



JUSTICE LAW AND ORDER SECTOR

ANTI-CORRUPTION STRATEGY

2012

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1. INTRODUCTION

1.1 Background

The Justice Law and Order Sector (JLOS) is one of the sectors created under the Sector Wide Approach (SWAp) adopted in 1998 by the Government of Uganda. The overall goal of the Sector is to promote the Rule of law. It specifically aims at strengthening the policy, legislative and regulatory framework; increasing access to JLOS services and promoting human rights and accountability. The third key outcome on human rights and accountability seeks, among others, to mainstream the national zero tolerance to corruption policy and accountability in the management of sector services.

The sector has been in existence for the last ten years and is made up of seventeen institutions all involved in the administration of justice and maintenance of law and order¹. In recognition of the intricacies of addressing corruption, the sector decided to formulate a common anti-corruption strategy.

The Justice Law and Order Sector Anti-Corruption Strategy is a framework designed to enable planning in order to make a significant impact on reducing corruption in the Sector institutions as well as building and strengthening the quality of accountability in the country as a whole. The strategy will specifically target the staff and systems within the Justice Law and Order Sector, in order to contribute to the National Anti-Corruption Strategy vision of Zero Tolerance for corruption and to contribute to efficient and effective service delivery.

1.2 The problem of Corruption

Corruption has been generally understood to mean “abuse of entrusted authority for illicit gain”². This broad definition includes “**any conduct or behavior in relation to persons entrusted with responsibilities in public office which violates their duties as public officials and which is aimed at obtaining undue gratification of any kind for themselves or for others**”

In an area in which objective data is not readily available, perceptions and other assessments are some indicators of real levels of corruption. This makes corruption very hard to measure. According to the World Bank and the Transparency International Corruption Perception Index as well as other local surveys like National Integrity Survey (NIS) and the Public Procurement Disposal of Assets Authority (PPDA), it is estimated that Uganda losses over 250 million US dollars of public resources per annum to corruption.

According to the NIS of 2003 and 2008, and Transparency International’s Global Corruption Barometer (GCB) 2010, JLOS institutions like the Uganda Police Force and the Judiciary are ranked among the top three corrupt institutions in Uganda. Uganda is placed among those countries where people reportedly most often (in comparison to other countries) have to pay bribes when entering into contact with institutions like the Police, Judiciary or Customs (GCB

¹ Ministries, Departments and Agencies (MDAs) of JLOS are: Ministry of Justice and Constitutional Affairs, Ministry of Internal Affairs, The Judiciary, Uganda Prisons Service, Uganda Police Force, Judicial Service Commission, Directorate of Public Prosecutions, Uganda Law Reform Commission, Ministry of Local Government (Local Council Courts), Ministry of Gender, Labour and Social Development (Probation and Juvenile Justice), Uganda Human Rights Commission, Law Development Centre, Tax Appeals Tribunal, Uganda Law Society, Centre for Arbitration and Alternative Dispute Resolution.

² OECD study on International drivers of corruption. This definition goes beyond the Public Sector.

2010;12). This reflects public mistrust, which heightens the crime rates and complicates the work of JLOS institutions in administration of justice in Uganda.

1.3 Drivers of Corruption

The National Anti-Corruption Strategy identifies some key aspects of society that enable corruption to exist and flourish as follows;

- Public beliefs and attitudes;
- Ineffective accountability systems;
- Lack of political leadership and accountability;
- Moral decay in public service
- Limited capacity of anti-corruption agencies and the judicial system
- Delays in the legislative framework:

Other driving factors include but are not limited to;

- Poor staff motivation and/or remuneration;
- Poor organisational/institutional structures that do not clearly outline roles and responsibilities to specific officials;
- Poor internal controls and segregation of duties;
- Poor record keeping, archiving and tracking systems;
- Inadequate transparency, for example in prioritizing and sequencing the hearing of court cases or payment of court awards;
- Public ignorance about various procedures and rights;
- Lengthy court resolution timelines that lead to frustration of stakeholders who may resort to easier/faster options to achieve end results; and
- Political interference among others.

1.3 Forms of Corruption

In the development of the JLOS Anti-corruption Strategy, it is important to understand the various forms in which corruption manifests itself in the sector and elsewhere in society. The following examples illustrate the various manifestations of corruption:

a. **Bribery:** Bribery involves the promise, offering or giving, directly or indirectly, of an undue advantage, to an official, in order that the official acts or refrains from acting in the exercise of his/her official duties. Bribery also involves the solicitation or acceptance by a public official directly or indirectly, of an undue advantage, in order that the official acts or refrains from acting in the exercise of his or her official duties.

This benefit may accrue to the JLOS officer, another person or an entity. A variation of this manifestation occurs where a political party or government is offered, promised or given a benefit that improperly affects the actions or decisions of the political party or government. In its most extreme manifestation this is referred to as *State Capture*, or the sale of Parliamentary votes, Presidential decrees, criminal court decisions and commercial decisions. *Example:* A traffic officer accepts a cash payment in order not to issue a speed fine.

b. **Embezzlement:** This involves theft of resources by persons entrusted with the authority and control of such resources.

c. **Fraud:** This involves actions or behaviors by a JLOS officer, other person or entity that fool others into providing a benefit that would not normally accrue to the public servant, other persons or entity.

Example: A public servant that registers a fictitious employee in order to collect the salary of that fictitious employee.

d. **Extortion:** This involves coercing a person or entity to provide a benefit to a public servant, another person or an entity in exchange for acting (or failing to act) in a particular manner.

e. **Abuse of power:** This involves a public servant using his/her vested authority to improperly benefit another public servant, person or entity (or using the vested authority to improperly discriminate against another public servant, person or entity).

f. **Conflict of interest:** Conflicts of interests are not necessarily corruption, but they do have a large potential for corrupt conduct and can seriously damage public confidence in the integrity of public institutions. A conflict of interest involves a public servant acting or failing to act on a matter where the public servant has an interest or another person or entity that stands in a relationship with the public servant has an interest. *Example:* A public servant considers tenders for a contract and awards the tender to a company of which his/her partner is a director.

g. **Insider trading/Abuse of privileged information:** This involves the use of privileged information and knowledge that an officer possesses as a result of his/her office to provide unfair advantage to another person or entity to obtain a benefit, or to accrue a to benefit himself/herself.

h. **Favouritism:** This involves the provision of services or resources according to personal affiliations (for example, ethnic, religious, political party affiliations, etc.) of a public servant.

i. **Nepotism:** This involves a public servant ensuring that family members are appointed to public service positions or that family members receive contracts from State resources. This manifestation is similar to conflict of interests and favouritism. *Example:* A head of department appoints his/her sister's child to a position even when more suitable candidates have applied for the position.

The above illustrations of the manifestations of corruption are by no means complete or exhaustive. Corruption appears in permutations and in degrees of intensity. Degrees of intensity vary from the occasional acceptance of bribes to systemic corruption where bribery is the accepted way of "doing business" and large-scale looting of a country's resources takes place. Thus corruption also manifests as personal and political corruption. Corruption increases if left unattended and once this has culminated in systemic corruption it creates a bigger challenge to address. It thrives most where risk of reprimand and harsh penalties is low.

1.4 Factors/perspectives influencing corruption

Socio-economic conditions, the political-institutional infrastructure, cultural heritage and other factors influence the way in which corruption is perceived and addressed. The internationally reputed corruption expert, Robert Klitgaard, developed a formula in 1988 for the elements that are largely responsible for corruption: $\text{Corruption} = \text{Monopoly} + \text{Discretion} - \text{Accountability}$. According to him, areas that are particularly prone to corruption are those where there is hardly any or no possibility of obtaining services from other providers (monopoly, decision makers have a relatively large leeway, in awarding contracts, for example (discretion) and there are limited or no ways of holding those responsible to account (accountability). Transparency and integrity are therefore crucial.

Whilst corruption seems easily identifiable, the varying perspectives make it particularly difficult to define it and develop appropriate remedies. Such perspectives include:

- The Moralistic-Normative perspective (corruption is inherently bad),
- The Functionalist perspective (corruption is ever-present in society and not always unwanted),
- The Public Office-Legalistic perspective (legal institutions independent from government are required to combat corruption),
- The Public Interest-Institutionalist perspective (institutions shape individual corrupt behaviour),
- The Interest-maximizing perspective (a market-centered perspective that accuses officials of converting political resources into goods needed to initiate and maintain corrupt relations) and
- The Political Economy perspective (State is the mechanism for the accumulation of wealth, especially where indigenous people lack independent access to the economy outside of the State).

Understanding the dimensions of corruption entails also understanding what corruption is not. Corruption is often described interchangeably with maladministration, incapacity and inefficiency, especially because public resources are being used. The deficiency of approaching corruption in this manner is that corruption becomes indefinable and thus impossible to address. Though corruption seems easily identifiable, it is of paramount importance to establish a workable legal definition of corruption, in order to maximize preventative and combating efforts, including the proper arrangement of responsibilities between institutions.

It is thus pertinent that a sustained effort on the part of all Ministries, Departments and Agencies will be necessary to control and reduce corruption. Policies and actions must drive the anti-corruption agenda forward at a fast pace to ensure that corruption is made a high-risk activity. This should be combined with a committed political action to tackle corruption and a conscious effort to ensure effective implementation of an anti-corruption strategy.

2. CURRENT ANTI-CORRUPTION INTERVENTIONS

The fight against corruption derives its mandate from various international treaties and regional commitments ratified or signed by Uganda with direct relevance to addressing accountability issues.

2.1 International and Regional Treaties and Obligations

Uganda had ratified and/or signed a number of international Treaties and Regional Commitments whose operations have direct bearing on the matter of accountability and the fight against corruption. These include;

1. United Nations Convention against Corruption, United Nations, 2003

The purpose of this Convention is to promote and strengthen measures to prevent and combat corruption more efficiently and effectively, to promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery, and to promote integrity, accountability and proper management of public affairs and public property. It extensively provides for preventive measures, criminalization and law enforcement.

2. United Nations Convention against Transnational Organised Crime, 2000 (The Palermo Convention)

To promote cooperation to prevent and combat transnational organized crime more effectively; It applies to the prevention, investigation and prosecution of established transnational offenses and serious crime, including corruption.

3. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic substances, 1988 (the Vienna Convention)

Illicit traffic of narcotic drugs and psychotropic substances generates large financial profits and wealth enabling transnational criminal organizations to penetrate, contaminate and corrupt the structures of government, legitimate commercial and financial business, and society at all its levels. The purpose of this Convention is to promote co-operation among the Parties so that they may address more effectively the various aspects of such illicit traffic internationally.

4. African Union Convention on Preventing and Combating Corruption, 2003

The objectives of this Convention are, inter-alia, to promote and strengthen the development in Africa by each State Party, of mechanisms required, and to coordinate and harmonize the policies and legislation between State Parties to prevent, detect, punish and eradicate corruption and related offences in the public and private sectors; also to establish the necessary conditions to foster transparency and accountability in the management of public affairs.

5. New Partnership for African Development (NEPAD) and the African Peer Review Mechanism (APRM)

NEPAD is a radically new intervention programme of the African Union to pursue new priorities and approaches to the political and socio-economic transformation of Africa. The APRM is a mutually agreed instrument voluntarily acceded to by the Member States of the AU as an African self-monitoring mechanism, to ensure that the policies and practices of participating countries conform to the agreed values in democracy and political governance; economic governance; corporate governance; and socio-economic development.

6. East and Southern African Anti-Money Laundering Group (ESAAMLG)

The purpose of the ESAAMLG is to combat money laundering, including coordinating with other concerned international organisations, studying emerging regional typologies, developing institutional and human resource capacities to deal with these issues, and coordinating technical assistance where necessary.

2.2 National Policies and Legal Framework

The anti-corruption policy of Uganda is governed by the provisions of the following legal framework:

1. The Constitution of Uganda, 1995

This is the supreme law of the land to which all other policies, regulations and legislation are subject. It establishes the different organs and institutions of government such as the Judiciary, the Judicial Service Commission and the Inspectorate of Government. It also gives guidance on the

Leadership Code of Conduct, as well as on accountability and integrity in the administration of public affairs.

2. The Anti-Corruption Act, 2009

This is an Act to provide for the effective prevention of corruption in both the public and the private sector by defining corruption, setting offenses and penalties, outlining the powers of the Inspector General of Government and the Director of Public Prosecutions, and related matters.

3. The Leadership Code Act, 2002;

This is an Act to provide for a minimum standard of behaviour and conduct for leaders; to require leaders to declare their incomes, assets and liabilities; to put in place an effective enforcement mechanism and to provide for other related matters.

4. The Inspectorate of Government Act, 2002

This is an Act to, inter alia, promote and foster strict adherence to the rule of law and principles of natural justice in administration; eliminate and foster the elimination of corruption, abuse of authority and public office; to take necessary measures for the detection and prevention of corruption in public offices; promote fair, efficient and good governance in public offices; enforce the Leadership Code of Conduct; investigate the conduct of any public officers as necessary, including law enforcing agents and the state security agencies.

5. The Access to Information Act, 2005

This is an Act to provide for the right of access to information pursuant to article 41 of the Constitution; to prescribe the classes of information referred to in that article; the procedure for obtaining access to that information, and for related matters.

6. The Whistleblowers Protection Act, 2010

This is an Act to provide for the procedures by which individuals in both the private and public sector may in the public interest disclose information that relates to irregular, illegal or corrupt practices; to provide for the protection against victimisation of persons who make disclosures; and to provide for related matters.

7. The Local Governments Act, CAP 243

This is an Act to give effect to the decentralization and devolution of functions, powers and services; to provide for decentralization at all levels of local governments to ensure good governance and democratic participation in, and control of, decision making by the people; to provide for revenue and the political and administrative setup of local governments; and to provide for election of local councils.

8. The Uganda Police Act, 2006

This Act establishes the Uganda Police Force, whose functions include: protecting life and property; preserving law and order; preventing and detect crime; and cooperating with the civilian authority and other security organs;

9. The Budget Act, 2001

This is an Act to provide for and regulate the budgetary procedure for a systematic and efficient budgetary process and for other matter connected with the same.

10. The Public Finance and Accountability Act, 2003

This is an Act to provide for the development of an economic and fiscal policy framework for Uganda; to regulate the financial management of the Government; to prescribe the responsibilities of persons entrusted with financial management in the Government; to regulate the borrowing of money by Government; to provide for the audit of Government, state enterprises and other authorities of the State; and to provide for other connected matters.

11. The Public Procurement and Disposal of Public Assets Act, 2003

This Act applies to all public procurement and disposal activities, including all public finances originating from the Consolidated Fund and related special finances expended through the capital or recurrent budgets, resources in the form of counterpart transfers or co-financing or any finances of a similar nature within the context of development co-operation agreements for the implementation of national programmes, and procurement or disposal of works, services, supplies or any combination.

12. The National Anti-Corruption Strategy (2008 – 2013)

The National Anti-Corruption Strategy (NACS) is a five-year planning framework designed to make a significant impact on building the quality of accountability and reducing the levels of corruption in Uganda. It addresses anti-corruption policy within a national framework so as to guide policies, and programmes, by setting an ambitious agenda to achieve a public service that appreciates and embraces integrity, accepts the need for transparency and accountability; and ensures full compliance with regulatory and legal requirements. The NACS is hinged on the following strategic objectives:

- Effective political leadership in the fight against corruption;
- Increased public demand for accountability and rejection of corruption;
- Effective enforcement of anti-corruption measures;
- Enhanced compliance and accountability by public service organisations;

The NACS is set within the Zero Tolerance to Corruption policy as a guiding policy declared by the President of the Republic of Uganda in 2006.

The government adopted the NACS to harness effective political leadership in the fight against corruption, increase public demand for accountability and uphold national values and for the effective enforcement of anti-corruption measures. The strategy consolidates the ongoing reforms in fostering the elimination of corruption.

Other relevant legislations and policies include: **The Public Service Act, 2008**; The National Audit Act, 2008; The Regulation of Interception of Communications Act, 2010; The Local Governments Financial and Accounting Regulations 2007; The Public Finance and Accountability Regulations; The Public Service Regulations; and The Public Service Standing Orders, among others.

The JLOS Anti-Corruption Strategy is designed to promote the implementation of these international and national obligations and commitments Uganda has entered into/committed itself to undertake.

3. THE FIGHT AGAINST CORRUPTION IN JLOS

3.1 Anti-Corruption Mechanisms and Activities

Compared to international practice, elements of a good anti-corruption strategy exist in Uganda and in particular in the JLOS. In addition to strong political commitment, Uganda has a solid legislative, regulatory and institutional framework.

There are however challenges with low levels of dissemination of legal information to the public. The role of popularization of laws and massive education of the public has not been fully discharged by the sector. The sector in the coming years will work to create a comprehensive system of simplification and dissemination of laws to the population as well as to the justice actors. This will contribute to demystifying the procedures of access and mechanisms to obtain redress.

The sector utilizes good management practices, including codes of conduct, modern employment practices, financial disclosures, fair procurement and a progressive disciplinary system for ensuring economic utilization of all state resources. This commitment can be exemplified by:

- Support from the Sector Leadership;
- Commitment to realize the provisions of the anti-corruption framework available;
- Previous uncompromising dealings with officials found to be corrupt such as law enforcement officers, lawyers, judicial officers and other persons within and outside the sector institutions.

Under SIPIII the driver of anti-corruption interventions shall be the development and implementation of a comprehensive and effective organizational and staff overall performance assessment system undertaken annually at institutional and the sectoral levels. The assessments shall not be used solely for sanctions but also for internal management dialogue and staff development aimed at improving overall performance. Considerations for improving efficiency of resource utilization and zero tolerance to corruption shall be central to resource management interventions.

Within the Sector, the Judicial Service Commission (JSC) has been handling cases of complaints against Judicial Officers, while the Law Council and Professional Standards Unit handle complaints against lawyers and . According to the 2009/2010 JLOS Annual Performance Report, 130 cases against errant lawyers were concluded by the Law Council. In JSC, 48 public complaints against judicial officers were investigated, heard and completed. The Professional Standards Unit (PSU) of the Uganda Police completed 1372 complaints, including many of corruption. The Inspectorate Division of DPP also handled 18,777 public complaints.

In order to address corruption in JLOS, a number of institutions have put in place mechanisms and procedures to combat this vice.

Judiciary
<ul style="list-style-type: none">• Judicial Integrity Committee, Peer review committees at all levels;• Inspectorate of Courts to handle complaints and evaluate performance;• Judicial code of conduct;
Judicial Service Commission
<ul style="list-style-type: none">• Disciplinary Committee;• Complaints management system (Investigations and inspection, code of conduct, etc);• Anti-corruption work plan;

Uganda Police Force
<ul style="list-style-type: none"> • Professional Standards Unit; • Code of conduct; • Disciplinary mechanism / committee; • Name and shame;
Law Society
<ul style="list-style-type: none"> • Law Council • Internal ethics unit
Ministry of Internal Affairs – (Government Analytical Laboratory)
<ul style="list-style-type: none"> • Use of complaints boxes • Adoption of quality systems management • Complaints Desks • Inspections
Directorate of Citizenship and Immigration Control
<ul style="list-style-type: none"> • Use of complaints boxes • Adoption of quality systems management • Complaints desks • Inspections
Directorate of Public Prosecutions
<ul style="list-style-type: none"> • Inspections • Complaints desks
Uganda Prisons Service
<ul style="list-style-type: none"> • Inspections • Disciplinary procedures

The Law Council is putting in place measures to deal with the growing case backlog and to eliminate impunity by errant lawyers. In order to reduce and address unethical conduct of some members of the bar, a joint committee comprised of members of the ULS and the Law Council is working on the amendment of the Advocates Act.

Through performance-based approaches, the sector will assist its institutions in customizing and rolling out the implementation of Results Oriented Management (ROM) and Client Charters strengthen performance appraisal and systems for Recognition, Reward and Sanctions and initiate and support application of performance contracts in the sector. Further, JLOS will support the scaling up of social accountability mechanisms like the User satisfaction surveys at community level for JLOS service delivery.

Although the above clearly shows commitment and mechanisms to combat corruption, the performance in some institutions is far below the target; it would take several years for back log cases to be cleared and yet new cases are being registered day after day, and hence this strategy.

The sector will continue to craft, document and broadly disseminate its management policies, systems and structures as a mechanism for stimulating internal action particularly at sub-national points of delivery; broadening public participation as well as reinforcing institutional efficiency and accountability. Additionally the Sector will capitalize on the emergence of new information and communication technologies and use them to support improved information exchange and feedback within the different levels of JLOS institutions (vertical and horizontal flow of information).

3.2 Purpose for JLOS Anti-Corruption Strategy

The JLOS Anti-corruption Strategy is aimed at strengthening the sector's capacity to deal with corruption, at strengthening integrity, transparency and service delivery within institutions, thus building public trust. This anti-corruption strategy has been developed for JLOS in order to give effect to the expressed commitment of the sector to fight corruption in the JLOS agencies. The Strategy places emphasis on a broad sectoral effort while identifying specific institutional responsibilities as they apply.

The purpose of the JLOS Anti-corruption Strategy is to prevent and combat corruption through a multiplicity of supportive actions. This strategy is meant to provide JLOS with a holistic and an integrated approach to fighting corruption across institutions involved in the administration of justice. To enhance operational efficiency, the strategy will take a broad service wide approach to the promotion of accountability by exploiting synergies that already exist like the 3Cs; coordination, co-operation and communication to ensure harmonization and standardization.

The Anti-Corruption strategy will, together with the already existing mechanisms and strategies prevent and deter corruption in the JLOS Institutions, put in place standards of behavior and systems for detection, investigation and punishment of corruption. It will also enlist support from members of the public, civil society and other governmental organizations that are involved in the fight against corruption. The strategy is thus a mixture of preventive and combative mechanisms against corruption and maladministration in the JLOS.

4. THE JLOS ANTI-CORRUPTION STRATEGY

4.1 Principles of the Strategic Framework

The JLOS Anti-corruption Strategy is informed by the following principles to root out corruption:

- a. The need for a holistic and integrated approach to fighting corruption, with a balanced mixture of prevention, investigation, prosecution and public participation as the platform for the strategy.
- b. Constitutional requirements for the criminal justice system and public administration.
- c. JLOS tailor-made strategies are required that operate independently but complimentary to national strategies, particularly with regard to prevention, detection, investigation, prosecution and adjudication of acts of corruption, as well as the recovery of the proceeds of corruption.
- d. Acts of corruption are regarded as criminal acts and these acts can be dealt with either in the administrative or criminal justice system or both if need be.
- e. Domestic, regional and international good practice and conventions.
- f. All aspects of the strategy must be:
 - i. Supported with comprehensive education, training and awareness
 - ii. Coordinated within Government
 - iii. Subjected to continuous risk assessment
 - iv. Expressed in terms of measurable and time-bound implementation targets.

This strategy is harmonized with the provisions of the national Anti-Corruption strategic framework.

4.2 Vision

The vision under this JLOS anti-corruption strategy is: ***“A corruption free society and the rule of law and respect for human rights”***.

4.3 Strategic Objectives / Pillars

Three strategic objectives have been developed, basing on the three anti-corruption pillars, namely: prevention of corruption, detection of corruption, and punishment of corruption. The pursuit of these objectives through appropriate well-planned activities will go a long way in achieving integrity in the sector and promoting the same in society, hence the success of the JLOS Anti-corruption Strategy. These strategic considerations are all interrelated and dependent on one-another. Sufficient allocations of resources too have to made to these “stepping stones” of the anti-corruption strategy in order for it to succeed.

The three objectives are:

1. To enhance the sector capacity to prevent corruption
2. To strengthen the sector to detect, investigate, and adjudicate corruption
3. To promote and enforce effective mechanisms for punishment of those found culpable and reparations for acts of corruption

4.4 Strategy Outcomes and Outputs

Objective	Outcomes	Outputs	Output Indicators	MoV
1. Enhance sector capacity to prevent corruption	<ul style="list-style-type: none"> Reduced complaints and cases against JLOS officials. Improved service delivery and public trust 	<p>1.1 Improved structures, systems and facilities for efficient service delivery in JLOS;</p> <p>1.2 Enhanced efficient and effective institutional integrity and performance systems;</p> <p>1.3 Enhanced public awareness on JLOS roles and activities.</p>	<ul style="list-style-type: none"> % reduction in corruption complaints against JLOS staff; % reduction in audit queries against JLOS staff; Reduction rate in case handling time on a year-on-year basis; % increase in use of JLOS services; Codes of conduct for each JLOS institution developed; % increase in public confidence in JLOS institutions; Specific JLOS MDAs' Accountability Policies developed. 	<p>Sector reports</p> <p>JLOS MDAs' Codes of Conduct in place Baseline study</p> <p>JLOS MDAs' Anti-Corruption Policies in place</p>
2. Strengthen the sector capacity to detect, investigate and adjudicate corruption	<ul style="list-style-type: none"> Reduced incidence of corruption and complaints against JLOS officials Increased compliance with laws, regulations and policies Reduced corruption case back log 	<p>2.1 Strengthened structures, systems and processes for detection of corruption;</p> <p>2.2 Strengthened coordination mechanisms for detection of corruption</p> <p>2.3 Increased staff capacity to detect & deter corruption</p> <p>2.4 Increased JLOS staff capacity to adjudicate corruption cases</p>	<ul style="list-style-type: none"> Functional coordination structures Functional reporting structures for systemic investigations & adjudication Increase in rate of handling and disposal of corruption cases Times of case disposal set and standardized 	<ul style="list-style-type: none"> JLOS reports JLOS MDAs' reports Reports from civil society actors

Objective	Outcomes	Outputs	Output Indicators	MoV
3. Ensure effective mechanisms for punishment of those found culpable	<ul style="list-style-type: none"> • Deterrent punishments administered to convicted persons • Reduced complaints and cases due to increased fear of punishment • Improved public perception and trust 	<p>3.1 Punishment mechanisms harmonized and implemented;</p> <p>3.2 Effective reparations framework established</p> <p>3.3 Probation reports produced</p> <p>3.4 Protection and reward of whistleblowers administered</p>	<ul style="list-style-type: none"> • Tribunal set up for disciplinary action representative of all JLOS institutions • No of sanctions implemented within a year 	<ul style="list-style-type: none"> • Monitoring reports <ul style="list-style-type: none"> • Existence of Tribunal for JLOS • JLOS reports

5. IMPLEMENTATION

5.1 Structures, Roles and Responsibilities

The existing structure within JLOS and the constituent MDAs will be used to implement this strategy. However, oversight will be exercised by different JLOS committees (Leadership, Steering, Technical, and Working Groups). The JLOS Secretariat will provide coordination for the effective and efficient delivery of the strategy. The Sector will coordinate with other relevant state and non-state actors in the implementation of the strategy.

5.2 Action Plan

The sector having agreed on the broad strategy must cause to be prepared a systematic implementation plan for the execution of the anticorruption strategy in the sector. The broad strategy above will be broken down into various strategic objectives, needed for the successful implementation of the strategy. Refer to the Action Plan annexed. However, for effective buy-in, ownership and compliance at JLOS MDAs' level, it is prudent that each member institution customizes this sectoral strategy to develop own institutional Anti-Corruption programmes

5.3 Monitoring and Evaluation

The new monitoring and evaluation framework under the Strategic Investment Plan III should be adopted and should incorporate the anti-corruption strategy.

ANNEX I: AC ACTION PLAN

Key Output	Activities	Inputs	Timeline	Resp. MDA
Objective 1: Enhance sector capacity to prevent corruption				
1.1 Improved structures, systems, processes and facilities for efficient service delivery in JLOS.	<p><u>Grassrooting:</u></p> <ul style="list-style-type: none"> • Simplify and disseminate rules and procedures; - bail, filing systems in Court, issuance of immigration facilities etc. • Reorganize and strengthen District Coordination Committees • Establish functional front desks with clear identification <p><u>Staff and Personnel</u></p> <ul style="list-style-type: none"> • Review support staff structure of the Judiciary (with a view of placing them under the JSC jurisdiction) • Develop clear terms of reference for Public Relations Officers (to ensure that they are more pro-active rather than reactive) • Conduct periodic integrity & anti-corruption trainings and/or refresher sessions for JLOS MDAs' staffs • Conduct training for staff in investigation, prosecution and adjudication of corruption cases • Develop, disseminate and enforce client charters, 	<p>Consultants</p> <p>Human Resources</p> <p>Funds</p> <p>HR Experts</p> <p>HR Experts</p> <p>Funds</p> <p>Consultants; HR Experts; Funds</p> <p>Consultants, HR & Funds</p>	<p>Medium term</p> <p>Medium term</p> <p>Immediate</p> <p>Immediate</p> <p>Medium Term</p> <p>Immediate</p> <p>Medium term</p> <p>Immediate</p>	<p>All JLOS MDAs.</p> <p>Judiciary, JSC, Police, Immigration, Law Council, & DPP.</p> <p>All JLOS MDAs.</p> <p>JSC, Judiciary & JLOS Secretariat.</p> <p>All JLOS MDAs & Min. of Information</p> <p>All MDAs,</p>

Key Output	Activities	Inputs	Timeline	Resp. MDA
	performance standards and codes of conduct	Consultants, HR & Funds	Immediate & continuous	MoPS, PSC, JSC
	<ul style="list-style-type: none"> Review, harmonize & implement salary structure across JLOS institutions (make structure uniform) 	Consultants, HR & Funds	Immediate & continuous	All MDAs
	<ul style="list-style-type: none"> Review & implement terms and conditions of service for all JLOS staff 	HR Experts Funds	Medium term	All MDAs & MoPS
	<ul style="list-style-type: none"> Promote transparency at all levels 		Immediate	
			Medium term	All MDAs,
	<u>Facilities and processes</u>	Consultants, JLOS Secretariat		JLOS Secretariat,
	<ul style="list-style-type: none"> Implement participatory budget processes 		Medium term	MoPS & MoFPED
	<ul style="list-style-type: none"> Develop an integrated JLOS-wide information management system (JLOS INFOMIS) 	Staff commitment	Immediate	
	<ul style="list-style-type: none"> Implement open door policy within JLOS institutions 	Staff	Medium term	All MDAs
	<ul style="list-style-type: none"> Enforce public service standing orders and other relevant regulations and laws 	Funds	Medium term	All JLOS MDAs
	<ul style="list-style-type: none"> Enforce the complaints handling systems in all JLOS institutions 		Immediate	All JLOS MDAs
	<ul style="list-style-type: none"> Establish peer group / ethics committees 	Human Resource	Immediate	All JLOS MDAs

Key Output	Activities	Inputs	Timeline	Resp. MDA
1.2 Enhanced efficient and effective institutional integrity and performance	<ul style="list-style-type: none"> • Train JLOS institutions staff on ethics, integrity and performance management (team work, time management, accountability, delegation, etc.) • Establish whistleblower mechanisms in all JLOS institutions • Undertake a fiduciary and internal governance risk assessment/study of JLOS members • Develop a comprehensive communication strategy • Develop & implement a reward system to promote exemplary performance of JLOS Officers at all levels • Track compliance of declaration of wealth by all JLOS staff 	<p>Consultants HR Funds</p> <p>Consultants, JLOS Secretariat</p> <p>Consultants, JLOS MDAs & Secretariat</p> <p>HR Funds</p> <p>HR</p>	<p>Medium</p> <p>Medium term</p> <p>Immediate</p> <p>Immediate</p> <p>Medium term</p>	<p>All MDAs</p> <p>All MDAs & JLOS Secretariat.</p> <p>JLOS Secretariat</p> <p>JLOS Secretariat</p> <p>All MDAs & IGG</p>
1.3 Enhanced public awareness on JLOS role and activities	<ul style="list-style-type: none"> • Develop an IEC strategy • Produce & disseminate public awareness materials • Provide information to the public on rights, procedures, fees or charges through the mass media and IEC materials 	<p>Consultants, IEC experts, ICT experts & Funds.</p> <p>HR, Funds</p>	<p>Medium</p> <p>Immediate</p> <p>Immediate</p>	<p>JLOS Secretariat & JSC.</p> <p>JLOS Secretariat</p>

Key Output	Activities	Inputs	Timeline	Resp. MDA
	<ul style="list-style-type: none"> Establish open days within JLOS institutions Establish mechanisms for & strengthen partnership between JLOS and other anti-corruption agencies, civil society and private sector. 	HR, Funds HR, Funds	Immediate	
Objective 2: Strengthen the sector to detect, investigate and adjudicate corruption				
2.1 Strengthened structures, systems and processes for detection of corruption	<u>Structures/ Systems</u> <ul style="list-style-type: none"> Provide specialised training for the inspectorate staff within and among sector institutions (Judiciary, Police, DPP, JSC) and integrate their services at a sectoral level Establish a coordination mechanism among inspectorates of JLOS institutions Popularize the public complaints systems Establish functional user committees bringing on board supply and demand side. Implement institutional performance standards and sanctions Develop a system for naming and shaming Conduct regular joint inspections, monitoring and evaluation done 	 Consultants, HR & Funds HR & Funds HR, Funds HR & Funds HR Consultants & Funds.	 Immediate Immediate Immediate Immediate Immediate Medium term Immediate	 Judiciary, JSC, DPP & Police. All MDAs “ “ “ JLOS Secretariat Police, DPP, Judiciary,

Key Output	Activities	Inputs	Timeline	Resp. MDA
		Consultants, HR & Funds. HR & Funds.		DGAL
2.2 Strengthened coordination mechanisms for detection of corruption	<ul style="list-style-type: none"> Develop guidelines and mechanisms for protection of whistleblowers and witnesses Conduct public sensitization on formal procedures for reporting corruption Develop a mechanism for providing feedback to informers /complainants to build public confidence. <p><i>Structures/ Systems</i></p> <ul style="list-style-type: none"> Strengthen and coordinate inspectorate functions within and among sector institutions (Judiciary, Police, DPP, JSC) and integrate their services at a sectoral level. Establish and strengthen the public complaints systems (hotlines, suggestion boxes, etc). Establish functional user committees bringing on board supply and demand side. Implement institutional performance standards and sanctions. Develop a system for naming and shaming Conduct training for staff in investigation, prosecution and adjudication of cases 	<p>Consultants, HR & Funds</p> <p>HR & Funds.</p> <p>HR & Funds</p> <p>Consultants, HR & Funds.</p> <p>HR & Funds.</p> <p>HR</p> <p>HR & Funds</p> <p>HR</p> <p>Consultants & Funds.</p>	<p>Medium term.</p> <p>Immediate.</p> <p>Immediate</p> <p>Immediate</p> <p>Immediate</p> <p>“</p> <p>“</p> <p>“</p> <p>“</p>	<p>All MDAs & JLOS Secretariat.</p> <p>All MDAs & JLOS Secretariat.</p> <p>All MDAs.</p> <p>Judiciary, JSC, DPP & Police.</p> <p>All MDAs</p> <p>“</p> <p>“</p>

Key Output	Activities	Inputs	Timeline	Resp. MDA
	<ul style="list-style-type: none"> Conduct regular joint inspections, monitoring and evaluation done. 	Consultants, HR & Funds. HR & Funds.	“ “ “	“ JLOS Secretariat
2.3 Increased staff capacity to detect corruption	<ul style="list-style-type: none"> Train inspectorate staff in skills for tracking corruption Restructure and fill existing vacancies Develop a mechanism for providing feedback to informers /complainants to build public confidence 	Consultants, HR & Funds. M&E experts & Funds. HR & Funds. HR & Funds	Medium term Medium term. Medium term	All MDAs & JLOS Secretariat. All MDAs & JLOS Secretariat “ JLOS Secretariat

Key Output	Activities	Inputs	Timeline	Resp. MDA
Objective 3: Ensure effective mechanisms for punishment of those found culpable				
3.1 Timely and Fair trials	<p><u>Fairness</u></p> <ul style="list-style-type: none"> Establish an impartial tribunal for disciplinary action established (with representation from all JLOS institutions) Conduct effective investigation and prosecution of suspected offenders Equip anti-corruption courts to record and transcribe proceedings Facilitate witnesses to testify in court <p><u>Timeliness</u></p> <ul style="list-style-type: none"> Effect immediate registration of cases which are fully investigated 	<p>HR & Funds</p> <p>HR & Funds</p> <p>HR & Funds</p> <p>HR & Funds</p> <p>HR & Funds</p>	<p>Immediate</p> <p>Immediate</p> <p>Immediate</p> <p>Immediate</p> <p>Immediate</p> <p>Immediate</p>	<p>JSC, DPP, UPS, Police, Judiciary & PSC.</p> <p>DPP, Police & Judiciary.</p> <p>Judiciary</p> <p>Judiciary</p> <p>Judiciary</p>
3.2 Punishment mechanisms harmonized and	<ul style="list-style-type: none"> Effect deterrent sanctions and punishment to those found guilty: Imprisonment, fines, cautions, community service, dismissals, 	Consultants, HR & Funds	Medium term	Judiciary, DPP & Police

Key Output	Activities	Inputs	Timeline	Resp. MDA
implemented	reprimands, suspensions, demotions, name and shame, recovery	HR & Funds	Immediate	JSC, Judiciary, PSC & All JLOS MDAs
	<ul style="list-style-type: none"> Enforce stringent internal disciplinary measures against suspected errant officers 	HR & Funds	Immediate	
	<ul style="list-style-type: none"> Produce & disseminate periodical reports / journals exposing perpetrators of corruption in the sector 	HR & Funds	Immediate	

Monitoring & evaluation mechanisms:

As earlier noted, the monitoring and evaluation mechanism already in place under the JLOS Strategic Investment Plan should be adopted and incorporated for this strategy. Both activity-oriented M&E and the broader M&E to assess the strategic effectiveness of this strategy are imperative.

Timeline Key:

For the purpose of effective implementation, monitoring and evaluation of this strategy, the timelines indicated in the action plan are tied to the following time frames:

Immediate:- within six months from the commencement of the strategy

Medium term:- within the first year of the commencement of the strategy

Long term:- within two years of the commencement of the Strategy