by letter dated June 1, 2010 addressed to the Director of the General Hospital of the Government (RSUP) and in essence requested that the hospital give explanation to Askes users regarding the payment with no discrimination and not to collect payment beyond the provisions.

Response / Implementation

The Central General Hospital responded by letter dated June 9, 2010 and stated that For Askes users are not charged beyond the provisions under the hospital agreement with PT Askes. The fee should be paid by Askes users is a fee for service outside the hospital agreement with the PT Askes.

Example 6: Negligence

Negligence in the Submission copy of Decision Cases by the Supreme Court of the Republic of Indonesia which was Submitted On 12 August 2008 to District Court X

Report

The Reporting Party informs that any person claiming to be an employee of the Supreme Court of the Republic of Indonesia has called the Reporting Party by requesting a sum of money so that a copy of the decision may be immediately sent to District Court X to be submitted to each parties. The report was submitted by the Ombudsman of the Republic of Indonesia to the Chief Justice of the Supreme Court and its staff on February 25, 2009 that is the implementation of reviewing of Supreme Court dated on July 12, 2005, which was delayed due to a case of resistance in the Supreme Court which had been decided on 12 August 2008. Until this complaints is reported to the Ombudsman of the Republic of Indonesia, a copy of the decision has not yet been sent to the parties. The search of Ombudsman staff when visited the Civil court registrar of the Supreme Court of the Republic of Indonesia obtained information that the minutation of civil case Number XXXXX / Pdt / 2005 / MARI has been prepared and still in the Civil Court Registrar of the Supreme Court to be signed and sent.

Further action of Ombudsman RI

The Indonesian Ombudsman requested clarification to the Chief Justice of the Supreme Court of the Republic of Indonesia with letter Number 00XX / LNJ / 0065-2003 / AS-02 / III / 2009 dated April 16, 2009.

Response / Implementation

This report is successful. The Reporting Party has received a copy of his verdict.

Example 7: Discrimination

Discrimination in the Submission of Lecturers Name, Proposal of certification for Lecturer of Health Polytechnic of Kemenkes Province X

Report

Reporting Party is a Polytechnic Lecturer of Health Kemenkes Province X which has worked around 24 years 6 months, positions Head Lectures, rank of Pembina Tk 1 / IV b. In July 2009, the Reporting Party was proposed by the Nutrition Department to obtain lecturer certification. In the list of names submitted to the Board of Health PPSDM. Ministry of Health RI, the name of the Reporting Party at number ten with the number of lecturers proposed to the center of twenty (20) persons. However, when it will be sent to the Board of Health PPSDM, The Ministry of Health RI the name of the Reporting Party was not found, even replaced with the name of another lecturer who is not listed in the list of names before. The Reporting Party told that another lecturer who replace his name quite close to the ranks of officials at the Health Polytechnic of Kemenkes X Province, so the name of the Reporting Party was not submitted. The Reporting Party feels discriminated against such action, whereas the Reporting Party is eligible to be proposed the lecturer's certification and deletion without notice to the Reporting Party. In July 2009, the Reporting Party requested an explanation to the Director and Senate of the Health Polytechnic of the Provincial Health Ministry on the matter, but did not get a settlement. The Reporting Party expects that any transparency in determining the candidate for Lecturer certification.

Further action of Ombudsman RI

Ombudsman RI asked for explanation / clarification to the Director of Polytechnic of Health Ministry of Health of Province X with letter dated 16 February 2011 and asked to meet directly with the ranks Board of Directors of Poltekes Province X. The Ombudsman of the Republic of Indonesia requested that research be undertaken with regard to the non-entry of the Reporting Party in the list of proposed lecturer certification submitted to the center.

Response / Implementation

Health Polytechnic of Ministry of Health explained the status of Reporting Party has applied for transferring of duty of functional lecturer to Head of Nutrition Department of Poltekkes Kemenkes Province X to University Y. On April 7, 2010, the request to move the duty of Reporting Party is approved by the director and forwarded to Ka. Agency PPSDM Health Ministry of Health RI. By PPSDM the application is approved. On 22 December 2010, the Legal and Organizational Bureau of the Secretary General of the Ministry of Health reinforced the decision not to include the certification of lecturer to the Reporting Party that contents were among others the result of coordination between the Secretariat General and the Secretariat of the PPSDMS Agency that he d had applied for the transfer of duties / functional lecturers from Poltekkes Kemenkes Propinsi X University Y and the application for the transfer has been approved before any a lecturer certification within the Polytechnic Health in 2010. The Reporting Entity is expected to submit a lecturer certification in the new Reporting Party Workplace. This report is complete.

#### Example 8: Unprofessional

Complaints for poor service in the manufacture of Driver's License (SIM) C at the Directorate of Traffic Polda X

#### Report

On February 18, 2011 the Reporting Party came to the Traffic Directorate of Polda X on Jl. Y Jakarta to apply to make Driver's License (C.) The officer gives directions to register to the counter and pay the prescribed fee, the required file must include the Identity Card, fill out the application form, fingerprint and health . It has been fulfilled so get the registration number: 311944XX. ,then the Reporting Party take the written examination but he is declared not pass so that the Reporting Party take the exam again, but he doesn't pass again. The Rapporting Party asked the Officer why he always doesn't pass the exam and where the mistake is, but the Officer did not inform and was unfavorable in response to the question. Officer then gives information if you want to pass and get a SIM quickly pay Rp. 550,000 (five hundred fifty thousand rupiah). The Rapporting Party takes the third theoretical exam but he is not allowed to have the exams because he has take it twice. The Rapporting Party requested an explanation of the SOP regarding the process of the theory exam, the practice and why there was no clarity about the mistakes in the test answer, but was not answered by the Officer. Reporting Party was offered Officer if you want it quickly, you do it through the service bureau, you will pass the exam, you just provide photos and SIM is done quickly.

#### Further action of Ombudsman RI

The Ombudsman of the Republic of Indonesia asked for explanation / clarification to the Director of Traffic of Polda X concerning the complainant's complaint about the poor service during the making of the Driver's License according to the letter Number: 0XXX / KLA / 0118.2011 / PD-20 / III / 2011 dated March 28 2011. On May 3, 2011, Assistant Ombudsman RI Who handles Reports to the Reporting Party through Telephone whether the complaint has been followed up, the Reporting Party's response has got a good service In accordance with applicable procedures.

#### Response / Implementation

This report was successfully completed by Ombudsman R.I. Because on April 26, 2011 through Letter Number: XXXX / 147-Kec.Srp Director of Traffic Polda X convey the answer to the Ombudsman of RI, that the complainant of the Reporter has been followed up, so the Reporting Party can apply for a SIM again and after re-test get he get SIM C. Completion of Community Report was conducted on June 8, 2012 with making of Minutes of Closing Report / Community Complaint No. 0XXX / BP / 01/2012 / JKT.

#### Example 9: Unclear information

Report on Unclear cost of Medicines for Patient Maternity in Hospital X

#### Report

The Reporting Party has a sister who gave birth in RSUD X and was treated in VK / RN room because she gave birth to premature babies in April 2010. At the time of the Reporting Party's sister's sister will leave RSUD X, the Rapporteur is required to redeem a prescription worth Rp. 500.000, - to reimburse the cost of medicine given by RSUD X to the patient during stay in VK / RN room. The complainant and the patient said there was no medicine given by RSUD X in the inpatient room, the patient bought herself to be cosumed every day. Patients can be sure that the prescription is not paid for the medicine they need to take home, but the RSUD X says the prescription is made up of medication given in the patient's room. Thus, the Reporting Party asked RSUD X for certainty of what the cost of Rp. 500.000, - but gets unsatisfactory explanation.

#### Further action of Ombudsman RI

Ombudsman RI asked for explanation / clarification to the Director of RSUD X related to the imposition of a fee of Rp. 500.000, - when the patient will exit RSUD X and medication is never received by the reportingParty's sister during the hospitalization in RSUD X according to the letter Number: 0XXX / KLA / 0XXX.2011 / KI-32 / VI / 2011, dated June 14, 2011).

#### Response / Implementation

This report was successfully completed by Ombudsman R.I with closing the report through Closing Report / Community Complaint Report No.00XX / BP / I / 2012 / JKT dated January 25, 2012. Because there has been any letter clarification RSUD X with letter no. XXX / XX13 / RSX / YAN / 2011 dated July 6, 2011, in essence the Reporting Party came on 20 April 2011 to the puja room and he was prescribed by the Midwife to be redeemed but the Reporting Party objected because the prescription was Rp. 500.000, - is considered too expensive. Whereas the prescription includes emergency medicine belonging to RSUD X which is given by injection and infusion during child-birth so that the patient and family do not know, copies of responses from RSUD X have been submitted to the Reporting Party and the Reporting Party no response.

Example 10: Arbitrary action

Acts of Arbitrary Regent X in the Framework of Data Collection of honorer teachers of Junior High School / Senior High School / Vocational School. Which is stated not valid and illigeble with Category Report

Based on the Circular Letter of the Minister of Administrative Reform and Bureaucratic Reform. 5 Year 2010 dated June 28, 2010 concerning Data Collection of Honorary Workers in Government Institutions, BKD District X conducted data collection and proposed a number of 347 honorary staff to be included in category I (one) to the State Personnel Board (BKN) through letter no. XXX / XX25 / 2010 dated August 30, 2010. On September 30, 2010 BKN sent a letter no. X / YZ-2/50 on verification and validation of honorary staff category 1 (one) to BKD District X. Verification and validation conducted on 11-17 October 2010. Subsequently on September 2-17, 2010 Regent X conducted public test to request Input and advice related to honorer's data. Based on the results of the public test, Regent X through letter no. XXX / XX40 / 2010 dated October 8, 2010 regarding revision of honorary staffing data to the Head of BKN stated that the data of honorary workers, especially teachers of SMP / SMA / SMK is not valid and does not meet the criteria of category 1 (one), request to be re-verified to be included in the category 2 (two) and 1 (one) eligible data of 145 people. On November 8, 2010, the Reporting Party consults to BKN, it is suggested to submit a report to the Minister of PAN and RB and Head of BKN. On November 22, 2010 the Reporting Party reported to the BKD, obtaining a response that BKD only followed the orders of superiors (Regent X). On November 24, 2010, the Reporting Party sent a letter to Bupati X, requested that the Regent X revoke letter no. XXX / XX40 / 2010 dated October 8, 2010 and issued a new letter stating that teachers of honorary workers of junior high, high school, and vocational school district X are lible for category 1 (one), but have not received a response.

Further action of Ombudsman RI

The Ombudsman of the Republic of Indonesia asked for clarification to the Regent X regarding the complainant's complaint regarding the letter of the Regent X No. XXX / XX40 / 2010 dated October 8, 2010 concerning revision of teachers' data of unvalid collection of honorer teacher of SMP / SMA / SMK school and illigeble in category 1 (one) but include in category 2 (two) as many as 145 people and the results of public test conducted by the Regent X according letter No.: 00XX / KLA / 0001.2011 / MM-23 / I / 2011 dated January 21, 2011.

Response / Implementation

This report was successfully completed by the Ombudsman of RI by closing the report through Minutes of Closing Report / Complaint No.00XX / BP / I / 2012 / JKT dated January 16, 2012, because the Reporting Party has received response from Regent X and the substance of the report has been completed and the Reporting Party -has already entered in BKN database.

Example 11: Legal uncertainty

Legal Uncertainty Continuation of Pretrial Trial Processes at State Court Y.

Report

On November 10, 2010, the Reporting Party filed a pre-trial lawsuit against the Letter of Termination of Inquiry (SP3) issued by Police Resort X. The Raporting Party has attended the Pre-Trial Court hearing once, but the subsequent process is unknown because According to the Reporting Party District Court Y never informed the continuation of the pre-trial hearing he submitted. The Reporting Party once asked the Clerk of the District Court Y, and it was answered that the Reporting Party was asked to wait as it was still being processed. Until at that time , the Reporting Party did not know the progress of the Pretrial process.

Further action of Ombudsman RI

The Ombudsman of the Republic of Indonesia asked for clarification to the Chairman of the District Court Y essentially asking for an explanation of how the process of pre-trial lawsuit filed by the Reporter so far corresponds to the letter No. 00XX / KLA / 0015.2011 / PD-23 / II / 2011 dated February 28, 2011.

Response / Implementation

This report was successfully completed by Ombudsman RI, because there is already adequate response from Subang PN which states that the substance of the report is still in the process of examination in court, the information of following examination has been known by Reporting Party.

Example 12: missmanagement

The request to the cost reversing name of a Rusunawa Residents by UPT Housing Management and office Building Office of the Provincial Government X.

#### Report / Complaint

Rusunawa management does not carry out the obligation to carry out the agreement with the apartment occupant and not transparent explain the costs collected from residents of the apartment. The Reporting Party named Mr. A is located at Jalan Rawamangun RT. X / Y Block Z Jakarta Timur. early March 2010, the Reporting Party has paid Rp 15,000,000 to the Rental Manager through Mr. B for the cost of reversing the name and repairing of the apartment, but the Reporting Party does not receive a payment receipt from Mr. B. The Reporting Party occupies Rusunawa since March 18, 2010 based on Letter of Agreement No. X / 076.43 between Reporting Party and Head of UPT. apartment Management. On May 19, 2011, the Reporting Party could not occupy the Rusunawa because of the disturbed health condition to stay in the apartment. In May 2011, with the approval of the Rusunawa management (Bro B, Bro C and Mr. D), the Reporting Party transferred its flat unit to another party, but the transfer was canceled unilaterally at the end of May 2011. In June 2011, the Reporting Party wanted to enter its unit of flats But not allowed by the Rusunawa Manager (Bro, B, Bro C and Mr. D) without clear reason. At the end of July 2011, the Reporting Party met again with the apartment Management who asked for more money Rp 4,000,000 with the reason for the cost of name reversing but the Agreement Letter between Head of Rusunawa and Reporting Party Number X / 076.43 is still valid until February 2012. The reporting Party is materially lost because the apartment can not be occupied for 2 months.

Further action of Ombudsman RI : Ombudsman RI asked for explanation / clarification to the Head of Housing Management Unit at Housing and Building Agency of Provincial Government X with letter of September 2011.

Response / Implementation : On October 13, 2011, Head of Housekeeping Management Unit at Housing and Building Service X Provincial Government responded to a letter of clarification from the Ombudsman of RI which explained that according to the examination result, the unit in question is still owned by the Reporting Party. A (with the key unit still held by A), the apartment unit is still empty and no item owned by the Reporting Party, information from the management that the Reporting Party has arrears of Levies from July to September 2011, there is no basis for any regulation to withdraw levies except Levies / leases levied by the Management, Letter of Agreement No. X / 076.43 dated March 18, 2010 is still valid, the unit can be occupied by the holder of the Agreement, for occupying in the relevant unit The Reporting Party should abide the rules on the occupancy, the Order and the contents of the Letter of Agreement in particular In Article 6 paragraph (1) and Article 7 paragraph (6). On December 20, 2011, the Reporting Party delivered a thank-you letter for the Application Letter to solve the problem of the Right to Rent of Simple Flats X Region X Pondok X, District X Jakarta-East. So the report is closed.

The handling of Maladministration by the Ombudsman of the Republic of Indonesia

#### Prevention of Maladministration

Some programs implemented by the Ombudsman in order to prevent Maladministration in 2015 include:

##### 1. Awareness and Education

The Ombudsman organizes the role, task and function of ORI as the State Institution of Public Service Supervisor through art performances whose local creative to inform anti-Maladministration as an effort to prevent potential corrupt behavior to the public for better public services in all provinces in Indonesia. This socialization was conducted from August to December 2015 in several provinces in Indonesia, namely Central Java, Bengkulu, Banten, Bangka Belitung, East Java, West Sulawesi, Southeast Sulawesi, North Maluku, Gorontalo, West Kalimantan, Lampung, Aceh, North Sumatra, Sumatra West, Maluku, DI Yogyakarta, Bali, Jambi, Central Kalimantan, Central Sulawesi, West Java, NTB and DKI Jakarta.

One of public education in order to increase public participation in the understanding of the importance of knowing the rights and obligations of users and service providers related to the fulfillment of service standards in order to facilitate and bring community closer to the Ombudsman RI, the clinic socialization is also conducted using the clinic car. The activities took place in 9 locations, namely South Sumatera, Jambi, Bengkulu, Lampung, Bali, Bogor, Cilacap, Banyuwangi, and Bima.

In addition, following the exhibition is also one of means of socialization for the Ombudsman could be closer to the public by conveying the role of Ombudsman RI as a state institution Supervisor Public Service. The exhibition has been held in various places such as Public Service Innovation Exhibition in Sidoarjo, Legal Expo Exhibition at the Ministry of Law and Human Rights, Exhibition at Judicial Commission, National Labor Jamboree Exhibition in Jember and National Anti-Corruption Day Exhibition in Bandung.

To further introduce the Ombudsman Institute to University students and Students Regarding the self recognition, the role and function of the Ombudsman RI, and inform the understanding of Maladministration, the Ombudsman conceptualized an event titled "Goes to Campuss and School" which has been implemented in several places such as Garut University, Muhammadiyah University of Sukabumi, Bakrie University, Universitas Negeri Surabaya, and SMAN 6 Jakarta.

Further on 13 November s.d December 8, 2015, the Ombudsman held a Video-Making Competition under the slogan "Public Service Fighters for Public Service to be better". Videos sent in this race are 100 videos. The winner of the category "No walking on the Sidewalk" by Bowo Leksono, winner in short film category "No bargai forPublic Service e" by Renda Firmansyah. In another aspect of education, the Ombudsman in collaboration with the University on public service to students is conducted at Bunda Mulia University, Bakrie University, and Multimedia Nusantara University to give public lecture events on the campuses.

## 2.Cooperation and Development of International Forum Network

Here are some of the agenda of cooperation and development of international forum network that has been done in 2015 by Ombudsman of Republic of Indonesia:

On 31 March 2015 a Memorandum of Understanding was signed between the Ombudsman of the Republic of Indonesia and the Royal Thai Ombudsman to create and strengthen cooperation between the two parties in improving complaints handling systems and exchanging experiences, collaborating in areas related to common interests and solving problems and injustice practices suffered by a citizen one of the parties who is in the territory of another country.

On April 1, 2015 the Indonesian Ombudsman received visits from the Sudanese Ombudsman, Ms. Dr. Ihsan Husein Babikr and the Sudanese Ambassador Abd. Alrahmidd Alsiddig Mohamed Omer. During the visit, the Ombudsman of the Republic of Indonesia and the Ombudsman of Sudan exchange information on duties and functions, as well as experience in handling public complaints.

On April 22, 2015, a Memorandum of Understanding between the Ombudsman of the Republic of Indonesia and the Central Java Provincial Government of Semarang was signed by the Chairman of the Ombudsman of RI and the Governor of Central Java to improve the implementation of public services within the Provincial Government of Central Java in order to realize good governance.

On May 5, 2015, the signing of a Memorandum of Understanding between the Indonesian Ombudsman and KIP at the Ombudsman Building of the Republic of Indonesia by the Chairman of the Indonesian Ombudsman and the Chairman of KIP.

On May 19, 2015 a memorandum of understanding was signed with the Multimedia Nusantara University (UMN). The signing was done at UMN between Chairman of Ombudsman RI and Rector of UMN.

On May 26, 2015 the Indonesian Ombudsman received the visit of the Asian delegation Productivity Organization (APO) from Japan who conducted a comparative study. In this comparative study, the Chairman of the Ombudsman RI presented material on the role of the Ombudsman of RI and duties, including the awarding of certificates and certificates of compliance to K / L related to public services, and the effort of awarding such compliance could improve public services.

On June 8, 2015, a memorandum of understanding was signed with Bakrie University. The signing was done at Bakrie University, between Chairman of Ombudsman RI and Rector of Bakrie University.

On 31st August to 18th September 2015, the Workshop and (ToT) Public Service Complaint Management conducted with SAJI Project - UNDP.

On August 10, September 26, 2015, the Ombudsman held an event, it is held with the Commonwealth Ombudsman of Australia. The results achieved from this activity are a) to increase the capacity / skill of Ombudsman RI Trainer Team; B) to increased investigative capacity for the Ombudsman Assistant Candidate either from the Head Office or Representative Office; C) Meeting of Leaders of Ombudsman of RI with various Ombudsman in Australia; D) Discussion of ongoing cooperation programs and program plans for 2016.

In the international forum, the Ombudsman of RI is one of the steering committee members of the establishment of the Organization of Islamic Cooperation Ombudsmen Association (OICOA). The Indonesian delegation, proposed one vote for one country. Although there was a debate, the proposal was finally accommodated. In addition, at the International Forum, the Chairman of the Indonesian Ombudsman attended the Roundtable Discussion conducted by the World Bank with the International Ombudsman Institute (IOI) in Washington DC on May 11, 2015. In the forum, the Chairman of the Ombudsman explained that the public can participate in public service providers Public through [asik.ombudsman.go.id](http://asik.ombudsman.go.id). To assess public services in various government agencies. In addition he explained, in carrying out supervision, Ombudsman RI conducted a program "mistery shopper". Then on 24-25 November 2015 in Islamabad Pakistan, the 14th Asian Ombudsman Association Conference, give an opportunity for Ombudsman institutions from member countries to exchange views on the experiences of other members and also addresses issues of change in the rules of the territorial of ombudsman in Asia.

## 3.Public Service Complaint Management Unit

The establishment of a Complaint Management Unit is a mandate of Article 36 of Law Number 25 Year 2009, stating that "The Organizer is obliged to provide complaints facilities and assign a competent executive in the management of complaints". As the implementation of the mandate, the Ombudsman encourages the establishment of a complaints management unit and develops its management competence. This unit is very important, but few new service providers are shaping and deploying competent managers.

Therefore, the Ombudsman also encourages the formation of units so that people have a channel of complaints in stages. In order to improve the effectiveness of handling community complaint handling, each Ministry / Institution / Local Government should develop a Public Service Complaints Management Unit and designate a competent officer as mandated by Presidential Regulation Number 76 of 2013 on Public Service Complaint Management. In 2015, 91 units have been facilitated, among others: Ministry of 34 units, Institutions 44 units, Provinces 9 units, and City / District 4 units.

#### 4. Integration of national complaints management system

The achievement of Integration of National Public Service Complaint Management System (SP4N), in its implementation implemented by Ministry of Administrative Reform and Bureaucracy Reform, Ombudsman RI, and Office of Presidential Staff. The integration by developing REPORT! Which so far has been administered by the Office of Presidential Staff. The role of the Ombudsman of RI is to encourage the realization of such integration, while the provision of facilities and infrastructure implemented by the Ministry of Administrative Reform and Bureaucracy Reform. Integration of national public service complaints management unit (SP4N) is implemented in stages. By 2015, 8 provinces have been integrated from 34 provinces. The eight integrated provinces are Aceh, West Sumatera, Lampung, West Java, Special Region of Yogyakarta, Bali, West Nusa Tenggara and South Sulawesi.

#### 5. Compliance Research Results

Compliance research is conducted on administrative service products. Administrative services according to the explanation of Article 5 of Law Number 25 Year 2009, which is administrative action by the Government and Non Government, in the form of document providing services by the Government. The study was conducted in 22 Ministries, 15 Institutions, 33 Provincial Governments and 114 District / City Governments. The study was conducted in two periods: The first period was March - May 2015 and the second period in August - October 2015. The research was conducted by survey method with sampling technique in period 1 and in period 2 by identifying service products belonging to 15 Affairs Provincial Government and 16 Government Affairs of Regency / City, as regulated in Law Number 23 Year 2014.

#### 6. Society participation

In relation to the standard of public service which is appealed in Chapter V Article 20-38 of Law Number 25 Year 2009 concerning public service, Ombudsman RI has initiative to build an application that can support information about service standard called Compliance Information System Application (ASIK). The launch of ASIK was inaugurated on April 28, 2015 along with thematic forum of Bakohumas and declaration of integrity zone of Ombudsman RI, as a form of public participation space in public service implementation. ASIK through [asik.ombudsman.go.id](http://asik.ombudsman.go.id) is an application of assessment that involve the Public community / service users in assessing current the public service standards in service providers, both at the central, regional and local levels.

#### 7. Media Statistic

#### 8. Public Service Policy Improvement

Some examples of improvements to public service policies such as regulatory changes in K / L / D are:

1. Stipulation of SK 76 / MenLHK-II / 2015 on Riau Islands Forest Area on 6 March 2015 replacing SK 463 / Menhut-II / 2013
2. Regulation of the Chairman of the Board of Free Trade Zone and Free Port of Batam No. 1 of 2015 on the Amendment of SOTK Free Trade Area and Free Port of Batam.
3. stipulation of the Minister of Internal Affairs No. 503/506 / SJ dated January 28, 2015 to the Governors, Regents and Mayors on Optimizing the Implementation of Public Services in the Region.
4. Starting on January 2, 2015 the operation of Jakarta BPPTSP serves 518 licensing & non licensing.
5. On May 28, 2015 Inauguration of Online Services in BPPT Bandung and the formation of Ombudsman Detective Team.
6. stipulation of Regulation of Mayor of Surabaya Number 18 Year 2015 concerning Enforcement of Business License for Supermarket Shop in Surabaya City, and to make it easier for Unlicensed Modern Stores to take care of permit.

#### Integrity Zone

The involvement of the Ombudsman of RI as a witness to the integrity zone activities within the ministry / agency / local government are as follows:

- a. Ministry of Health (January 9, 2015);
- b. Meteorology, Climatology and Geophysics Agency (February 3, 2015);
- c. Ministry of BUMN (6 March 2015);
- d. Ministry of Women Empowerment and Child Protection (16 March 2015);
- e. Coordinating Ministry for Political, Legal and Security Affairs (March 24, 2015);
- f. Ministry of Industry (7 April 2015);
- g. Ministry of Defense (April 27, 2015);

- h. Government of Malang City (28 April 2015);
- i. Bogor City Government (30 April 2015);
- j. Investment Coordinating Board (May 5, 2015);
- k. Ministry of Home Affairs (14 September 2015);
- l. Ministry of Education and Culture (6 October 2015);
- m. Ministry of Tourism (October 26, 2015);
- n. Secretariat General of the People's Legislative Assembly of the Republic of Indonesia (2 November 2015);
- o. Ministry of State Secretariat (December 14, 2015);
- p. State Intelligence Agency (December 22, 2015).

#### 10. Prevention at ORI Representative

Prevention activities conducted by Representative Ombudsman RI into 3 groups of Socialization of 450 activities, Network Development as many as 616 activities and Cooperation amounting to 203 activities. Target of the activities are the providers of public services, the public as users of public services in order to meet the right to get public services. It is also addressed to NGOs and the mass media as pillars of community participants who assist in monitoring the provider of public services.

The public can also access Ombudsman website via <http://www.ombudsman.go.id/> as well as to know some representatives of the Ombudsman of the Republic of Indonesia in areas throughout Indonesia. Through the website, people can also file complaints online by entering personal data up to the details of the issues they wish to report.

#### Report Completion

##### Society Complaints Handling

Throughout the year 2015, the Ombudsman of RI has received a report / public complaint over the alleged Maladministration in the public service of 6,859 reports. Of these, 3488 reports are still under process of handling status and as many as 3371 reports are completed status. It means Ombudsman RI has successfully completed the handling of community reports as much as 49.1%. The procedure of report submission to the community is done by coming directly to the Ombudsman Representative of Indonesia (3251 reports), Letters (1667 reports), Initiative Investigations (399 reports), Telephone (664 reports), through media (763 reports), E-108 reports, Faximile (4 reports), and Website (3 reports).

Based on the reporting Party classification data shows that the people who reported the most complaints about the alleged maladministration relatively still the same as the previous reports that is Individual / Victims as many as 3,251 reports (58.09%). This condition shows the increasing public awareness to get the right to good service. Based on data from the Provinces of origin of the Reporting Parties, which are in the order of 3 (three) most are from East Nusa Tenggara 505 reports (7.36%), East Java 474 reports (6.91%), and North Sulawesi 472 reports (6.88%). This condition shows the high public awareness of the problems experienced they get undue service and awareness to get good service and quality. Based on the Reported Party's classification, the highest number of agencies reported were Regional Government of 2854 reports (41.61%), Police of 806 reports (11.75%), and Ministry of Institutions as many as 661 reports (9.64%). As it is known that most services are in the service providers within the local government. The alleged Maladministration reported by the community based on the highest number of suspected maladministration suspects was 1736 reports (25.31%), 1461 reports (21.30%), and did not provide service 1132 reports (16.50%). Suspected maladministration reported by the community such as unfinished licensing process, postponement of issuance of land certificate, the delayed of handling of community reports by service providers. The process of handling the reports / complaints of the community is done by administrative and substantive checks. The following-up on reports / complaints of the community in the form of: clarification request to Reported Party, notification to Reporting Party, investigation, monitoring, mediation, and delivery of Recommendation to Reported Party and its supervisor. In 2015, a follow-up of 6,834 reports. The follow-up is a follow up to the reports / complaints received by the Ombudsman of the Republic of Indonesia in 2015 and in previous years. By 2015, reports / complaints that are declared to be closed are 3,356 (49.11%) reports.

##### Representative of Ombudsman RI

Representative Office of Ombudsman RI has spread throughout the territory of Indonesia. With the hope that people are more familiar with and know the work programs owned by the Ombudsman. The Ombudsman's representative data is accessible to the public through the website <http://www.ombudsman.go.id/index.php/representation.html>. During 2015, each Ombudsman's representative has conducted 1094 Investigations to complete a public complaint report or an investigation on its own initiative. In addition, conducting monitoring activities aimed at following up on the reports of the community whether or not they have received a response from the Reported Party, and also to know the level of compliance of the Reported Agencies to the follow-up of the Ombudsman RI. Implementation of monitoring activities as

many as 435 times. In addition to monitoring, representatives of the Ombudsman RI also conducted mediation to the parties concerned to solve the problem. In order to solve the problem, it is often necessary that parties can help to bring together the Reporting Party with the Reported Party. Representative of Ombudsman RI conducted 210 times mediation.

### III. Conclusion

The Ombudsman Institution of the Republic of Indonesia has a very important role in monitoring the performance of public services as part of Indonesia in realizing Good and Clean Governance. The Ombudsman also has a responsibility in preventing Maladministration committed by the Government Organizer in a public service process that violates the prevailing rules and misuse of authority that may cause the Society to feel unfairly treated or even loss. From year to year, the Ombudsman has performed well. Evident from the data follow-up activities report that shows the number of problem solving levels Maladministration. Along with this, the report completion of reports received by the Ombudsman also increased from the previous year. It is expected that in the following years, the Ombudsman can complete the complaint handling targets more quickly and appropriately to achieve a better Indonesia as a good and clean governance.

### Suggestion

Roosbroek (2016: 10) states that the role of the ombudsman in a State is to strengthen or restore public confidence in the government. The data shows that the relationship between ombudsman satisfaction and trust in government / public administration is rather weak. The Ombudsman receives only complaints from a minority of the population. However this does not reflect that the State is a Public Organization with good service, but lack of socialization to the lesser people that causes it to occur. The need for improvements in socialization / seminars / workshops organized by the Ombudsman in cooperation with Indonesian schools and universities to better introduce these institutions to educators and to future generations as an important part of the future of the State. This is necessary considering there are still many people who do not know about the presence of Ombudsman institutions. Reflected from the target program implementation of introduction of Ombudsman Institution in campuses and schools that only implemented a little if it is compared to numbers of campus and schools in Indonesia. Public expectations of course that the Ombudsman of the Republic of Indonesia can continue to improve its performance in handling and preventing Maladministration on every Public Service Office. This can restore a sense of dissatisfaction and increase public confidence in the Government Organizer. Hopefully, a good and clean Government can be realized so that it can trigger the stability of the Indonesian economy develop into a developed country.

### Bibliography

- [1] Afegbua, S.I. And Adejuwon, K.D. 2015. Ombudsmen and Ethical Dilemma in Nigerian Public Administration: From Rising Expectation to Dashed Hopes. *Review of Public Administration and Management* Vol.3 No.7, July 2015. Website: [www.arabianjbm.com/RPAM\\_index.php](http://www.arabianjbm.com/RPAM_index.php). ISSN: 2315-7844.
- [2] CNN Indonesia. <http://www.cnnindonesia.com/politik/20160419073059-32-124914/jk-kepercayaan-meningkat-karena-masyarakat-paham-kebijakan/> Tuesday, April 19, 2016. Date of Access February 7, 2017.
- [3] Hyson, Stewart. 2006. Ombudsman Research Project. Notes for a Roundtable Discussing at the Annual Meeting of the Canadian Political Science Association. York University. Toronto, Ontario.
- [4] Jacobs-Wessels, W. 1995. *Klagers en Veelklagers bij de nationale ombudsman*. Ainhem: Gouda Quint. 237p.
- [5] Indonesia Dictionary. In Network. <http://kbbi.web.id/>.
- [6] Kirkham, Richard. 2014. *The 21st Century Ombudsman Enterprise*. International Ombudsman Institute. Wellington Conference. Website: [www.theioi.org](http://www.theioi.org)
- [7] Law of the Republic of Indonesia Number 28 Year 1999 concerning the Implementation of a Clean and Free State of Corruption, Collusion and Nepotism.
- [8] Law of the Republic of Indonesia Number 37 Year 2008 About Ombudsman of the Republic of Indonesia (ORI).
- [9] Ministry of National Development Planning / National Development Planning Agency (Bappenas). 2008. <http://www.bappenas.go.id/> access date January 23, 2017.
- [10] Nurtjahjo, Hendra. Et. 2013. *Understanding Maladministration*. Ombudsman Series. Ombudsman of the Republic of Indonesia First Printing, August 2013.
- [11] Ombudsman of the Republic of Indonesia. 2015. 2015 Annual Report. [www.ombudsman.go.id](http://www.ombudsman.go.id)
- [12] Presidential Decree 55/1999 on the assessment team for the establishment of the Ombudsman institution.
- [13] Philipus M.Hadjon and Titiek Sri Djatmayati. 2005. *Introduction to Indonesian Administrative Law*. Gajah Mada University Press. Yogyakarta.
- [14] Roosbroek, Steven Van. 2006. *The Ombudsman and the Citizen: A Challenge of Some Commonly Held Assumption*. Public Management Institute. Website: [www.publicmanagementinstitute.be](http://www.publicmanagementinstitute.be)
- [15] Rosjidi. 2001. *Public Sector Accounting of the Government*. One Script Publisher. Surabaya
- [16] United Nations Economic and Social Commission for Asia and the Pacific. *What is Good Governance ?*. UNESCAP.

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