

# The Ombudsman in Hong Kong: Role and Challenges under the Transformation of Governance in the Post-1997 Era

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## Abstract

The concept of the ombudsman has been adopted in a wide variety of political contexts and constitutional arrangements, therefore discussions on the role and effectiveness of an ombudsman cannot be detached from the specific context of governance. The Ombudsman was introduced in Hong Kong in 1989 with the aim of promoting a fair, open and effective government. By redressing administrative grievances, it has emerged as an essential and effective mechanism for defending administrative justice in the 'executive-led' and soft-authoritarian administrative state. With the changing governance context in the post-1997 era, the role of the Ombudsman has been strengthened rather than weakened. This article examines the major forces driving the transformation of governance in Hong Kong in the post-1997 era in their political, administrative and socio-economic contexts to discuss how they impact on the Ombudsman in its role of advancing the quality of governance in Hong Kong.

## Introduction

While the modern ombudsman originated in Sweden and then the other Scandinavian countries, the idea of the ombudsman soon spread across the globe and became a pre-eminent approach to tackling administrative grievances. Despite this global trend, divergences can still be found in the actualisation of the institution.<sup>1</sup> These divergences are often reflections and manifestations of

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<sup>1</sup> E Welch and W Wong, "Public Administration in a Global Context: Bridging the Gaps between Theory and Practice of Western and Non-Western Nations" (1998) 58 *Public Administration Review* pp 40-50.