



INTEGRITY ALERT

**TRANSPARENCY
INTERNATIONAL
SIERRA LEONE**
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Freetown, Sierra Leone
West Africa

**INSIDE THIS MONTHLY
NEWS BULLETIN**

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Transparency
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Sierra Leone

*Corruption undermines Trans-
parency and Accountability
and leads to poverty and
underdevelopment.*



CSO'S FAMILIARIZED ON THE PERFORMANCE CONTRACT

On February 6, 2014 the Office of the Chief Staff in the Office of the President (in a seminar at the Civil Society Training College) explained to civil society organizations and the media in the country about the Performance Contract Process. Since Civil Society and the Media's participation in monitoring the process was considered very key, it thus became imperative that they are thoroughly informed on the process.

The Performance Contract according to Dr. Sowa, the Director of Performance Management Strategy, was an idea designed by His Excellency, Dr. Ernest Bai Koroma upon his assumption of office in 2007 to address the challenges of government in promoting effective and efficient service delivery in the country. He further defined Performance Contract as primarily a range of management tools used to define responsibilities and expectations between parties to enable them achieve mutually agreed results; and it therefore specifies what needs to be achieved, expected levels of achievement, timelines, evaluation, and reporting methodologies. All councils, all tertiary institutions, all ministries and key parastatals in the country are now operating on the Performance Contract. The contract is annual and evaluations are carried out quarterly.

In his presentation, the Chief of Staff State House, Dr. Richard Conteh, reiterated the progress of the process; the Performance Contract process which started with only government ministries has now been extended to most MDA's. He spoke of the Performance Tracking Table, a tool that is used to capture the performance of the performers.

The objectives of the Performance Contract includes the following:

- To promote planning
- To oblige reporting
- To let authorities take responsibility
- To let authorities prioritize their responsibilities
- To enhance clarity of roles and responsibilities
- To increase efficiency and productivity
- To maximize yield to the citizen

Transparency International Sierra Leone commends the government for this laudable initiative. Notwithstanding, we are of the opinion that it would be good if the Performance Contract signed will be made available to the media and Civil Society to enable them effectively collaborate in monitoring compliance and performance otherwise.

The oversight roles will be stifled and inhibited without knowledge of the content of the Performance Contract, the media and Civil Society cannot be expected to conduct effective monitoring exercises. Unless one might be tempted to pass the whole process on for a mere political gimmick, such undercover assessment of public officials does not make for the least transparency and accountability models.

Another palpable weakness of the process is that it provides no sanctions or punishments for public officials that will perform poorly. An assessment of this type would yield better dividend if it prescribes proportional punishment for those authorities that would fall far short of the expectations in their contract. Transparency International Sierra Leone is of the view that the naming and shaming philosophy is not enough. Considering the momentum that has attended this strategy as the surest move to improving service delivery, it would have appealed to the affection of the majority if it had been tied to the government's cane of firing public officials or degrading them to much lower positions.

Transparency International Sierra Leone believes that all is not lost though. It is only high time that officials in the Office of the Chief of Staff in the Office of the President (the body charged with the responsibility of administering on the process) went back to the drawing board and address the aforementioned concerns: the issue of making the contracts accessible to everybody, adopting punitive measures for authorities that will perform badly, and ensuring that the Media and Civil Society are involved at every stage of the process.

ACC UPDATES CSO'S AND THE MEDIA ON THEIR QUARTERLY ACTIVITIES

The Anti-Corruption Commission held their first Quarterly Update Meeting with Civil Society and the Media for the year, as usual, on the 18th February, 2014.

Unlike previous engagements of this kind in which the Commission would do all the formal presentations, this time the Commission thought it wise that Civil Society and the Media should also give their own perspectives; in this regard, Mr. Moses Kargbo, Secretary General of the Sierra Leone Association of Journalist—SLAJ, and Mr. Emmanuel Saffa Abdulai, Head of the Society for Democratic Imitative (SDI), made a presentation on behalf of the Media and Civil Society respectively.

Both Mr. Saffa and Mr. Kargbo called for an enhanced relationship between the Anti-Corruption Commission and Civil Society/the Media in the fight against corruption, as the latter are the most dependable partners in this course. The enactment of the Freedom of Information law was considered a significant milestone in the anti-corruption campaign, but concerns were raised over its delayed implementation. Although the country is making notable progress in the fight against corruption, the prevalence of corruption was regarded as the key challenge, unlike other African countries where the face value or outright display of corruption has waned.

The Commissioner of the Anti-Corruption Commission, Mr. Joseph Fitzgerald Kamara, in his presentation gave an overview of the Commission's work in the past twelve months and the Commission's focus in the next twelve months: previous Anti-Corruption Strategies have focused on an Institutional Approach; targeting leakages in institutions. But lot of gains have been recorded in that approach; there is now an activity-based accounting in institutions, and there is also improvement in reporting and records management.

The introduction of the PETS forms has also been vital unlike previously, one must now show the purpose of request for funds before it is disbursed this is a new internal control measure. Thus, the new strategy, for the next twelve months, will be a Risk-Based Approach. This is geared towards re-orientating the ordinary Sierra Leonean's perception of corruption. Incidences of bribery, false-naming of property, and bank account were thought to be given premium.

On their achievement last year, the gathering was informed that the Commission prosecuted 50 cases; the

highest in the sub-region in terms of percentage. Clearing the audience's doubt on the Commission's worrisome loss of cases, the Commissioner stressed that the Commission is a young institution and as such not perfect; but he however maintained that staff of the commission are undertaking regular training to bolster their prosecutorial skills, so as to eradicate this "common enemy." Plans are also underway for the setting up of a specialized court that will deal with anti-corruption cases exclusively.

However, while the Commissioner registered the effectiveness of the Anti-Corruption Commission in prosecuting cases last year, he failed to give the exact statistics of the number of cases that they won and the number they lost. As an organization, we believe that the effectiveness of the Commission cannot only be measured by the amount of cases they prosecuted, but the court's outcome of those cases as well.

Also, even though the Commissioner mentioned about the Commission's plan to raise the punishment for corrupt persons by going after their assets and instituting jail terms or even establishing a specialized court, he did not provide any clues as to which time this will take effect. Transparency International Sierra Leone is, therefore, concerned that all these positive plans might just be left up service, like so many other policies in the country.

Most interesting of the update was when the Commissioner talked about their covert visits to institution, he shocked the gathering—considering that their nine days presence at the National Revenue Authority's Customs and Excise Department saw them generate a whopping Le 695,003,000; far above the nine days that preceded their visit that saw the institution generate only Le 128,000,000. If this is so, it is cost effective then for government to work with the Commission in hiring more staff that will be stationed in all the key government's money-making institutions in the country. At least this will serve a dual purpose: it will create more employment opportunities for a country that is grappling with this social problem and it will increase government's revenue as well.

Again, it is clear that the Commission's focus this year to change people's perceptions about corruption in the country is a step in the right direction. It is paramount, therefore, that they spell out their approach

ELECTRICITY IN FREETOWN: FOR BETTER OR FOR WORSE

clearly and share with Civil Society and the Media about how they will measure progress in this regard. By doing so, the cooperation of Civil Society and the Media will be solidified and it will urge the Commission to fasten their seatbelt since they will be opened to objective public scrutiny should they falter and fail to register success.

ELECTRICITY IN FREETOWN

One of the main yardsticks used to measure a country's development is its ability to address challenges and make improvements in its basic social services. If true, one then begins to wonder what is happening in Sierra Leone. A lot of effort is being made to ensure that electricity and water supply are made available. However, the gradual deterioration of these services leaves one wondering how positive or effective are the efforts made. Since November 2012, we have been experiencing a

the fact that no public official is making it a point of duty to inform the public of the exact issue at hand. You will either hear that the Bumbuna is shut down for servicing or there is an underground fault somewhere or a transformer is faulty. The Bumbuna Hydro Electric Project suffered a setback before the 2012 general elections and citizens were informed that the 'shaft' of one of the turbines had broken down and efforts were being made to fix it. Till then we are yet to be updated on whether that had been done or not.

Papa government, citizens want and need to know the status of electricity supply in the country? The provision of solar street lights is a positive and welcomed development and we laud the effort of government in ensuring that our streets are lit up. However, what citizens really need is electricity at home and in our offices or business places as we spend more time there than in the streets. The worst thing citizen's face is the reality that those who are elected or selected to serve the people end up depriving the bulk of the population for their own good.

While some sections of the population complain of not having electricity supply for days or weeks and some even months; others residing in areas where 'top bras' of these entities reside boast of unimpeded electricity or water supply. Are citizens then being adequately served and given priority? We cannot all go and work for NPA or Guma. We call on the government to look into this injustice and abuse of privileges.



rapid deterioration of electricity supply especially in the capital, Freetown, as generator use has dominated the city again

What will it really take to provide electricity to a population of about six million people, who live in the midst of so much wealth (natural resources)?

Why are things not working? Instead of making progress, we are retrogressing. The worst thing of all is

Know About Corruption/THE ACC ACT OF 2008**Offering, Soliciting Or Accepting Advantage**

28. (1) A person who, whether in Sierra Leone or elsewhere, without lawful authority or reasonable excuse, gives, agrees to give or offers an advantage to a public officer as an inducement to or reward for or otherwise on account of such public officer-

Performing or abstaining from performing or having performed or abstained from performing any act in his capacity as a public officer;

Expediting, delaying, hindering or preventing or having expedited, delayed, hindered or prevented, the performance of an act, whether by himself or by any other public officer in his capacity as a public officer; or

Assisting, favouring, hindering or delaying or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body, commits an offence.

(2) Any public officer who solicits, accepts, or obtains or agrees to accept or attempts to obtain for himself without lawful consideration or for a consideration which he knows or has reason to believe to be inadequate, any advantage as an inducement to or reward for or otherwise on account of his-

performing or abstaining from performing or having performed or abstained from performing any act in his capacity as a public officer;

expediting, delaying, hindering or preventing or having expedited, delayed, hindered or prevented, the performance of an act, whether by himself or by any other public officer in his capacity as a public officer; or

assisting, favouring, hindering or delaying or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body, commits an offence..

(3) A person guilty of an offence under subsection (1) or (2) shall on conviction be liable to a fine not less than thirty million leones or to imprisonment for a term not less than 3 years or to both such fine and imprisonment.

(4) Notwithstanding section 94, where in any proceedings under subsection (1), it is proved that the accused person gave, agreed to give or offered an advantage; it shall be presumed until the contrary is proved that the

accused gave, agreed to give or offered the advantage for any of the purposes set out in subsection (1).

(4) Notwithstanding section 94, where in any proceedings under subsection (2), it is proved that the public officer solicited, accepted or obtained an advantage; it shall be presumed until the contrary is proved that the advantage was solicited, accepted or obtained for any of the purposes set out in subsections (2).

Using Influence for Contracts

29. (1) Any person who, whether in Sierra Leone or elsewhere, gives or agrees to give or offers an advantage to a public officer as an inducement or reward for or on account of such public officer giving assistance or using influence whether real or fictitious, or having given assistance or used influence, whether real or fictitious in-

the promotion, execution, or procurement any contract or subcontract with a public body for the provision of any service, the doing of anything or the supplying of any article, material or substance;

the payment of the price, consideration or other moneys stipulated or otherwise provided for in any contract or subcontract referred to in paragraph (a); or

obtaining for that person or for any other person, an advantage under any contract or subcontract referred to in paragraph (a), commits an offence.

(2) Any public officer who, whether in Sierra Leone or elsewhere, solicits, accepts or obtains an advantage as an inducement to or reward for or otherwise on account of his giving assistance or using influence or having given assistance or used influence in-

the promotion, execution or procurement for; the payment of the price, consideration or other moneys stipulated or otherwise provided for in; or

obtaining for that person or for any other person, an advantage under, such contract or subcontract as is referred to in paragraph (a) of subsection (1), commits an offence.

An insight into daily interaction between commercial motor drivers and the police may cause one to laugh a little at the logic that some drivers use to flout the law. One may ponder at the origins of such justification to evade the law. Is it corruption at play or should I say the police lack integrity!



PETTY CORRUPTION

On a daily basis one witnesses indecent and uncalled for hassles between commercial motor drivers and the police. On interrogating a driver one day as to why they pay bribes to the police. His response was this: “Madam, the police are not willing to enforce the law and we just help them because it is easy for us that way. Besides, it is better to bribe the police on the road than to be taken to court where you would have to bribe others again”.

So why are the police not willing to do their jobs well? A big question that puzzles everyone in the country! Or is it the lack of integrity or a means of increased livelihood? How do people become police officers even? This needs to be looked into. Are they aware of the ethics of their profession? The taxi driver continued:

“By this I mean a charge of smooth tire may cost me le 20,000 as bribe, but if I allow to be taken to the station and later to court, it may cost me more than le 300,000, so what do you expect I do?”

A question for me now, I thought a little and said, well you should obey the law. Stop giving bribes to these policemen, when you are caught allow to be taken to the police station. That makes a patriotic Sierra Leonean. The driver who seemed very polite laughed and said if I wanted him to willingly go to the police for breaking the law when the law enforcers are not willing to take him there. I felt a little out of words and forgot about the conversation.

Well that was a taxi driver, what about the “poda-poda” drivers. Poda-Poda drivers and the police are like husband and wife. These are my daily routines as I don’t have a car for now, so I either board a poda-poda for long distances or a taxi for short distances. I don’t take the bus, because they are overloaded with people and very noisy at times. In these routines, I have managed to observe such corrupt acts being performed by the police and the drivers.

Poda-poda drivers are referred to as the husbands and the different police posts are the wives. Well, looking at the scenario, you may consider it as a husband and wife thing. It is only your wife that you have the obligation to provide for every day. In fact, with the poda-poda drivers and the police, it is like a polygamous husband where you have several wives to feed every morning.

This I have tried very hard to understand why the poda-poda drivers have to give money to policemen at every strategic police standing in the morning but I

have not yet grasp the actual reason. You would just see the driver parking the vehicle and collecting five thousand Leones from the apprentice comes down and goes to the police amidst grumblings from passengers who may be running to work and the driver would then come back in the vehicle and drive away. This I have observed happens every morning at every police standing starting from: Regent Road, to Christ Church Junction, to St. John, to the Congo Cross Junction and even at Lumley.

I interviewed one driver at one time and he told me that they have to do this in order for their vehicle not to be arrested and he said also in case they are arrested, for the police to be lenient with them. He said, otherwise their vehicles would be arrested for all sorts of reasons ranging from park lights, seatbelts, to other things. The driver told me that was the reason why they usually stop their vehicles half way to their destinations and use certain routines leaving passengers stranded, because they need to cover up for their “master money” as he called it.

But in the midst of all this, who is supposed to regulate the police and stop such corrupt acts from happening. This should be the job of the Anti-Corruption Commission, but are they doing it? A big question! For better development, I think the police should these corrupt acts and be the force for good they are claiming to be. These petty corrupt acts not only undermine the work of the drivers, but also the people who may suffer the consequences of the drivers’ reactions.

These are some of the corrupt acts that cause the country to perform poorly in global reports of corruption. We should all join hands in the fight against corruption in Sierra Leone for better development.

SERVICE PROVIDERS OR POWER BROKERS

The Pivotal Role of Teachers By: Bettina Meier¹ *Culled from the Global Corruption Report: Education 2013*

Teachers are probably the most valuable resource in education. Even in the most adverse conditions, a committed teacher can make a huge difference to students' future. Roofs can leak, textbooks can fail to arrive, chairs and desks may be lacking; even so, a determined and competent teacher can make up for it. Without a teacher, however, education will simply not take place.

A teacher is a role model: by transcending values such as impartiality and fairness, children will feel that their talent is valued and their efforts are honoured. A teacher shapes attitudes: if he/she respects children in their diversity, students will learn that all humans are equal, regardless of their gender, ethnicity, class or caste. By taking principled decisions and displaying integrity in his/her relationships with students, colleagues and the community, teachers promote ethical values and behaviour that are fundamental for a society that does not tolerate corruption.

As in all spheres of society, however, the position of power can be abused for personal gain. Teachers can exploit their position to extort undue favours and bribes; or they may just be biased towards a certain group of students, or negligent, or undisciplined. In a corrupt classroom, students will learn less, and they will learn the wrong things.

What are the specific risks of corruption in the classroom? Teachers may use their power to collect unauthorised fees and solicit bribes in exchange for good test scores, grade-to-grade promotions and certificates. Teachers may sell advance information about examinations.

Sometimes, teachers may be tempted to supplement their income by diverting school supplies to local markets. Teachers may grant preferential access to front-row seats in large classrooms, to technical equipment, to participation in prestigious sports events, etc., in return for a favour or a bribe.

Teachers may force students to take private tutoring, through coercion or persuasion, by not teaching the curriculum in class but only in supplementary private lessons. Misuse of school property for private purpose is another form of teacher corruption.

In some countries, especially those where pay is low and supervision weak, teachers may not show up for

work, or may be present at school but not teaching. Teacher absenteeism has been reported to be significantly high in some countries, adversely impacting education outcomes. In Papua New Guinea, for example, 'ghost teachers' reportedly made up 15 per cent of the active teachers on official lists.²

In their position of power, teachers may force children to provide special favours. They may use them as unpaid labour for their private purposes, or they may violate their sexual integrity.

Demands for sexual favours can be a reason for school dropout predominantly among female students.

Sometimes, teacher misconduct does not involve personal advantage but, instead, results from a lack of professional and personal ethics. Violence, refusing to teach, discrimination, abusive language and other forms of unethical behaviour all have an adverse effect on students' attitudes and beliefs.

The boundaries between corrupt and non-corrupt behaviour may be thin. In many countries, parents and students give gifts to the teacher, as a token of appreciation. This is fine as long as no favours are expected in return for the gift. The practice of gift-giving can sometimes be perverted into extortion, however, and less wealthy parents may feel that their children cannot receive a proper education because they cannot afford to pay for gifts or bribes for teachers.

In general, classroom corruption is more acceptable in societies with weak norms of meritocracy; in other words, in a corrupt environment there is a higher chance that teachers will be corrupt.

Where teaching conditions are poor, as in remote schools that lack teacher quarters and have poor sanitation, the risks of absenteeism are higher, especially among young, female teachers.³ Teachers are more likely to act as power brokers where the community lacks status and knowledge, and does not dare to challenge corrupt authorities. As in all sectors, the most enabling factors for corruption and unethical behaviour are a lack of supervision and lack of sanctions

against misconduct.

EDUCATION IN SIERRA LEONE



What is happening to our Education System? Education especially a sound education is very important for the development of any nation.

With this in mind, it is quite worrisome to learn of the prevalent issues of concern regarding West Africa Senior School Certificate Examination (WASSCE) results that were withheld by the West Africa Examination Council (WAEC) for examination malpractices.

Acquiring education is one thing and putting that into good use towards self and national development is another. It is with shock and disbelief that we listened with knee attention to Mr. Sappateh, Head of Exams Councils in Sierra Leone highlighting the examination malpractices of students (our future leaders) in the

2013 WASSCE exams.

Looking closely at the issues of concern one wonders first of all, what gave the students the where with all to do what they did. It definitely started somewhere on the other side.

Government needs to stand firm and straighten things up starting from now otherwise our educational system is fast becoming a 'sham'

For how long has this been going on? It is no wonder that employers complain of the unproductiveness and lack of innovation of their employees. We therefore call on Government to pay key attention to the conduct of Examinations especially public exams.

Government should take drastic action against defaulters who may be students, teachers or examination supervisors; because if we fail to set an example this time, it will surely continue unabated.

Parents/Guardians also have the moral responsibilities to ensure that their children/wards conduct themselves with discipline, honesty, integrity and hard work. Passing exams is one thing what matters most is the effective application of knowledge gained to produce desired results.

Are we still renowned for our educational prowess? It is up to all of us to decide as Sierra Leoneans to do what is right, acceptable and credible.

SUPPORT OUR WORK:

Fighting corruption requires resources. TI-SL needs resources to effectively engage in the fight against corruption. We will be grateful for any support received: Technical, Financial, Equipment, Stationery etc.



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