Using Records and information as a resource to fight corruption: The case of Anti-Corruption Units in Botswana Public Sector

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Abstract

Corruption has become one of the major challenges threatening the quality of governance and national development in most of the countries on the African continent. As much as Botswana government has been portrayed as leading in anti-corruption initiatives within the Southern African Region not much research has been done to investigate the escalation of corruption on the ground in Botswana (Mwamba 2013). Through the Directorate on Corruption and Economic Crime Botswana is in the process of establishing anti-corruption institutions in each ministry and, to date only 38 per cent of the Anti-Corruption Units in Botswana Public Sector are thought to be effective. This study investigated how the Anti-Corruption Unit utilizes records and information to fight and douse various forms of corruption. The study used a purposive sampling to select Ministries and Departments that have Anti-Corruption Units. Using quantitative and qualitative research methods data was collected through face to face interviews and self administered questionnaires. Nevertheless, preliminary results indicate that effective corruption control requires not only the commitment and involvement of all citizens of the society but the availability, use of reliable records and information that is generated in the organization and by the public.

1. Introduction

Corruption hurts all countries, in every region of the world. Corruption may be described as 'Soliciting or promising, giving or receiving, offering or accepting, as a public officer, a bribe (i.e. valuable consideration as describe in Section 23 of the CEC Act of 1994) for carrying out or not carrying out official duties and responsibilities because of being influenced by the bribe (Corruption and Economic Crime Act, Cap 08:05). The UNDP (2004: 5) defines corruption as an unethical act undertaken to derive or extract personal rewards at the expense of the interests of the country through bribery, extortion, influence peddling, nepotism, fraud, speed money or embezzlement. It is not surprising that the number of anti-corruption initiatives around the world has increased dramatically over the past decades. But, the value of those anti-corruption strategies is increasingly being questioned by international donors and national governments. Frequently, anti-corruption initiatives are not considered to deliver on the high expectations bestowed upon them. According to the Botswana Gazette (2017:2) Botswana has slipped to the 35th place on Transparency International's 2016 Corruption Perceptions Index. Botswana has been on a free fall Transparency International ranking since the year 2012.

Seleke (2016) indicates that corruption is presently one of the major challenges facing human race. There are many economic and social costs associated with corruption. Although not well documented, corruption has raised its ugly head in Botswana. The Sunday Standard (2017) alleges that the Botswana President has eroded Botswana's strong democratic traditions by protecting corrupt allies from prosecution. "There are almost no restrictions on the private business activities of public servants (including the president, who is a large stakeholder in the tourism sector), and political ties often play a role in awarding government jobs and tenders" (The Sunday Standard, 2017). In its 2016 Government Defence Anti-Corruption Index, the anti-corruption watchdog scored Botswana way below the 50 percent pass mark on defence and security corruption. With a score of between 16.7 percent and 33.2 percent Botswana was accorded an "E" grade which places the country's defence and security outfits in the banding bracket of "very high corruption risk". Records show that between 2012 and 2016 Botswana has dropped from position one to position five in Africa and from position 20 to position 60 in the world on the index of accountability and constrains on government powers.

According to Botswana Gazette newspaper of the 01-07 February 2017 many institutions intended to fight corruption have themselves been compromised, Directorate on Corruption and Economic Crime, is too weak and lacks independence. However, corruption has been institutionalized and people are struggling to make ends meet and believe leadership is corrupt, hence they become corrupt themselves.

Chikumbudzi (2014) states that Mr. Siele (Former Minister of Local Government) expressed disappointment that it seemed only 38 percent of the institutional Corruption Prevention Committees were effective. In addition, it was stressed that the strategies and initiatives should be put in place to continue fighting corruption in the Botswana Public Sector. He urged all councils, district commissioners and tribal administrations to double their efforts and urgently resuscitate their CPC because it was through such committees that the ministry planned to fast track sensitization of staff and the general public on corruption prevention strategies. This shows the power of good records and information management practices thus if these practices were not there the government public relations officers would not have unearthed the rot in the government ministries and agencies.

Corruption in Botswana has reached cancerous proportions to the extent that it has distorted the process of national development in the country through a plethora of irregularities. For instance, as indicated in the Botswana Gazette of the 01-07 February 2017, DCEC is under the office of the president, so most of the big projects take too long to be completed and they cost the country millions of pulas which are more than the budget. For example, the construction of the Gaborone airport took seven years to complete with the cost overrun that exceeded BWP 200 million. Surprisingly on the Botswana Gazette dated 28 September to 04 October 2016:2, Botswana air Botswana Craft were tendered and negotiations were ongoing to move the parastatals under Ministry of Tourism as they are the major customers, and Tshekedi Khama will control it through tourism policies and strategic frameworks. This shows lack of political will to end the pervasive culture of impunity among high ranking officials. The fight against corruption in public health, education, pensions, land, and judiciary all depend upon well-kept and well managed records and information (World Bank 2011).

2. **Literature Review**

Corruption happens everywhere and at all levels. Not only is corruption a complex problem but it also tampers with procedure if it happens. The World Bank Group (2016) considers corruption a major challenge to its institutional goals of ending extreme poverty by 2030 and boosting shared prosperity for the poorest 40 percent in developing countries. In addition, reducing corruption stands at the heart of the recently established Sustainable Development Goals and achieving the ambitious targets set for Financing for Development. It is a priority for the institution and many of its partners.

Records and information provide verifiable evidence of fraud that can lead investigators to the root cause of fraud. There is no way we can wipe out corruption without good records management as a point of reference for evidence of transactions (Okello-Obura, 2007). The World Bank (2000:5) supports this by asserting that well managed records and information provide a cost-effective deterrent to fraud and corruption. To minimize corruption, government and organizations should redirect their focus towards promoting good records and information management practices as one of the corruption prevention strategies, instead of directing a lot of resources towards investigating and detecting corruption (Kanzi, 2010). This would make a significant difference, as there would be fewer corruption and fraud cases to investigate when proper records and information management systems are entrenched within an organization. As the saying goes, ''prevention is better than cure''. The money that would have gone into investigation, prosecution, recovery of stolen funds and imprisonment would be saved.

The UNDP Report (2008:37) notes all the international and national initiatives against corruption regard the prevention and combating of corruption not as end, but as vital factors in promoting good governance. Ideally, good governance, in turn, is a crucial precondition for reducing poverty and promoting sustainable development. Thus, anti-corruption frameworks and donors all face challenges to the extent that, on the one hand, they need to link the realms of corruption prevention and the combat of corruption and on the other hand, they need to link anti-corruption efforts as a whole with broader political and economic reform.

Empirical studies have consistently demonstrated that the poor people pay the highest percentage of their income in bribes. For example, in Paraguay, the poor pay 12.6 percent of their income to bribes while high-income households pay 6.4 percent. The comparable numbers in Sierra Leona

are 13 percent and 3.8 percent. Every stolen dollar, euro, peso, yuan, rupee, or ruble robs the poor of an equal opportunity in life (The World Bank Group, 2016). In addition, corruption discourages poor people from accessing health services and negatively impacts health outcomes, such as infant mortality. It contributes to higher-order crimes: when money is lost through illicit flows, it often finds its way across borders to fund drug and human trafficking. Its presence works to erode the social contract between citizens and the state (Bouchard et al, 2012).

The Directorate on Corruption and Economic Crime (DCEC) under Corruption Prevention Division initiated the formation of Anti-Corruption Units during the year 2010, in various government ministries and departments to curb corruption. Establishments of these units were intended to give ministries an opportunity to spearhead anti-corruption strategies or initiatives and mainstream anti-corruption measures with the aim to eradicate corruption (DCEC Newsletter, 2016). Mwanda (2013) noted that the Directorate uses a three-pronged attack strategy borrowed from the Hong Kong ICAC. In the nineteen years of its existence, the Directorate has had its achievements and shortcomings, though it is difficult to measure the successes of anti-corruption agencies because of their inter-relatedness with departments such as the Directorate on Public Prosecutions and the Courts. Among its main achievements are its successful coordination of a campaign amongst the general public against corruption and a high conviction rate of investigated cases. For illustration, the DCEC report (2012: 19) confirms that as at December 2012 a total of 135 cases were brought before the courts compared to 110 for 2011.

State of the Nation Address by His Excellency the President of the Republic of Botswana (2012) indicates that the conviction rate for matters brought before courts stands at 71%. In 2012, the total number of cases under active investigation amounted to 1476. Rudolph and Lysson (2011: 7) add that the number of cases classified for investigation increased by 99 from 671 in 2009 to 770 in 2010 which represents a 14% increases. On the contrary, some of its shortcomings are the delays in the justice system because of other cases pending from stock theft to burglary and other offences. In spite of many problems confronting the agency, it has seen prosecutions from low class to high class people.

During the year 2014, DPSM said that a total of 52 ghost workers had been discovered on the government payroll, 21 of whom were at the Ministry of Health. However two years down the line, DPSM says ghost employees have since been dealt with through Oracle Human Resource Management System. This system, enabled better management of the government establishment of one employee one post and it also came with an effective tool to control and monitor the establishment as it allows only one employee to occupy one post, and ultimately will not pay anyone who is not attached to an established post. The system has in built control measures to guard against anomalies and can be easily monitored as it is computerised (Seitshiro, 2016). This is one of the good records and information management system which has assisted all the Ministries and Departments to use only one unique identifier thus identity card number across for personal files of employees. Masokola, 2015, reported that the Department of Tertiary Education Financing Director quit his job by December 2014, as department continued to experience perennial problems including most notably ghost students.

Successful anti-corruption efforts are often led by a 'coalition of concerned'– by politicians and senior government officials, the private sector, and by citizens, communities, and Central Statistics Office. Increasingly, addressing corruption will require the concerted attention of governments and businesses in the developed world. Much of the world's highest-value corruption could not happen without institutions in wealthy nations: the firms that give large bribes, the financial institutions that accept laundered money, and the lawyers and accountants who facilitate corrupt transactions. Data on international financial flows shows that money is moving from poor to wealthy countries in ways that fundamentally undermine development. Corruption is a global problem that requires global solutions (The World Bank Group 2016).

3. Statement of the Problem

The Patriot Newspaper dated November 2016:1, revealed that Botswana has a poor project management; Morupule A refurbishment which is expected to be complete December, 2017 won't be able to meet the deadline rather extended to 2019 and thus additional costs. There is poor records management, the scope of the project changes every day as expected by the site managers and the coordinators of the project being Ministry of Minerals, Green Technology were not informed. However, this is a great sign of tempering with the requirements as stipulated

by the coordinator, thus changing the original records intentionally by compromising its effectiveness and these records could not be relied upon in the court of law. Also the new flue Gas Handling Systems drawings are not matching the existing structures and there is poor quality of work. The LAPCAS system has led to delays and cancellations of some components of the project and the government will lose millions of pulas due to incorrect information on the registered title bonds and deeds with the Deeds Registry. For example, the Kweneng Administrative Area was wrongly done and contrary to the Tribal Territories Act. Despite these challenges the DCEC has helped to enhance service delivery in the public sector through the establishment of the Anti-Corruption Units (ACUs) within the Ministries aimed at tackling corruption in-house. Consequently, a significant slight improvement was registered in both public sector (Mwamba 2013). Keakopa and Keorapetse (2012) discussed fundamental flaws in Botswana's anti-corruption strategy and argues particularly that proper recordkeeping, albeit important, is not recognized as essential to the country's anti-corruption strategy. As literature shows there is lack of empirical studies on this area as the government has introduced the Anti-Corruption units in the Ministries and Departments to fight corruption but the situation has not improved as the committees or units responsible are not effective. Moreover, many institutions in Botswana tried to fight corruption but have been compromised as the Directorate on Corruption and Economic Crime (DCEC) is too weak and lacks independence thus corruption has been institutionalized. Moreover, the public suffers when inadequate information systems affect program delivery. Indeed, the fight against corruption in public sector will depend upon well-kept and well managed records and information (World Bank 2011). Consequently, this study sought to investigate how the Anti-Corruption Units established within Botswana Public Sector utilizes records and information to fight various forms of corruption.

4. Objectives

Specifically, the study sought to:

1. Assess the extent of how Anti-Corruption Unit used records to fight corruption
2. Find out, besides relying on records where else would Anti-Corruption Units get information related to corrupt activities

3. Examine Anti-Corruption Units' collaboration with other private and public institutions (police, intelligence, banks, Immigration) to fight corruption.

4. Establish how corrupt practices affect good governance, transparency and accountability.

5. Identify the anti-corruption rules and regulations and how the citizens are made aware of them.

5. Methodology

This chapter presented and analysed data gathered through the use of questionnaires, interviews and analysis of anti-corruption reports. Data collected through questionnaires was analysed to obtain some descriptive statistics while qualitative was analysed content analysed using objectives to derive particular themes pertinent to the study. According to the University of Leicester (2012:2) tables and graphs are ideal for conveying detailed information in a concise manner.

The study population consisted of five (5) ministries and departments with 78 respondents and the target population was thirty four (34) respondents who participated in the study. The researcher administered 28 questionnaires and 23 were returned and considered valid for data analysis, representing response rate of 82%. The other 5 respondents (17.9%) did not complete and returned the questionnaires. There were six (6) respondents targeted for interview and the researcher managed to interview 4 (66.7%) out of 6 (100%) while 2 officers (33%) could not be interviewed due to their busy schedule. Interview sessions took more than one (1) hour. According to Babbie and Mouton (2001), in research, a 50% response rate is adequate for analysis, while 60% is termed as good and 70% is considered as very good. As such the response rate for the current study was very high and adequate.

Name of the Ministry/Departments	No of Employees on Corruption Prevention Committees	Sampled
Department of Green Technology and Energy Security	14	4
Ministry of Health and Wellness (Corporate Services Department)	19	6
Department of Tertiary Education Funding	10	5
Department of Mines	12	9
Department of Public Service Management	23	10
Total	78	34

Table 1: Sampling Procedure for the Respondents

7. Findings and Recommendations

The research interpretation and discussions are based on the research objectives which are to:

1. Assess the extent of how Anti-Corruption Unit used records to fight corruption
2. Find out, besides relying on records where else would Anti-Corruption Units get information related to corrupt activities.
3. Examine Anti-Corruption Units' collaboration with other private and public institutions (police, intelligence, banks, Immigration) to fight corruption.
4. Establish how corrupt practices affect good governance, transparency and accountability.
5. Identify the anti-corruption rules and regulations and how the citizens are made aware of them.

7.1 The extent of how Anti-Corruption Units used records to fight corruption

The respondents were asked how they use records to fight corruption. The findings of the study showed that out of five (100%) only two ministries (40%) which were Department of Green Technology and Energy Security and Department of Public Service Management used records on daily basis to curb corruption on their institutions. These departments recognize sound records

management as a priority area to keep constant checks on malpractices of corruption practices as there were effective Corruption Prevention Committees. The other 3 (60%) thus Ministry of Health and Wellness, Department of Tertiary Education Funding and Department of Mines have attempted to establish Corruption Prevention Committees but they were not effective.

Personal observations showed that records management has been incorporated on their strategic plans and records management units were managed by officers who had diploma and degree qualifications, had clear line of authorities and they maintained records in accordance with Botswana National Archives Act of 2007 and Records Management Procedures of 2009. Moreover, out of 40 % of respondents revealed that records management officers were also the focal officers of the corruption prevention committees in those departments and officers were always sensitized on the importance of records.

At ministry of Health and Wellness and departments of Mines, and Green Technology and Energy Security, 2 (67%) out of 3 (100%) respondents interviewed revealed that Procurement Process Map were developed as there were lots of irregularities in the award of procurement tenders, overpayment of and no delivery of some goods by the suppliers. They also indicated that an evaluation committees have been established which were responsible for assessing all the quotations for all the tenders and procurement officers are not the members of that committee. A follow up question was asked on what process they follow after the closure of a tender. All the 3 (100%) respondents indicated that everytime when a tender is closed an assessment is conducted and the committee creates records which normally shows how assessment was conducted and the company which has won the tender after that the officers assessment are expected to sign in those reports as a true copy and file records with the records management unit. Personal observations showed that records management processes at Department of Green Technology and Energy Security, Department of Mines and Department of Public Service Management have been re-engineered to enable records officers to know what they are supposed to do on their daily basis.

Out of five (100%) ministries and departments only 2 (40%) thus department of Green Technology and Energy Security and Department of Public Service Management, only 9 (64%) respondents revealed that the corruption prevention committee has adopted holistic approach to addressing corruption. This involved preventing it, by building transparent, accountable systems of governance and improving more public integrity by strengthening the personal ethics of their employees. Out of the 4 (100%) respondents interviewed, 3 (75%) of them revealed staff are equipped with sound ethical culture supported by appropriate policies, procedures and strategies that prevent corruption as well as carrying out periodic assessments of fraud and corruption risks and staff are sensetised on fraud and corruption. This was also confirmed through personal observations.

Moreover, the study revealed that at Department of Public Service Management 7 (80%) out of 8 (100%) of respondents who completed the questionnaires indicated that by the year 2014 the department had a problem of ghost workers and through establishment of the anti-corruption units a new system called Human Resource Management System (Oracle) which managed the ghost workers. The department issued a circular savingram to all Ministries and Departments to use unique identifier thus identity number or passport number for all personal files. All the records were opened with identity numbers across the Public Sector and that enhanced the service delivery. This has assisted the Botswana government to know the culprits who have been stealing the government money. Two (25%) out of 8 (100%) respondents revealed that there are so many unemployed graduates so they have created a database to manage their recruitment of Botswana Public Sector and this has reduced favoritism, conniving and bribery of officers as the graduates are expected to log on the system and complete the forms and submit online.

Furthermore, the study showed that 7 (58%) out of 12 (100%) respondents at Ministry of Health and Wellness and departments of Mines and department of Tertiary Education Funding indicated that the use of records to curb corruption practices were rare as there were no anti-corruption units and committees established.   At Ministry of Health and Wellness and department of Mines, 10 (77%) respondents indicated that there were cases of favoritism on promotion of officers from senior management, bribery was also common especially in the

issuance of mining licenses of the sand, prospecting licenses and blasting. Officers did not disclose conflicts of interests and majority of them were always busy and that affected official business. From Ministry of Health and Wellness 4 (80%) out of 5 (100%) revealed that the majority of the Anti-Corruption units have been established only at Ministerial level and they have never been cascaded to departments. However, it's very difficult for them to use the available records to measure or curb corruption practices. In addition, they also revealed that at Princes Marina Hospital, it is common for records to go missing as their records are in disarray thus they are kept on the floors and retrieval is a challenge whenever needed. The findings show that corruption continues to rise at Marina Hospital, as there are lots of missing records and lack of records management policy so there is nothing that binds them on the usage of records. Their storage areas are not of a records management standard and there is no security at all. At Ministry of Health and Wellness, 4 (80%) respondents indicated that BNARS have rejected them several times since the year 2011 to transfer their patient records to Gaborone Records Center. Furthermore, the respondents indicated that the Records Management Unit has adequate officers and amongst them there is only one officer who have been trained on management of medical records.

7.2 Other sources of information on corrupt practices/activities.

The second objective was to find out, besides relying on records where else would Anti-Corruption Units get information related to corrupt activities. The study reveals that the Anti-Corruption Units receive reports relating to corrupt activities in different ways. Staff lodge reports to anti-corruption units acting on their official or personal capacity or by stakeholders who have witnessed or directly or indirectly experienced a particular suspicious activity taking place. At departments of Public Service Management and Green Technology and Energy Security results indicates that 7 (64%) respondents revealed the anti-corruption offices where the information is received are not secure, nor sound proof location so there is a likelihood of information leakage to unauthorized persons.

In addition, 8 (62%) out of 13 (100%) respondents at department of Public Service Management and Green Technology and Energy Security indicated that information may be received through telephone, cellphones of departments have established toll free lines and emails dedicated to

receiving anti-corruption units reports as that will ensure confidentiality and ease of access. Personal observation showed that those toll-free numbers did not have officers managing them and people in regions and departments, situated away from the head office have difficulty in accessing anti-corruption services.

7.3 ACU's collaboration with other institutions in fighting corruption.

 The third objective was to examine   Anti-Corruption Units' collaboration with other private and public institutions (police, intelligence, banks, Immigration) to fight corruption. The study showed that there are effective efforts made regarding cooperation amongst the anti-corruption units, police, intelligence, banks, Immigration to fight corruption. Personal observation showed there were some reports compiled on monthly basis regarding the investigation and pursuit of corruption and money-laundering cases. Some reports showed the Directorate of Corruption and Economic Crime, Police and the Directorate of Public Prosecution cooperate closely on civil cases regarding government property. Alleged corruption cases received by the police are referred to Directorate of Corruption and Economic Crime for investigation (DCEC) relies on the police for support in specific situations. Personal observations showed monthly reports compiled by the Police and Directorate of Corruption and Economic Crime on corrupt cases.

7.4 Corruption practices that affect good governance, transparency and accountability

The fourth objective was to establish how corrupt practices affect good governance, transparency and accountability. Interviews with 1 (25%) out of 4 (100%) respondents at Ministry of Health and Wellness showed that at Marina hospital there is lack of inventory system and high theft of hospital drugs and equipment's by officers who sell them to private medical practitioners. Personal observation showed that depletion of stocks and that led to patients being asked to buy drugs from private distributors.

At department of Green Technology and Energy Security and Department of Tertiary Education Funding the results from the questionnaires showed that there was lack of transparency and accountability and procedures in their fund management system. At department of Green Technology and Energy Security 3 (75%) out of 4 (100%) participants reported that there is a lot of theft and misuse of financial resources with the management of National Petroleum Fund. One of the respondents interviewed at this department confirmed that there is a lot of corruption and

money is wasted by officers responsible for managing the national petroleum fund, as there are lots of fraudulent payment to companies responsible for operating and maintaining government petroleum reserves. Personal observations showed that the money withdrawn from this account is not always accounted for as there are no records and audit undertaken within department. At department of Tertiary Education Funding personal observations showed that the department continued to experience perennial problems including most notably ghost students due to lack of proper records management system. The manual system used by department of Tertiary Education Funding led to lots of duplication of records, and officers failed to separate the deceased student's records from the active records due to the fact that sometimes they are not informed by the tertiary schools they are funding.

7.5 Identify the anti-corruption rules and regulations and how the citizens are made aware of them.

The study reveals that with regard to anti-corruption rules and regulations personal observations showed availability of anti- corruption policies and at department of Green Technology and department of Public Service Management Service. At department of Green Technology and Energy Security 4 (100%) respondents indicated that there have declaration of asset guidelines which participants have to comply all the time they receive gifts from customers. Personal observations showed gift registers was effectively used for registering gifts all the time upon receipt by officers.

8.0 Recommendations

The study concluded that corruption undermines good government, fundamentally distorts public policy, leads to the misallocation of resources, harms the public sector and particularly hurts the poor. The study recommends establishment of anti-corruption units at Department of Mines, department of Tertiary Education Funding and Ministry of Health and Wellness. Effective measures to prevent, detect, investigate, punish, and control corruption, including the use of evidence-gathering and investigative methods. All departments should build capacity in the development and planning of strategic anti-corruption policy and programmes.

The study recommends that ministries and departments should create awareness through workshops and training for anti-corruption groups on how records can be manipulated and misused.

The Government of Botswana needs to implement adequate legislation such as the Declaration of Assets Law, Freedom of Information and Whistle Blower Protection Act in order to support the DCEC in carrying out its mandate. In addition, there is a need to strengthen the available protection of reporting persons, including through a comprehensive Whistleblower Act. Moreover, the Botswana Government needs to domesticate laws in line with the United Nations Convention against Corruption (UNCAC). In this case, the Corruption and Economic Act and criminal justice system should both be amended accordingly.

The Government should strengthen the capacity of the Anti-Corruption Unit within Ministries in order to enhance good service delivery to avoid socio-economic disparities creating a paradox situation in Botswana. The Government should continue to play an advisory role, where applicable, in the SADC region on the political will and commitment in the battle against corruption in order to encourage quality of governance in the region.

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