

# **PUBLIC SERVICES OMBUDSMAN (WALES) ACT 2019**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

#### **Part 3**

#### ***Section 19 - Information, documents, evidence and facilities***

94. The Ombudsman has wide powers to require the production of information or documents in relation to an investigation (sections 19(2))
95. The Ombudsman has the same powers as the High Court in relation, amongst other things, to the taking of evidence from witnesses (section 19(3)).
96. The Ombudsman has a power to require certain persons to provide the Ombudsman with any facilities the Ombudsman may reasonably require (section 19(4)). The power may be exercised, for example, to require the use of certain computer hardware or software to enable the Ombudsman to view documents or information.
97. [Section 19\(5\)](#) provides protection for those from whom the Ombudsman may require evidence or the production of information or documents. Such a person cannot be required by the Ombudsman to give any evidence or produce any documents which that person could not be compelled to give or produce before the High Court.
98. [Section 19\(6\)](#) disapplies any obligations to maintain secrecy or to otherwise restrict access to information obtained by or supplied to Crown servants.
99. The effect of section 19(7) is that the Crown cannot rely on either its special privileges or immunities to defeat the Ombudsman's right of access to such information or on the protection that would otherwise be afforded by section 19(5).