

## APPENDIX VI

### PUBLIC SERVICE ANTI-CORRUPTION STRATEGY

#### SUMMARY OF PROPOSALS

1. It is proposed that a holistic and integrated approach to fighting corruption be established. This requires a strategic mix of preventative and combative activities and a consolidation of the institutional and legislative capabilities of Government.
2. The proposed Public Service Anti-corruption Strategy contains nine considerations that are inter-related and mutually supportive. These considerations are as follows:-
  - 2.1 *Review and consolidation of the legislative framework* : It is proposed that a new legislative framework to fight corruption be established and implemented by July 2003. This framework must provide for-
    - A new corruption Act that provides a workable definition of corruption, that reinstates the common law crime of bribery, that creates presumption of *prima facie* proof to facilitate prosecution, that extends the scope of the Act to all public officials and private citizens and their agents;
    - A range of offences and obligations;
    - A holistic approach to fighting corruption;
    - Compliance with regional and international conventions;
    - Civil recovery of proceeds and the ability to claim for damages; and
    - Prohibition of corrupt individuals and businesses.
  - 2.2 *Increased institutional capacity*: It is proposed that the courts, existing institutions and departmental capabilities be improved for optimal functioning. In particular it is proposed that-
    - That the efficacy of existing departments and agencies be improved through the establishment, by March 2002, of appropriate mechanisms to coordinate and integrate anti-corruption work
    - Departments create a minimum capacity to fight corruption (audit report available by May 2002).

- 2.3 *Improved access to report wrongdoing and protection of whistleblowers and witnesses:* This consideration focuses on improving application of the protected disclosures legislation, witness protection and hotlines. Implementation of the improvements is to commence by August 2002.
- 2.4 *Prohibition of corrupt individuals and businesses :* It is proposed that mechanisms be established to prohibit (a) corrupt employees from employment in the Public Sector and (b) corrupt businesses and agents of such businesses from doing business with the Public Service for a maximum period of five years. It is envisaged that the information system for prohibited employees will be established by April 2003 and a central electronic register of prohibited businesses will be established by September 2002.
- 2.5 *Improved management policies and practices:* Solid management practices is widely recognised as the first line of defense against corruption and it is proposed that improvements be effected with regard to procurement systems, employment arrangements, the management of discipline, risk management, management information and financial management. The proposals include the extension of the system of disclosure of financial interests, screening of personnel, establishing mechanisms to regulate post-Public Service employment and strengthening the capacity to manage discipline. It is envisaged that revised management practices be implemented by November 2002 and that a management information system will be operational by April 2004.
- 2.6 *Managing professional ethics:* It is proposed that a generic professional ethics statement for the Public Service be developed that is to be supplemented by mandatory sector-specific codes of conduct and ethics. Professional ethics will be supported by extensive and practical explanatory manuals and training and education. Implementation is envisaged to be December 2002.
- 2.7 *Partnerships with stakeholders:* Partnering has been identified as a cornerstone of the national fight against corruption and in particular-
- The National Anti-corruption Forum will be used to promote Public Service interests;
  - Partnerships will be established with the Business and Civil Society Sectors to curb corrupting practices; and
  - Public Service unions will be mobilised to advocate professional ethics with members.
- 2.8 *Social analysis, research and policy advocacy:* It is proposed that all sectors be encouraged to undertake ongoing analysis on the trends, causes and impact of

corruption and for these sectors to advocate preventative measures. These partnerships will be established by August 2002.

- 2.9 *Awareness, training and education:* It is proposed that all the above developments be supported through ongoing awareness, training and education and that a targeted public communication campaign be launched by July 2002. The campaign will be aimed at promotion of South Africa's anti-corruption and good governance successes domestically and internationally. The local part of the campaign will be hinged on the promotion of *Batho Pele* initiatives and pride amongst employees.