

**The Public Service Anti-Corruption Strategy: A Case
Study of the Department of Correctional Services**

by

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LIST OF ACRONYMS

CBPE	Centre for Business and Professional Ethics
CEU	Code Enforcement Unit
DCS	Department of Correctional Services
DIU	Departmental Investigation Unit
DPSA	Department of Public Service and Administration
LMN	Limpopo/ Mpumalanga/ North West
NIS	National Integrity System
NPM	New Public Management
PSACS	Public Service Anti-Corruption Strategy
PSC	Public Service Commission
SAMDI	South African Management Development Institute
UJ	University of Johannesburg
Unisa	University of South Africa
UP	University of Pretoria

KEY TERMS

Corruption

Department of Correctional Services

Ethical Culture

Ethics Management

Exploratory Factor Analysis

Implementation Variables

Null Hypothesis

Pearson's Correlation Co-efficient

Policy Evaluation

Policy Response

Public Service Anti-Corruption Strategy

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SUMMARY

The South African Government in 2002 accepted the Public Service Anti-Corruption Strategy (PSACS) with the objective to reduce the manifestation of malfeasance in the public service. The PSACS identified various goals and objectives to be achieved at both the systemic and departmental levels. At the departmental level, the PSACS set out to increase the institutional capacity of departmental institutions, and encourage the management of risk and of discipline in the public service. Departments are required to establish the necessary capacity to formulate fraud prevention and anti-corruption policies, receive and manage allegations of corruption, and investigate allegations of corruption and detected risks at a preliminary level. To manage ethics departments should *inter alia* identify early signs of a lack of discipline, improve the accountability and capacity of managers to manage discipline, and encourage managers to act against transgressions. However, various authors have been critical of the formulation of policies and the establishment of structures as a policy response to public service corruption. In their view, such an approach often leads to a reduction in the efficiency and effectiveness of public programmes, and even creates opportunities for corruption. In response to such deficiencies, some argue that a compliance-based approach to public service malfeasance should be supplemented by a value-based approach with an emphasis on the development of internal self-control of individuals, the promotion of trust among employees, and the promotion of a culture of responsibility. In this context, this researcher proposes that the promotion of an ethical culture could enhance the implementation of the PSACS. In this dissertation, this researcher set out to evaluate, among others, the ethical culture of the Department of Correctional Services (DCS). It was decided that a survey would be the most appropriate data collection method. A questionnaire was administered and the data was captured, analysed and interpreted. Various statistical tests were performed and the findings suggest *inter alia* that the promotion of an ethical culture coincides with lower levels of observed malfeasance. Consequently, when greater clarity of operational and ethics policies is obtained, an increase occurs in both the severity and frequency of penalties for malfeasance, and officials gain greater access to resources and time to execute their responsibilities, the level of observed malfeasance is likely to be reduced. The promotion of an ethical culture could significantly enhance the implementation of the PSACS.

Student number: **3331-029-7**

I declare that **THE PUBLIC SERVICE ANTI-CORRUPTION STRATEGY: A CASE STUDY OF THE DEPARTMENT OF CORRECTIONAL SERVICES** is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

December 1, 2010

SIGNATURE

DATE

Mr W.N. Webb

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SUMMARY

The South African Government in 2002 accepted the Public Service Anti-Corruption Strategy (PSACS) with the objective to reduce the manifestation of malfeasance in the public service. The PSACS identified various goals and objectives to be achieved at both the systemic and departmental levels. At the departmental level, the PSACS set out to increase the institutional capacity of departmental institutions, and encourage the management of risk and of discipline in the public service. Departments are required to establish the necessary capacity to formulate fraud prevention and anti-corruption policies, receive and manage allegations of corruption, and investigate allegations of corruption and detected risks at a preliminary level. To manage ethics departments should *inter alia* identify early signs of a lack of discipline, improve the accountability and capacity of managers to manage discipline, and encourage managers to act against transgressions. However, various authors have been critical of the formulation of policies and the establishment of structures as a policy response to public service corruption. In their view, such an approach often leads to a reduction in the efficiency and effectiveness of public programmes, and even creates opportunities for corruption. In response to such deficiencies, some argue that a compliance-based approach to public service malfeasance should be supplemented by a value-based approach with an emphasis on the development of internal self-control of individuals, the promotion of trust among employees, and the promotion of a culture

of responsibility. In this context, this researcher proposes that the promotion of an ethical culture could enhance the implementation of the PSACS. In this dissertation, this researcher set out to evaluate, among others, the ethical culture of the Department of Correctional Services (DCS). It was decided that a survey would be the most appropriate data collection method. A questionnaire was administered and the data was captured, analysed and interpreted. Various statistical tests were performed and the findings suggest *inter alia* that the promotion of an ethical culture coincides with lower levels of observed malfeasance. Consequently, when greater clarity of operational and ethics policies is obtained, an increase occurs in both the severity and frequency of penalties for malfeasance, and officials gain greater access to resources and time to execute their responsibilities, the level of observed malfeasance is likely to be reduced. The promotion of an ethical culture could significantly enhance the implementation of the PSACS.

KEY TERMS

Corruption

Department of Correctional Services

Ethical Culture

Ethics Management

Exploratory Factor Analysis

Implementation Variables

Null Hypothesis

Pearson's Correlation Co-efficient

Policy Evaluation

Policy Response

Public Service Anti-Corruption Strategy

CHAPTER 1

GENERAL INTRODUCTION

1.1 Introduction

South Africa has a myriad of social and economic problems. Corruption prevention is only one of various government priorities, which also include job creation, skills development and crime prevention. Some argue that in an underperforming and corrupt public service, bribery could be quite useful. When government programmes are administered inefficiently by underpaid and unmotivated public officials, bribes could provide the necessary motivation for greater productivity. Similarly, when public officials with discretionary powers realise the benefits of accepting bribes, and redesign their activities to create scarcity, delay and red tape, the justification for paying bribes exist. Corruption – in such systems – could even serve the purpose of increasing overall efficiency and fairness for individuals and businesses. However, tolerating corruption, even in its petty forms could eventually lead to the malfeasance reaching a systemic level. Furthermore, corruption also has adverse legitimacy consequences for governments (Rose-Ackerman, 1999:25-26).

This chapter provides a background and rationale as well as a motivation for the study in order to put the research problem into context. This research problem provides the context for the main research question and its subsidiary research questions. The subsidiary research questions enabled this researcher to identify various research objectives and an appropriate research design with accompanied data collection methods. Since the study is subjected to limitations, the research scope and demarcation of the period of study is set out briefly. An overview of the chapters of this dissertation is provided.

1.2 Background and Rationale

Corrupt government activities can manifest in many forms. General definitions of corruption include a public official who deviates from the prescribed norm, discriminately administers a law or adopts a subjective or partisan approach in dealing with clients, and negligence in the performance of official duties. Other manifestations include the biased application of political or administrative power, whether directly or indirectly, for one's own financial or material advantage, or in order to distribute the gains among friends, colleagues, relations or supporters (Zafarullah & Siddiquee, 2001:467-470; Douglas & Jones, 1996:119).

The monetary cost of corruption to society is difficult to determine and estimates are arbitrary and vary significantly. Such estimates are often confusing to those interested in understanding the phenomenon and its consequences. For example, one such estimate of the cost of corruption to the taxpayer amounts to R4 billion per year, whereas the cost of corruption to the South African social welfare system, a key element of the government's poverty alleviation programme, amounts to R1,5 billion per year (Brits, 2005:2; Michaels, 2005:1). Another estimate by the Public Service Commission of the cost of financial misconduct in the public service including theft, corruption and fraud for the 2008/9 financial year is just over R100 million. This estimate was based on financial misconduct reported to the Public Service Commission and does not include instances of misconduct that went undetected (Public Service Commission, 2010).

It could be argued that the indirect cost of corruption is even more crippling. Corruption has a number of negative consequences such as *inter alia* lower levels of investment and growth, the discouraging of foreign direct investment and the encouraging of business to operate in the unofficial sector in violation of tax and regulatory laws. However, Rose-Ackerman (1999:2-3) points out that corruption could co-exist with economic growth. For example, corruption could lead to the investment of public funds in capital-intensive spending such as public infrastructure, rather than being spent on education as the latter does not provide similar opportunities for corruption. Other negative consequences

include *inter alia* weakened public service delivery, the misdirection of public resources, the inhibition of growth that is necessary to pull people out of poverty and most notably, the loss of societal trust in the public service (Zafarullah & Siddiquee, 2001:266; Department of Public Service and Administration, 2002:9-10).

The negative effects of corruption have also been acknowledged on an international level. A report by the *Commission for Africa* in 2005 identified among other matters corruption as a major challenge in the development of the African continent (Louw, 2005:6). The World Bank, as well as donor countries, which spend millions on development aid in developing countries perceive corruption as negative for development (Wolfensohn, 1998:1). Countries with sound economic policies (low inflation, a budget surplus and fairly free trade) and good institutions (with a respect for the rule of law, few incidents of corruption and an effective bureaucracy) would make good use of development aid (Business Times, 2004: 8). Corruption results in a levy imposed on the labour of producers in favour of those who occupy the power structure. Thus, the national inheritance is diverted to private or partisan uses, causing a pernicious drain on the general economy (Douglas & Jones, 1996:119).

Corruption appears to be more severe in developing states. Whereas developed countries have more advanced market systems, deep rooted administrative and political institutions and extensive press freedom, developing countries lack liberal democratic institutions, a free press, citizens' rights and market forces. The absence of these aspects leads to poor accountability and is a fertile ground for corrupt practices. A lack of citizen education compounds problems of public accountability. A lack of interest in and knowledge of the activities of government institutions increases the extent to which public functionaries can act without any checks and balances on their power. Developing countries have low literacy and civic education levels, which does not predict anything positive for accountability (Shamsul Haque, 2001:72; Adamolekun, 1997:58).

The National Integrity System (NIS) as proposed by the Economic Development Institute of the World Bank, provides for a comprehensive method of fighting corruption. The NIS

comprises eight pillars: public awareness, public anti-corruption strategies, public participation, watchdog agencies, the judiciary, the media, the private sector and international co-operation. These pillars are interdependent - when one of them weakens, there is more pressure on the others, hampering the overall fight against corruption (Langseth, Stapenhurst & Pope, 1997:10).

The *Public Service Anti-Corruption Strategy* (PSACS) was adopted by the South African Government in 2002. This Strategy consists of nine considerations that are interrelated and mutually supportive: reviewing and consolidating the legislative framework; increasing institutional capacity; improving access to report wrongdoing, and protecting whistle-blowers and witnesses; prohibiting corrupt individuals and businesses; improving management policies and practices, managing professional ethics; forging partnerships with stakeholders; encouraging social analysis, research and policy advocacy; and promoting awareness, training and education (Department of Public Service and Administration, 2002:12-21). A comparison of the NIS and the PSACS would indicate similarities in their content and intentions such as *inter alia* the crucial role of civil society; education and training for public officials in ethical guidelines and rules of conduct, improving management policies and practices; and increasing the anti-corruption capacity of courts, watchdog agencies, and departmental institutions.

The NIS proposes that various institutions should co-operate in preventing and combating corruption: Auditor-General, Public Protector, Public Service Commission, Independent Complaints Directorate, South African Revenue Service, South African Police Service (SAPS Anti-corruption Unit and the Commercial Branch), National Prosecuting Authority (specifically the Directorate of Special Operations and Asset Forfeiture Unit), Special Investigating Unit and the National Intelligence Agency (Department of Public Service and Administration, 2003: 134-135; Public Service Commission, 2001:2-5). However, the absence of co-ordination between these institutions and no proper delineation of responsibilities is a major weakness. In various instances do the mandates of anti-corruption agencies overlap (Public Service Commission, 2001:3-5).

It could be argued that the responsibility to prevent public service corruption is that of the public service itself. Few public sector reforms to combat corruption have been effective in developing countries without complementary preventative and investigative measures as part of a broad process. Such measures include public service training; staff rotation particularly in the customs, revenue and contract awarding agencies; appropriate salary levels; a code of ethics and related disciplinary procedures; and watchdog units within departments. The establishment of anti-corruption agencies with intensive investigative powers, high public profile, honest staff and government support is a key aspect of such reforms (Camerer, 1999:2).

1.3 Motivation

Although the study of ethics is a normative science and traditionally a branch of philosophy, research is often done on the relationship between social behaviour and ethics, and also cultural conditions and ethics (Kolthoff, 1997: 38). This study is an empirical study and focuses on the social behaviour of public officials, and ethics. The focus of this study can be found in Mouton's (2008:140) Three Worlds Framework: A 'World One' problem: Corruption and its Prevention.

The successful prevention and combating of corrupt behaviour in the public service would lead to improved public service delivery, a more efficient and effective distribution of resources and accountable public administration. South Africa, as a developing country, needs a public service that would be accountable to the needs of the public and address the many inequities that exist in our society as a result of the former apartheid policies. A decrease in corrupt activities would help establish such a public service.

This study attempts to provide clarity on the manifestation, causes and consequences of corrupt activities. It is expected that a better understanding of corruption and its consequences would enable the public service to develop more appropriate anti-corruption policies and public administrators to apply anti-corruption methods and

techniques appropriate to their field. Furthermore, an evaluation is made of the implementation of the PSACS. The introduction of policy measures to prevent corruption often leads to a decrease in public service efficiency and effectiveness, and the creation of opportunities for malfeasance (cf. section 3.6; section 2.5.3.2). To date, no assessment has been made of the implementation of the PSACS as a measure to prevent public service corruption.

Public Administration is an applied science and has its application in the public service. However, continuous reflection on the state of the subject remains necessary to ensure that our understanding of 'World One' problems and solutions thereto will remain relevant. Consequently, this study aims to broaden the theoretical base of Public Administration scholars' understanding of corrupt behaviour, and attempts to provide for suitable methods of combating and preventing such behaviour. The objective is therefore not only to provide practical solutions to practical problems, but also to develop our conceptual understanding of the phenomenon.

This body of knowledge on corruption and how best to prevent it should be informed by new theories, models and typologies; more precise concepts and definitions; original findings and data from 'World One'; and an improved means of measuring the phenomenon with instruments such as questionnaires, interviews and observation. These scientific endeavours typically belong to Mouton's (2008: 140) 'World Two' and are this researcher's second motivation for the study. In pursuance of these scientific objectives, this researcher is motivated by the epistemic imperative - arriving at the most valid findings and truthful knowledge.

1.4 Problem Statement

The term 'corruption' often takes on a broad meaning representing different phenomenon. Corruption could be defined as any *intentional* and *unlawful* conduct or behaviour by a person entrusted with responsibilities in public office which violates his or her duties as a public official and which is aimed at obtaining *undue gratification* of any kind for him-

or herself or for others. Corruption manifests as bribery, embezzlement, fraud, extortion, abuse of power, nepotism, conflict of interest, insider trading/ abuse of privileged information and favouritism. Corruption takes place as an *intentional* act of behaviour with the purpose of gaining some kind of *advantage* (Department of Public Service and Administration, 2002:7-11; cf. section 2.5.3.1). These forms of corruption are criminalised by the *Prevention and Combating of Corruption Act, 2004* (Act 12 of 2004). However, corruption could also be non-criminal in nature i.e. when officials make telephone calls from work telephones, or using government vehicles for private purposes (cf. section 3.3). Such forms of corruption could either be perceived as deliberate or not (Gildenhuis, 2004:91). Although this study is mainly concerned with the former definition of corruption, it could be argued that non-criminal corruption – if left unattended – could spill-over and legitimise more serious forms of corruption (cf. section 2.5.3.2). Consequently, for the purpose of this study the term 'corruption' could also embrace the less serious forms of malfeasance.

A number of causes of corruption can be identified, such as *inter alia* psychological factors, social factors, economic factors, and organisational factors such as excessive discretion, outdated and inadequate policies and procedures, insufficient supervision, complex legislation, a lack of ethical awareness, and deficient control and accountability. There are various remedies to corrupt behaviour in the public service, such as *inter alia* ethics education and training of public official and political office-bearers, exemplary ethical behaviour by political office-bearers and senior public officials, sufficient and fair compensation, codes of conduct and codes of ethics, communication media and constitutional mechanisms such as the Public Protector, Auditor-General and the Public Service Commission (Douglas & Jones, 1996: 144; Louw, 1998: 65-76; Stapenhurst & Langseth, 1997:320-327; Clapper, 1999:380-381).

Within this context the purpose of this study is to evaluate the implementation of the PSACS as a policy instrument aimed at preventing and combating public service corruption. Among the goals identified by the PSACS (cf. section 1.2), two goals are of particular importance for the purpose of this study: increasing institutional capacity, and

improving management policies and practices. The intention of these goals is to increase corruption prevention efforts at departmental level by establishing and increasing institutional capacity, and improving management policies and practices.

Within the context of the two broader goals of the PSACS, various detailed objectives and sub-objectives are identified. For example, in terms of the objective of increasing anti-corruption capacity at the departmental level, the PSACS identifies numerous sub-objectives including *inter alia* receiving and managing allegations of corruption through whistle blowing or other measures; formulating fraud prevention and anti-corruption policies; and investigating allegations of corruption and detected risks at a preliminary level. In terms of a second objective of managing discipline, the PSACS identifies various sub-objectives including *inter alia* managing early signs of a lack of discipline; improving accountability and capacity of managers to manage discipline; and encouraging managers to act against transgression (cf. section 4.5.1).

In the pursuance of these policy objectives, a number of variables could influence the implementation process. Obstacles to successful policy implementation could include the lack of commitment and leadership by senior officials, poor communication, absence of internal capacity, and inappropriate policy content. The more informal aspects of a public institution such as its ethical culture could significantly influence the implementation of the PSACS (cf. section 2.5.5).

To mitigate these obstacles at the implementation level it seems appropriate to refer to the concept of ethics management. Rossouw (2006: 130-142) suggests that the ethical performance of an institution should not be left to chance. Rather, ethical performance should be management in a concerted way which could include activities such as determining the risk of an institution; codifying ethical standards; and institutionalising these ethical standards.

A recent development in ethics management is the move from a compliance based approach to a value based approach. With a compliance based approach the emphasis is

on external controls and the imposition of rules, procedures and prohibitions on employees with little success. The compliance based approach should be supplemented by a value based approach with an emphasis on the development of internal self-control of individuals, the promotion of trust among employees, and the promotion of a culture of responsibility. The choice of approach to ethics management should be informed by the broader context of a country's public management reform agenda. A value based approach appears to be more tailored to results based management systems (Hoekstra, Belling & Van der Heide, 2008: 143-158; cf. Anechiarico & Jacobs, 1995: 143-175).

In view of the background provided above, the main research question to be addressed is:

How can the implementation of the *Public Service Anti-Corruption Strategy* be enhanced?

This main research question provided this researcher with guidance throughout this study when the relevant literature, macro research methods, measuring instrument, data collection methods, unit of observation, and unit of analysis were identified.

1.5 Research Questions

The following research questions guided the research process in an attempt to provide answers to the main research question as defined above:

- What does the literature say about public service corruption and its prevention?

- What are the attributes of corruption and which conceptual instruments have been created to prevent public service corruption?

- What is the policy framework for corruption prevention in the South African Public Service?

- What is the most appropriate research approach to investigate the implementation of the PSACS?
- What are the research findings in respect of ethical culture as a measure to enhance the implementation of the PSACS?
- What contribution, if any, could be made to the theory of ethics management in Public Administration?

1.6 Objectives of the Study

Research Objective One

The first research objective is to identify, collect, and peruse the literature on public service corruption and its prevention. Corruption and its prevention is not the exclusive study object of Public Administration, and many other subjects have an equal interest in understanding this phenomenon. It would then be necessary to evaluate publications in other subjects in South Africa and internationally.

Research Objective Two

The second research objective is to describe the attributes of public service corruption - its causes and consequences. Corruption is a covert activity and understanding it requires more than the perusal of publications. Considerable conceptual work has been done on corruption prevention measures, and these will also be described.

Research Objective Three

The third research objective is to collect and interpret various empirical sources including statutes, government policies and research findings, and departmental policies. This objective will require this researcher to describe the South African legislative and policy framework established for corruption prevention. As this study is concerned with the implementation of the PSACS, a case study will be identified for empirical research.

Research Objective Four

Research objective four is to determine the most appropriate research approach to evaluate the implementation of the PSACS. On a meta-scientific level researchers reflect on their research methodology and the most appropriate research approach to the study object. Researchers could pursue quantitative and qualitative methodological research approaches with their accompanied data collection methods.

Research Objective Five

Research objective five is to interpret the data that has been collected using the measuring instrument. Data collection will be followed by data analysis and data interpretation. The objective would be to interpret the data and provide findings in respect of the implementation of the PSACS. It is expected that research findings will provide for measures that could enhance the implementation of the goals, objectives, and sub-objectives of the PSACS.

Research Objective Six

Research objective six is to make a contribution to the body of literature on the management of ethics. This contribution could manifest in various forms including new theories, models or typologies; improved conceptualisation; findings and data; and more appropriate instruments for measuring the phenomenon, such as questionnaires.

1.7 Scope of the Research and Demarcation of the Period of Study

The PSACS was adopted by the South African Government in 2002. Initial research indicated that a number of its provisions have already been implemented on national government sphere. This research project was initiated in 2004 with the collection of empirical data completed in 2009. The data findings were interpreted in 2010. This time schedule would have allowed the policy provisions to 'trickle down' to departmental implementation level. The findings of this study could serve as baseline data and a follow up study of the PSACS could be conducted to evaluate improvement in its implementation.

The Department of Correctional Services (DCS) has been selected as a case study for this research study. During the initial conceptualisation stage of the study the DCS was subject to an inquiry by the Jali-Commission. This Commission investigated alleged incidents of corruption, maladministration, violence and intimidation in the DCS. During the inquiry, it became evident that some prison warders regarded 'jail smuggling' (i.e. inmates being allowed certain illegal privileges such as dagga, liquor and extra visits) as acceptable (Keyser, 2003). The DCS as a national government department has also been subjected to the provisions of the PSACS. This will enable this researcher to investigate the extent to which the provisions of the PSACS have been established at the departmental implementation level.

1.8 Research Design and Data Collection Methods

Social scientists continually reflect on their research decisions, for example, which macro research paradigms, measurement instruments, and data collection methods to use. This reflection on scientific research is part of the world of meta-science in other words considering those aspects of research that are beyond science itself. Mouton (2008:138-139) describes this level of reflection as part of 'World Three'.

From the main research question above, it could be deduced that this is an empirical study. It attempts to solve a real life problem i.e. to determine how the implementation of a policy intervention could be enhanced. Data collection methods from both the qualitative and quantitative macro research approaches will be used. This researcher will gain both an insider and outsider perspective on the research object. These data collection methods will be triangulated to ensure the most valid and reliable findings are obtained (cf. section 5.4).

The combination of data collection methods to be used includes the less structured methods of observation, individual interviews, group interviews, and an analysis of documents such as departmental policies and government reports. However, the more structured method of a survey in the form of a questionnaire will be used as the main data

collection method. Findings from the observations, individual and group interviews, and the document analysis will be used to design the questionnaire items. This survey data will be captured, subjected to statistical analysis, and interpreted.

This researcher will make use of both deductive and inductive reasoning. A review of the literature on corruption and its prevention will provide this researcher with an understanding of the phenomenon of corruption and the existing conceptual models for its prevention. The literature review will cover secondary literature, internationally and locally, in the field of corruption, specifically books, chapters in books and journal articles, which will form the theoretical basis of this study. The theories, models, and concepts will serve to inform the researcher's conceptualisation and design of the main measurement instrument; the questionnaire. From these theories and models various deductions could be made and tested with the measurement instrument.

Inductive reasoning involves generalising the findings from a sample to a target population (Mouton, 2008: 117-118). As pointed out earlier, the DCS has been selected as a case study. Products of human behaviour and human characteristics will serve as a unit of observation. Primary literature in the form of legislation, regulations and procedures, departmental policies and reports will provide evidence as to the extent to which the Department has adopted the PSACS and implemented its provisions. The questionnaire will serve to collect data from a second unit of observation: human behaviour and human characteristics. The questionnaire will be administered to collect data on the perceptions and experiences of the employees of the Department. It would not be feasible to apply the questionnaire to the entire study population. A probability sample will therefore be identified to which the questionnaire will be administered. Respondents in this sample will be requested to complete the questionnaire. The data will be interpreted and the findings will be generalised to the target population.

1.9 Overview of Chapters

Chapter One is the introductory chapter. It explains and describes the background and motivation to the study, main research question and subsidiary research questions, objectives of the study, scope and delimitation of the study, and the research design and methods to be used.

In *Chapter Two* the international and South African literature on corruption and its prevention is reviewed. Corruption and its prevention is not the exclusive domain of the subject Public Administration, and this chapter is presented via the various 'disciplinary lenses' through which corruption is studied. As this study is concerned with the implementation context of the PSACS the literature on public policy is also evaluated.

In *Chapter Three* the manifestation of public service corruption and its attributes, causes and consequences is described. Corruption prevention methods have developed in concert with developments in the subject and practice of Public Administration. In this chapter, it is hypothesised that management reform could have an adverse effect on the phenomenon of public service corruption. The various conceptual corruption prevention methods are described including the significance of a code of conduct, sufficient remuneration, and the professionalisation of the public service.

In *Chapter Four* the legislative and policy framework in the South African public service is described. The PSACS establishes the basis for the development of this framework. Amongst the objectives of the PSACS is the intention to review and consolidate the legislative framework, to increase institutional capacity, and to strengthen the capacity to manage ethics within administrative institutions. In this chapter the material that was collected during the empirical research in the DCS is described.

In *Chapter Five* this researcher reflects on the most appropriate macro research approach to be used in investigating the implementation of the PSACS. The attributes of both the qualitative and quantitative macro research approaches are considered. The research

design is discussed including the design of the research project, the development of the questionnaire, the pre-testing of the questionnaire, and the sampling methods used.

In *Chapter Six* the findings of the statistically analysed data are discussed. The biographical data of the respondents is described. The responses to the questionnaire items were subjected to an exploratory factors analysis. To determine the variance between and within groups the factors were subjected to various statistical tests including the Analysis of Variance, Eta-square, and Chi-square tests. The correlation between factors was determined with the Pearson's Correlation Coefficient. The Pearson's Correlation Coefficient provided findings on ethical culture and the manifestation of corruption.

The analysed and interpreted data is summarised in two sections. The first section provides a summary of the empirical findings, and the second section provides for a summary of the findings of the correlation between factors. This researcher believes that these findings could contribute to the enhanced implementation of selected goals and objectives of the PSACS. These findings also contribute to the theory and practice of ethics management. Although the temptation is to generalise the results to the South African public service in general, the findings are applicable, at least, to the DCS.

In *Chapter Seven* those questionnaire items that reduced the internal consistency of factors with the exploratory factor analysis are discussed. These individual items were subjected to the same statistical tests including the Analysis of Variance, Eta-square, and Chi-square tests to determine the variance within and between groups. The findings are reported in this chapter.

In *Chapter Eight* the final findings, recommendations, and conclusions are reported, including the findings on each of the subsidiary research questions. The chapter concludes with the findings on the main research question.

CHAPTER 2

THE STUDY OF CORRUPTION AND ITS PREVENTION IN THE ACADEMIC SUBJECT PUBLIC ADMINISTRATION

2.1 Introduction

From the publication of Woodrow Wilson's 'The Study of Administration' in 1887 to today (Gildenhuis, 1988: 7-20), Public Administration has found its rightful place in the social and management sciences. For the past 130 years the academic subject of Public Administration has been subjected to various developmental paths. As with most social science subjects, Public Administration has been influenced by the developments in other related subjects including the development of organisational theory's classical- and neo-classical approaches, the contingency – and systems theory (Robbins, 1990: 29-46; Roux, 1997:3-114; Fox, 1991:63-88), as well as the more recent developments of the New Public Management (NPM) and the Governance approach (Pollitt & Bouckaert, 2004).

The first objective of this chapter is to describe the current standing of the content of the subject of Public Administration and, more specifically, to what extent corruption features as a sub-field of study. Although Public Administration is a continuously developing subject - as is required of any academic discipline – a closer look at the Public Administration syllabi at three universities would give the reader a better idea of what the subject entails. The significance of corruption as an object of study would be reflected in the composition of such syllabi.

The second objective of this chapter is to report the findings of the author's literature review. The purpose of a literature review is to determine what has been published on a matter and to identify possible avenues for further research. Various South African and

international publications on corruption and ethics, including books, subject journal articles and research reports were perused.

This study is not only concerned with the phenomenon of corruption *per se*, but also with the implementation of ethics policies in preventing corruption from occurring in the first place. The design and acceptance of corruption prevention policies is not sufficient to reduce the occurrence of malfeasance; rather it is the effective implementation of these policies that would lead to its prevention. Consequently, it was also necessary to review the literature on public policy implementation.

2.2 Literature Review: Some Guiding Research Questions

This literature review will attempt to provide answers to a number of key questions, which will ensure that this researcher adequately covers the purpose of this chapter.

What is the current standing in literature on corruption prevention methods and its implementation? The literature review should determine what has been written on both corruption prevention and policy implementation. This literature study will include a perusal of a selected body of international literature, as well as relevant research conducted in South Africa.

What recognition does the topic enjoy in academic circles? Although it could be argued that the acceptance of this research proposal is adequate proof that the research topic enjoys recognition in academic circles, it is necessary to reflect on the extent to which this topic is covered in the Public Administration syllabi of universities.

What does the research record show? This research record will show to what extent this research topic has been covered in South Africa. The research record refers to all post graduate thesis, reports of research institutions and government commissioned reports. Refer to section 2.5.1 for findings of the research record.

What has been published on the variables that influence public policy implementation?

This literature review is guided by the main research objective of this dissertation i.e. to determine how the implementation of the PSACS could be enhanced. Once ethics policies are accepted, it should not be assumed that these policies will be effective in reducing malfeasance. A significant list of implementation variables influences the effective attainment of policy objectives. Frederickson (1997: 182) suggests that future research should focus on the effect of traditional and modern approaches to the promotion of ethics on the behaviour of government officials. Modern approaches include ethics policies, ethics officers, and whistle blowing measures. Other ethics research foci should be the effect of privatisation on corruption and ethics; education and training as means to enhance ethical behaviour; and the effect of reduced administrative discretion – brought about by ethics policies – on administrative effectiveness and ethics. As Gilman (1999: 95-114) notes, our focus should not be on the composition of ethics policies, such as the PSACS, we should rather be concerned with the implementation of such programmes. In this instance, the literature study on implementation literature will be particularly useful in identifying those variables that have a negative effect on policy implementation.

2.3 Corruption as an Emerging Theme in the Public Administration Discourse

Corruption leads to a number of obvious negative consequences. As various authors on the subject have noted, corrupt activities particularly affect those sections of society most dependent on government products and services. Corruption distorts the intention of legislatures as venal public officials neglect to implement public policies meant for the poor. Instead, public funds are channelled into the pockets of such officials. Corruption increases the cost of doing business and inhibits economic growth. In a corrupt society, resources are channelled towards non-productive resources such as the police, armed forces and organs of social control as the elite wishes to protect their positions and their wealth. Corruption leads to the recruitment of less qualified employees. Jobs are awarded to employees who are less competent, skilled and experienced. Corruption leads to economic inefficiency as companies that make pay-offs expect not only to win contracts,

but to benefit from a laxness in the enforcement of regulatory procedures in future. (Doig & Theobald, 2000: 1-36, Stapenhurst & Langseth, 1997:311-330; Zafarullah & Siddiquee, 2001: 465-486; Wolfensohn, 1998:1-2.)

Although corruption has always been with us, it was only during the 1990's that it came to be perceived as a problem in the international discourse on public and private institutions. Doig & Theobald (2000:1-36) identified a number of reasons for this change in perception. Among those, the end of the Cold War, the development of information technology, globalisation and the alarming growth of world poverty seem to be relevant to this study. The end of the Cold War prompted states and lending institutions to focus on the conduct of corrupt state leaders. Previously, such leaders were permitted to cash in on the public treasuries of their states. By 1996, corruption in developing states deterred international lending institutions and donor states to provide aid as it was realised that their money was being diverted from its intended purpose to enrich a few individuals.

While the development of information technology and the concurrent development of financial services created opportunities for corrupt leaders to transfer the proceeds of crime to bank accounts in foreign countries at the push of a button, globalisation lead to an increase in competition among companies to bid for costly public works programmes. Thus, those who are in a position to demand bribes are able to play competitors off against each other, thereby increasing the level of 'commission' paid. Another reason for our increased awareness of corruption is increasing world poverty. In 1997, World Bank president James Wolfensohn aptly described poverty as a time bomb that 'will explode in our children's faces'. Such levels of poverty has re-emphasised the importance of a legitimate state within the governance paradigm (Doig & Theobald, 2000: 1-36).

During the 1980's, the objective of structural adjustment programmes in less developed states was to deregulate their economies, allowing market forces greater scope in operation. This would, it was believed, reduce the size of the state - as the state was seen as an impediment to development - and engender economic development, passing down economic gains to the less well-off. There is little evidence that these programs have been

successful in Africa. The growing level of inequality has been one of the negative consequences of such programmes. (Doig & Theobald, 2000: 1-36.)

Instead, the 1990's saw the introduction of the notion of 'good governance' in which the state was re-introduced as an important role player in development. In terms of 'good governance' the state should be active in those areas where it believes it could provide services effectively and efficiently. However, this notion requires the state to co-operate with civil society and the private sector in the form of partnerships in areas where it lacks capacity (Doig & Theobald, 2000: 1-36).

It has been argued by some scholars that the above governance reforms, often generalised as the NPM, have created opportunities for corruption (Shamsul Haque, 2001: 65-82). Delegating authority to lower levels and allocating discretionary authority to public managers – all tenets of the NPM – give public servants opportunities to use their public office for private benefit (cf. section 3.6). The trend to give financial autonomy to public managers implies that they have more direct contact with public money and are subjected to fewer budgetary controls, thereby increasing opportunities for corruption.

Corruption is particularly prominent in developing states. According to Doig and Theobald (2000: 1-36; cf. Scott, 1969: 56-82) developing states are generally characterised by a larger public service, thereby creating more opportunities for corruption. In comparison, developed states have a smaller and less strategic public service. Furthermore, decolonisation has led to a weak public service coupled with a weak civil society in developing states. These weaknesses have been exacerbated by structural adjustment programmes reducing the size of an already weak public service, reducing its capacity to check corruption (Doig & Theobald, 2001:1-36; Arnold, 2005: 921-939).

The South African public service appears to be subjected to various pressures. South Africa, as other developing countries, has not been able to evade corruption, or its negative consequences (Van Vuuren, 2005: 1-146). The combating and prevention of

corruption is therefore an urgent government objective. Furthermore, while economic growth and poverty alleviation are central objectives of the state, various governance reforms – as reflected in the tenets of the NPM – are pursued (cf. section 4.4).

2.4 The Subject of Public Administration

In order to determine whether the focus of this thesis is reflected in the subject of Public Administration, the author found it useful to reflect on the syllabus of Public Administration at three South African universities: University of South Africa (Unisa), University of Pretoria (UP), and the University of Johannesburg (UJ). This author formally studied at the UP and Unisa, and currently lectures at the UJ.

At the Unisa, an undergraduate student - registering for Public Administration as a major subject in 2007 – would cover a number of subject terrains including first level modules, such as The Nature, Content and Composition of Public Administration (PUB1018); The Structuring and Functioning of Public Services (PUB 1029); and Public Supply Chain Management (PUB103A). Second level modules would include Foundations of Public Administration (PUB201B); Protection Services (PUB202C); Creation of Wealth (PUB203D); Welfare and Social Services (PUB204E); Culture and Education (PUB205F); and Environmental Affairs (PUB206G). Third level modules would include Public Management Skills (PUB301E); Public Human Resource Management and Organising (PUB302F); Public Policy and Finances (PUB303G); Reflective Public Administration (PUB 304H); Ethics in Public Administration and Administrative Justice (PUB305J); Comparative Public Administration, Government and Politics (PUB306K); and Public Administration Dynamics (PUB307L) (Unisa Jaarboek Deel 2, 2007: 112-114).

At the same university, a postgraduate student in 2007 had to choose five papers from the following options: Theory of Science and Public Administration (HFILPAK); Public- and Municipal Personnel Administration and Management (HPERSAK); Management of Public and Municipal Finance (HRFINSE); Planning and Policy Analysis in the Public

Sector (HBEBEP3); Study of Organisations and the Public Sector (HORSTEH); Management and the Public Sector (HOPBESV); International Public Administration (HIPADMH); Labour Relations and the Public Sector (HARBVHK); Regional Government and Administration (HREGINJ); Government and Urbanisation (HURBANR); Government and Environmental Management (HOMGEW6); and Politics in the Public Sector (HPOLPSQ) (Unisa Jaarboek Deel 4, 2007:30).

From the foregoing it seems adequate to state that there is only one module at undergraduate level that indirectly reflects the concerns of corruption and its prevention, namely Ethics in Public Administration and Administrative Justice. The purpose of this module is to equip students with knowledge and insight into the norms and values underlying democratic public administration including ethical conduct and professionalism among public officials, and to enable them to understand and apply the principles underlying administrative justice including fairness, reasonableness, transparency, accountability and public participation (Unisa Jaarboek Deel 2, 2007: 112-114). The contents of this module appear to reflect a normative approach to ethical conduct identifying ethical traits that officials in the public service should hold.

Although it could be argued that administrative law - through its requirement that administrative action be valid - serves to protect citizens from the abuse of power by public officials, it cannot in itself prevent the occurrence of corruption (cf. Douglas & Jones, 1996: 118-145; Du Toit, 1998: 153-165; Botes, 1997: 265-403). A vigorous and educated civil society, press freedom, the rule of law and other corruption prevention mechanisms should be applied in concert to effectively combat corruption. It seems fair to conclude that this third level module does not adequately prepare public servants for the demands of society on the application of their discretionary decision-making authority and the consequent prevention of its abuse.

At the UP's School for Public Management and Administration (SPMA) Public Administration as an academic discipline at the undergraduate level is composed of the following core modules: Public Administration (PAD 112) with a focus on the origin,

development and content of the discipline; approaches in public administration; and the relationship between public administration and other academic disciplines; Public Administration (PAD122) with a focus on the constitutional framework for Public Administration; the functioning of the three branches of government and the three spheres of government; and an introduction to South Africa's role within the Southern African Development Community (SADC), NEPAD and the African Union; Public Administration (PAD212) with a focus on the developmental role of the state; the function and development of the state; and the administration of the state; Public Administration (PAD 222) with a focus on research methodology: research design, purpose of research, design of research proposal/paper, research instruments, data capturing, analysis and interpretation; Public Administration (PAD312) with a focus on public sector ethics, manifestations of unethical conduct, normative and constitutional guidelines determining public sector ethics and watchdog bodies created to combat unethical conduct; and administrative law and the interpretation of legislation; and Public Administration (PAD322) with a focus on Comparative Public Administration (Malan, 2010).

At the postgraduate level at the SPMA, honours degree students in Public Administration register for Administrative Theory (AET 700); Financial Administration (FIA 700); and Personnel Administration (PAS700); and could register for the following elective modules: Policy Analysis (BLN 700); International Administration (IAD700); Intergovernmental Relations (IOV 700); Research Methodology (NME702); Development Administration (OAD700); Public Management (OBR700); Organisational Studies (OSK700); National Planning (OWP700); or Urbanisation Studies (VGT 700) (UP, 2010: 24).

At the Department of Public Governance at the UJ, a student in Public Management and Governance studies the following modules at undergraduate level: Introduction to Governance Institutions, Structural Landscape, and Operations (PMG 1A; section A); Introduction to Public Management, Public Administration, and Governance (PMG 1A; section B); Introduction to Regional and Local Governance Institutions and Functions

(PMG 1B; section A); Introduction to Ethics Management in Good Governance (PMG 1B; section B); Service Delivery: Stakeholders, Mechanisms and Approaches (PMG 2A; section A); Democratising Service Delivery (PMG 2A; section B); Theories about Public Administration, Public Management, and Governance (PMG 2B; section A); Decision making for Good Governance (PMG 2B; section B); Public Policy Management (PMG 3A, section A); Public Financial and Asset management (PMG 3A; section B); Public Human Resource Management (PMG 3B; section A); and Public Organisational Development and Management (PMG 3B; section B) (UJ, 2010: 94-97).

At post graduate level students could register for Methodology of Public Administration and Governance (PMG3507); Advanced Public Policy Management (PMG3307); Advanced Public Human Resources Management (PMG3207) ; Advanced Public Financial Management (PMG3107); International Public Administration and Governance (PMG3407); or Capita Selecta: Theoretical Perspectives (PAD01X7) (UJ, 2009: 57-61). The latter is a post graduate course offered by the Department subject to the approval of the Head of Department. This course could vary depending on the capacity requirements of the Department. This researcher author is currently offering the course 'Ethics Management in the Public Service'.

At all three universities modules on public service ethics is offered to a limited extent as part of the undergraduate degree in the subject Public Administration. Neither Unisa nor UP offers a course on public service ethics at the post graduate level. Only at the UJ is public service ethics offered at the post graduate level. However, this course does not form part of the formal module choices at UJ. Given the significance of corruption and its prevention in South Africa, it could be argued that this study object should form part of a post graduate/ honours degree in Public Administration.

2.5 Literature review

A literature review on a topic of this nature would have to cover a broad range of disciplines including Public Policy Studies, Public Administration, Law, and Economics.

The literature review covered items emanating from a Nexus database search, publications from research institutes and government departments, and books and journal articles. For clarity purposes, the literature is divided into South African and international publications.

2.5.1 Research Record

An electronic search was conducted on the Nexus database, which reflects current and completed research projects in South Africa. The search was restricted to research projects with the terms 'corruption' and 'anti-corruption' in their titles. A total of 43 records were identified. At the time of writing, 28 of these projects have been completed. Interestingly, only two studies were completed before 1993, and those were in 1929 and 1978. This reflects the growing concern of the effects of corruption in South Africa, especially since 1990.

For the purpose of the literature review, the purpose of the study and the research questions (cf. section 2.2) were used to guide the selection of research projects relevant to the present study. In other words, those projects that investigated the *implementation of anti-corruption strategies* in the *South African public service*, or aspects thereof, were also selected for perusal.

A number of projects were identified that seemed relevant to the present study. The projects of Balia (2005), Cwati (2005), Mbatha (2005), Bunting (2004), Van der Merwe (2004), Pillay (2003), Dlamini (2001), and Maluleke (1998) seemed worth noting. The work of Maluleke, Pillay, Bunting and Van der Merwe was either missing or apparently not owned by the library when requested via Unisa's Inter Library Loan at the time of this literature review. However, articles authored by Pillay (2004) and Van der Merwe (2006) were published on a similar topic. These articles will be reviewed later in this chapter. A project by Camerer entitled *Controlling corruption in South Africa: Examining the effectiveness of anti-corruption strategies and controls*, which commenced in 1999, had not been completed at the time of writing and was therefore not available.

Balia's study (2005) covered the period between 1994 and 2003 and focused on the South African public sector as a case study. In this mainly descriptive study, the author highlighted a number of inadequacies in the government's fight against corruption. As a chief official in the Public Service Commission, the author was well positioned to undertake this qualitative study and provide important insights in the workings of the government. His contribution lies mainly in the wealth of primary evidence that is provided, such as government documents, reports and surveys - something that a researcher who is not based in government would find hard to do.

In his thesis, Balia (2005: 1-274) describes the generic policymaking process in South Africa – one that was characterised by consultation and participation. However, since 1999 the nature of the policy process changed as the emphasis shifted to implementation, away from formulation. Opportunities for participation declined as policy was greatly influenced by chief officials and consultants. In Balia's view, the lack of real policy analysis and the acceptance of policies without considering their financial implications was a major inadequacy of the policy process in South Africa. The result was unintended and contradictory outcomes when the policy reached the implementation stage.

The South African Government's fight against corruption, and therefore also the policy initiation stage, started in 1997. The process of drafting policy on corruption prevention was no different from the other policy concerns in the country. An Anti-Corruption Conference in 1998 was followed by the Anti-Corruption Summit in 1999 where representatives of civil society, the private sector and government were present. The resolutions of this summit formed the basis of Balia's thesis as he describes the implementation of these resolutions *inter alia* the establishment of a national hotline, the practice of blacklisting, and the establishment of an integrated corruption management information system (Balia, 2005: 202-239).

Balia identified a number of shortcomings in the South African Government's campaign against corruption. Not only did the government neglect to consider the capacity requirements of fighting corruption, but no consideration was given to the financial

implications of its proposals. The National Anti-Corruption Forum, for example, lacked significant legal authority and was given no resources to operate. It was only in 2004 that the matter of financial resources was considered for the first time.

The Public Service Anti-Corruption Strategy (PSACS) accepted by Cabinet in 2002 was, according to Balia, an improvement on previous policy attempts as it was detailed, contained implementation plans with time-limits, identified the responsible agency for implementation and contained cost estimates. Balia's thesis is primarily not concerned with the PSACS *per se*, but rather the events that lead to the PSACS. Although failing to provide a method of calculating the cost of fighting corruption, Balia proposes that the cost of such measures should be calculated before they are implemented – a serious failure on the part of the present South African Government. The cost of fighting corruption should never outweigh the benefits of such measures.

Against the backdrop of the government's lack of policy analysis and concern for the implementation of the Summit resolutions, Balia suggests the establishment of a single anti-corruption agency. This would presumably solve the co-ordination and resource problems that currently beset existing anti-corruption agencies.

This thesis acknowledges the same concerns as Balia, but endeavours to investigate the implementation of the PSACS, a matter that Balia could not do due to the cut-off date of his research project in 2003. More specifically, this research attempts to investigate the increase of departmental capacity to prevent corruption – a key consideration of the PSACS. Contrary to Balia's proposal to centralise anti-corruption responsibility, decentralisation seems to be a national priority. The *Public Finance Management Act*, 1999 (Act 1 of 1999), sections 38 and 76 devolves substantial authority to accounting officers to establish and maintain systems of internal control. This devolution runs contrary to the establishment of a single anti-corruption agency.

Cwati (2004) aimed to evaluate the effectiveness of the anti-corruption strategies of the Eastern and Western Cape Provinces. Although provincial administrations are relatively

weak and have less developed systems of internal control and procedures, substantial expenditure responsibility is located at this level. Cwati's study is beneficial as many problems on national government level are replicated on provincial government level. Whereas the Eastern Cape Provincial Administration established two representative forums namely the Network Against Corruption and the Anti-Corruption Forum, the Western Cape Provincial Administration established a Forensic Audit Unit to investigate corruption and report to the Audit Committee. Whereas the Eastern Cape experienced a lack of resources, little co-ordination between agencies, and a lack of capacity, the Western Cape model was described as one that other provinces could emulate.

Only one chapter of Mbatha's (2002) thesis was perused. This chapter deals with methods to combat corruption. He mentions *inter alia* whistle blowing, the ombudsman, the Auditor-General, Committees of Parliament, the importance of political leadership, judicial authority and organisational arrangements as methods of fighting corruption. No empirical research was done to substantiate his mainly theoretical discussion of these methods.

The project of Dlamini (2001:1-45) entitled *Challenges and Problems in Curbing Corruption in the Public Service: the Experience of the Johannesburg Prison* investigated corruption at a Johannesburg Prison. Dlamini identified various forms of malfeasance including aiding in escapes, bribery, and smuggling. Some of the causes of corruption Dlamini identified were work overload, greed, lack of professionalism, and overcrowding. Dlamini concluded that corruption prevention was not perceived as a serious matter of concern at the Johannesburg Prison and identified a lack of skilled personnel to investigate malfeasance as a significant obstacle to promoting ethical conduct.

A second wider search was conducted with the terms 'corruption' and 'public' in its title and texts. A total of 26 records were identified, but many of these records reflected the same projects identified during the first search. Although not considered for this study, two projects seem worth noting. The first project by Shakleford (2002) entitled *The fate*

of the Heath's Special Investigating Unit: An evaluation in terms of the separation of powers doctrine investigated the status of institutions supporting democracy and compared the founding act of the Public Protector with that of the Special Investigating Unit. The second project by Raga (1998) entitled *An evaluation of tendering as a component of the provisioning function with particular reference to the Eastern Cape Provincial Government* investigated the various dysfunctional systems in the tendering system including nepotism, corruption, absence of commitment among officials, problems of delegation, lack of training, and communication and co-ordination problems. Raga also considered the importance of a code of conduct in the tendering environment.

2.5.2 Publications on Public Administration

In the following section publications that were published in the field of Public Administration will be reviewed. Local published books and articles will be reviewed first, followed by the review of international publications.

2.5.2.1 Survey of South African Publications

In a random selection of a number of local publications on the subject of Public Administration, only relatively few significant publications on the matter of corruption were found. Two publications by Gildenhuys (1991; 2004) focus specifically on ethics in the public service. *Ethics and the Public Sector* (1991) is a collection of papers that were read at the Wineland's Conference in 1987. These papers dealt with *inter alia* the manifestation of corruption and maladministration; remedies for corruption; and the role of various institutions in combating public service corruption including the Auditor-General, Advocate-General, Commissions of Inquiry, and investigative journalism. In *Ethics and Professionalism: The Battle Against Public Corruption* (2004) Gildenhuys considers the meaning of ethics; secular and religious values as sources of ethical conduct; the manifestation of corruption; professional and occupation specific codes of conduct; and the role of various institutions in combating public service corruption

including courts of law, the Public Protector, the Auditor-General, and the Special Investigating Unit.

In two publications by Cloete (1996; 1998) reference is made only in passing to corruption, codes of ethics and probity. In another textbook Botes (1997: 265-403) describes the 'Validity requirements in public administration'. Although no reference is made to corruption *per se* the author's work is of relevance to studies on unethical behaviour as it is concerned with the delegation of authority, the exercise of administrative discretion, validity requirements in administrative action, and the control over irregular and unlawful administrative actions. In this publication Botes (1997: 344-354) emphasises the importance of compliance with the principles developed in the science of Administrative Law. From a legal perspective, Smit and Naude (1997: 9-34) describe the meaning of administrative action and the requirements of its validity including the delegation of powers, functions and duties; acting ultra virus; acting against the behest of the statute; and the tenets of natural justice.

Originating from another part of the South Africa, is the publication of Fox, Schwella and Wissink entitled *Public Management* (1991). In this publication the emphasis falls on public management functions as a sub-field within the subject of Public Administration, with no reference to corruption, or even in a broader sense, unethical conduct. Although the management of human, financial, information and natural resources receive priority in the publication by Schwella, Burger, Fox and Muller (1996) no reference is made to corruption and its effect on valuable resources.

In *Reflective Public Administration: Views from the South* (1999), Clapper, Robson and Pauw contribute to the discussion on ethical conduct of public officials, professionalism and the importance of a code of conduct. Clapper (1999: 135-154) emphasises the importance of morality developed from childhood. He emphasises the deliberative aspect of ethics: careful thought, consideration, and involving reason; similar to the view of the virtue ethicists of the Ancient Greece. He also refers to utilitarianism; the greatest happiness to the greatest number of people. Clapper discusses the attributes of ethics in

the 20th century which was characterised by a traditional and orthodox approach where dissenters were punished, western values dominated, obedience was required, the existence of heterogeneity was denied, and externally imposed rules had to be followed; all of which are attributes of modernism and pre-modernism. In Clapper's view, this approach to ethics has become outdated and should be replaced by a post-modern approach to ethical conduct which requires an appreciation of diversity, protection of pluralism, encouragement of differences, and a suspicion of any form of coerced convention. In fact, post-modernism is even tolerant of endeavours in both pre-modernity and modernity to make sense of life.

Although a code of conduct has both proponents and opponents, Clapper emphasizes the importance of codes of conduct with a punitive aspect. A code of conduct would both restrict individuals in their pursuit of self interest and restrict discretion and innovation. For Clapper a code of conduct ensures congruence between the personal morality of the official and the public service interest. A code of ethics should steer a public official's morality into the virtuous and efficient rendering of public goods and services. This implies that a newly appointed individual's values are not necessarily in sync with the public service values that guide the activities of the public institution (cf. Kolthoff, 2007: 39).

In Robson's (1999: 155-180) publication he identifies various sources of ethics for the South African public service e.g. the *Constitution of the Republic of South Africa*, 1996; Bill of Rights; *Public Service Proclamation*, 1994 (Proclamation 103 of 1994); *Public Finance Management Act*, 1999 (Act 1 of 1999), and the Code of Conduct of 1997. In Pauw's (1999: 181-206) essay of ethics and budgets he refers to the primacy of moral values over all other values including economical values and values of freedom. He distinguishes between Ethics (the study and reflection on morality/ a sub discipline of philosophy) and ethics (a narrower concept denoting a code of conduct for specific professions). In Pauw's view individuals might disagree about certain moral values, but human beings have a common moral intuition that guides their behaviour for example not to steal, or not to commit murder.

Pauw appears to downplay the common belief that cultural differences lead to conflict in the realm of what constitutes ethical behaviour. He rejects the notion that morality should be determined in the habits and customs of a society, i.e. the notion of relativity. He argues that people must reflect on their moral reasoning and proposes prudence and rationality in promoting morality.

In *Critical Perspectives on Public Administration: Issues for Consideration* (2002), Mafunisa (2002: 192-214) distinguishes between a code of conduct and a code of ethics. In his view a code of ethics set general principles and standards that serve as a guide to public officials, whereas a code of conduct specifies right and wrong behaviour and sets penalties for violations of such rules of conduct. These contributions reflect the growing concern for ethical conduct in the public service. It is however important to note that corruption is only one aspect of unethical conduct. Corruption of the intentional type such as bribery, fraud, and extortion differs markedly from other forms of unethical conduct (cf. section 1.4).

In *Managing Public Money: Systems from the South* by Pauw, Woods, Van der Linde, Fourie & Visser (2009: 338-362) the nature and types of corruption is identified, and various examples of unethical behaviour are discussed. The authors identify various causes of corruption such as weak values, weak systems, and a culture of impunity. They also identify various remedies to malfeasance including the institutions, statutory, and policy framework that exist to combat and prevent corruption.

A number of articles dealing with the matter of unethical conduct appeared in locally published academic journals. Baai (1999: 369-378), Clapper (1999: 379-392), Sindane and Bekker (1999: 393-402) respectively deal with the matter of ethics in the public sector, but it is probably the publication of Clapper that comes closest to what is generally perceived as a coherent strategy to combat unethical conduct including corruption. In his view an ethics infrastructure consist of political and administrative commitment, a legal framework, efficient accountability mechanisms, functioning codes

of conduct and ethics, professional socialisation mechanisms, supportive public service conditions, a co-ordinating ethics body and an active civil society.

The publication by Hilliard and Ferreira (2001:87-110) investigates the reasons for unethical behaviour within the South African public service including moral ambiguities, passing-the-buck syndrome, discretionary decision-making, uncertainty, and the degeneration of society's morality. The author's propose various solutions including a code of conduct, upholding constitutional principles, punishing wrongdoers, clear rules and regulations, and enforcing accountability.

Bauer's (2002: 167) publication deals with the organs/ mechanisms/ bodies that promote ethical government in South Africa. She discusses the role of the Public Protector, Heath Special Investigating Unit, and the code of conduct. She suggests that these measures should be applied in concert to ensure that malfeasance in the public service is reduced. In another publication she investigates administrative corruption in the South African public service, specifically the case studies at the Departments of Development Aid and Education and Training (Bauer, 1999: 76-97).

The publication by Mafunisa (2006: 506- 519) deals with unethical conduct by elected officials, and not corruption *per se*. As remedies to corruption, he refers to the *Executive Members' Ethics Act*, 1998 (Act 82 of 1998) and discusses the role of the Auditor General, Public Protector, Special Investigating Unit, and the National Prosecuting Authority. In another article by Mafunisa (2008: 81-91) he discusses codes of conduct in preventing malfeasance in the South African public service. He identifies two types of codes i.e. phantom codes of ethics, and formal codes of conduct and argues that the public service should move from a code of conduct to a code of ethics to promote integrity. Where a phantom code of ethics refers to the moral behaviour by senior public officials who act as role models, the formal code of conduct refers to a formal statement of principles. In the author's view such a formal code of conduct should be promoted through a wide consultation process during its drafting, regular open discussions, and integrating its tenets into the daily activities of public officials.

In the survey of local publications on corruption *per se* only a limited number of publications could be found. This author (Webb, 2005: 151-165) published an article entitled *Applying the Public Service Anti-Corruption Strategy in Pursuit of Accountable South African Public Administration*, within which three considerations of the Public Service Anti-Corruption Strategy were evaluated. Amongst others, the PSACS aims to increase the anti-corruption capacity of institutions to prevent corruption, manage professional ethics and increase the awareness, training and education of public officials in anti-corruption measures. Based on the findings of two surveys, this exploratory study concluded that the South African Government was not meeting the objectives it has set for itself. Mitigating this conclusion was the fact that both surveys were undertaken before 2003. Although corruption prevention was identified as a priority by government in 1997, the South African Government accepted the PSACS in 2002 only.

Mafunisa's (2007: 260-270) investigated the effect of corruption in poor service delivery in the Limpopo Province. He argues that corruption not only damages public trust in the public service, but also negatively affects service delivery. The author reviews the role of various corruption prevention institutions including that of the Auditor-General, Public Service Commission, and the Fraud and Corruption Unit.

Kroukamp (2006: 206- 217) published an article dealing with corruption in the South African public sector. He deals with the causes and impact of corruption and emphasises the progress made by the present government against corruption. He recommends improving co-ordination between existing anti-corruption agencies, creating awareness about the consequences of corruption, establishing strong internal and external governance structures, and ensuring sound financial management practices. Kroukamp's work is mainly based on secondary sources and lacks empirical research.

A similar approach is followed by Adamolekun (1997: 47-63) in *Recent trends in promoting accountability in public service in Sub-Saharan Africa*. The author outlines the methods of enforcing accountability *inter alia* electoral legitimacy, legislative control,

legal accountability, an ombudsmen, decentralisation and participation, mass media, public opinion and internal administrative controls.

Adamolekun correctly points to thesis that corruption manifests in states where accountability is weak - a view echoed by Klitgaard. The lack of interest in and knowledge of the activities of government institutions increases the extent to which public functionaries can act without any checks and balances on their power.

Accountability is particularly weak in developing states where citizens have a low literacy rate and education levels.

Sindane (2009: 492-503) reflects on the significance of administrative culture in promoting a professional public service. In his view, the administrative culture of the South African Public Service is characterised by corruption, negative attitudes, and divergent values. He proposes that a positive administrative culture with the attributes of ethics and accountability could be acquired and developed when officials are afforded the opportunity to study ethics. This would enhance the capacity of officials to make ethical judgements when confronted by dilemmas.

Van der Merwe (2006: 32) suggests that corruption prevention methods should be informed by the nature and causes of corruption. He investigates public service corruption in the Kwa Zulu/ Natal Province and identifies various causes of corruption including greed, inadequate checks and balances, and difficult economic conditions. In Van der Merwe's view corruption could either be supply driven and caused by officials who attempt to extract bribes; or demand driven and initiated by the private sector. In his view the South African Government response to public service corruption reflects a belief that corruption is mainly supply driven. An alternative explanation could simply be that it is more convenient to focus corruption prevention measures on the public service itself – the supply side.

Three findings of Van der Merwe (2006: 32-46) are significant for this study. Most of the respondents indicated that they were unaware of how the national government intends to

prevent public service corruption; including being unaware of the PSACS. Secondly, most respondents indicated that weak salaries significantly contribute to corruption. In Van der Merwe's view poor salaries influences the supply side of corruption. Thirdly, most respondents indicated that corruption prevention hotlines were beset with problems and that no feedback is given to those who report corruption.

Habtemichael and Cloete (2009: 75-93) point to the importance of information and communication technology (ICT) in corruption prevention strategies. The authors identified the absence of a centralised information database and the shortage of skills to utilise available ICT as obstacles in South Africa's anti-corruption effort. In some cases the ICT used in public institutions are outdated and contain weaknesses in terms of fraud prevention. In other cases departments' are unable to co-operate and share information with each other to combat fraud and corruption. Despite the advantages that ICT could provide (such as transparency), procurement processes in the public service is executed manually.

In the second publication by Habtemichael and Cloete (2010: 85-105), the authors compare the phenomenon of corruption with a social virus that continuously adapts to new environments and anti-corruption efforts. They identify the poor enforcement or implementation of the existing ethics policy framework as the weakness in the South African public service corruption prevention strategy. Due to the dynamic nature of corruption the authors propose *inter alia* that ethical behaviour should be inculcated at an early stage from within the family, and that departments should have adequate corruption prevention capacity.

2.5.2.2 Survey of Foreign Publications

Louw (1998: 65-76) postulates that unethical conduct is caused by *inter alia* deficient control, management and organisation, lack of ethical awareness, the fallibility of man and inappropriate recruitment policies. She holds that corruption, maladministration, nepotism and the abuse of power should be prevented with legislative prescriptions

regarding misconduct and training of public officials in ethical norms and standards. Such training should refer to prescriptions regarding the misuse of public funds, acting reasonably and fairly, the values and norms valid in a specific community, and the power, authority and accountability attached to specific posts.

Shamsul Haque (2001: 65-82) argues that public service reform – in particular its businesslike transformation – has created problems of public accountability. Globally, these reforms entail the triumph of market forces and the reorientation of state policies toward deregulation, privatisation and liberalisation. The objectives of these administrative reforms, also known as NPM, were to overcome public sector inefficiency, reduce state monopoly, minimise the budget deficit, expand competition, improve service quality and increase customer satisfaction.

NPM reforms have led to the creation of public-private partnerships and the creation of semi-autonomous agencies taking responsibility for traditional state responsibilities. Citizen control over these institutions is greatly affected as public services are rendered by private institutions. Not only have recent studies concluded that the objectives were not met (cf. Doig & Theobald, 2000:8), but that managerial autonomy – a key aspect of NPM – has created more opportunities for the use of public office for private gain.

It is especially in developing states where these reforms are harmful. Developed countries have more advanced market systems, deep rooted administrative and political institutions and extensive press freedom. Conversely, developing countries are characterised by an absence of liberal democratic institutions, a free press, citizen rights and market forces. The absence of these aspects leads to poor accountability and thus a fertile ground for the expansion of corrupt practices.

In an insightful article entitled *Visions of Corruption Control and the Evolution of American Public Administration*, Anechiarico and Jacobs (1994: 465) argues that the anti-corruption project has evolved through a number of paradigmatic phases. These phases coincide roughly with the development of the discipline of Public Administration.

During the anti-patronage phase of corruption control (1870-1900) it was believed that the government is best managed by experts. Corruption was the cause of a public service staffed by unprofessional employees appointed through patronage and cronyism. A professional civil service – it is still believed today - will ensure the integrity and competence of public employees, thus reduce the occurrence of corruption.

During the progressive phase of corruption control (1900-1930) Woodrow Wilson believed that the system of public administration must be independent of party politics. In this way the public service would be responsive to societal rather than political and pecuniary needs. During the Scientific Management phase (1930-1970) approach corruption control as a problem in the design of organisations. These theorists embraced theories of scientific management, spans of control and the perfection of hierarchy. Corruption could be controlled by deploying administrative authority correctly, coupled with comprehensive monitoring and evaluation.

The panoptic phase (1970-present) of corruption control emphasised administrative, organisational and law enforcement strategies. Politicians, bureaucrats and street level public employees should be controlled through surveillance and the enforcement of criminal and administrative sanctions. This belief led to the expansion of anti-corruption institutions and strategies, and to the enhancement of the authority of anti-corruption units and personnel.

Public Administration scholars have realised the danger of corruption control. The anti-corruption project has resulted in increases in the volumes of rules when defining the jurisdiction of public officials, designing procedures to limit the abuse of power and limiting the application of discretion. Corruption control has come at the expense of effectiveness, efficiency and reaching government objectives.

Revisionists have argued that corruption sometimes is efficient and that the cost of anti-corruption programmes should not outweigh their benefits. This signals a new approach

to corruption as the objective to rid society of corruption at all cost has fallen away. The notion of entrepreneurial government, as expressed by Osborne and Gaebler in the 1990's, seems to echo the revisionists' belief and recommends fewer corruption controls and greater faith in entrepreneurial activities. (Anechiarico & Jacobs, 1994.)

In *The Role of the Public Administration in Fighting Corruption* (1997: 311-330), Stapenhurst and Langseth emphasises the role of the public service in corruption prevention and combating. Structural adjustment programmes, under the neo-liberal ethos of the 1980's, aimed to deregulate the economies of less developed states, reduce the size of the public service and increase its efficiency and effectiveness. However, these programmes neglected the promotion of national integrity systems. Corruption, whether in its petty or grand form, inhibits the public service delivery as it reduces the quality of goods and services, increases its costs and engenders the wrong investment choices. In Stapenhurst and Langseth's view, corruption significantly inhibits the state's ability to deliver services.

National integrity systems embody a comprehensive view of reform focussing on reform and penalty, and addressing corruption in the public sector through government processes and civil society participation. Such a system, in their view, comprise of eight pillars *inter alia* public sector anti-corruption strategies, watchdog agencies, public participation in the democratic process, public awareness of the role of civil society, accountability in the judicial process, the media, the private sector and international co-operation.

Stapenhurst and Langseth's (1997: 311-330) contribution is particularly important for this study as it emphasises what seem to be the traditional concerns of the subject. To them corruption is caused by *inter alia* psychological factors, social factors, economic factors, but more specifically organisational factors, such as, excessive discretion, outdated and inadequate policies and procedures and insufficient supervision, complex legislation, lack of an ethical awareness campaigns, and deficient control and accountability.

In their publication, they emphasise two remedies which are traditional concerns of the subject of Public Administration. One remedy is public sector anti-corruption strategies which include ethical codes; improved remuneration; administrative reform; disclosure of income/ assets and gifts; policy and programme rationalisation; and improved procurement procedures. A second remedy refers to the role of watchdog agencies which in South Africa would include the Auditor-General, Public Protector and specially created anti-corruption agencies such as the Special Investigating Unit.

As public officials with 'unfettered' decision making authority is a key feature of a corrupt system, Stapenhurst and Langseth (1997: 311-330) proposes that administrative reform could minimise opportunities for corruption. These reform measures could include improving work methods and procedures to reduce delays; increasing the effectiveness of supervision to enable superior officers to check and control the work of their staff; carrying out surprise checks of the work of officers; instituting in service training for civil servants at all levels, together with the formulation and dissemination of clearly defined ethical guidelines and rules of conduct; developing internal financial management systems that ensure adequate and effective controls over the use of resources; and providing channels for complaints to enable junior officials to complain about their superior's corruption.

Abuse could also be reduced by limiting and narrowly defining the public official's discretion, and supporting such decision making with clear public guidelines.

Alternatively, the monopoly power of public officials could be reduced by providing other sources of supply, for example, businesses may apply for operating licences from several officials or offices.

Pillay (2004: 586-605) interestingly relates increased corruption with poor governance, which in turn inhibits development. Conversely, when corruption is limited, good governance causes societal development. This article – most probably based upon Pillay's doctoral thesis – considers the possibility of creating a single anti-corruption agency. Similar to many other publications, Pillay describes the many anti-corruption agencies

and lists a number of deficiencies such as a lack of resources and information, and poor co-ordination. A caution is noted against creating a single agency that would not be accountable, could be manipulated for partisan interests and would require substantial resources.

2.5.2.3 Evaluation

South African textbooks on Public Administration have given the matter of corruption very little attention. However, a number of articles have been published in subject journals, both local and international, dealing with a range of matters including unethical conduct, codes of conduct and ethics and corruption prevention. Scholars in Public Administration seem to recognise the need to discuss the matter of corruption. The majority of South African based publications appear to approach the subject of ethics and corruption from a normative perspective suggesting that public officials should pursue certain ethical guidelines. Significance emphasis is placed on the importance of a code of conduct in promoting ethical public administration. The international based publications suggest a wider array of measures to prevent corruption including reforming the public service, improved remuneration, and disclosure of interests. Corruption and its prevention, however, is a matter debated also beyond the boundaries of this subject – as the next section will indicate.

2.5.3 Publications on Corruption

In the following section South African and international publications on corruption and its prevention will be discussed. As a result of the nature of corruption and its prevention, various publications do not necessarily originate from a specific disciplinary basis.

2.5.3.1 Survey of South African Publications

The publication by Mavuso and Balia (1999) is a collection of essays dealing with corruption and its prevention. This is the fourth volume of essays published under the

auspices of the Public Service Commission following the Public Sector Anti-Corruption Conference in 1998 and the National Anti-Corruption Summit in 1999. In this volume it is particularly the essay by Gilman that is of relevance to this study.

Gilman (1999: 95-114) aptly notes it is not the composition of ethics programmes, such as the PSACS, that should be scrutinised – on that we seem to agree, rather it is the implementation of these programmes that we should focus on. In his view laws without implementation is worthless. Empirical research has been vague and provides little indication of how these programs function. Research results that purport to be empirical are at best anecdotal and impressionistic (cf. section 5.2).

Gilman quotes Hermann who wrote that 'the great weakness in the regulation of ethics is not so much the provision of the law but the lack of concern for their administration and enforcement'. Gilman further notes that good administration requires a clear mission and a detailed description of the structure and functions of the institutions that implement the law. According to him, institutions that have no standing in law are easily ignored and even swept away with the next election.

Given Gilman's contribution, it seems evident that the following interrelated issues matter:

- Does *legislation* on corruption prevention exist and, if so, is it clear and specific with regard to the implementation institution?
- Does this legislation provide for effective *implementation*?
- Do the implementation agencies have the *authority (derived from legislation)* to act in preventing corruption?

Mahlaba (2004: 84-87), a manager in the internal audit unit of the Kwa-Zulu-Natal Provincial Administration, lists a number of work areas that are prone to corruption and fraud such as procurement, asset theft, leave and claims. He reflects on the necessity to draft an anti-corruption and fraud strategy based on amongst others a risk assessment process – identifying the areas that are vulnerable to corruption and fraud. The anti-

corruption and fraud strategy should be supported by a code of conduct, disciplinary procedures, blacklisting procedures, whistle-blowing policies and awareness campaigns.

Ruhiiga's (2009: 1090-1100) publication defines corruption in the context of public choice theory. Individuals, including political office-bearers and public officials, are driven by self interest and attempt to maximise on every opportunity that is presented. In the author's view, corruption is an intentional activity and as it occurs in a secretive way it remains difficult to cost. In Ruhiiga's publication an attempt is made to develop a formula for calculating the cost of corruption for society. Based on this formula the author identifies the institutional infrastructure eg. supervision of employees, disclosure of misconduct, and detection of malpractices as the most significant variables that could reduce the cost of corruption.

2.5.3.2 Survey of Foreign Publications

Rose-Ackerman (1999) remarks that, changing the way government does business, and not only establishing integrity systems, should be the objective in combating and preventing corruption. The emphasis should not be on less discretion, imposing rule bound systems, and ex post facto control. Rather, the objective should be to reform the public service and change its rules and policies to reward good performance.

Rose-Ackerman's work has been influenced by her time spent at the World Bank. She mentions the role of the World Bank with its good governance imperatives in supporting developing countries' efforts to reduce corruption. She recommends reducing the size of the public service by privatising the provision of certain services – key tenet of the good governance paradigm.

In her publication *Corruption and Government: Causes, Consequences and Reform*, she views greed as the cause of corruption, describes the reason why corruption could - in certain contexts - be regarded as useful, but has many negative consequences and should

not be condoned. She also outlines a number of remedies for preventing corruption from occurring. In the next few paragraphs, a summary of these matters are provided.

Rose-Ackerman (1999:2) regards self-interest as the one universal motivator that determines human conduct, irrespective of the individual's level of development, culture or national background. This self-interest includes an interest in one's family and peer group, and when applied in an extreme form is called "greed". When a society fails to channel self-interest for productive purposes into the efficient use of resources, it could easily develop into pervasive corruption.

The distribution of valuable benefits and the imposition of costs by the state are generally controlled by public officials with discretionary powers. Unfettered discretionary power creates opportunities for corruption. When individuals or businesses want to extract favourable treatment from the state, bribes serve many purposes: it clears the market, reduces costs, serves as an incentive and permits criminal activity.

According to Rose-Ackerman (1999:10-15) bribes could be used to clear the market. In the first instance, where a fixed supply of government services exist (in the form of the provision of subsidised housing) and the number of households qualifying for such services outstrips provision, public officials may speed up the applications of those individuals who are willing to pay the highest bribe. Corruption thus favours the wealthy. The poor, or those unwilling to pay because of moral scruples, would have to wait in the queue.

Rose-Ackerman (1990: 9-26) is critical of those who believe that corruption has efficiency gains by 'greasing' the wheels of the bureaucracy. A corrupt market is not as efficient as a free market. Bribe prices for services are kept secret (because of its illegality) and only available to the select few that have access to the holders of power. As indicated above, corruption also undermines the intention of a public service programme. For example, the objective of a low cost housing programme – to assist the needy – will be distorted as those willing to pay the highest bribe will receive preference.

Furthermore, corrupt officials are often in a position to influence the quantity and quality of public services, especially when their discretionary decision-making authority is not subjected to checks and balances. One could consider the awarding of old age pensions. All citizens older than 60 with no form of income generally qualifies for such services. Public officials with discretionary power could however influence the number of old age pensions approved. Such pensions could be withheld until bribes are paid.

Similarly, when governments impose regulations and levy taxes, individuals and firms may pay for relief from these costs. Under regulatory programmes, firms may pay to get a favourable interpretation of such rules or to lighten the regulatory load. Payoffs might occur with the application of business licences, the inspection of construction sites and buildings, the regulation of environmental hazards and workplace safety. The payment of taxes and customs duties is also burdensome. Businesses and individuals may collude with tax collectors and customs officials to lower the sums collected and to expedite services (Rose-Ackerman, 1999:18-19).

According to Rose-Ackerman (1999:9-10) bribes could be regarded as incentive bonuses for officials who generally have little incentive to do their jobs well, given pay scales and the level of internal monitoring. Public officials may impose delays and roadblocks in the provision of public service, with bribes serving the purpose of speeding up the provision of much needed public services.

Condoning corruption, in Rose-Ackerman's view, allows citizens to make individualised judgements about which laws are legitimate or not. Bribery will determine not only which laws are enforced, but also which laws are enacted. When developing states want to establish credible and legitimate state institutions, they need to develop mechanisms to translate popular demands into law, provide credible commitment to enforce these laws, and provide legal recourse to those facing extortionary demands. Corruption erodes this legitimacy.

Rose-Ackerman (1999:16-17) provides for a number of reasons why routine corruption should not be tolerated *inter alia*:

- the toleration of corruption in a specific area of public service may lead to the spread of corruption to other areas of public service with harmful consequences,
- public officials' decision-making discretion is often wider than usually assumed, leaving firms and individuals vulnerable to the misuse of authority,
- corruption contributes to an unstable business environment. Although firms pay bribes to ensure certainty, a wide variance in bribes paid and conditions across firms exist, and
- systemic corruption will lead to resistance to state reform. Firms that have benefited from pay-offs will resist efforts to increase the clarity of rules and laws.

Rose-Ackerman (1999: 39-88) proposes that competitive pressures should be introduced in the administration, thereby enabling citizens to approach different public officials for the same service. A corrupt official therefore does not have a monopoly over the issuing of for example import licences. Alternative reforms - to increase the cost and reduce the benefit of corruption - proposed by her include *inter alia* programme elimination, establishing a credible privatisation process, reforming public programmes, promulgating anti-corruption legislation, procurement reform, pay reform, conflict of interest policies, utilising the hierarchy, introducing incentives and penalties, and contracting for the provision of public services.

Williams (2000), professor of Politics at the University of Durham, has edited what could be regarded as the most representative, up-to-date and authoritative readings on corruption. In four volumes, entitled *Explaining Corruption*, *Corruption in the Developing World*, *Corruption in the Developed World* and *Controlling Corruption*, he selected published articles from literature on corruption over the past 40 years. These materials were selected to explain the evolutionary development of the concept of corruption; describe the scope, incidence and consequence of corruption in different

settings of developing and developed states including Latin America, Africa, Asia, Japan and Australia; and explain the multi faceted phenomenon of anti-corruption strategies.

Williams interestingly comments on the evolution of the phenomenon of corruption. It was believed that corruption is of a transitional nature. Although corruption was a problem in developing or newly independent states in the 1960's, it was believed that it would disappear as the state would mature into an established democratic state, a state of modernity. Corruption, which was associated with political and economic immaturity, would be overcome with educational and social progress. After all, more developed countries underwent a number of phases before getting corruption under control through a combination of political, judicial and administrative reforms. However, it was realised that corruption in developing states were deep seated and permanent, and recent scandals in the northern hemisphere nullified this evolutionary belief (Williams 2000:ix-xvi).

With the end of the Cold War in the 1990's, international lending institutions such as the World Bank, United Nations, US Aid and the UK Department for International Development, viewed corruption with much more seriousness. It became unnecessary to support every anti-communist regime, irrespective of its probity standing. This phase represented a significant shift in policies and priorities. Corruption came to be seen as an impediment to development and a major cause of poverty. In academic and policymaking circles, corruption became a serious consideration (Williams 2000: ix-xi).

The neo-liberal thinking of Reagan and Thatcher in the 1980's significantly influenced the thinking on corruption. Ronald Reagan's remark that "government is not the answer to our problem, it is the problem" had an influence on international government policy making and thinking. Not only was United States domestic policy influenced, but also the way people saw the role of government in society. It was believed that governments should play a reduced role and that the market's role should be elevated with greater emphasis on self reliance and individual responsibility. It was thus also believed that when the size and role of governments would be reduced, so too would the opportunities and incentive for corruption. (Williams 2000: x-xii.)

The objectives of this neo-liberal thinking were contained in the NPM approach – an approach that reflected concepts such as 'minimalist government' and 'entrepreneurial government' (cf. section 3.5). The high expectations that accompanied this approach were thwarted by the absence of competent private sector institutions ready to take over the role of the public sector. The key policy prescriptions of privatisation and de-regulation brought a number of new problems. Privatisation amounted to little more than licensed theft of state property.

This crude NPM approach on the role of the state has been refined to one in which the state is seen as a central role player working in partnership with civil society and the private sector. Current research on corruption suggests that, while corruption would be associated with the role and performance of the state, a more appropriate answer lies not with rolling back the state, but reforming it (Williams, 2000: xii-xiii; Rose-Ackerman, 1999:35, 84-87).

Although in the fourth volume, entitled *Controlling Corruption*, corruption is acknowledged as a global problem, consensus with regard to what should be done about it seems absent. Impetus for reform can originate internationally, or locally. Anti-corruption strategies can be holistic, targeting comprehensive reform measures of economies, societies and governance, or could be targeted at specific parts of state activity, for example customs or procurement procedures. A number of considerations should be considered including determining priorities, working out the sequencing of reforms, costs of reforms, as well as its sustainability. Anti-corruption strategies could focus on its prevention and causes, or rather retribution, investigating corruption and its consequences.

For the purpose of this review, several scholarly articles were identified that represent different periods between 1961 and 1996. Five articles by McMullan (1961), Leff (1964), Leys (1965), Nye (1967) and Scott (1969) were published in the 1960's; roughly when most African states gained independence. The article by Werner was published in 1983, while Johnston's publication appeared in 1996. As reflected by Williams, corruption was

perceived differently, depending on the political context and time periods, thus the writings represent diverging views on the phenomenon of corruption.

To McMullan (1961: 181-201) corruption is caused by a divergence between the attitudes, aims and methods of the government of a country and those of the society in which it operates. To McMullan the imposition of a western colonial government - characterised by the notions of a bureaucracy - on the indigenous society of West Africa created opportunities for corruption. The West African official was placed in a difficult position as he was required to act in accordance with the bureaucratic notions of a public official, something foreign to the indigenous society.

McMullan's publication should be interpreted within the context of the time when many African states gained independence during British decolonisation. Even in homogeneous societies, corruption occurs. Malfeasance occurs when value differences between institutions and their employees exist. Whereas a public institution aims to deliver on its public mandate in an effective and efficient manner, individual staff members – although supportive of the institution's objectives – work primarily to earn a living and look after their families. When an individual staff member has six children and earns an insufficient salary, she could think of illegitimate ways to increase her income. However, the objective is to manage staff in such a way that the individual satisfies her personal aims in harmony with institutional aims.

McMullan points to two possible cases of divergence. When an illiterate society is governed by a literate government by means of written rules and regulations, a divergence is caused. Consider a situation where the public official has a relative measure of power, is an authority on the law, at least at his own level, and has adapted himself to a set of rules and regulations which he could wield against others. This public official has innumerable official and unofficial contacts with officers of branches of other government departments.

On the receiving end of this authority is an illiterate citizen who is uncertain of the exact contents of the various laws that affect him, and uncertain how he stands in relation to them. To this citizen, bribing the official is the only means by which he can protect himself. As McMullan remarks, "he knows he should have a license for his shotgun but cannot be sure that the one he has is still valid, or if the clerk who issued it cheated him with a worthless piece of paper. He knows he should have paid his taxes, but he has lost his receipt, and anyway there is something called a tax year, different from a calendar year, which 'they' keep on changing, so perhaps he should have paid more anyway". (McMullan, 1961: 188-190.)

Another form of divergence is caused when government policies are framed that do not receive popular support in the society for which it is meant. Although all laws put certain individuals at a disadvantage, it is those laws that are greatly unpopular that causes corruption. Individuals who are disadvantaged by such a law, would attempt to bribe the official responsible for enforcing the law. On the contrary, laws that are popular will be supported by an active citizenry willing to report wrongdoing, thus deterring corruption. (McMullan, 1961: 190-193.)

In these societies, corruption had a social function. It reduced conflict and friction by bringing together those who held political power and the wealthy. To the local chief, gifts were a means of bringing the Colonial District Officer – who was powerful but also alien – into his personal realm of understanding. McMullan (1961: 181- 183) however identified various negative consequences of corruption including its injustice; inefficiency in government operations, especially where corruption resulted in the appointment of under qualified individuals; serious dysfunction, for example where a station master corruptly agrees to load logs that are too heavy for the train wagons, and causes an accident; mistrust of the government by the citizen; waste of public resources, where public funds flow into the pockets of political office bearers and officials; discouragement of enterprise as investors and entrepreneurs feel dismayed and frustrated at the requirements by officials to pay bribes when deemed necessary; and political

instability, caused by political attacks on people in positions of power that are easy to mount and gather support for.

McMullan (1961:198-199) proposes various long term methods to prevent corruption such as *inter alia* exemplary measures against political office bearers or other important public office holders to publicise government's determination; a slight increase in police pressure at all levels of government; a low pitched but continuous educational effort at schools, colleges and in the newspapers, continuing over years and becoming a part of all educational processes; training opportunities for public servants to train them not to take advantages of opportunities for corruption; educational pressure and disciplinary measures to raise the standard of the public service; and careful scrutiny of existing and projected laws to eliminate those that tend to increase the opportunity for corruption unnecessarily.

McMullan's (1961: 183) comment on measuring corruption is significant for this study. Making statements and arguments about corruption is difficult as it is nearly impossible to substantiate these with factual or statistical evidence. Although there are many reports, histories and trial records of corruption in different countries, it cannot be investigated openly by means of interviews and questionnaires. Many statements of corruption are simply based on observations of individuals in society.

Leff (1964: 8-14), unlike McMullan, identifies various positive consequences of corruption. In his view, corruption could be beneficial as governments and their bureaucracies are often obstacles to economic development. This view is unorthodox as it is generally assumed that corruption impedes economic development. Given the increased prominence of governments in the development discourse, it has become imperative for public officials not to be influenced by graft and deviate from their appointed task. Yet, Leff reveals that governments do not always actively pursue the public interest.

Leff (1964: 10) challenges the view that governments work actively to promote development, only to be thwarted by grafters. In his view governments are indifferent, if not hostile, to development. Governments could be indifferent to the desire of entrepreneurs – especially if they are foreigners or a minority group - and reluctant to initiate support for economic activities. Other more self interested goals are seen as more important. As the bureaucracy typically plays an extensive interventionist role in the economy, its consent or support is an essential prerequisite for the conduct of most economic enterprises. In such a context, governments could be induced by monetary means to hold a more favourable view of economic enterprise or to energise the bureaucracy to act on behalf of entrepreneurs, especially in cases where businesses require licences or even credit.

Developing countries are known for their economic and political uncertainty. Basic estimates of future supply and demand are harder to determine because of the lack of data. The potential investor faces another political unknown: the behaviour of government. The personalist and irrational style of decision-making, and frequent change of personnel and policies are contributing factors. Paying a bribe enables the entrepreneur to control and render this important environment predictable, thereby creating the environment for increased investment. (Leff, 1964: 11.)

Bureaucratic corruption, in Leff's view (1964:11) introduces an element of competition. Since favours available to bureaucrats are limited in supply, they are allocated by competitive bidding among entrepreneurs. As the highest bribe wins the bid, enterprises are required to generate adequate revenue for grafting purposes. Sufficient revenue, in turn, depends on operating efficiency - hence a measure of efficiency is introduced. Corruption provides for alternative policy development. When a government introduces policies to promote economic growth, corrupt entrepreneurs could establish their own course of action. When the official policies fail in reaching its intended objectives, the unofficial policies – established through wrongdoing - could provide for a feasible alternative.

In Leff's (1964: 12-13) unconventional view, many of the alleged negative consequences of corruption could be challenged. Increased revenue resulting from decreased bureaucratic corruption will not be spent on development. Rather, these funds would have been spent on non-developmental expenditure. It is further assumed that self-seeking bureaucratic corruption results in social disunity, decline in public morale and distrust of government, inhibiting society's willingness to support development. To Leff, the decline in social solidarity could rather be attributed to other causes including cultural gaps, inequitable income distribution and rapid societal change. Additionally, the change of focus from public interest to self-interest could provide for an important impetus for economic development.

Leff (1964: 13) argues that policy efforts aimed at corruption prevention could at best have long term successes. He proposes dealing with corruption indirectly by using honest and capable administrators – a scarce resource – in areas of high priority. An alternative option would be to use market forces to reach stated public objectives, thus reducing reliance on the bureaucracy and less government intervention, very similar to what is today known as the privatised provision of public services.

The writing of Leys (1965: 215-230) reflects many of the observations of McMullan. However, Leys questions the general assumption – as articulated by McMullan - that corruption cannot be measured. With sources of information such as court records, reports of commissions of inquiry, and many people willing to talk about it, establishing the facts about corruption seems not too difficult.

In his article, Leys (1965: 215-217) is critical of the 'moralists' who bluntly argue that corruption is wrong. Their one-sided approach foolishly assumes that citizens - irrespective of culture, faith and class - conceptualises corruption similarly. He proposes that the subject should be approached in an open minded way, without the condescending undertones of the moralists who suggests conformity to western beliefs.

Writing during the period of decolonisation, Leys identified two matters of difficulty in conceptualising corruption: 'public interest' and 'standard of behaviour'. He points to the difficulty of arriving at a common interpretation of the 'public interest'. As echoed by Leff, corruption serves many useful purposes, especially in newly established states, by cementing diverging and conflicting elements of a society into a body politic. (Leys, 1965: 219-221.)

Furthermore, corruption assumes the existence of some 'standard of behaviour' and could be viewed as an action that breaks some rule, written or unwritten, about the proper purposes for which a public office or a public institution may be put. This definition raises important concerns since a 'standard of behaviour' is a subjective matter. (Leys, 1965: 221.)

Leys (1965: 224-225) describes the precarious nature of the newly independent state. He provides a number of reasons why these states are susceptible to corruption¹. In developing states the idea of a national interest is weak, institutions and offices of the state are for most people, remote and perplexing. To many local inhabitants the institutions of the state were identified with foreign rule and had not yet been re-identified as instruments for the promotion of common interests. To the illiterate peasant the state and its institutions are perceived as a 'web of largely unknowable and complicated regulations'. Bribery was seen as a precautionary measure against this perceived threat. Furthermore, public representatives were not recruited from a class of society which was 'insulated from corrupting pressures by the established aloofness of the mandarin classes'. Developing societies were also subjected to the pressure of rapid social and economical change on all moral rules.

These societies also exhibited great inequality in wealth and absolute poverty - incentives for corrupt activities. The benefits of holding public office are substantial in comparison with the penalty for attempting to obtain one by means of bribery. As citizens in these

¹ 'New states' refer to states that gained independence in the 1960's. These states are regarded as developing states.

societies are not familiar with the official rules, and what constitutes violating them, corruption seems relatively easy to conceal. Old customs such as gift giving are continued, even though new rules prohibit such behaviour. Enforcing rules without the active support of the society for which it is meant, would be ineffective. Traditional customs complicates the application of new 'western' rules (Leys, 1965: 225).

Leys (1965: 226-227) draws interesting comparisons between Britain and developing states. In the nineteenth century, for instance, Britain was a scene of great corruption. However, these forms of improper conduct - at the time - were not condemned; rather they were regarded as desirable. The ruling classes were induced to accept the changing the nature of the public interest and redefined the purposes of public offices and state institutions; ensuring their control of these institutions. The British society did not suddenly change from a corrupt one to a pure society; rather one set of standards was adapted to a new set of standards.

Quite different conditions exist in Africa. In Leys' (1965: 227-229) view, the idea contained in the phrase *noblesse oblige* hardly exists. The new ruling classes exercise a new rule with no previous experience - or prior ideology - of the role of public office for public interest. In Africa public services are a necessity and society depends on it, compared to Britain where services were primarily needed by the more affluent sections of society. Preventing corruption in Africa seems particularly important as society depends on the role of the state for development. Development requires hard work by all sections of society, and a self-interest seeking elite will be an obstacle to development.

Nye (1967: 417-427) argues, similar to other scholars in the 1960's, that corruption could have beneficial effects on the development path of newly independent states. He proposes a model which measures the effect of corruption – specifically its costs and benefits – on development. After identifying three typical development related problems namely economic development, national integration, and government capacity, the author argues that corruption could contribute to solving these problems. Corruption could lead to economic development generating capital, cutting red tape and supporting

entrepreneurship. The elite and non-elite groupings could – through engaging in corruption – integrate themselves in public decision making forums. Increased government capacity could manifest through the corrupt financing of political parties or by unifying government power through patronage. However, these benefits could be outweighed by costs including the waste of resources, societal instability and the reduction of government capacity.

The probability of these benefits and costs actually accruing to society depends greatly on a society's tolerance of corruption, degree of security of the corrupted elite and the existence of social and institutional restraints on corruption. For corruption to be beneficial a high level of tolerance must exist in a society, the elite must enjoy some form of security to enable them to invest their profits locally in economic projects or supporting their political party, and a measure of social or institutional restraint must exist. Part of this restraint to keep corruption within limits could be a free press, honest elections and an internalised measure of the public interest by the ruling elite. (Nye, 1967: 423-424.)

The cost/ benefit analysis is also determined by the level of corruption, whether it is committed at the top or lower ends of government; whether the inducement is traditional or modern; and whether the deviation from formal duties of a public role is extensive or marginal. In his tentative view, Nye (1967: 427) concludes that the cost of corruption in developing states probably exceeds the benefits, except for particular cases.

With Scott's work (1969: 315-341) the impression is created that much work on corruption unfairly prejudices developing states. As many scholars are concerned with what seems to be extensive corruption in newly independent states, he points to the inappropriateness of any form of comparison between these states and the West. Corruption was rife, not only in colonial office, but also in Western Europe where the use of public office for private benefit was common until the mid-nineteenth century. Public office was conferred by virtue of kinship ties, status or purchase, or any combination of the three, and it was expected that the office holder should make a handsome profit.

Strong political parties were also built in England and the United States of America through patronage practices.

It was only during the late 19th century that the practice of a government accountable to legislative bodies was established in Western Europe. Prior to this, state office was hereditary and virtually identical to private property. Many similarities thus exist in the practices of pre-industrial and industrialising West and pre-industrial and industrialising non-West. However, where the development of legal standards in the conduct of public office in the 18th and 19th century was an internal affair and the product of long political reform in the West, developing states accepted these laws and regulations from the outset (Scott, 1969: 318-320).

In Scott's view (1969: 320-321) the legal standards of behaviour for the public sector has set higher moral standards than those for the private sector. In the private sector, behaviour is automatically checked by market forces. For example, no law prohibits a business owner from appointing a relative to a top position. However, if this relative is inexperienced and poorly motivated, the business will suffer losses. It is thus the market - and not the law - that regulates the owner's performance. Given the plethora of laws regulating public service behaviour, it seems obvious that corruption would be more prevalent in the public sector. Given the dependency of developing states on their public sectors, it seems obvious to conclude that corruption would be more prevalent here.

To Scott (1969: 321) the study of corruption has disregarded its political significance. To him corruption represents a measure of political influence: a transaction where one party exchanges wealth for a measure of influence over the authoritative decisions of government - not simply the misuse of office in violations of societal norms. Some of these measures of political influence violate standards of societal ethics, while others are entirely ethical. The 'buyer' might seek an honorary title (status), a post of some authority (power) or a large supply contract (wealth).

The style and incidence of corruption is determined by the political system of the state. In developed political systems, interest groups express their will through the legislative process. On the contrary, in developing states interest groups are weak, or even absent, and citizens feel politically ineffective. For this reason, citizens rather influence the implementation of policies, which is viewed by many as corruption. Societal demands reaches the political systems, not before laws are passed (as western social scientists have assumed), but at their enforcement stage (Scott, 1969: 325-326).

Whenever the formal political system does not cope with the demands made on it, due to an absence of functioning interest groups or even a parliamentary system, informal paths of influence occurs. More often than not, these informal paths of influence constitute corruption. Developing states - with their frail political institutions - were subjected to forms of rapid social mobilisation, leading to political instability and corruption. These informal systems allow minority groups, peasants and foreign businesses to gain access to official decision making. (Scott, 1969: 328.)

Scott (1969: 330-341) outlines three factors – emanating from the political system - that influence the benefits derived from corrupt activities: access to opportunities for corruption, electoral competition and the relative stability of the political elites. Access to opportunities for corruption in a state is determined by its nature. Parochial corruption represents a system where kinship, affection and caste determine access to the favours of office holders, while market corruption signifies an impersonal process which is influenced only by those who can pay the most. When parochial corruption dominates, beneficiaries will be those with connections, while market corruption favours the wealthy.

In political systems with a competitive and effective party system, political parties compete for the support of the electorate. As the electorate controls a valuable political resource - their votes, parties undertake to provide necessary inducements such as patronage. Conversely, wealthy elites promote their policy interests by providing financial assistance to political parties. Political decision-making authority thus resides

with the legislative level, rather than the administrative level. Corrupt benefits accrue to the electorate and political parties. Where influence over political decisions in such a system is generally perceived as legitimate, similar forms of influence in a bureaucratic system would be regarded as corrupt. (Scott, 1969: 331-337.)

Finally, when the political elite enjoy stability corruption takes a moderate form. However, when political uncertainty exists, ruling parties acknowledge their temporary status. These parties extract as much as possible during the limited period of time to maximise their illegal gains. (Scott, 1969: 337-341.)

Werner (1983: 146-154) is critical of the academic discourse in the 1960's and reflects on the establishment of a new approach to the study of corruption. Traditionally, corruption was thought to be a by-product of the social and political development phases of a state which would eventually, after reaching a level of maturity, self destruct. Corruption was - in the functionalist approach - viewed sympathetically as an essential element of the developmental process, thus challenging the assumption that corruption is destructive. During the 1970's, continuing scandals in the West lead to the formation of a new approach: the post-functionalists.

In Werner's view (1983: 146-149) the functionalists' had a tendency to opportunistically rationalise corruption. The concept of corruption is influenced by how it is perceived by society and its cultural attitudes, public officials and whether a corrupt act served some form of 'public interest'. When a corrupt act indirectly served the public interest – what some casuists call 'patriotic corruption' - it could be condoned rather than condemned.

Where the functionalists argued that corruption brings humanity to rigid bureaucracies, encourages party building, promotes access to public officials and is a means of bypassing hampering economic regulations, the post-functionalists pointed to the many social, political and economic circumstances that foster corruption and the danger of expecting corruption to subside with developmental maturity. The thesis that corruption

would subside as a state reaches maturity in development was rejected by the post-functional school. (Werner, 1983: 148-149.)

Werner (1983: 149-150) points to a key assumption of the post-functional approach: corruption is self-perpetuating. If left to itself, corruption will grow and 'spill over' to eventually cause corruption to become systemic in institutions and society. The spill-over effect occurs when leaders' corrupt behaviour influences the loyalty, trust and moral integrity of their followers. Leaders often rationalise their corrupt behaviour to be for the good of the institution or the society of which they are part. Rather than admit their unethical conduct, they blame the system.

Spill over also occurs when minor incidence of corruption is condoned. Left unattended, these forms of corruption lead to legitimising other forms of corruption. Soon entire institutions, or societies, are corrupt. The ethical code of conduct is replaced by an illegal code and corruption becomes the unofficial political and administrative order. In systems that are characterised by systemic corruption, violators are protected and non-violators, such as whistle-blowers, are penalised. Systemic corruption makes policy change and administrative reform difficult. (Werner, 1983: 151.)

To prevent corruption, the post-functionalists propose a multi-pronged strategy including reducing the benefits and increasing the costs of committing corruption; legal and policing measures; whistle-blowing; and increasing organisational accountability. In addition to these, Werner (1983: 151-152) proposes a community justice strategy. Using this informal method of peer pressure, all parties to a corrupt offence are involved. This enables one to understand various perspectives as well as the context of the crime.

Johnston's (1996: 321-335) contribution to the discourse on corruption lies in his discussion of the definitions of corruption. He points to the fact that no universally agreed definition of corruption exists. Where traditional definitions referred to the moral health of whole societies, modern definitions tend to focus on specific actions by specific individuals (cf. Hinde, 2002: 34). Generally, corruption refers to the abuse of public

office for private benefit. But what does 'abuse' refer to, and what would constitute a 'private benefit'? Some point to the use of law and others to the 'public interest' to clarify this vagueness, yet laws sometimes enjoys little legitimacy while the public interest is at best a vague concept.

Johnston points to the weaknesses of the public office-, market- and public interest centred definitions. Although the public office-centred definition is precise, laws can be contradictory, continually changing and often do not accurately reflect the morality of society. The market-centred definition illustrates how market considerations intrude on authoritative and universal decision-making. The public official attempts to maximise his income by creating scarcity in the market through artificial delays. In Johnston's (1996: 323-324) view this definition ignores the intangible benefits of corruption such as prestige, promises, or political support. Furthermore, the complicated nature of the 'official' market is ignored as the 'official services' might be fixed in supply, or highly individualistic. Similarly, the public interest-centred definition indicates which corrupt acts are harmful and trivial, but how do you determine public interest? It is claimed that these definitions are objective and precise, but the meanings of 'abuse', 'public role' and 'private benefit' remain unclear.

Johnston seems primarily concerned with the systems of public order in developing states. It is in particular the lack of congruence between the legal and social standards – which combined constitutes a system of public order - in these countries that trouble him. He argues that developing states have the greatest need to prevent corruption, yet it is here where it is most difficult to arrive at a commonly agreed definition of corruption. A definition of corruption is not only an analytical process, but also the product of processes of 'political contests'. For parties to arrive at a common agreement on the notion of corruption and the meaning of 'abuse', 'public role' and 'private benefit', a process of political contestation is required.

These political contestations were visible in the West where conceptions of the state evolved over centuries from a point where the state was regarded 'not as an impersonal

legal entity but as the living embodiment of an inheritance' and 'politics was the exercise and defence of personal power, its ends often little more than self-enrichment' to more modern conceptions of the state exercising a public authority. As intermediary groups played an important role in limiting the power of an ever expanding state, political roles began to change. The concept of public office as private property disappeared and a bureaucracy - staffed by remunerated officials to ensure their loyalty – was required to execute the ever expanding functions of government. These contestations produced new notions of political propriety and a new system of public order.

Apart from the above definitions, Johnston (1996: 325-326) proposes another approach to the definition of corruption: Principal-Agent-Client (PAC) definition. Corruption occurs when an agent betrays the interest of the principal – either the administrative head or the public interest – in pursuit of his own interest. This definition provides the advantage that the behaviour of an official is not judged by some external standard but rather within an institutional setting.

To accommodate definitional difficulties in developing states, Johnston (1996: 329-333) proposes a neo-classical definition. Whereas modern definitions tend to focus on individual transgressions of legal norms, the neo-classical definitions attempt to reunite modern definitions with classical definitions of corruption – referring to the moral health of whole societies. For Johnston, a neo-classical approach defines corruption as 'the abuse, according to legal *or* social standards constituting a society's system of public order, of a public role or resource for private benefit'. This definition is particularly helpful in societies experiencing divergence between its legal and social standards. This definition directs our attention to the forces contending over the meanings of 'abuse', 'public role' and 'private benefit'. It thus refers not only to wrongful doings but also the political processes that shape its definition.

This neo-classical definition has certain advantages. It cannot be criticised for having a 'western bias' as it does not focus on simplified legalistic definitions, but draws attention to the processes that shape a society's system of public order. Furthermore, a

consideration of social norms alone is avoided, thus reducing the possibility of cultural relativity.

Johnston (1996: 331-333) also considers the usefulness of Thompson's notion of 'mediated corruption' which extends the conventional meaning of corruption, beyond bribery and extortion, to include acts that damage the democratic process. It is not individual acts of corruption *per se* that are harmful, but rather the distorting effect corruption has on the democratic process. Corruption shortcuts an open, accountable and democratic process, and undermines democratic values such as representation, accountability, open debate and equality. 'Mediated corruption', as a neo-classical definition, thus incorporates classical notions of corruption by focusing on the broader values of democratic institutions and processes.

According to Kurer (2005: 222-239) efforts to measure corruption are heavily influenced by its definition. In his view, little progress has been made on the public office-, public interest- and public opinion definitions provided above. As has been pointed out above, these definitions have been heavily criticized for *inter alia* their failure to acknowledge the significance of cultural relativity. Kurer proposes that corruption and unethical conduct should rather be judged against the norms of impartiality and non-discrimination applicable in a specific society. Such a definition will depend on the prevailing norms and conventions within a society.

Hilliard and Wissink (2001: 119-130) affirmed many of the issues raised above when they identified a number of causes of corruption in South Africa including rapid political and organisational change; effects of the liberation struggle; class and racial segregation; the absence of a coherent system of ethics in the new public service; and great disparities in wealth features. Possible remedies identified by the authors are general in nature and include the application of a code of conduct, promoting accountability and building a moral character.

Kibwana, Wanjala and Owiti (1996), in what seems to be a pilot study, investigated corruption in Kenya. In this empirical study, they found that Kenya's legal means to combat corruption is ineffective – partly due to the lack of political will - and proposed that corruption should be fought with a comprehensive political and socio-economic programme. These measures include reforming the civil service, establishing a court specialising in corruption cases, privatisation, a code of conduct, enhancing the role of civil society, offering educational programmes, a free press, establishing an ombudsman and promoting political accountability.

In a modern society, not all laws are equally enforced by the state. Kibwana *et al.* (1996: 151- 174) distinguishes between 'aspirational' and 'full' law. When an act is promulgated but not enforced by a government, it is known as 'aspirational law'. As the elite, or any other dominant force, perceive the statute as a threat to their interests, it prevents the law from being enforced. Conversely, when a law is enforced, it is known as 'full law'. Kenya's Prevention of Corruption Act is conceptualised as aspirational rather than full law. In other words, the Act is not effectively enforced.

Before embarking on their investigation to determine the extent of corruption, the authors sought to clarify the concept. Corruption is generally conceptualised in terms of either a public office-, public interest- and market centred approach. However, Kenyan legislation defines corruption in a narrow sense and criminalises the act of bribery in public office. This definition ignores much behaviour that could be regarded as corrupt, while no reference is made to the 'public interest'. To arrive at a working definition, the authors (Kibwana *et al.*, 1996: 32-34) resorted to the all-inclusive definition by Alatas which associates corruption with its damaging effects on the public interest and the manifestation of nepotism.

In their empirical study, Kibwana *et al.* relied on media reports, reports of the Auditor-General, parliamentary reports, the Hansard and field research. In their view, the records of public prosecutions and convictions are not an accurate reflection of corrupt practices as only a small percentage of corrupt individuals are actually prosecuted; with the

provision of adequate evidence for successful conviction extremely difficult. Furthermore, relying on the Auditor-General's report is problematic as it identifies cases of non-compliance with policies and unauthorised expenditure, not necessarily due to corrupt behaviour but a lack of skills and experience. Even the media reports from 1963 – 1994 would not accurately reflect the extent of corruption as the media was at times severely restricted by the Kenyan Government.

Kibwana *et al.* (1996: 151-174) specifically investigated Kenya's legal and institutional framework that exist to combat corruption. In 1963, Kenya inherited a colonial constitution which initially provided for regular elections, a bill of rights, rule of law, constitutionalism, separation of powers, a free press and a parliamentary system of government. Eventually, constitutional amendments lead to the creation of a one party state in 1982. The weakening of civil society and political institutions creates opportunities for corruption. However, in 1991 a multi-party political system was reintroduced with the first multi-party election in 1992. Limited constitutional amendments, since then, have made the practice of corruption an onerous affair.

Despite a number of constitutional and legislative provisions, the authors conclude that the Kenyan leadership lacks commitment – passing in their terms 'aspirational laws'. Other institutional measures reviewed include the important role of the press, non-governmental institutions, parliamentary debates, churches, civil society, pressure groups and international donor institutions. The authors identify the absence of an ombudsman as an impediment to corruption prevention efforts.

Zafarullah and Siddiquee (2001: 465-486) report widespread instances of corruption in the recently established democracy of Bangladesh. Bribery serves a functional purpose as it has become a method to access a widely perceived corrupt public service. The authors conceptualise corruption as the inconsistent application of rules, patronage and kickbacks, but unconventionally includes negligence, pilferage, taking unauthorised leave, arriving late for work and leaving early, and taking extended lunch hours. Here,

corruption seems rampant, not because of the absence of rules – or institutions for that matter, but rather the lack of their implementation and enforcement.

Zafarullah and Siddiquee (2001: 465-486) points to the usual corruption prevention mechanisms. Parliament and its committees, the Auditor-General, Bangladesh's Bureau of Anti-Corruption (BAC), various acts and public service conduct rules are established. However, these institutions are mostly ineffective due to the lack of financial resources, qualified personnel and, most importantly, the absence of political independence. The BAC, for example, needs political approval if it wants to prosecute corrupt individuals. On a more positive note, the authors refer to the role of civil society and the active involvement of the print media. Civil society is critical in providing a voice for the poor in criticising poor service delivery. The print media exposes corruption on a frequent basis.

The establishment of an ombudsman would, in the authors' view, limit malfeasance. This seems short sighted as the imposition of another layer of oversight would, in the absence of a resolve to even implement existing measures, not make a considerable difference. International institutions, like the World Bank, have propagated generic cures *inter alia* simplifying rules and regulations, promoting the role of civil society and creating an awareness of corruption. These measures could, if a political resolve exists, serve to prevent corruption.

In her contribution to the book *Corruption and Development in Africa*, Bauer (2000) points to the fact that corruption is a common phenomenon in both Apartheid and post-Apartheid South Africa. Whereas the Pickard and Van den Heever Commissions of Inquiry exposed incidents of corruption in the Departments of Development Aid and Education and Training before 1994, Justice William Heath pointed to the increasing manifestation of corruption after 1994. The failure of political office-bearers to take responsibility for corruption by their departmental officials seems to be a problem in both former National Party and African National Congress governments. Despite a number of methods to control corruption, including the various pieces of legislation that exist to

combat corruption, she correctly points out that these are not adhered to, thus allowing corruption to occur. Although clearly unethical conduct, Bauer (2000: 218-233) – like Zafarullah and Siddiquee - refers to public officials being drunk and asleep at work as manifestations of corruption.

Administrative Law is that branch of law that attempts to control bureaucratic excesses. It regulates the empowerment of executive organs of government and its relationship with citizens when exercising such powers, functions and duties. Douglas and Jones (1996: 118-145) studied the usefulness of administrative law in curbing corruption in Australia. Since the 1980's has corruption caused distrust in the Australian public service. Before this the integrity of public officials were not questioned. Managerial transformation of the public sector, including decentralisation and increased discretion, contributed to creating corrupt opportunities.

To the authors, Administrative Law is more appropriate than Criminal Law in dealing with corruption, as it focuses on institutional impropriety. A system of administrative law will control the exercise of administrative discretion – thus reduce opportunities for corruption. Administrative law emphasises values of fairness and openness, and ensures the control and accountability of public officials. Secrecy and the exercise of excessive discretion are causes of corruption.

Administrative Law responds to corruption through the establishment of administrative quasi-judicial bodies to investigate corruption and the adoption of legislation to protect whistleblowers. In their publication, Douglas and Jones describe the role of the Independent Commission Against Corruption and the Criminal Justice Commission in investigating and preventing corruption, as well as its educational role. These initiatives have increased the risk of acting corruptly, thus reducing incentives. Criminal law, with its focus on the prosecution of individuals, seems inadequate as corruption is commonly reflected in organisational cultures, thus not individualistic in nature.

International consensus suggests that developing states should prevent corruption by initiatives to democratise, down-size the public sector and undertake deregulation (cf. Williams 2000: x-xii). Doig and Riley (1998) question this blunt assumption. In their publication, the authors point to the necessity that an anti-corruption strategy should be tailored to a state's individual circumstances. Universal solutions do not cater for a state's unique causes and consequences of corruption. The manifestation of corruption varies from petty to grand, from legislative, judicial to bureaucratic, or even in various public services (cf. section 3.3). Furthermore, corruption responds to changing political, socio-economic and cultural factors. As states experience political and economical development, corruption does not decline rather it adjusts to these new circumstances (cf. Werner, 1983: 146-154).

Anti-corruption strategies should, however, be designed within the context of international imperatives. International institutions expect developing states to follow programmes of good government which reflect *inter alia* the concerns of legitimate elections, political opposition and representative government, accountability, separation of powers, and the prevention of corruption. Good government is part of a broader good governance framework which emphasises the ultimate objectives of a state - social and economic development.

The designers of anti-corruption strategies should, according to Doig and Riley's (1998: 45-62), consider a number of variables. Strategies could focus on strengthening institutions or creating a civil awareness, and could be based at an international or popular level. Since the 1990's many international initiatives have emerged, while at a popular level non-governmental organisations were instrumental in putting corruption on the agenda.

When designing an anti-corruption strategy, a detailed country assessment should determine where the cost of corruption is the greatest and which strategies would be most effective in the short and long term. It is imperative to undertake a thorough assessment, focus on planning, systems and not individuals, and effective implementation. The

emphasis should also be on timing, sequence of activities, details of reform, sustainability and political will. Furthermore, the strategy could focus on creating one anti-corruption agency, or rather focus on the improving on the weaknesses of specific departments (Doig & Riley, 1998: 57-58; cf. Balia, 2005). It could emphasise the training of public officials or designing posts in a way that the opportunities of corruption will be reduced.

Doig and Riley point to the increasing attention that civil society receives in the design of anti-corruption strategies. Citizen involvement could be promoted through the ombudsman, whistle-blowing, awareness and education campaigns, ensuring access to information and an independent media and administrative tribunals. Through greater citizen involvement popular oversight is achieved leading to an improvement of administrative activity. An integrative approach involving various initiatives, including a partnership with civil society, constitutes the creation of national integrity systems.

In a World Bank report entitled *Anti-Corruption in Transition: A Contribution to the Policy Debate* (2000: xiv-xxxi) a conceptual framework is developed which provides for policy strategies to fight specific types of corruption – reflecting the ideas of Doig and Riley. This report conducted research into corruption in transitioning states where new rules and institutions were being created to establish a market-oriented economic system and new democratic order. However, it was found that these rules and institutions reflected an advantage for the narrow vested interests of powerful firms and corrupt individuals.

This prompted the authors to conclude that corruption should not be seen as a one dimensional phenomenon, as was traditionally the case, but that the concept should be 'unbundled' (World Bank, 2000: xv). Many anti-corruption strategies fail at the implementation stage because of, among other reasons, an overemphasis on technocratic measures within a uniform policy that do not consider political and administrative differences between countries. These policies tend to reflect a preference for strengthening enforcement mechanisms rather than address the different causes and consequences of corruption found within and between different states.

The authors – which include World Bank staff as well as external specialists – developed a new typology of corruption. They distinguish between state capture and administrative corruption. 'State capture' entails illegal attempts by individuals, groups and firms to influence the drafting of new state policies, rules and regulations in a way that their own interests are promoted. Obviously, unique to states experiencing a political and legal renewal process. Individual and group interests are encoded in the state's legal framework. This could happen when a segment of society influences the drafting of laws and policies to effectively exclude other sectors of society. Conversely, 'administrative corruption' refers to the biased or distorted implementation of existing policies, rules and regulations by public officials in promoting their subjective interests.

Similar to Doig and Riley's statement earlier, the World Bank report (2000: xiv-xxxi) emphasises that anti-corruption strategies should be designed to suite the specific types of corruption existing in different states. These strategies – which the authors claim are an expanded repertoire – range from increasing the role of civil society and the media, developing the private sector, increasing political accountability, improving institutional restraint and improving public administration. In this researcher's view, this report contributes significantly to an understanding of the varied responses that could be undertaken to prevent corruption.

The World Bank report (2000: xiii-xxxi) proposes that different types of corruption should be fought with different strategies; implemented in a specific sequence. For example, when a state experiences a high level of state capture and administrative corruption, a strategy should start with developing a competitive private sector and a strong civil society, rather than with focusing on technocratic reforms, such as improving the auditing capacity in the public service. Technocratic reforms will have little effect unless the former is addressed. Alternatively, when a state experiences a low level of state capture but high levels of administrative corruption, an anti-corruption strategy should start with improving systems of public administration, as a high level of civil society participation might already exist. An anti-corruption strategy should focus on how

to target anti-corruption efforts and sequence reforms in different state and institutional contexts (World Bank, 2000: xxiv-xxxi).

The authors of the World Bank (2000: xxx-xxxi) report propose a number of principles essential for operationalising an anti-corruption strategy including political commitment to fight corruption, country-specific knowledge of the nature of corruption, a proper assessment of the environment within which the strategy should be implemented, finding appropriate entry points in a corrupt system, and designing a win-win situation where the state, private sector and community all benefit.

Central to the authors' view is their assumption that state capture and administrative corruption declines with the existence of strong institutions of public administration and civil society. The historical legacy of African states, similar to many of the transitional states mentioned in the report, inhibits their ability to fight corruption. In a sympathetic exposition, Arnold (2005: 921-939) considers this legacy. African states have been weakened by decolonisation. The hurried withdrawal of the European Empires (France, Britain, Portugal and Belgium) during the early 1960's left a power-vacuum that led to years of fighting to gain control of the prizes left by the departing colonial powers. The granting of independence to African states in such a short space of time meant that public institutions that were left behind were fragile and could provide little guarantee of stability against power-hungry factions. In the case of Nigeria, independence might have come twenty years too early, but Nigerians wanted to rule themselves. The weak government structures and concomitant lack of administrative capabilities of African states contribute to their corruption problems, leading to it being regarded by observers as one of the most corrupt regions in the world.

In their publication, Klitgaard, Maclean-Abaroa and Lindsey Parris (2000: 1-150) describe, with reference to the cities of Hong Kong and La Paz, practical steps to prevent corruption; thus the emphasis is on preventive - rather than punitive - measures. Their book offers anti-corruption strategies and suggestions on implementation within the

context of bureaucratic inertia, political indifference and little public support. The authors caution that these strategies should be adjusted to local circumstances.

According to Klitgaard et al. (2000: 8-29), corruption has recently become an issue of major importance. Although it was believed that democratisation would reduce corruption, the rapid change of the rules of the game has led to a 'free for all' and little enforcement. Administrative reform, through its imperatives of decentralisation and less central control, has increased opportunities for corruption. The end of the Cold War and extensive press freedom had also led to a greater emphasis on corruption.

Anti-Corruption strategies are not always successful due to the absence of a strong and focused lobby against corruption, a too legalistic, or even moralistic approach, and even a lack of total commitment. The establishment of another layer of oversight, increased public funds for investigations, and a new code of conduct without continued political commitment would not lead to a reduction in malfeasance (Klitgaard *et al.*, 2000: 8-29). Corruption prevention with added rules and regulations causes a loss in effectiveness and efficiency, and often produces more opportunities for corruption (Anechiarico & Jacobs, 1995: 143 – 175). What appears to be necessary is a balance between the entrepreneurial and *Weberian* styles of management (cf. section 8.8).

To the authors, a strategy on corruption prevention should not be an end in itself, but rather it should be a vehicle for broader reform such as improved public service delivery and citizen empowerment. The Independent Commission Against Corruption (ICAC) of Hong Kong was hugely successful due to its emphasis on prevention and citizen participation, rather than the 'usual solutions' (Klitgaard *et al.*, 2000: 17-24). The Corruption Prevention Department of the ICAC focused on reforming the policies and procedures of public institutions, as well as areas of excessive or unregulated discretion and poor control systems. In 1975, an ICAC report called its initiatives an entirely new approach in public administration. Not only was corruption reduced but service delivery improved and citizens, through oversight bodies, could influence government.

Probably drawing from the successes of the ICAC, Klitgaard *et al.* identifies key objectives of a strategy against corruption: reduce the monopoly power of an official, limit or clarify official discretion and increase accountability. A simple formula reflects this proposition: $C = M + D - A$. Corruption (C) manifests when the official holds monopoly power (M) and holds a measure of discretion (D), but is limited when there are forms of accountability (A). Two other factors, not included in this formula, also deserve attention: costs and incentives. Anti-corruption strategies cannot be applied indiscriminately; the cost of a preventive measure to curb high levels of corruption is initially quite justifiable – the benefit derived is huge (Klitgaard *et al.*, 2000: 31-36). However, as corruption declines to more acceptable levels, the application of this measure becomes more costly – and the benefit less clear. Furthermore, officials tend to engage in corruption when the rewards are great, and the risks and penalties are low. Conversely, when these incentives are absent, for example when the probability of successful prosecution and receiving a severe penalty is high, corruption will decline. It would thus be appropriate to assume that costs and incentives should be considered alongside the abovementioned formula.

Echoing generic management texts, Klitgaard *et al.* (2000: 24-29) explain how a strategy should be formulated. It should focus on changing policies and systems, rather than focus on corrupt individuals, imposing new laws and regulations, and expressing a need for moral regeneration. It should reflect a five-year plan with phased and realistic goals, and distinguish between various types of corruption as not all forms of corruption are equally harmful.

Klitgaard *et al.* (2000: 24-29) distinguish the economic issues from implementation issues in corruption prevention. Economic issues refer to the costs of corruption (and possibly its benefits), as well as the costs of preventive measures. Economic issues influence the selection of preventive measures for different types of corruption, including its sequence and level of application. Implementation issues refer to creating ownership of officials over policies they implement, the importance of mobilising allies and co-opting enemies, and determining the effect of preventive measures on other policy areas.

The authors acknowledge that implementing reform is complicated by a public service context. Various institutions have to co-operate in fighting corruption, making co-ordination difficult. A starting point for implementing reform could include selecting corruption that is most visible, align reform with favourable forces, end the culture of impunity, make a public commitment to fighting corruption followed directly by other initiatives, change systems, enlist the support of the officials and, especially in developing states where 'western style' bureaucracies seem dysfunctional, enhance the role of civil society, the legislature, courts and political parties.

In another World Bank publication entitled *Silent and Lethal: How Quiet Corruption Undermines Africa's Development Efforts* (2010) the authors point to the manifestation of two types of corruption: big-time corruption and quiet corruption. It is not only the abuse of public office for private gain – the so-called big-time corruption – which has negative consequences. The authors specifically point to the damaging effect that quiet corruption among frontline workers has on Africa's development efforts. To them quiet corruption is perpetrated by public officials such as health workers or educators when, for example, teachers are absent from school, or when nurses do not contribute to the expected level of effort.

2.5.3.3 Evaluation

South African publications on corruption appear to be scant. South African scholars seem to prefer the less confrontational topic of normative public service ethics. Very little, if any, has been published on the phenomenon. International publications, in contrast, are in abundance and articles published over the past 50 years could be reviewed. The publications during the 1960's that were reviewed indicates that scholars of the time reflected on the nature of corruption, especially in developing states and any many cases attempted to rationalise the phenomenon. Scholars during the 1980's and 1990's were more severe on the negative effects of corruption on society. A significant change in perspective is noticeable. This is specifically evident in Werner's (1983) publication on the functionalist and post-functionalist approaches to malfeasance.

The focus of corruption research during the 1980's was empirical studies, a trend identified by Doig and Riley (1998:49). Most recent publications reflect the urgency with which international institutions like the World Bank regards the problem of corruption. A wide array of publications on the most effective means to fight corruption has appeared under the auspices of the World Bank.

2.5.4 Publications on the Study of Ethics

When a study aims to describe corruption and measures to combat it, it seems necessary to reflect on the meaning of 'ethics' and 'morality'. From a review of the literature it appears that scholars assign different meanings to these two concepts. There seems to be no agreement on what the concepts mean. To Lynch and Lynch (2002:347- 369) ethics is a system of principles of what is good and what is bad. Ethics are imposed externally through professional codes of conduct, rules and regulations, whereas morals develop internally in individuals through cognitive development. To Gildenhuis (2004: 14-15) morals are a set of customs that develop within a particular society which ensures the survival of the individual, family, group and society, while ethics is the science of morals in human conduct. In Gildenhuis' view ethics is perceived as an individual thing and is unenforceable. To Hinde (2002: 3) morals refer to how other human beings should be treated while ethics refers to wider concepts such as intellectual integrity. For the purpose of this study ethics is defined as those principles contained in codes of conduct that prescribe acceptable and unacceptable behaviour in society, whereas morality refers to the internal moral development attained by individuals.

With the decline of the politics/ administration dichotomy, it became clear that the values of public officials were just as important as the values of the elected officials. Values became operative from the agenda setting phase to the street level implementation phase (Frederickson, 1997:169). For Frederickson, individuals differ from each other and consequently hold different perspectives of what is good and bad. McGregor's Theory X and Theory Y on the administrative man and measures to manage people, attests to this assumption. Some individuals are more inclined to the 'bottom line' and making a profit,

and thus subject to corrupt opportunities, than with the public interest. For example, a professional public servant would hold the public interest in higher regard than entrepreneurs pursuing their profit motive (Frederickson, 1997: 157-182).

In Frederickson's (1997: 157-182) view there are two branches of ethical decision-making: deontological and teleological. In terms of the deontological tradition, a decision is right or wrong based on certain principles, irrespective of their consequences. Principles could be derived from the constitution, laws and regulations. In terms of the teleological tradition decisions are judged according to their consequences and the attempt to maximise results.

Devetterre (2002: 1-83) in his study of virtue ethics in Ancient Greece identifies various sources of ethical behaviour including customs, culture, and biology. However, some argue that ethics and morality have their origin in more than customs, biology, and culture. Some argue that ethics has its origin in religion and reason. Two areas of conflict in the study of ethics could be identified. One such conflict is between the sources of ethics: religion (predominantly the Middle East) and reason (predominantly the Greeks). Another conflict is between the pursuance of ethical conduct through obligation, and the pursuance of ethical conduct through freedom. In the latter case it is assumed that individuals pursue virtue out of free will.

Devetterre (2002: 1-5) identifies three main schools of thought forming the basis of ethical behaviour: deontology, utilitarianism, and virtue ethics. Immanuel Kant introduced deontology - the study of duty - in which citizens are expected to obey certain maxims or moral precepts. These maxims do not come from God but from our selves. Through pure practical reason maxims are established that indicates what we ought and ought not to do. Two beliefs formed the basis of Kant's belief: immortality and the belief that in a life after death a god will provide happiness to those worthy of it.

John Stuart Mill introduced utilitarianism in 1873 as an alternative school of thought. This approach emphasises that acts should be judged according to its consequences or the

greatest happiness for the greatest number of people. Punishment by a god was not the reason why decisions on actions were taken. To Devetterre (2002: 1-82), virtue ethics presents a third school of thought. Virtue ethics is not about an obligation or duty to pursue moral principles. The motivation for being ethical comes from the deepest human desires. Prudence precedes all moral laws, principles, and rules. To the virtue ethicists, prudence – practical wisdom and reasoning – is the way to make the decisions that will develop a virtuous character. To emphasise the importance of reason Devetterre (2002: 11) quotes Socrates' view that 'the unexamined life is not worth living' (cf. Kolthoff, 2007: 37-39).

Hinde (2002: 3-60) and Hauser and Singer (no date) also reflect on the sources of morality. Although Hinde acknowledges culture as a source of morality, he is of the view that greater significance should be assigned to human nature as a source of morality. All individuals are born with pan-cultural psychological potentials and characteristics which after birth are influenced by their life experiences. The author argues that babies are born with a measure of pro-social behaviour which is interpreted as a desire to co-operate with others in an environment of mutual respect and reciprocity. Critical of the negative views of social scientists of human nature (including public choice theorists) and their selfish and assertive behaviour, he argues that it is equally important to emphasise the human propensity to pursue pro-social behaviour. This to him is a more real view of human behaviour. Hinde views the individual not as a passive recipient of cultural influences, but as a driving force behind cultural change. Cultural influences in his view are likely to play a small part in the later moral development of the individual.

Hauser and Singer (no date) seems to concur with some of the authors above when they evaluate the sources of morality. To them, morality originates from careful reflection on humanity and humans that consider as a life worth living. To them atheists and agnostics are equally capable of moral behaviour even without the intervention of a deity.

Another significant perspective to take note of is the theory on the stages of moral development. Lynch, Lynch and Cruise (2002: 347-369; cf Hinde, 2002: 55-56) discuss

Kohlberg's theory on moral development. In terms of this theory of moral development individuals progress irreversibly from lower to higher levels of moral development to reach moral maturity. Three phases of development exist including the pre-conventional, conventional and post-conventional phase. Kohlberg proposes that all people from all cultures progress to higher stages of moral reasoning. At the pre-conventional phase people tend to be egocentric and are mainly concerned with their own interests. In this phase an individual's moral reasoning is determined by a need to avoid punishment. At the conventional phase, the individual places a greater value on the role of family members and close associates. Moral reasoning is shaped by the majority view and a need to avoid being disliked by others. Individuals tend to conform to authority, doing their duty and maintaining the social order. At the post-conventional phase, individuals attain a sense of moral autonomy in which human life is sacred; therefore the need to avoid violating other's rights (cf. White, 1999: 460-461; cf. section 3.7).

When studying ethics and morality (and by implication unethical conduct and corruption) in diverse societies it is important to consider the phenomenon of cultural relativity. This simply implies that different cultural communities maintain different ethical codes and what could be regarded as ethical in one society is not necessarily ethical in another. It should further be acknowledged that moral codes are labile and their precepts are in a state of continuous change (Hinde, 2002: 30-33).

A consequence of cultural relativity is the difficulty to arrive at a universal understanding of what conduct is right and wrong; ethical and unethical conduct. In societies with a diversity of cultures determining common values could pose a real dilemma (Gildenhuis, 2004: 22). In an attempt to avoid this conflict Kurer's (2005) attempts to provide a different perspective of the public office-, public interest- and market-oriented definitions of corruption provided above. Kurer proposes that corruption and unethical conduct should be judged against norms of impartiality and non-discrimination norms applicable in a specific society (cf. Chabal, 2009).

2.5.4.1 Evaluation

Norms and values on ethical conduct appear not to be a function of culture only. Rather, values and norms are products of our pan-cultural psychological potentials and characteristics that we are born with, our stage of moral development, religion, and our capacity to reason. These insights are often overlooked in academic work on ethical conduct and corruption and should be included in our attempts to understand why citizens have a propensity to engage in malfeasance. Corruption prevention strategies should be informed, not only by simplistic theories of self-maximisation, but also by a different understanding of human nature.

2.5.5 Publications of Public Policy Implementation

This researcher deemed it necessary to include in this survey literature on policy implementation. To determine how the implementation of the PSACS could be enhanced, it seems important to identify those variables that could influence its successful implementation. The PSACS is a policy statement - similar to any other public policy influenced by interest groups, drafted by public officials and sanctioned political representatives. It is therefore subject to the same implementation constraints as other public policies.

Effective policy implementation has not exactly been one of the South African public service success stories (cf. Presidential Review Commission, 1998: Chapter 2; Van der Walt, 2002:185). Policy implementation is the process of translating decisions into action. It requires the drafting of administrative and operational policy to guide the activities of public officials through the application of procedures and manuals. Successful policy implementation requires decisions on how policy should be implemented, who should be involved in its implementation and when it should be undertaken. Implementation cannot occur without the setting of standards, the allocation of resources, building capacity and the application of a monitoring system to evaluate the achievement of objectives. Furthermore, successful implementation requires the

translation of policy by public officials to ensure compliance to the *behest of the statute*; the allocation of sufficient resources; an orchestrated effort amongst various role players; political and legal support; and a conducive socio-economic environment (Doyle, 2002:185-189).

Brynard (2006: 196-203; cf. Doyle, 2002:185-189) views policy implementation as those actions undertaken by public and private individuals that are directed at the achievement of objectives set forth in prior policy decisions. Differently stated, policy implementation is the conversion of physical and financial resources into concrete service delivery outputs in the form of goods and services, or other outputs designed to achieve policy objectives.

Research into public policy implementation can be divided into three generations. The first generation of research assumed that implementation would automatically happen once the appropriate policies have been proclaimed. This classical approach viewed policy implementation as rational, scientific, predictable and machine like. In such a system a small group of decision-makers at the top create policy and subordinates at the bottom dutifully carry it out. The second generation of research into public policy implementation views it less as an efficient and orderly machine and more as a process of muddling through. During this phase scholars set out to point to the complexity of public policy implementation through detailed case studies. The need to establish a common theory of policy implementation seems to be the main focus of the third generation of research. Although scholars disagree on the most suitable means for implementing public policy, this phase has substantially improved our understanding of the clusters of variables that influence policy implementation (Brynard, 2006:184-186).

The complicated nature of policy implementation is further depicted when Brynard (2006: 186-191) considers the work of various scholars in the third generation. He differentiates between two general categories of approaches, one with a predominantly top-down perspective and the other predominantly bottom-up. In terms of the top-down literature, scholars identified policy objectives, characteristics of the implementing

agency i.e. its structure, leadership and capacity; environmental factors; policy resources and communication as significant variables. The bottom-up literature questions the importance of central policymakers and declares that policy is effectively made by those who implement it.

Successful policy implementation and the achievement of policy objectives could be thwarted by a number of variables. Brynard suggests adequate commitment amongst personnel, appropriate policy content, implementation context, the support of clients and coalitions, and capacity in the form of adequate tangible and intangible resources as a *sine qua non* for effective policy implementation – the so called '5-C Protocol'. Alternative service delivery mechanisms such as partnerships, privatisation and outsourcing could contribute by increasing the capacity of the public service (cf. Warwick, 1982; Brynard, 2005: 649-664; Brynard, 2006:194-203).

The work of Warwick (1982) and Matland (1995) seems particularly useful in this regard. Warwick's (1982: 125-167) studies reflected similar concerns to that of Brynard. He studied the implementation of population policies in a number of developing countries. These policies were largely ineffective due to the technocratic and top-down manner of policy formulation and implementation. For effective public policy implementation, a number of considerations should apply *inter alia* public policy should be based upon a sound theory; public participation should reflect local interests; the importance of local political commitment; the cultural and bureaucratic context of implementation; the commitment and capacity of implementers; the influence of opinion leaders; and the acceptance of clients.

The publication by Warwick reflects the multi-dimensional nature of policy implementation. His work on policy implementation in eight developing states describes a 'transactional model of policy implementation' – implementation which involves a transaction. This model implies that the implementer (the public official) must continually deal with tasks, environments, clients and each other. The key to success is continual coping with contexts, personalities, alliances and events. Crucial to success is

the willingness to acknowledge mistakes, correct them, shift directions, and learn from doing. In this model there is a constant dealing with implementers, environments and a negotiation with parties with conflicting and diverging interests (Warwick, 1982: 179-190).

This model is based on the following assumptions including the fact that policy - although significant - does not determine the exact course of implementation; formal organisational structures are significant but not deterministic of policy outcomes; environmental factors influence policy implementation; the process of policy design and formulation is as important as the product; implementer discretion in implementation is universal and inevitable; clients influence the outcomes of implementation; and the implementation process is inherently dynamic (Warwick, 1982: 181-184).

Policy failure or success could depend greatly on the ability of policy designers to pre-conceptualise the implementation process. In Matland's (1995: 145) view, the policy implementation process is mainly determined by a policy's level of ambiguity and conflict. For example, when policy goals are ambiguous and conflict is low, policy implementation would likely follow a bottom-up approach. Local level actors greatly determine policy goals and means; leading to varying policy outcomes of the same national policy. Conversely, when policy goals clear and conflict is low a top-down approach is most likely. Centrally located actors are most important with orders flowing from the top to below, each actor knowing exactly what his or her responsibilities and tasks are. With specific objectives - and thus a low level of ambiguity - central actors are able to monitor compliance.

Hood's (1976: 3-16) analysis of implementation problems that prevents the achievement of policy objectives seems also worth noting. He refers to *inter alia* the existence of a 'perfect administration' without which objectives could not be met. A perfect administration carries the conditions of a single line of authority, a uniform system of rules and norms, perfect obedience by employees, clear and accurate communication, and adequate time. The absence of these conditions would serve to circumvent the

achievement of policy objectives. Hood furthermore notes the inhibiting effect of external limits and political limits such as changing consumer demands, lack of political will and shortages of material resources.

The work of Hill and Hupe (2009: 1-56) on *Implementing Public Policy* is also applicable to this study. In the context of public policy implementation, they discuss the sources of authority, including charismatic and traditional authority, as well as Max Weber's rational-legal authority in the context of the rule of law and democracy. After all, when public officials make themselves guilty of unethical conduct, they often act beyond their official discretionary authority and consequently infringe on the rights of citizens by inhibiting effective public service delivery. The authors emphasise the relevant concepts of implementation theory, including organisational theory, the informal versus the formal organisation, delegated decision-making authority, administrative discretionary, and top-down versus bottom-up policy implementation.

2.5.5.1 The significance of Ethical Culture in Public Policy Implementation

Hill and Hupe (2009: 18 -38) make a distinction between the formal *Weberian* type of implementation – generally viewed as top-down implementation - and the importance of informal patterns of relationships which were the focus of social scientists in the 1930's and 1940's. In addition to Max Weber's bureaucracy, administrative theorists began to appreciate the importance of the more informal aspects of organisational life. Aspects such as organisational values, relationships, and standard operating procedures could significantly influence the outputs and outcomes of policy implementation (cf. Robbins, 1990: 7-8).

Okumus (2003: 871-882) refers to eleven factors which could be grouped together within four inclusive factors which are significant in policy implementation. These factors are strategic content; strategic context; operational process; and outcomes. Within the factor of strategic context, Okumus refers to the significance of variables such as organisational structure, culture and leadership as part of the internal environment. To Okumus (2003:

876) organisational culture is a shared understanding by employees of how they do things within the institution. In Okumus' view organisational culture could have – similar to the variables of communication, control, and organisational structure - a significant influence on the implementation of public policy.

Culture appears to be a significant variable in the implementation of public policy. This variable is also significant in the implementation of ethics policies. Trevino, Butterfield and McCabe (1998:447-476) state that ethical culture influences behaviour directly and can be observed in an institution's formal and informal control systems, including its rules, reward system, and norms. In this respect, Kaptein (2008) developed a measure for the ethical culture of private sector organisations that proved useful for this study. He identified eight virtues of ethical culture namely transparency, discussability, feasibility, supportability, congruence of values of supervisors, congruence of values of management, clarity and sanctions. These virtues are in many ways similar to Brynard's conceptual framework of commitment, content, context, capacity, communication, and clients and coalitions as a *sine qua non* for effective policy implementation. Kaptein's virtues are possibly a more refined measure for the purposes of this study; it focuses explicitly on measuring the ethical culture within institutions. The variable of ethical culture will be discussed later in this dissertation (cf. section 5.5.1).

2.6 Conclusion

For purposes of clarity, this literature survey was divided into a number of sections. The first section sought to describe the current syllabi of the academic discipline Public Administration. The syllabi of three universities were selected to identify whether corruption was given prominence in the subject. It was found that public service ethics was represented in the syllabi of all three universities at an undergraduate level. However, the subject matter received little attention on the postgraduate level.

A survey of the research record constituted the second section of this chapter. A number of projects were identified and discussed. The absence of completed work on the

implementation of the provisions of the PSACS pointed to the necessity and usefulness of this research project.

The third section of this chapter evaluated the publications on public service ethics in the literature on Public Administration. It was established that a significant number of publications on ethics appear in the South African literature of Public Administration. Internationally, a number of books and journal articles were perused that covered corruption and its prevention. This indicates that corruption features as a significant focus of study in international Public Administration.

This researcher decided to include a separate section for the literature on corruption as it appears to be studied from various disciplinary perspectives. Very few local scholarly articles on corruption were found, whereas at an international level, corruption has drawn the attention of many academics and researchers. The section on corruption and its definition – the work of Robert Williams – provides an interesting account of the differences in the interpretation of corruption at different times and in different contexts. The paucity of research work on corruption in South Africa served to indicate that this study is indeed warranted.

In the fifth section of this chapter the meaning of ethics and morality; the various schools of thought that form the basis of ethical behaviour; Kohlberg's stages of moral development; as well as the phenomenon of cultural relativity are considered. Implicit in the differences between deontology and utilitarianism is the fact that the decisions of public officials are judged either in terms of explicit standards, or in terms of their consequences. Kohlberg's stages of moral development, in turn, serve to indicate that individuals in a society are found at different levels of moral development.

The final section focused on the literature of public policy implementation. This section was deemed necessary as the research topic is concerned with policy implementation. This researcher expects the many variables that influence policy implementation to partly

explain the inability of the present government – as pointed out by Balia (2005: 119-158)
- to implement policy.

CHAPTER 3

A REVIEW OF THE CONCEPT OF PUBLIC SERVICE CORRUPTION AND ITS CONCEPTUAL REMEDIES

3.1 Introduction

Corruption is a covert activity and manifests in many variations. Corruption prevention measures should be designed with an understanding of the level and type of malfeasance (cf. World Bank, 2000: xiv-xxxi). This chapter sets out to describe public service corruption and explain the functionality of corruption, i.e. why citizens and public officials would engage in such acts knowing that it is unethical and in most states a criminal offence.

Furthermore, public services have been subjected to a number of pressures during the past two decades (cf. section 2.3). These pressures have initiated an international public management reform process which has changed significantly the way public services operate (Pollitt & Bouckaert, 2004). Corruption and its prevention have not been left untouched by these international developments. Therefore, an explanation of public management reform and its effect on corruption and its prevention seems quite appropriate at this point in the study.

The chapter ends with a review of the latest corruption prevention measures that have been documented by different authors over the past few years. The work of international scholars such as Rose-Ackerman (1999), Pope (2000), Stapenhurst and Langseth (1997), and Klitgaard (1991; 2000) will receive significant attention in this chapter. Local scholars have also made prominent contributions. In this regard, the work of Clapper (1999; 1999), Baai (1999) and Mafunisa (2006) is significant.

3.2 Explaining Public Service Corruption

To Rose-Ackerman (1999: 2-9) all modern states have the responsibility to distribute benefits among and impose costs on their citizens. But it is particularly public officials, with discretionary powers, who make and implement public policies to distribute these costs and benefits on behalf of the state. Corruption is a means by which the private sector illegally gains favourable treatment from the state by avoiding costs or obtaining a benefit. The existence of corruption in a state is an indication that the management of its public institutions are weak. In Rose-Ackerman's view, corruption is caused when self-interest that motivates all individuals – irrespective of their nationality – is not channelled into productive purposes. Rather, public officials engage in unlawful activities to gain an unjust and excessive personal benefit. (Rose-Ackerman, 1999: 2-9.)

Stapenhurts and Langseth (1997: 313-322) isolate four elements that must be present when corruption takes place: a public official, discretionary power, a misuse of that power by the public official and a benefit resulting to that official. It is this discretionary element in decision-making that contains the potential for abuse. For example, a building inspector requires a measure of discretionary authority when determining whether a building complies with city council requirements. It is worth noting that not all public officials have the same amount of discretionary authority: compare the work of a nurse looking after patients to that of a customs official determining the value of imported goods and thus the import tax payable. This view is echoed by Klitgaard *et al.*, (2000: 24-29) when the authors refer to the metaphorical formula:

Corruption (C) = Monopoly power (M) + Discretion (D) – Accountability (A)

When individuals, whether in the public or private sector, have monopoly power over the provision of goods and services and discretion over whether a citizen receives such goods and services, or how much that citizen will receive, and there is no accountability whereby others can observe their conduct, one will tend to find corruption.

Eliminating discretionary decisions altogether would be impossible and impractical. To Stapenhurst and Langseth (1997:322), the answer to malfeasance lies in narrowly defining discretion and providing clear guidelines for decision-making. Another answer lies in reducing the monopoly power of officials through providing rival sources of supply – the tenets of the competitive bureaucracy which will be discussed later.

A closer look at the origin of the discretionary authority of public officials might prove useful. Smit and Naude (1997:3-19) distinguish between original and subordinate legislation. Whereas the legislative authority is mandated by the constitution to promulgate original legislation, one often finds that a minister is authorised by a statute to make subordinate legislation, such as regulations, on detailed matters. In practice, it is unusual for a minister to exercise all the powers, functions and duties in a state department. Ministers end up delegating responsibility and authority – if the enabling act specifically authorises it - to public officials, in order to spread the workload. It is this measure of administrative discretion that creates opportunities for malfeasance among public officials (cf. Rose-Ackerman, 1999:146; Gildenhuis, 2004: 22; Botes, 1997: 265-403; Hill & Hupe, 2009: 1-42).

For example, whereas the *South African Schools Act, 1996* (Act 84 of 1996) would make the state liable to fund public schools, the *National Norms and Standards for School Funding* – as drafted by departmental officials - would specify how such funding will be implemented. Department of Education officials thus maintain a considerable amount of discretion in terms of allocating public funds to schools.

3.3 A Typology of Corruption

The phenomenon of corruption manifests in two broad categories: political corruption and administrative corruption. The focus of a study on political corruption aims to describe corruption by political representatives and includes political patronage or nepotism, and election fraud. A study on administrative corruption focuses on corruption perpetrated by public officials. (Gildenhuis, 2004: 81-99.)

Administrative corruption, in particular, could manifest in criminal or non-criminal forms of corruption. Criminal corruption generally has the attributes of behaviour that the *Prevention and Combating of Corruption Act, 2004* (Act 12 of 2004) seeks to criminalise. Examples of such illegal behaviour include *inter alia* bribery, extortion, kickbacks and fraud. A crucial ingredient of such behaviour is the intent to misuse public office for private gain (cf. Ruhiiga, 2009: 1090-1100). Non-criminal corruption is not addressed by Act 12 of 2004 and include a broader type of unethical conduct which includes acting beyond delegated authority, failure to abide by procedural processes, negligence, failing to take relevant factors into account when making a decision, delaying reaching decisions, making private telephone calls using the official telephone, using government vehicles, and loafing on the job (Gildenhuis, 2004: 81-99; Kolthoff, 2007: 37-42; DPSA, 2002: 7-9; Tearfund, 2009: 1-29).

An alternative typology is that of Klitgaard (1991: 19-21), who distinguishes between internal and external corruption. Internal corruption occurs within the institution and takes the form of falsifying of records or delaying internal investigations. External corruption takes the form of bribes with the purpose of obtaining illicit goods or services. A World Bank (2000: xv-xix) study differentiates between 'state capture' and 'administrative corruption'. State capture refers to the influence of the formulation of laws, regulations, and decrees with the objective of favouring a specific group of individuals. Administrative corruption refers to the distortion of the implementation of laws and regulations to favour a state or non-state actor. Doig and Theobald (2000: 1-12) distinguishes between grand and petty corruption. Grand corruption involves high level officials who extract large bribes for personal gain, while petty corruption involves low level officials who extract small amounts for personal gain.

3.4 The *Functionality* of Corruption

Corruption is perpetrated by either greedy public officials or recipients of public services who want to maximise their selfish interests, or needy officials unable to maintain a decent standard of living. When such human greed is combined with contextual factors

including a poorly organised and remunerated public service, a cumbersome bureaucracy, a concentration of political power, and government monopolies, a fertile ground for the development of malfeasance is created (Gildenhuis, 2004: 82-83). Further contextual factors include a lack of leadership commitment; positions with decision-making discretion in the absence of proper control measures; unpleasant working conditions; job pressure; poor internal communication; undue secrecy in the institution; and low morale (Centre for Business and Professional Ethics (CBPE) and South African Management Development Institute (SAMDI), 2006: 73-84).

As an economist, Rose-Ackerman assumes that an individual would want to maximise his or her personal benefit in any given situation (cf. Lynch & Lynch, 2003:371). Corruption – in the form of paying a bribe, or the act of extortion – serves a number of purposes. Under normal circumstances, public officials allocate scarce benefits to citizens using promulgated (either by the legislature or by the executive) policy guidelines. Sometimes these benefits are limited in supply such as when low cost houses are allocated to qualifying poor families. In a developing country like South Africa, the demand for such houses far exceeds the supply. In other instances the benefits are allocated using a number of pre-determined criteria, and are not necessarily limited in supply, for example, the granting of drivers' licences or enlisting old age citizens for welfare grants, or even determining when a 'Grade D' prisoner may be upgraded to a 'Grade C' prisoner and qualify for greater privileges (cf. Kibwana, Wanjala & Owiti, 1996:36-81). Corruption could also serve positive purposes (cf. section 2.5.3.2). In this respect, Klitgaard (1991: 30-36) proposes that corruption could serve the purpose of introducing competition in a monopoly; be used as an instrument to integrate diverse elements of a society; and circumvent cumbersome bureaucratic red tape.

The paying of bribes, amongst other forms of corruption, could serve many purposes. Firstly, bribes could serve the purpose to circumvent specific policy requirements. For example, old age grants might only be payable to elderly citizens with no alternative form of revenue and no capital assets. Knowing that she would under normal circumstances not qualify for such a benefit, a citizen could bribe an official to 'qualify' for it.

Essentially, bribes undermine the goals of a programme since benefits will be awarded not to the needy or the best qualified, but rather to those with the highest willingness to pay. Even those who qualify may be forced to pay when officials with discretionary power decide to create scarcity by delaying approvals or withholding them (Gildenhuis, 2004:85-86; Rose-Ackerman, 1999:10-15).

Secondly, bribes could serve as an incentive payment. Public officials are often not well paid, nor properly supervised, and may even go so far as to impose additional delays in the bureaucratic process. Paying a bribe would thus serve as an incentive to public officials to work productively and more efficiently (Rose-Ackerman, 1999: 15-17; cf. Gildenhuis, 2004: 86-87; Klitgaard, 1991: 32-33). Wealthy citizens could make payments to expedite service delivery, whereas the honest and the poor would be marginalised.

Thirdly, while governments impose costs in the form of taxes, regulations and customs duties, bribes could serve the purpose of lowering such costs to the individual citizen or business. Companies may pay to receive a favourable interpretation of regulations, or even to reduce the imposed costs of such regulations. Public officials may bend or even ignore rules and regulations to enrich themselves. Payoffs may occur during the issuing of business licences, the inspection of construction and building sites; or the regulation of environmental hazards and work place safety.

Businesses and individuals may collude with tax collectors and customs agents to avoid paying taxes and customs duties. Public officials may reduce or eliminate tax liability on property for citizens; customs officials may overestimate the value of goods to extract payoffs or even under-value imports and earn a share of the resulting benefits. Tax payers and corrupt officials then divide the savings in taxes and duties. (Rose-Ackerman, 1999:18-21.)

Finally, bribes permit illegal activity. Businesses operating illegally frequently attempt to gain protection from the police, politicians and judges by paying them off. Law

enforcement authorities (police, judges and prosecutors) might demand payments to overlook violations of criminal law or even limit penalties. These criminal groups not only ensure immunity from prosecution through payoffs, but could also demand monopoly power in the illegal market, for example by paying public officials to intimidate its competitors (Rose-Ackerman, 1999:23-25; cf. Gildenhuis, 2004: 84-92).

3.5 Public Management Reform

The manifestation of corruption and measures to prevent it from occurring in the first place have been influenced significantly by the broader context of change in public administration (Doig & Riley, 2000: 58-59). These changes have opened up new opportunities for corruption, especially in developing states where liberal democratic institutions, a free press, citizen rights and market forces are generally absent (Shamsul Haque, 2001:72; Von Maravic, 2007:443-457).

Consequently, views on the most suitable measures to prevent corruption have also changed. In this context Sangweni and Balia (1999:ix-x) noted how the bureaucracy with its strict guidelines and the enforcement of close supervision have become obsolete in terms of corruption prevention, and suggested instead the promotion of a culture of ethics.

It is therefore important for the purpose of this study to provide a brief exposition of these developments in international public administration. Public management reform can be explained in terms of two broadly defined categories: firstly, a focus on 'managerialism' and the induction of private sector techniques and tools in traditional public administration, and secondly, the introduction of the neologism 'governance' with its focus on the state's role of steering or guiding service delivery. Pollitt and Bouckaert's (2004: 16) definition of public management reform is significant for this study. They define it as "*the deliberate changes to the structures and processes of public sector organizations with the objective of getting them (in some sense) to perform better*".

During the 1980's and 1990's the public services of many states have been subjected to a number of pressures. Demands were made on the public administration to make *savings* in public expenditure, obtain greater *efficiency and effectiveness* and improve the *quality* of public services. One way in which public services could respond to these demands was to undertake public management reform. Efforts to 'modernise', 'streamline' or 'reform' the public service soon became widely popular. Undertaking public management reform, it was expected, would also lead to greater accountability to the legislature and society, greater political control over the bureaucracy, and greater freedom for public managers to manage. (Pollitt & Bouckaert, 2004: 6-23.) (cf. Doyle, 2002: 15, 22; Guy Peters, 2000: 35-47).

In terms of this reform, often referred to as the New Public Management (NPM), public management has widely been regarded as an improvement on the outdated public administration (Pollitt & Bouckaert, 2004: 8-18). Reform ideas emanating from management writers, academia, consultants – in particular microeconomic ideas, and management and organisation thinking – have greatly infused the modernisation process. International institutions such as the Public Management Service (PUMA) of the Organisation for Economic Co-operation and Development (OECD), the World Bank, and the European Commission were instrumental in exporting these ideas to various countries (Pollitt & Bouckaert, 2004:1-30; cf. Frederickson, 2004: 1-34).

After studying public management reform in a number of OECD countries, Pollitt and Bouckaert (2004:1-5) provided a useful taxonomy of changes to public administration. Public management reform initiatives frequently constitute linking budgeting practices with results; following different accounting and auditing practices; diluting the historic traditions of the public service, namely a tenured career, promotion based upon qualifications and seniority, and unified public employment terms and conditions; creating public organisations that are flat in hierarchy, flexible, decentralised, specialised and small; and a greater prominence for performance measurement.

The public service is subjected to businesslike transformation with market driven reforms requiring government departments to be run according to business principles. States have to undertake reforms aimed at reducing public sector inefficiency, minimising the budget deficit, streamlining public expenditure, improving service quality and increasing client satisfaction (Shamsul Haque, 2001:65).

For Van der Waldt (2004: 231-133) improved service delivery could only be brought about by the delegation of more authority, more freedom to manage resources and more accountability for results. In the authors' views this will require rule books to be torn up, unnecessary regulations to be scrapped and bureaucratic approval processes to be cut back. To Doyle (2002: 20-23) NPM focuses on results, rather than the number of staff used, tasks completed, or money absorbed. This reform promotes indirect control rather than direct authority; markets and contracting; performance management; and delegation of authority by delegating control over resources to lower levels. It involves incentives and value commitments; and performance indicators and objectives for individual officials (cf. Kolthoff, 2007: 9-36).

The neologism of governance is a much more recent development – notably the late 1990's. For Frederickson (2004) governance refers to the management of the extended state, one in which government 'steers from a distance'. The theory of governance refers to three parts, i.e. patterns of inter-jurisdictional or inter-organisational cooperation; exporting functions of the state by contract to third parties such as non-profit-, for-profit- or sub-governmental institutions; and the activities of non-governmental institutions. In the governance approach it is not so much institutional boundaries that matter, but rather the boundaries between the larger systems of the market economy, civil society and the state. Governance is concerned with how the ensemble manages 'to dance together' (Pollitt & Bouckaert, 2004:11; cf. Cloete, 1999:318).

Corruption prevention is no longer the sole responsibility of public services, rather it is the responsibility of a network of role players. As Pollitt and Bouckaert (2004:36)

acknowledges in their study, the unit of analysis for the researcher should be not only a single state department, but rather a network of civil society, business and the state.

3.6 Corruption Prevention Measures and Public Management Reform

In Doig and Riley's view (1998:46-47) (cf. United Nations Office on Drugs and Crime, 2004: 120-126), discussions in the 1990's of the character of corruption - as well as means to prevent it – took place in the context of international policy imperatives of political and administrative reform. This new context implied *inter alia* political and economic liberalisation leading to a state reduced in size, liberal and pluralist politics, competitive party politics, a freer press and the revival or creation of independent institutions. It was believed that – within this context - corruption would ultimately be reduced (cf. section 2.5.3.2).

On the contrary, this new context provided an incentive for increased corruption. Pressure imposed by the IMF and World Bank on governments to reduce their wage bill in return for aid assistance, has had adverse effects. According to Rose-Ackerman's (1999:41,87) this reform initiative caused governments, being unable to reduce the size of the public service, to reduce their public sector wages, thus creating an incentive for public servants to engage in corruption. Furthermore, a smaller state implies less goods and services creating scarcity in supply consequently increasing the incentive for malfeasance. The United Nations Office on Drugs and Crime (2004: 275-276) supports Rose-Ackerman's assertion. Corruption prevention measures should be introduced within, simultaneous with and as part of the broader public service reform effort otherwise reform efforts would simply produce more opportunities for corruption.

Public management reform, in particular, has not satisfied the popular expectation of a more efficient and effective public service. Rather, administrative reform reflects a number of intrinsic limitations and constraints (Pollitt & Bouckaert, 2004:159-162). Such reform may fail to produce its intended objective, or even leave the public service worse off than originally found. As Pollitt and Bouckaert (2004:6-7) remarks, such reform

measures are often subjected to contradictions, dilemmas and paradoxes, and thus require a trade-off: an increase in efficiency of a public service might be achieved with a loss in accountability. Thus, delegating decision-making authority to public managers to enhance efficiency could lead to a loss of accountability to political representatives and society.

According to Frederickson (1997:157-182) as government is moving in the direction of privatisation, concern for government ethics is increasing. When procedural controls in the public service are taken away to make it more business-like, there is an increase in corruption (cf. Lawton & Doig, 2006: 11-33). Management reform has resulted in the substitution of traditional governmental processes and controls by private sector processes and practices. Budgetary processes and controls have given way to flexible private sector procurement practices; the appointment of personnel on a merit basis, their remuneration and promotions systems are replaced by flexible employment practices based on management preferences; the governmental traditions of checks and balances make way for boards of directors sometimes only marginally associated with the business itself; and legislative and judicial oversight is replaced by less government oversight and minimal press attention as enterprises are not scrutinised to the same extent as public institutions. Management reform has increased the propensity for corruption and unethical behaviour.

Furthermore, when the public service is staffed by individuals who are more inclined to maintain the economy or promote the bottom line, rather than by individuals with an interest in the common good or the public interest, the propensity for corruption increases. The movement to privatise traditional governmental functions, or make use of contracted out services, has led to widespread corruption and the absence of ethics (Frederickson, 1997: 180).

Three features of administrative reform are worth reflecting on: its emphasis on the decentralisation of authority; its move away from tenured staff to contract staff; and its shift from controlling inputs to outputs and outcomes (Pollitt & Bouckaert, 2004: 77-79,

87-89, 145-150,173-174; cf. Von Maravic, 2007). 'Freeing managers to manage' creates opportunities for corruption. Greater management autonomy for public servants leads to excessive discretion, and creates opportunities for fraud and corruption as officials are freed from traditional budgetary control measures. (Shamsul Haque, 2001:72; Douglas & Jones, 1996: 123,126.)

Furthermore, controlling outputs and outcomes – rather than inputs - seems quite the opposite from what is generally expected of corruption prevention measures. Elliot (1999:53-54) also notes in the 'Heath Report' the salience of a robust internal control structure to prevent corruption. When internal control measures are lax, opportunities for corruption are created (Centre for Business and Professional Ethics (CBPE) & South African Management Development Institute (SAMDI), 2006: 104-144). Klitgaard, Maclean-Abaroa and Lindsey Parris (2000:24-29) remark that successful corruption prevention requires public official discretion to be limited and clarified, monopoly power to be reduced and transparency to be increased (cf. Klitgaard, 1991: 87-89). In addition to reducing official discretion, the United Nations Office on Drugs and Crime (2004:241-242) proposes reducing procedural complexity as a method to prevent corruption.

The study by Von Maravic (2007:443-457) illustrates the negative effects of public management reform on corruption prevention. Public management reform has not only lead to the empowerment of managers with less hierarchical control and supervision, but also to greater exposure to conflicts of interest and an increase in incentives and opportunities for corruption. Commenting on NPM trends at local authorities in Germany, the decentralisation of authority to public enterprises has not been accompanied by the necessary strengthening of control and audit capacity. Municipal auditors have criticised the higher decision-making discretion for managers propagated by public management reform, without the required increase in control and audit functions. However, managers have defended this new freedom stating that too much management supervision constrains their management flexibility.

The appointment of mandarin on contract, another key element of 'managerialism', could also have adverse effects on corruption prevention. New trends to employ senior staff on contract inhibits the neutrality of the public service as officials are not at liberty to provide 'frank and fearless' advise to ministers, fearing that they might be dismissed for insubordination. Additionally, having senior civil servants on contract allows the minister to impose a network of patronage – possibly appointing new staff with allegiance and loyalty to the governing party, forsaking the experience and expertise built up over the years by serving officials (Pope, 2000:105-113).

Not all scholars agree with the thesis that NPM trends *per se* lead to integrity violations. According to Kolthoff (2007: 49-68) little empirical research has been done on the effect of NPM on government integrity. This motivated Kolthoff to study the effect of NPM on ethical behaviour in the Dutch public service. In Kolthoff's (2007: 62) view it is not NPM that leads to integrity violations, rather it is the careless implementation of NPM. The poor implementation of management reforms is particularly a problem in developing states (Hughes, 2003: 218-235). This researcher has also argued elsewhere that it is the poor implementation of management reform in developing states that could lead to greater opportunities for corruption (Webb, 2010: 669-684).

Conversely, reverting back to the traditional controls in the Weberian bureaucracy would not necessarily solve the problem of malfeasance. Reducing the discretion of officials will not necessarily reduce opportunities for corruption. Rather, it could even create other opportunities for corruption and also reduce efficiency and effectiveness of the public administration (Anechiarico & Jacobs, 1995: 143-175). Although anti-corruption measures/ethics controls such as conflict of interest and whistle-blowing policies have brought about a reduction in corruption, they have simultaneously lead to a reduction in administrative discretion; increased democratic controls; the inhibition of workflow, creativity and responsiveness; and the reduction of the effectiveness of public administration. Procedural controls introduced to reduce corruption have caused government to become slow, non-risk taking, bureaucratic and unresponsive (Frederickson, 1997: 169-174).

It seems imperative that corruption prevention measures need to be intrinsically linked to the practices and culture of the public service. In terms of the 'traditional public administration', corruption prevention measures would most probably be applied within the context of a top-down bureaucratic system, whereas in terms of the current mode of reform, these measures would take on a significantly different character. Thus, a move away from controlling inputs and compliance with regulations towards a greater emphasis on evaluating output, performance efficiency and effectiveness inevitably changes the way we look at corruption and its prevention. In such cases, a greater reliance on internal and external audit institutions seems probable.

It could be argued that public management reform has introduced positive mechanisms for corruption prevention. Kolthoff's (2007: 109: 117) research findings suggest that performance measurement as part of NPM could have a positive effect on integrity violations. The introduction of performance measurement as a method to assess the performance of senior public officials enables the state to reward ethical conduct and punish unethical conduct - thus the establishment of a system of incentives and penalties (cf. section 3.7.4).

It is because of these inconsistencies with public management reform that Stapenhurst and Langseth (1997:311) advocates a holistic approach to public sector reform: one in which reform is combined with efforts to establish a national integrity system to prevent and reduce opportunities for corruption. Corruption impedes service delivery thus thwarts the purpose of reform – the efficient and effective delivery of public services (cf. United Nations Office on Drugs and Crime, 2004:120-132).

3.7 Public Service Corruption Prevention Measures

Different authors propagate different approaches to preventing corruption. Stapenhurst and Langseth (1997:311-313) argue for the promotion of an integrity system in combating corruption. Such an integrity system embodies a comprehensive view of reform, addressing corruption in the public sector through government processes

including such matters as leadership codes and organisational change, and through civil society participation which refers to the democratic process, the media and the private sector. A National Integrity System is promoted through the utilisation of a number of interdependent pillars including public sector anti-corruption strategies; watchdog agencies; public participation; public awareness; accountability of the judicial process; the media; the private sector and international business; and international co-operation (cf. Langseth, Stapenhurst & Pope, 1997; Pope, 2000; Webb, 2005; World Bank, 2000).

Arguing for what seems to be a more focused intervention, Rose-Ackerman (1999:5-6; cf. World Bank, 2000: xxiii-xxiv) underscores the inadequacies of the creation of integrity systems in preventing corruption. Rather, the primary objective of government should be to change the way it does business by increasing the costs and reducing the incentives of engaging in malfeasance. Even if systems of *ex post* control are tightened through enhanced enforcement and monitoring, the incentives for pay-offs would remain, thus creating new pockets of corruption.

Klitgaard et al. (2000:27) supports this assertion when they point to the inadequacy of emphasising ethics and the promotion of a new set of attitudes in preventing corruption. Rather, a cold-blooded look at monopoly power, discretion and accountability is required. In an earlier publication Klitgaard (1991: 74-93) appeared less critical of the softer approach to prevent corruption. He differentiated equally between five groups of corruption prevention methods *id est* recruitment and appointment; changing rewards and penalties; gathering information; restructuring the principal-agent-client relationship; and changing attitudes.

Lynch and Lynch (2003:373-374), however, proposes a different approach to preventing corruption. To them 'codes of ethics and the use of a conformist, legalistic approach to ethics may be useful, but they clearly do not eliminate corruption. If people are clever and sufficiently motivated by personal gain, they can always find a way to reinterpret the rules to their advantage or simply to ignore the rules with impunity'. A better tool for

confronting corruption could be for society to develop virtuous people and select them as public officials.

In this context, Lynch, Lynch and Cruise (2002: 347-369) proposes that the individual should develop internal controls that will guide their actions and behaviour; rather than being externally imposed. This remedy should be interpreted in the context of Kohlberg's theory on moral development (cf. section 2.5.4).

Early twentieth century governments attempted to reduce corruption by imposing procedures on government business and appointing 'better types' of people. The contemporary ethics movement emphasises structures and programmes – whistle blowing, ethics education, ethics officers, conflict of interest disclosure forms, and professional codes of ethics. The implementation of ethics enforcement is ubiquitous. (Frederickson, 1997:158.)

Reforming systems and procedures in the public service to prevent corruption from occurring in the first place, rather than detect and punish wrongdoers after the incident, seems to be the accepted approach to many writers (Stapenhurst & Langseth, 1997:320; Rose-Ackerman, 1999:5-6). This belief seems to be shared by the South African Office of the Public Service Commission (2003: 56) when it reported that the prevention of corruption should be the emphasis, rather than reacting once evidence of corruption is available.

Quoting Stapenhurst and Langseth (1997:320), 'minimising corruption within the public service falls on the *public service* itself', sets the tone for the remainder of this chapter. Thus, in the following paragraphs, those reform options that affect change *within* the public service will be discussed – purposefully omitting the crucial 'integrity pillars' of an active civil society, independent courts of law and a legislature with oversight functions.

3.7.1 Enhancing a Professional Public Service

Making the public service more professional could reduce the incidence of corruption. A professional public service is characterised by *inter alia* the advancement of the merit principle in appointing and promoting staff, and its neutral political conduct (Pope, 2000:105-113; World Bank, 2000: 52-56). The elements of tenure and merit in Max Weber's bureaucracy appear to be central in endeavours to promote a professional public service (Robbins, 1990:310). However, according to Klitgaard (1991: 74) it should not be assumed that individuals with the greatest abilities are also the most virtuous. Klitgaard suggests that the attributes of honesty and integrity are as important as merit in the appointment of public officials.

In Pope's (2000:105-113) professional public service, officials often have a wealth of experience in policy making and implementation which could be used to advise ministers and avoid costly mistakes. With the security of tenure, officials are in a position to provide neutral advice irrespective of the minister's political allegiance. However, with a move towards contract based employment and consequent the lack of job security, public officials are less likely to act in political neutral way.

3.7.2 Improved Remuneration

The literature indicates that poor remuneration acts as an incentive for corruption (Stapenhurst & Langseth, 1997:320-321; Rose-Ackerman, 1999:72; Clapper, 1999:387-388; Mafunisa, 2002: 192-214; Van der Merwe, 2006: 32-46; World Bank, 2000: 53). At the lower levels of the hierarchy, public officials are often required to accept bribes to supplement their salaries. Poor remuneration may also lead to a situation where better qualified candidates, at the higher end of the hierarchy, are attracted to the private sector. In the end, the public service is staffed with less qualified and unproductive employees. Remuneration reform in itself might not lead to reduced corruption. Reformers should propose a comprehensive reform initiative in which public programmes are redesigned to reduce the incentives and increase the costs of corruption.

Mindful of the limitations that may be imposed on efforts to increase public service remuneration, Rose-Ackerman (1999:71-75) proposes a strategy to achieve higher pay: When private sector job opportunities are created, the public service could offer severance packages to public officials with the objective to reduce its size. While exiting public officials could take up employment in the private sector, the public service could offer higher salaries. This would also attract higher skilled candidates to employment in the public service (cf. United Nations Office on Drugs and Crime, 2004:120-132, 277).

3.7.3 Ethical Codes

This reform initiative needs little justification. When, for example, a public official is allowed to own or have an interest in a company with which the state does business, he/she will be inclined to favour that business. In such a case no bribery exists and public officials simply apply self-interest when taking procurement decisions. State contracts will be awarded to such businesses even if others could prove that they are more qualified, efficient and effective. In the end, this could result in inferior service delivery. Codes of ethics should forbid such conflict of interests (Rose-Ackerman, 1999:75-76; Clapper, 1999: 135-154; Robson, 1999: 155-206; United Nations Office on Drugs and Crime, 2004:133)

Codes of ethics are meant to guide those in managerial and leadership positions and remind them of their responsibilities to the public (Stapenhurst & Langseth, 1997:320; Clapper, 1999:387; Baai, 1999: 376-377; Mafunisa, 2002: 192-214). A study by Somers (2001: 185-195) revealed that institutions with a code of conduct tend to have employees with a greater sense of ethics and integrity, as well as commitment. Somers also found that codes of conduct have a more significant impact than professional codes of conduct on staff perceptions of ethics. Somers ascribes this to the fact that professional codes of conduct are not part of the organisational environment and are only applicable to a specific profession. In the United States, an Executive Order which deals with the ethical conduct of government officials requires them to avoid even the *appearance* of violating the law, even if their conduct technically complies with it (Rose-Ackerman, 1999:75-77).

To Rossouw (2007: 134-135) a code of conduct is the pivotal point of an institution's ethics management intervention. He distinguishes between directional and aspirational codes. A directional code is specific and defines what behaviour is acceptable and unacceptable. This is both a weakness and strength. Although employees know what is expected of them, the code is difficult to enforce with its plethora of ethical prescriptions. An aspirational code contains broad guidelines of what is expected of employees. This type of code can be perceived as vague and not binding.

However, Klitgaard, Maclean-Abaroa and Lindsey Parris (2000:27) warn against a corruption prevention strategy that identifies the need to foster a new set of attitudes. To them, corruption is a crime of calculation and should be fought with appropriate penalties. Thus, ethical codes will only be effective when enforced with suitable penalties for non-compliance. In South Africa such codes of conduct exist for public officials and the political executive. However, the executive seems unable, or at least unwilling, to apply disciplinary measures to non-complying members.

In one instance, a South African public official, practising as a medical doctor, owned a private ambulance service and a private specialist practice. The political executive responded by promoting the public official in 1999 to higher political office. In a second instance, in 2001, the wife of a member of the political executive was accused of owning interests in a company that had been awarded a number of contracts that fell under her husband's responsibility. Despite the provisions of the Executive Members Ethics Code, the political office-bearer denied the existence of a conflict of interest and publicly exempted himself from it. (Allen, Mattes & Millie, 2002:62-64.)

3.7.4 Rewarding Performance as an Incentive

Rose-Ackerman proposes a system in which improved performance is rewarded (cf. section 3.6). This reform proposes a move away from controlling inputs to focussing on performance, measuring results, and then, rewarding good performance. Such a system is not simple to implement, as the public service is often managed in a way that undervalues

performance. Rigid rule-bound systems often set wages using technical criteria unrelated to market criteria. Centralised systems control expenditure, employment and performance reviews, leaving public service managers with little discretion to reward good performance. (Rose-Ackerman, 1999:78-82.)

In Rose-Ackerman's (1999: 80-82) view reforming the public service system into one which is more focussed on results and output is not easily achieved. It is often difficult to determine when performance in the public sector is good and for this purpose it would be appropriate to suggest the development of performance indicators. For example, an increase in tax collected by revenue officials might not be due to greater performance, but rather because of an increase in Gross Domestic Product. Public officials might even try to manipulate the system to earn higher bonuses. Such performance pay systems have been applied with mixed results in some developed states. Nonetheless, rewarding strong performance, connected with better base pay, could serve as a valuable anti-corruption tool. Incentive-based pay could thus replace pay-offs as a method to extract greater productivity from public officials (cf. Stapenhurst & Langseth, 1997:321; Klitgaard, 1991: 77-82; United Nations Office on Drugs and Crime, 2004: 246).

3.7.5 Imposing Penalties for Malfeasance

The imposition of penalties for malfeasance as a method to prevent corruption should also be promoted. Penalties should be commensurate with the offence and the size of the profit made through the bribe. In the public service it might be difficult to use dismissal of an official as a penalty due to the often fragmented nature of an executive agency. Penalties could also take the form of demoting an official to a lower post; the publication of the names of those found guilty of malfeasance; or the loss of professional standing (Klitgaard, 1991: 55-57, 77-82; Klitgaard *et al.*, 2000: 78-85, 94; Rose-Ackerman, 1999: 52-59).

3.7.6 The Hierarchy as Remedy

In the context of the hierarchy, two types of corruption can be found. *Bottom-up corruption* occurs when low-level public officials collect bribes and share them with their supervisors. This form of corruption usually occurs when low level officials have greater discretionary interactions with the public. This would include cases where police officers enforce highway regulations and customs officials determine the value of imported goods. *Top-down corruption* occurs when top-level public officials share their illegal gains with subordinates to buy their docility and silence. In this case top officials take most of the major decisions, but they require the inputs of subordinates in overseeing implementation. (Rose-Ackerman, 1999:82-83.)

When low-level public officials engage in corruption, but are overseen by honest mandarins, increased penalties could deter public official malfeasance. Increased penalties would outweigh the benefits of corruption to officials at the bottom (Rose-Ackerman, 1999:83; Stapenhurst & Langseth, 1997:321). In a similar way should the hierarchy create up-ward channels allowing lower level officials to complain about the venality of their supervisors (Stapenhurst & Langseth, 1997:321). This would serve as a check on the abuse of authority by senior officials and deter malfeasance.

However, when corruption in the hierarchy is pervasive, few reform measures would succeed. For example, rotating public officials to prohibit the development of an unethical relationship with citizens would normally serve as a corruption prevention measures. However, if corruption is pervasive in the hierarchy, such a system could be used by supervisors to penalise officials who act with honesty and integrity. (Rose-Ackerman, 1999:84.)

3.7.7 Contracting for Public Services

In line with the international public service reform movement, Rose-Ackerman (1999:84-87) suggests keeping the civil service as small as possible, eliminating many government

activities and contracting out the remaining tasks to private institutions, both profit and non-profit, as a mechanism to prevent corruption. However, care should be taken not to substitute corrupt public service delivery with corrupt private service delivery. Patronage and pay-offs could dominate the awarding of contracts while the public service could fail to hold private sector accountable for service targets.

Careful consideration of contracting out seems necessary. According to Rose-Ackerman (1999: 84-87) contracting out public services require a strong and competent public service to provide monitoring and oversight of service delivery. If not monitored, private institutions may try to maximise their profits. Furthermore, not all public services should be contracted out. Street repair, refuse collection and the provision of food in prisons could all be contracted out. Other government functions such as the arrest and prosecution of criminals, or even the overall function of prison administration, should not be left to private service provision.

The empirical research findings by Kolthoff (2007: 109-117) suggest that such reforms, i.e. reducing the role of the state and outsourcing activities to the private sector, have adverse effects on public service ethics. Additionally, the question of whether private service delivery is more effective and efficient than public service delivery remains an unresolved issue (Pollitt & Bouckaert, 2004:117).

3.7.8 Increasing Costs and Reducing Benefits

Rose-Ackerman (1999:39; cf. World Bank, 2000) believes increasing the costs and reducing the benefits from corruption would make the act less appealing. She uses insights derived from microeconomics (the branch of economics dealing with the effect of individual decisions) to infuse the orthodox discourse on public sector corruption prevention – providing for a novel perspective. The following section is a synopsis of these propositions.

Eliminating public programmes is one such proposition (cf. Stapenhurst & Langseth, 1997:323). Some government programmes serve no apparent purpose, but create opportunities for corruption. For example, the requirement for a business to acquire a license to operate, serves little purpose, yet provides public servants with an opportunity to extract bribes from business owners. Alternatively, where a particular activity is outlawed, such as gambling, the incentive to pay bribes to avoid prosecution remains high. Legalising gambling would reduce the incentive to bribe. Such government programmes create opportunities for malfeasance and could rather be eliminated.

In line with international trends, Rose-Ackerman (1999:35) (cf. Stapenhurst & Langseth, 1997:323) believes privatisation to be another anti-corruption remedy, as it removes assets from state control and consequently subjects decision making to market forces, rather than public discretionary authority. According to Klitgaard (1991: 87) privatisation should lead to greater competition and not simply the creation of a private sector monopoly. In such a case the private sector monopoly would not be subject to market forces and would maintain the same discretionary authority as the public agency.

Stieglitz (2002: 58) raises a similar caveat in respect of the privatisation process. The same corrupt public servants who were engaging in rent seeking would now be responsible for awarding the state asset to a private bidder, and would undoubtedly attempt to further their corrupt gains during the privatisation process. It is the process of privatisation that could generate corrupt incentives and care should be taken to design a credible privatisation process. Rose-Ackerman (1999: 42-44) recommends setting up a regulatory agency with clear policy guidelines to monitor privatised institutions with monopoly power. In the absence of regulatory environment, the sale of state assets to could reduce the potential benefits of privatisation to society.

When the elimination of public programmes is not possible, Rose-Ackerman recommends reforming public programmes (cf. Stapenhurst & Langseth, 1997:323). By moving away from a command and control approach to regulation to developing financial incentive schemes, the incentives for corruption could be reduced. For example, when an

environmental official inspects a company's contribution to pollution, he or she could extract a bribe to 'overlook' transgressions. Replacing this approach with incentive schemes, enables companies to pay for pollution rights, thereby replacing bribes with legal payments. Alternatively, reform could mean taxing businesses on a tax base that cannot be manipulated by a tax official - thus reducing the incentive to bribe. Reducing the number of officials at customs checkpoints from 9 to 3, while improving the salaries of the remaining officials, could also reduce the incentives to bribe.

Rose-Ackerman's (1999:47-48) also proposes simplification of a public programme. One proposal takes on a rather unconventional character when she proposes that the eligibility for social benefits should be determined by a lottery system, thereby reducing the discretion of public officials to nil. In another proposal, she suggests that in-kind public service benefits should be replaced by a direct cash grant. Such a proposal implies reduced reliance on a bloated bureaucracy that often accompanies the allocation of public service benefits. In a third scheme, she proposes that education and health services be provided by using 'proxy shoppers' to eliminate the possibility of malfeasance by private service providers. In this scenario, the private service provider will only receive capitation payments from government for the needy if it was able to attract normal paying customers. This would make it difficult for the private service provider to supply poor quality education and health services and still receive the capitation payments.

The usual picture of a bureaucratic structure shows posts arranged in a hierarchy with specific responsibilities attached to each - without unnecessarily duplicating functions. This organisational structure is designed to facilitate the effective and efficient completion of duties. Conversely, Rose-Ackerman's competitive bureaucracy requires public officials to be given overlapping jurisdictions or enforcement areas (cf. Staphenurst & Langseth, 1997:321-322). For example, when a citizen approaches a public official to apply for a driver's licence, but is subjected to extortion, she could simply approach another official with the same request. The public official's potential to extort a bribe is significantly reduced.

According to Rose-Ackerman (1999: 51) a competitive bureaucracy could also serve the purpose to reduce the level of pay-offs. Suppose two police officers patrol overlapping enforcement areas. Not one police officer has a 'monopoly' and can credibly demand a pay-off from the citizen, as another police officer could at any time come along and demand another pay-off. This could keep the level of pay-offs low and reduce the incentive to be corrupt. However, the proposition of 'overlapping jurisdictions' is subject to a number of qualifications. For example, when officials are in a collusive corrupt relationship, additional corruption prevention measures are required such as monitoring and supervision from above.

A critic could find many shortcomings in Rose-Ackerman's propositions. For example, allocating social services with a lottery system would not be appropriate in a developing state where a significant section of the society could be regarded as indigent. Rose-Ackerman's proposal of a competitive bureaucracy would only be effective when citizens know what public services they are entitled to including its quality and quantity. In this respect Pope's (2000:112) citizen charters are a prerequisite as they would contribute to an ethos of public service and serve to empower citizens.

Establishing effective anti-corruption legislation increases the costs and reduces the benefits of corruption to the venal (cf. Clapper, 1999:386-387). This strategy depends on two things: the effective punishment of the convicted, as well as creating opportunities to report wrong-doing. To effectively deter malfeasance, penalties imposed on the convicted should reflect the corrupt benefit received. As the probability of detecting malfeasance is low and conviction in a court of law remote, the penalty should be a multiple of the benefit received.

Enforcement agencies require evidence to successfully prosecute corrupt actors. As corruption is difficult to detect – often only the participants know of it – incentives to report malfeasance should be established. According to Rose-Ackerman (1999:56-59) statutes that not only protects whistle-blowers against retaliation, but also reward them for reporting venality, should be promulgated.

As major corruption occurs when governments procure goods and services from the private sector, procurement reform is necessary. Rose-Ackerman (1999:59-68) proposes that procurement processes should reflect a concern to prevent malfeasance - corruption prevention should not be a separate initiative. For example, purchasing off-the-shelf items for which there are benchmark prices, rather than customised goods, prevents contractors from artificially inflating prices, disabling them to pay bribes. Evaluating the past performance of former contractors could also indirectly reduce corruption. Well connected, but poor performing contractors would not be awarded government work. Other initiatives include rewarding procurement officers for meeting procurement objectives, thus replacing bribes with bonuses; and pre-bid communication allowing newly established companies – shut out by well-connected and established companies – access to government work.

The above insights could inform the traditional discourse on corruption prevention measures including those aimed at improving work methods and procedures to reduce delay; formulating and disseminating clearly defined ethical guidelines accompanied by in service training for civil servants at all levels; and creating internal financial management systems that ensure adequate and effective controls over the use of resources. These measures should be reviewed once in three to five years to introduce further improvements (Stapenhurst & Langseth, 1997:321; Rose-Ackerman, 1999: 39-88).

3.7.9 The Significance of Administrative Law

Administrative law serves as a tacit measure to prevent corruption in the public service (United Nations Office for Drugs and Crime, 2004: 434). Administrative law is that branch of public law that regulates the organisation, authority and activities of the public service. As has been pointed out above (cf. section 3.2) most, if not all, public service activities are executed by officials to whom a measure of responsibility and discretionary authority has been delegated. Various principles of administrative law provide guidance to officials in the exercise of their duties including *delegatus non potest delegare* (a

function can only be delegated when an official is specifically authorised to do so), *ultra vires* (an official has to act within the confines of law), *audi alteram partem* (a citizen whose interest might be adversely affected should be given an opportunity to state his case), *nemo iudex in sua causa* (an official may not be the judge in a case in which he has an interest), and *bona fide* (an official must act in good faith and consider all the validity requirements of administrative action including the public interest) (Botes, 1997: 265-354).

Provision is also made for aggrieved individuals for whom a dispute has arisen to take the matter on appeal; either internally to the accounting officer or the minister, or externally to the courts of law for adjudication. Administrative law provides for a measure of transparency and makes it possible for members of the public to expose the abuse of power by public officials (Botes, 1997: 265-369).

3.8 Conclusion

Public service corruption is an act committed by a public official with discretionary decision-making authority and a citizen wanting to gain an unfair advantage. Bribes can be an incentive payment to unproductive public officials, serve the purpose of circumventing policy requirements of the state and/or lowering the costs imposed by the state, and permit the occurrence of illegal activities to take place with impunity.

Over the past 30 years the public services in many states have been subjected to a wave of public management reform efforts. Although these reforms aim to create a more effective and efficient public service enhancing the benefits received by 'customers', it runs a real risk of creating more opportunities for corruption. The poor implementation of management reforms in developing states makes them particularly prone to increased opportunities for malfeasance. This requires public management reform and corruption prevention to be a coordinated effort.

Public management reform has influenced thoughts on corruption prevention. Rather than rely on the traditional bureaucratic mechanisms of close supervision and compliance with rules and policies, corruption prevention is thought to be achieved through *inter alia* a smaller public service, a system of reward en penalties, competition in service delivery and employment through contract. Other prevention measures include a professional public service, improved remuneration, ethical codes, the oversight and reporting mechanisms of the hierarchy, effective anti-corruption legislation, and procurement reform.

The corruption prevention measures reviewed in this chapter mainly reflect the insights of two disciplinary approaches: Public Administration with its emphasis on the solutions found within the context of the *Weberian* bureaucracy e.g. merit appointment of officials, and Economics with its emphasis on increasing the costs and the reducing benefits of engaging in malfeasance. The establishment of an ethical culture as a measure to reduce public service malfeasance appear not to be part of the conventional approaches to corruption prevention. In the next chapter the policy measures that have been established to prevent and combat corruption will be discussed. The Public Service Anti-Corruption Strategy is a significant policy measure of the South African Government to prevent and combat corruption.

CHAPTER 4

THE POLICY RESPONSE FOR THE PREVENTION OF PUBLIC SERVICE CORRUPTION

4.1 Introduction

In this chapter this researcher considers both the policy framework for corruption prevention and its manifestation within the Department of Correctional Services. It seems possible, and in this case quite probable, that policies could be promulgated by a state, but not be implemented effectively, or even not implemented at all. Observations of corruption in Kenya have pointed to the existence of what Kibwana *et al.* (1996) call 'aspirational law' and 'enforceable law'. Whereas enforceable law is effectively implemented, aspirational law appear unenforceable and could either develop with time into full law, or disappear entirely.

Similar trends seem to exist in South Africa, where legislation is promulgated but remains to develop into effective policy instruments. One example is the Register for Tender Defaulters established in terms of the *Prevention and Combating of Corruption Act*, 2004 (Act 12 of 2004) which is designed as a policy instrument to prevent government dealings with institutions convicted of corruption. This policy instrument appears to be ineffective as the Register has remained empty since its inception in 2005 (Davids, 2009).

The policy initiatives for the public service ethics are not dissimilar to the policy processes aimed at promoting good governance in the private sector. The King III Report, for example, provides guidelines to promote good governance in the public and private sectors and identifies the significance of ethical leadership, the governance of risk, the internal audit function, audit committees, and compliance with laws, codes, rules and standards (Rossouw, 2009).

In the following section, findings of various reports on corruption prevention in the South African public service and individual state departments will be discussed. These reports are significant as the implementation of corruption prevention measures rely not only on efforts within state departments but also on the concerted efforts of a diverse range of institutions in society (cf. section 2.5.2.2). A number of institutions are actively involved in research on corruption and corruption prevention including the World Bank, Transparency International (TI), the Organisation for Economic Co-operation and Development (OECD), and the Institute for Security Studies (ISS). These reports, as well as many South African Government reports, serve to emphasise the prevalence and negative consequences of corruption in society, as well as the current state of affairs.

4.2 Miscellaneous Research Reports on Public Service Corruption

The number of research reports produced by civil society organisations, government departments and research institutions, are indicative of the growing attention that the problem of corruption is receiving in South Africa. A number of reports were identified that were deemed relevant to this study. For the purpose of this study, these reports were divided into two sections. The first section is of a general nature and represents investigations into corruption in South Africa and the anti-corruption institutions and measures that exist to combat it. The second section reflects the existence of corruption in individual state departments and the measures that should be undertaken to establish suitable internal capacity to prevent, detect, investigate and sanction misconduct. The findings of the Jali Commission of Inquiry appointed by the State President in 2001 to investigate alleged incidents of corruption, maladministration and intimidation in the Department of Correctional Services are also reported.

4.2.1 Survey of Reports on Corruption in the South African Public Service

A number of reports have been published on this matter. In 2002, the *Public Service Accountability Monitor* published a report on a survey conducted in the Eastern Cape Province. In this report Allen, Mattes & Millie (2002: i-x) emphasised the historical

legacy of the province and the widely practiced system of patronage and a culture of secrecy, non-accountability and entitlement. Allen *et al.* point to the need to emphasise the role of a civil society and effective legislative oversight mechanisms in preventing corruption. The availability of information is a pre-requisite for both these stakeholders to effectively play a watchdog role.

The objective of the above report was to determine what the experiences and perceptions of public officials were with regard to corruption. Findings of the report indicated that public officials had an incomplete understanding of corruption, public perception of corruption in the provincial government is significantly higher than official's own perceptions, and departmental mechanisms for reporting corruption generally do not exist. Recommendations included training public officials on the meaning and implication of corruption; a greater commitment by the provincial government to ensure compliance with ethics policies; communicating the views of the provincial government in respect of its intolerance to corruption to the media and the legislature; undertaking efficient disciplinary actions against transgressors; and establishing formal channels for reporting corruption. (Allen, Mattes & Millie, 2002: xi-xvii.)

The *Country Corruption Assessment Report: South Africa* (2003) is produced jointly by the South African Government and the United Nations Office on Drugs and Crime. The report provides a comprehensive overview of corruption in the country and describes measures to combat and prevent it. As it is a first assessment, the report provides a baseline for measuring the progress and effectiveness of anti-corruption measures. The assessment was hampered by the absence of a central data base reflecting the incidence of corruption and the responses – whether civil, criminal or administrative – thereto. Thus, the report was based upon a number of surveys reflecting the perceived levels of corruption and the actual experience thereof. Whereas the perceptions of the levels of corruption are high, the actual experiences thereof are much lower.

The report was presented within the framework of the Public Service Anti-Corruption Strategy's (PSACS) nine considerations (cf. section 4.5.1). A number of findings are of

particular interest to this study *inter alia* the need to co-ordinate the respective roles of the various anti-corruption structures – considering the decision not to establish a single agency; the establishment of departmental anti-corruption units to increase detection and investigation capacity; the need to focus on prevention and public education programmes; the need to establish whistle-blowing capacity in the public service; the need to implement risk assessment and management techniques in state departments; and the need to establish partnerships between government, business and civil society in the fight against corruption.

The *National Integrity Systems Transparency International Country Study Report* by Van Vuuren (2005) provides a broad overview of the various institutions and practices – what the author refers to as 'pillars of a national integrity system' – that either directly or indirectly inhibit corrupt practices. Although the study is useful in its own right, the author relies heavily on previously commissioned reports and provides little new empirical evidence. In the report, the role of among others the executive, legislature, political parties, supreme audit institutions, private sector, civil society, media and watchdog agencies are described. The report acknowledges that South Africa has adequate 'pillars' for the fight against corruption but recommends that these should constantly be monitored. Further recommendations include revisiting the single anti-corruption agency debate, legislating the private funding of political parties and monitoring the implementation of the PSACS by civil society. In addition, the author reviews the effectiveness of the government's anti-corruption strategy by evaluating the progress made with the implementation of the PSACS – similar to the investigation mentioned previously.

In the *Global Integrity Report: South Africa* (2008) various aspects of South Africa's Integrity Framework are evaluated. These aspects include South Africa's civil society, media freedom and access to information; elections; government accountability; administration and civil service; oversight institutions; anti-corruption laws and the rule of law. In this report social scientists and peer reviewers are requested to rate South Africa's progress. For example, respondents are asked whether they perceive South

Africa's anti-corruption agency to be effective. This report unfortunately provides no information on its methodology making an evaluation of the validity and reliability of findings impossible.

Camerer's (1999) paper reflects the concern that the South African Government and a vast number of anti-corruption bodies have with effectively fighting corruption. This paper reflects on the effectiveness of the Independent Commission Against Corruption of Hong Kong and probes whether such a model could be transferred to other states.

Camerer also investigates the effectiveness of the many South African anti-corruption bodies with a mandate to fight corruption, specifically the role of the Health Special Investigating Unit. This paper highlights the problems of coordination, communication and lack of sufficient resources in and between these agencies. Although the establishment of a single agency to fight corruption was suggested, Camerer concludes that improved co-ordination and rationalisation between existing institutions would on the short to medium term prove to be more effective.

A Public Service Commission Report (2001) seems to indicate the government's preference for increased co-ordination and co-operation between the various anti-corruption agencies in South Africa. The report describes the roles of *inter alia* the Office of the Auditor-General, the Public Protector, the Public Service Commission, the National Prosecuting Authority, and the Independent Complaints Directorate. The establishment of a single anti-corruption agency, it is argued, would be expensive and costly, compared to other pressing issues such as poverty alleviation, job creation and the fight against HIV/Aids. In 2002 the Anti-Corruption Co-ordinating Committee (ACCC) was established by government to promote co-operation between the various agencies.

As the roles of these agencies overlap, it is expected that tension would occur. This tension was particularly visible between the South African Police Service and the Directorate of Special Operations. Redpath (2004) evaluated the role of the Directorate of Special Operations (DSO), a unit within the National Prosecuting Authority, commonly known as the Scorpions. The DSO was primarily concerned with the prevention of

organised crime – a much wider conception of criminal conduct than corruption *per se*. Additionally, it only investigated matters that comply with a number of pre-determined self imposed criteria. For example, a corrupt act will only be investigated if it involves more than R 500,000. However, the impact of the successful prosecution in a major act of malfeasance on minor cases should not be underestimated. The DSO played a major role in investigating the possibility of corruption in the South African Government's arms acquisition deal.

The Special Investigating Unit (SIU) was created by proclamation R118 on 31 July 2001 in terms of the *Special Investigating Units and Special Tribunals Act, 1996* (Act 74 of 1996). The SIU is mandated to investigate *inter alia* serious maladministration, improper or unlawful conduct by public officials and corruption in the affairs of any state institution. The investigations of the SIU could result in civil litigation, criminal prosecution, and/or disciplinary proceedings. The *2005/6 Annual Report of the Special Investigating Unit* reflects the growing successes of the SIU. The demands by state departments for the services of the SIU have increased significantly leading to the threefold increase of the SIU's budget allocation. In 2006 the SIU was conducting investigations at the Departments of Transport, Social Development and Correctional Services. The SIU transfers staff to assist departments in establishing their own internal anti-corruption capacity through training in investigative skills.

4.2.2 Survey of Reports on Corruption in Individual State Departments

In 2001, a Commission of Inquiry was appointed by the President to investigate alleged incidents of corruption, maladministration and intimidation in the Department of Correctional Services. This Commission, popularly known as the Jali-Commission, found that corruption and maladministration were part of the institutional culture of the Department. Corruption was observed to be systemic as the *Executive Summary* of the Commission of Inquiry pointed to the lack of adherence to policies and regulations, poor management capacity, an absence of checks and balances and excessive union involvement in departmental activities. The Commission investigated corruption and

maladministration at the following management areas: Johannesburg, Leeuwkop, Bloemfontein, Pretoria, St Albans, Pietermaritzburg, Ncome, Durban Westville, and Pollsmoor.

The Jali Commission partly attributed the dysfunctional situation in the Department since 1994 to an over-emphasis on affirmative action. Other forms of the transformation agenda, such as establishing a human rights ethos, creating a people-oriented public service, and promoting an efficient and accountable administration had been neglected. Unions had gained excessive control over the appointment of senior managers which eventually lead to lawlessness in the Department. This created an environment where irregular appointments, selective discipline, a breakdown of disciplinary procedures, abuse of power and other illicit practices could be observed. The Commission recommended intervention in a number of areas, including the recruitment of staff, disciplinary inquiries, training of personnel and anti-corruption measures. (Jali Commission, No Date: 1-184.)

The Commission pointed to a number of initiatives that the Department undertook to fight corruption, including the implementation of a new anti-corruption strategy in 2003, the establishment of a Departmental Investigating Unit to investigate corruption internally and the existence of an anti-corruption unit. Despite these efforts, corruption persisted. The Commission pointed to the necessity of departmental capacity and commitment to fight corruption and that it would be preferable to undertake additional measures such as privatising certain functions, appointing an outside agency to investigate corruption, and the appointment of a prisons ombudsman.

In 2003, a survey was conducted by the University of Pretoria in conjunction with the United Nations Office for Drugs and Crime to determine perceptions of corruption and unethical conduct within the Department of Correctional Services (DCS). This survey was administered to both officials and offenders and provided amongst others the following findings in respect of perceptions of corruption: senior management created job opportunities for friends and relatives; staff members did not adhere to directives and

policies; staff members were bribed to allow prisoners extra privileges; and employment at DCS could be bought. The survey revealed various factors that contributed to corruption including that discipline is applied inconsistently; overcrowding contributes to corruption; performance assessments are subjective and inconsistent; a low morale exist among officials; and unions deliberately delay disciplinary proceedings (Centre for Business and Professional Ethics (CBPE) and South African Management Development Institute (SAMDI), 2006: 65-99).

These findings formed the basis upon which the *Ethics Management and Anti-Corruption Training Manual* was authored by the CBPE on behalf of the SAMDI. As part of the corruption prevention strategy for DCS, the *Training Manual* proposed that the Department should establish a culture of ethics and integrity by holding small group discussions on the code of conduct to emphasise what the code should mean to officials in their daily work (CBPE & SAMDI, 2006: 143).

In 2002, the Public Service Commission and the Department of Public Service and Administration undertook an audit of the anti-corruption capabilities of state departments. In the first phase, 85 departments were requested to complete questionnaires and in the second phase interviews were conducted in 23 departments. The first phase report found that just over half of the 85 departments had dedicated anti-corruption units, while only 8% of the units thought that they were entirely effective. The second phase report indicated that 60% of the departments had no anti-corruption policy in place, only 25% of departments had whistle blowing policies, only 15% had advanced investigative procedures, and only 20% of departments had conducted anti-corruption workshops. The report recommended the need for anti-corruption units to report directly to the head of the institution; establishing whistle blowing policies; training and creating an awareness of corruption related matters; and establishing a central data base to record investigations into corruption, enabling departments to share information. (Public Service Commission & Department of Public Service and Administration, 2003: 1-58.)

In September 2003, Cabinet decided that departments had to maintain a minimum anti-corruption capacity. During a 2005 audit to determine compliance with this directive, departments requested assistance to establish a minimum anti-corruption capacity. The Department of Public Service and Administration responded with the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* (2006). This booklet provides guidelines on how to create this capacity.

The accounting officer remains responsible for ensuring that the minimum capacity requirements are met. For this purpose, the guidelines propose drafting a strategy for acquiring this minimum capacity. As departments are autonomous and differ in terms of organisational culture, levels of decision-making centralisation, geographical location and size, no prescriptions can be made regarding the positioning of anti-corruption capacity. Departments have to make decisions regarding where to locate such capacity - in one unit or dispersed in a number of units, ensure unfettered access to the accounting officer, and clearly define the responsibilities, accounting and reporting requirements (Department of Public Service and Administration, 2006: 9-21).

The above guidelines provide practical examples organised around four main components: preventing, detection, investigation and resolution of corruption. *Prevention* strategies include creating an ethical organisational culture; aligning processes, policies and internal controls; verifying qualifications, security vetting and integrity testing; assessing and managing corruption risk; securing physical assets and information; and undertaking training and awareness programs. Guidelines on *detection* include establishing a management information system of corruption, drafting a whistle blowing policy, and conducting internal audits. The guideline also provides for an internal *investigation* process, its methodology including pre-investigation activities, interviewing witnesses and suspects, statements and affidavits, search and seizure, and linking exhibits. Alternatively, the matter could be referred to outside law enforcement agencies. The *resolution* stage refers to taking disciplinary action; ensuring immediate action, applying discipline consistently, unbiased and fairly, with absolute procedural fairness.

Further action during this stage includes improving internal controls and procedures and referring cases to other agencies (Department of Public Service and Administration, 2006: 9-83).

Corruption prevention within departments would be unsuccessful without the co-operation of other external institutions. In the next section the significance of establishing a National Integrity System (NIS) will be discussed.

4.3 A National Integrity System for South Africa: Bringing together a Network of Institutions

Stapenhurst & Langseth (1997:311) argue for a holistic approach when reforming the public service – one that includes corruption prevention as a key consideration. Corruption impedes service delivery thus thwarts the purpose of reform. Public service reform should thus be accompanied by the establishment of a NIS, as proposed by the Economic Development Institute of the World Bank. The NIS provides for a comprehensive method of fighting corruption. It comprises eight pillars namely public awareness of the role of civil society, public sector anti-corruption strategies, public participation in democratic processes, watchdog agencies, the accountability of the judicial process, the media, the private sector and international business, and international co-operation. These pillars are interdependent. When one of these pillars weakens, more pressure is put on the other pillars, weakening the overall fight against corruption (Langseth, Stapenhurst & Pope, 1997:10).

Establishing a national integrity system is a co-ordinated effort involving a network of institutions including the public sector, business and civil society (Stapenhurst & Langseth, 1997:319). Establishing such a system has been declared an objective for member states of the African Union (Ekhuruleni Declaration, 2007:5). This approach coincides with recent developments in public management reform which advocates that the public service should take the role of steering and guiding development, rather than being the sole service provider. Governance is more concerned with how the ensemble

'dances together' than with maintaining the boundaries between the public and private sectors (Pollitt & Bouckaert, 2004:10-11).

Among the many role players in corruption prevention, the roles of the Auditor-General, the Public Protector and the Special Investigating Unit are described. The Auditor-General occupies a prominent position in the corruption prevention hierarchy. With public management reform and its focus on outputs and outcomes the auditing function has acquired a prominent role in the public service (Pollitt & Bouckaert, 2004: 174, 193).

Given the public service shift in focus from compliance and rule based management to the management of outcomes and performance, it is not surprising that the auditing role of the Auditor-General has become more salient over the past years. For Klitgaard (1991:82-87) auditing is a useful measure to identify corrupt transactions in the audit trail (cf. United Nations Office on Drugs and Crime, 2004:246). The *Auditor-General Act*, 1995 (Act 12 of 1995) section 3, determines that the Auditor-General must satisfy himself that *inter alia* receipts, payments and other transactions are made in accordance with the applicable laws, and that satisfactory management measures have been taken to ensure that resources are procured economically and utilised efficiently and effectively. The Auditor-General has the right to investigate and inquire into any matter, including the efficiency and effectiveness of internal control and management measures relating to expenditure by and the revenue of the institution whose accounts are being audited.

Additionally, section 5 determines that the Auditor-General shall draw attention to material cases where in his or her opinion the utilisation of resources for a service has been uneconomical, inefficient or ineffective, or not in the best interest of the state; and where the applicable internal control and management measures are inefficient and ineffective. Section 4 of the same Act requires the Auditor-General to submit his or her reports to either the provincial or national legislature within a prescribed time.

Furthermore, when the performance audit identifies weaknesses in a department's internal control and management measures, the Auditor-General could undertake a

forensic audit to investigate possible criminal activity such as fraud and theft. The Specialised Audit Services in the Office of the Auditor-General rely significantly on various computer based data bases to audit records and transactions of individuals including the Unemployment Insurance Fund (UIF); PERSAL and the payroll data base of municipal governments; Companies and Intellectual Property Registration Office (CIPRO); and the data bases of the Department of Home Affairs. These records and transactions often reveal criminal conduct. All the forensic audit reports of the Office of the Auditor-General are submitted to the relevant legislature for scrutiny. However, when the accounting officer of a department requests a private audit institution to do a forensic audit of certain activities of his/her departments, such reports need not be submitted to the legislature concerned for scrutiny. This appears to be a serious weakness in the public service audit environment (Interview, 2007: Louwrens).

Audit reports could be a strong indicator of malfeasance. The *General Report of the Auditor-General on Audit Outcomes for the financial year 2005-6* notes an increase in the number of qualified audit opinions from the 2004-5 financial year to the 2005-6 financial year. In 2004-5, seven national state departments received qualified audit opinions compared to 11 state departments in 2005-6. According to the Report, the root cause for the qualified audit opinions is the absence of an internal control framework – a main responsibility of senior management. As the Report notes 'letting managers manage' is subject to the necessary accountability that accompanies such an important position. Poor internal control systems could be attributed to the absence of the necessary commitment and leadership by senior management and a lack of capacity building and skills transfer. Findings of this Report point to public managers' belief that maintaining internal control has become 'outdated'(cf. section 3.5) – most probably influenced by the South African Government's agenda to do away with a rule-bound system. However, such a context provides opportunities for corruption and malfeasance (cf. section 3.6; section 4.3).

In terms of the *Constitution of the Republic of South Africa, 1996* the Public Protector also occupies a salient position in this hierarchy. In terms of section 182 of the *Constitution* the Public Protector has the duty to investigate, report, and take remedial

action on any improper conduct in the public administration. The *Public Protector Act, 1994* (Act 23 of 1994) determines that the Public Protector shall be competent to investigate on his or her own initiative or on receipt of a complaint *inter alia* any alleged maladministration in connection with the affairs of government; abuse or unjustifiable exercise of power or improper conduct by a person performing a public duty; improper or dishonest act, or corruption, with respect to public money; or improper or unlawful enrichment, or receipt of any improper advantage, or promise of such enrichment or advantage, by a person as a result of an act or omission in the public administration or in connection with the affairs of government at any level or of a person performing a public function. The *Annual Report of the Public Protector for the year financial year 2005-6* notes a receipt of 31 642 complaints during 2004-5 and 31 528 complaints during 2005-6. Of these, the Public Protector finalised 17 539 and 17 619 cases respectively. However, these cases reflected the handling of unpaid child support grant benefits, poor service delivery, and the loss of belongings of a prisoner when transferred between prisoners; relatively minor offences.

The Special Investigating Unit (SIU) was established in 2001 (cf. section 4.2.1). The SIU uses civil litigation to correct any wrongdoing and can obtain a court order to cancel contracts when the procedures were not properly followed, and compel a person to pay back any wrongful benefit received. In the *Special Investigating Unit Annual Report 2005-6*, the SIU reflects on a number of its successes. As a result of its investigations, the SIU has prepared evidence for use in 2 133 cases of civil litigation, 1 263 cases of criminal prosecution, 666 cases of disciplinary proceedings, and 27 758 cases where other remedial action is undertaken including the cancellation of invalid driver's licences and irregular social grants. In some cases, the SIU also assists the client departments with the identification of weaknesses in its administrative systems and work procedures to prevent corruption and fraud from occurring in the first place.

A major benefit of the SIU is its contribution to the development of investigative competencies and capacities within the departments that it serves. It has made a significant contribution to increasing departments' internal capacity to deal with

corruption and maladministration by transferring skilled SIU members to these departments (SIU Annual Report 2005/6, 12). The Departmental Investigative Unit of the Department of Correctional Services was established in 2004 with direct support by the SIU (Interview, 2007: Malatsi).

In section 3.6 the influence of public management reform on pursuing public service integrity was discussed. Although various policies serve to instigate public management reform in South Africa, two policies in particular explicitly portray this reform namely the *White Paper on the Transformation of the Public Service*, 1995 and the *White Paper on Public Service Delivery (Batho Pele)*, 1997. A discussion of these policies is the focus of the next section.

4.4 Public Management Reform in South Africa

The South African Public Service has not been immune to the pressure to undertake public management reforms (cf. section 3.5). The nature of such reforms is reflected in various policy papers including the *White Paper on the Transformation of the Public Service*, 1995 and the *White Paper on Public Service Delivery (Batho Pele)*, 1997. In this section the intentions of these documents are described.

The *White Paper on the Transformation of the Public Service*, 1995 (chapters 8 & 9) acknowledges an international trend towards the need to trim state expenditure and reduce the size of the public service, increased emphasis on quality, efficiency and cost-effectiveness and a redefining of the role of the state from being the sole agency responsible for service delivery to one in which the state guides and facilitates service delivery. Whereas the pre-1994 public service was characterised by centralised control, top-down management and rule-bound operations, and public servants were held accountable for compliance with rules and procedures, rather than productivity and efficiency, this *White Paper* envisages a public service that is lean, decentralised, cost-effective, efficient and productive. Rather than reduce the size of the public service through privatisation, the government prefers to create effective partnerships between the

public service, business and the civil society. Further initiatives in the *White Paper* include moving from a rule-bound and procedure-laden system to one in which managerial responsibility is decentralised; establishing an organisational culture which meets the needs of people rather than a compliance based organisational culture; moving to a system that focuses on outputs rather than inputs; and on the needs of customers.

The *White Paper on Public Service Delivery (Batho Pele)*, 1997 contains no shortage to references on seeing citizens as 'customers', delegating authority to national and provincial departments, moving away from over centralised, hierarchical and rule bound systems, focusing on results rather than inputs, and comparing the public service with the more effective and efficient competitive private sector.

The introduction of public service reform measures has most probably had an adverse effect on the pursuance of public service ethics. In the *General Report of the Auditor-General on Audit Outcomes for the Financial year 2005-6* a concern is raised of the apparent absence of internal control measures in state departments (cf. section 4.5). In this respect the National Treasury noted the significance of internal control measures in preventing malfeasance (cf. section 4.5.2).

As noted earlier, rather than rely on close supervision, strict guidelines and the bureaucracy, government departments should promote a culture of ethics (Sangweni & Balia, 1999: ix-x; cf. section 3.5). In pursuance of this objective the *White Paper on the Transformation of the Public Service*, 1995 also set in motion a process to develop a code of conduct to promote a professional public service and mitigate the effects of corruption.

4.5 The South African Policy Framework for Public Service Corruption Prevention

Whereas Balia's (cf. Section 2.5.1) thesis focused on the policy-making processes leading to the formulation of *inter alia* the PSACS, this dissertation focuses on the policy processes that relates to the implementation of the PSACS - in particular those policy

processes within the Department of Correctional Services. Cloete, Wissink, and De Coning (2006:28) appropriately explain the rationale for studying public policy. Public Policy studies seek to gain better academic knowledge about and insight into public policy; to improve policy processes, contents and outcomes; and to influence or control policy processes and content in order to ensure desired outcomes.

There is no universally accepted definition of public policy. Easton (in Cloete *et al.*, 2006: 14) defines public policy as the authoritative allocation through the political process of values to groups or individuals in the society. Hanekom (1994:7) defines policy as formally articulated goal that the legislature intends pursuing with society. Whereas the former definition emphasises the policy-making process and its political context, the latter seems to focus on the end result of the policy making process i.e. the politically agreed upon policy objectives. These definitions appear to fall short of a complete and comprehensive exposition of public policy processes and neglect to emphasise the significance of the implementation process required to achieve policy objectives.

Ranney's (in Cloete *et al.*, 2006: 14) definition captures a more comprehensive view of the process and defines policy as a declaration *and* implementation of intent. Anderson's (2003:2-5) definition seems to be the most explicit in this regard and defines public policy as the course of action followed by a set of actors to solve a specific problem, rather than what was intended or proposed. Hill and Hupe (2009: 5) also emphasises the purposive character of public policy and its problem solving attributes. It is not the intention of the legislature that is important, rather it is *the course of action actually followed by the state* that should be the focus of any study of public policy.

The following section provides a synopsis of various legislative and institutional mechanisms that are available to public officials to prevent and combat corruption. At this point it seems necessary to on reflect on the remarks by Doig and Riley (1998:54) that anti-corruption strategies are country-specific and should be designed with an understanding of the causes and manifestation of corruption. Furthermore, attention

should be paid to the sequencing, consistency of approach, details of reform and the political and managerial will necessary to sustain such a programme (cf. United Nations Office on Drugs and Crime, 2004:130).

4.5.1 Public Service Anti-Corruption Strategy (2002)

The PSACS was adopted by the South African Government in 2002. The PSACS (2002: 11) acknowledges the contested nature of the definition of corruption but proposes to define corruption as 'any conduct or behaviour 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'. The PSACS (2002: 7-8) provides the following examples of corruption: bribery, embezzlement, fraud, extortion, abuse of power, conflict of interest, insider trading/abuse of privileged information, favouritism, and nepotism.

As the PSACS was approved by the South African government it originated at an executive policy level. Many of its provisions must be implemented at the administrative policy level (Cloete, 2006: 19-20). Section 37, 38, and 39 of the PSACS refers to the strategic considerations (objectives) and elements (goals) that should be implemented by specific and responsible departments in the public service; excluding local governments and public entities. However, for the purpose of this study the strategic considerations are interpreted as goals and the elements as objectives; similar to the conceptual differentiation that Roux (2006: 125-164) makes between goals which are inherently broad and long term and objectives which are more specific and short term.

This PSACS contains 9 goals that are interrelated and mutually supportive. The goals are listed below and, where available, a time-line is provided:

- review and consolidation of the legislative framework (July 2003);
- increased institutional capacity (2002);

- improved access to report wrongdoing and protection of whistle blowers and witnesses (August 2002);
- prohibition of corrupt individuals (April 2003) and businesses (September 2002) ;
- improved management policies and practices (November 2002);
- managing professional ethics (December 2002);
- partnerships with stakeholders;
- social analysis, research and policy advocacy (August 2002); and
- awareness, training and education (July 2002) (Department of Public Service and Administration, 2002:12-21; Balia, 2004: 290-292).

These goals seek to address public service corruption at a systemic and departmental level. At the systemic level the PSACS (2002: 12-21) intends to review and consolidate the legislative framework for combating and preventing corruption; prohibit corrupt businesses from doing business with the public service; improve the functioning of the courts, Public Service Commission, National Prosecuting Authority, South African Police Service, and Public Protector; obtain support from civil society to assist, support, and protect whistle blowers; create partnerships with business and civil society to curb corrupt practices; mobilise partnerships with public service unions to advocate professional ethics; and encourage civil society to undertake social analysis and research on corruption trends.

At the departmental level the PSACS (2002: 12-21) holds public service managers responsible for corruption prevention and requires this responsibility to be specified in their performance agreements. The PSACS identifies *inter alia* the following objectives: to increase institutional capacity of departmental institutions; to improve the employment practices in the public service; to encourage the management of risk; and the management of discipline in the public service.

The PSACS (2002: 12-21) identifies various sub-objectives at the departmental level *inter alia* to conduct risk assessment; to formulate fraud prevention and anti-corruption policies; to receive and to manage allegations of corruption through whistle-blowing or

other measures; to investigate allegations of corruption and detected risks at a preliminary level. In terms of the management of discipline the PSACS identifies various sub-objectives including *inter alia* to identify early signs of a lack of discipline; to improve the accountability and capacity of managers to manage discipline; and to encourage managers to act against transgressions. Other sub-objectives applicable to departments include to promote a culture of whistle-blowing; and to communicate the importance of intolerance among employees for corruption as well as its negative consequences.

In an effort to implement the provisions of the PSACS and ensure that departments establish a minimum anti-corruption capacity the Department of Public Service and Administration (2006: 1-88) published the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* (2006). The accounting officer is held responsible for ensuring that the minimum capacity requirements are met including the establishment of prevention, detection, investigation, and resolution measures (cf. section 4.2.2). Of particular interest to this study is the significance of promoting an ethical culture as part of the prevention measures to implement the PSACS.

4.5.2 Public Finance Management Act, 1999 (Act 1 of 1999)

The *Public Finance Management Act, 1999* (Act 1 of 1999) is a corner stone of the management of ethics and integrity in state departments. Similar to other reform measures introduced since 1994, the Act has the objective to measure outputs and outcomes, rather than inputs and processes. Accounting officers are held accountable for the performance of their departments, i.e. efficiency, effectiveness and economy, rather than compliance with a vote. Consequently, the focus of the Auditor-General is to report on the output and outcome (results) of the department, rather than on its compliance with rules (Doyle, 2002: 33-34; National Treasury, 2000:3-5).

In terms of the section 38 of the Act, accounting officers of a state department must ensure that the department has and maintains *inter alia* effective, efficient and transparent systems of financial and risk management and internal control; a system of internal audit under the control and direction of an audit committee; an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost-effective (cf. National Treasury, 2000:26). Section 38 (c)(ii) requires the accounting officer to take effective and appropriate steps to prevent unauthorised, irregular, fruitless and wasteful expenditure and losses resulting from criminal conduct. Criminal conduct would include corrupt acts. The accounting officer must as part of risk assessment identify corruption risks and implement fraud prevention plans (Anti-Corruption Co-ordinating Committee, no date: 5-6)

Furthermore, Section 38 (h) of the Act obligates an accounting officer to take effective and appropriate *disciplinary steps* against any official in the service of the department who contravenes or fails to comply with a provision of this act, commits an act which undermines the financial management and internal control system of the department, or makes or permits an unauthorised expenditure, irregular expenditure or fruitless and wasteful expenditure. Similarly, in terms of section 81-86 of the Act an accounting officer who fails to uphold the provisions of section 38 of the Act could be subjected to disciplinary and/ or criminal proceedings. Penalties for a criminal conviction include a fine or imprisonment not exceeding five years.

Section 40 of the Act requires the accounting officer to keep full and proper records of the financial affairs of the department; to prepare financial statements for each financial year in accordance with generally recognized accounting practice; and to submit those financial statements within two months after the end of the financial year to the Auditor-General for auditing and to the Treasury. Additionally, section 40 (d) requires the accounting officer to submit to the Treasury - within five months of the end of the financial year – an annual report reflecting the actual performance of the department compared to predetermined objectives, the audited financial statements of the department, and the audit report of the Auditor-General.

The significance of internal control was emphasised by the National Treasury in 2000 in its *Guide for Accounting Officers: Public Finance Management Act*. The purpose of the *Guide* was to familiarise accounting officers with the changes to their responsibilities introduced by the *Public Finance Management Act, 1999* (Act 1 of 1999). In the *Guide* the National Treasury emphasised the importance of internal control systems, procedures and processes to minimise the risks of *inter alia* fraud, negligence, and error. The National Treasury expressed its concern of the weaknesses in the internal control systems of the public service and ascribed them to new officials who do not appreciate the separation of duties.

Furthermore, the *Guide* emphasises the importance of the internal audit function, audit committees and fraud prevention plans. The internal audit function is to support senior management in its appraisal of the adequacy and effectiveness of internal control (CBPE & SAMDI, 2006: 129-131). The audit committee, in terms of the *Guide*, has the responsibility to liaise between management, internal, and external auditors, and to review the effectiveness of the department's internal control system. Most significant is the provision in the *Guide* that departments institutionalise fraud prevention plans to manage the risk of fraud through the use of internal control systems and the promotion of an ethical culture. A Public Service Commission Report (2007 B: vii-viii) indicated that the majority of departments sampled for a survey reported that they had fraud prevention structures and mechanisms in place including additional control measures such as internal audit functions and audit committees.

4.5.3 Treasury Regulations, 2002

To augment Act 1 of 1999, the National Treasury issued *Treasury Regulations* in May 2002. Section 3.1 of the *Treasury Regulations* makes the appointment of audit committees for departments mandatory. These committees should be independent and have the responsibility to *inter alia* review the effectiveness of internal control systems and the risk areas of the institution. Section 3.2 of the *Treasury Regulations* obligates the accounting officer to identify emerging risks in the department annually and manage

these risks with a risk management strategy. Functional areas that could pose a risk include financial management, procurement, inventory management, or areas where officials have wide discretionary powers (CBPE & SAMDI, 2006: 168-178).

In terms of section 3.2.1 of the *Treasury Regulations* a risk management strategy must include a fraud prevention plan, be used to direct the internal audit function, and identify the skills required of managers and staff to improve internal controls. The internal audit function assists the accounting officer to maintain effective controls and should report to both the accounting officer and the audit committee.

Section 4.3 of the *Treasury Regulations* requires the accounting officer to report completed disciplinary proceedings on financial misconduct to the executive authority, Public Service Commission and the Department of Public Service and Administration. In the context of Act 1 of 1999 financial misconduct constitutes any conduct by an accounting officer (see section 81) or any official of a department that results in losses through criminal conduct, unauthorised, irregular, fruitless and wasteful expenditure. Consequently, corruption, fraud, and theft which result in losses to the department is regarded as financial misconduct (Public Service Commission, 2009 A: 8).

Although corruption is a criminal offence and results in many efficiency, effectiveness and economy losses to a department, it often occurs unnoticed. Consequently attempts to keep an accurate record of this type of financial misconduct would not be successful.

4.5.4 *Public Service Proclamation, 1994 (Proclamation 103 of 1994)*

In addition to civil and criminal proceedings, the public service could institute disciplinary action against alleged perpetrators of corrupt activities (Elliot, 1999: 157; United Nations Office on Drugs and Crime, 2004: 243). Chapter VI of the *Public Service Proclamation, 1994 (Proclamation 103 of 1994)* deals specifically with inefficiency and misconduct among public servants in state departments. Section 20 of the Proclamation defines what behaviour can be seen as misconduct including acts which are to the

prejudice of the administration, discipline and efficiency of a department; the acceptance or demand of any commission, fee or pecuniary or other reward in respect of carrying out, or the failure to carry out, his or her duties; and any contravention of the prescribed code of conduct or any provision thereof.

Sections 21 to 26 of the Proclamation deal with the disciplinary procedures to be followed during a charge of misconduct, as well as possible penalties in the event of a successful conviction. Such penalties include a fine not exceeding R 6,000; the reduction of his or her salary or grade or both salary and grade to the extent recommended; and discharge from the public service from a date to be determined by the head of the department. Section 27 of the Proclamation deals separately with the handling of misconduct of a head of department. Similar procedures apply to the inquiry into such misconduct.

4.5.5 *Public Service Regulations, 2001*

Further measures for ensuring ethical conduct in departments are stipulated in the *Public Service Regulations, 2001* issued in terms of section 41 of the *Public Service Proclamation, 1994* (Proclamation 103 of 1994). In Chapter 2 of the *Public Service Regulations*, the code of conduct issues guidelines for the conduct of public officials inter alia public officials' relationship with the legislature and the executive, the public and other employees, as well as the performance of their official duties and the conduct of their private interests. The code of conduct prohibits an employee from using his or her official position to obtain gifts and benefits for him or herself during the performance of his or her official duties; obliges an official to report corruption, fraud, nepotism and maladministration to the appropriate authorities; requires an official to avoid any official action or decision-making process which would result in improper personal gain; and requires an official not to favour relatives and friends in work related activities and never to abuse his or her authority.

This code of conduct was preceded by the first code of conduct post-1994, which was promulgated in 1997. To create awareness of the code workshops were held at national and provincial governments. To explain the content of the code of conduct, the Public Service Commission published in 2002 the *Explanatory Manual on the Code of Conduct for the Public Service: A Practical Guide to Ethical Dilemmas in the Workplace* (Public Service Commission, 2002: 4).

Chapter 3 of the *Public Service Regulations*, 2001 requires senior managers on a post level 13 to 16 in the public service to declare *inter alia* their personal financial interests in private or public companies, directorships and partnerships, ownership in land and property, and gifts and hospitality received (Public Service Commission, 2009: 1; Telephonic Interview: Mentor). Disciplinary measures may be instituted, if it is determined that an official used his or her position to improperly gain a benefit and that a conflict of interest existed.

Any senior manager who fails to disclose such interests is guilty of misconduct. Unfortunately compliance with the policy is low as only 66% of senior managers in state departments complied with it for the 2005/2006 financial year (Public Service Commission C, 2007:17). In respect of the financial year 2007/2008 the compliance rate for the submission of the disclosure forms was 48%. The compliance rate for members of the Senior Management Service (SMS) of national departments is even worse. For the year 2008/ 2009 only 39% of SMS members had submitted their disclosure forms by 31 May 2009. As at 31 May 2009 none of the SMS members of the Department of Correctional Services have submitted their disclosure forms for the financial years 2007/2008 and 2008/2009. The Public Service Commission has the responsibility to not only register the compliance rate of 9,019 SMS members, but also to determine whether any conflict of interest exist (Public Service Commission, 2009 B: 1-19).

Although contract employment of senior managers in the public service has a number of negative consequences in respect of creating a professional public service, the introduction of performance agreements could have some positive implications for

corruption prevention. The *Public Service Regulations, 2001* provided for the establishment of a Senior Management Service (SMS) in the South African public service. In terms of parts III and IV of Chapter 4 of said regulations, the SMS members' performance is managed in accordance with a performance agreement which would outline key responsibilities and priorities.

Performance will be assessed in accordance with his or her responsibilities and key performance areas contained in the performance agreement. Among the many responsibilities of senior public officials is the requirement to display the highest standards of ethical conduct (Part VII). Chapter 6 in the *SMS Handbook* elaborates on this responsibility of honesty and integrity as reflected in the SMS Competency Framework. Members of the SMS are required *inter alia* to establish a culture of ethical behaviour through exemplary leadership, and to take prompt and decisive disciplinary action.

Furthermore, the remuneration packages of SMS members will be linked to the performance of the employee (*Public Service Regulations, 2001, Part IV, A.1 (b)*). This could enable the public service to reward senior public servants for their efforts to establish ethical conduct in their departments. Bonuses could serve the purpose of replacing bribes.

Unfortunately, the performance evaluation system for senior managers in the public service seems to lack effective implementation. It is reported that some senior public service managers have not been evaluated at all while others go unpunished when their departments receive qualified audit reports. In certain cases, performance bonuses were awarded without any evidence of performance management processes having being followed (Monare, 2008: 6).

4.5.6 *Protected Disclosures Act, 2000 (Act 26 of 2000)*

The *Protected Disclosures Act, 2000 (Act 26 of 2000)* makes provision for the protection of an employee who discloses information regarding any conduct of the employer, or an employee of that employer, that is *inter alia* believed to be a criminal offence; a failure by a person to comply with any legal obligation; or harmful to the health and safety of an individual – either in the public or private sectors. This act thus protects the 'whistle-blower' from being subjected to disciplinary action, dismissal, suspension, demotion, harassment and intimidation, and provides certain remedies for such occupational detriment. In practice, however, the whistle-blowers often face many institutional and career obstacles when they report a colleague or supervisor for malfeasance (CBPE, 2006: 118-123).

4.5.7 *Promotion of Access to Information Act, 2000 (Act 2 of 2000)*

The *Promotion of Access to Information Act, 2000 (Act 2 of 2000)* has the objective to promote a culture of transparency and accountability in the public service and private bodies. Section 1 of the Act designates the accounting officer of national, and provincial governments, and the accounting officer of a municipality as information officer. This information officer has the responsibility to provide access to a requester of any recorded information regardless of form and medium. This statutory obligation enforces a measure of transparency and accountability on public service policy and decision making.

However, a report by the Open Democracy Advice Centre found that 52% of requests for information were ignored by public officials, while 23% of requests were adequately addressed (Tempelhoff, 2004).

4.5.8 *Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)*

The *Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)* gives effect to the principles of administrative law (cf. section 3.7.9) in that citizens may institute legal proceedings when they believe that *inter alia* an administrator was not authorised to act;

an administrator was biased; or an administrator acted in bad faith or with ulterior motives. The Act empowers a court of law to review and set aside a decision by a public official if it believes that the official acted against the principles of natural justice. The Act aims to create a culture of accountability, openness, and transparency in public administration. When a public official is suspected to have acted improperly, a citizen has recourse to a court of law to review such an act.

4.5.9 *Prevention and Combating of Corruption Act, 2004 (Act 12 of 2004)*

The *Prevention and Combating of Corruption Act, 2004 (Act 12 of 2004)* has the objective to criminalise corrupt activities and to provide for measures to report and investigate corruption. The Act defines the general offence of corruption in respect of public officers, foreign public officials, agents, members of the legislative authority, judicial officers, and members of the prosecuting authority. Sections 12 and 13 criminalises *inter alia* the act of accepting and/or giving any form of gratification to improperly influence the procurement of any contract with a public body¹, or the awarding of a tender.

Chapter 5 of the Act provides for the penalties relating to corrupt offences, as well as the establishment of a Register for Tender Defaulters. Penalties may range from imprisonment for a period not exceeding three years to imprisonment for life depending on whether the conviction is imposed by a Magistrate, Regional or High Court, including the option to impose a fine. Additionally to the fine, the Court may impose a fine equal to five times the value of the gratification involved in the offence. The court may also order that the particulars of a convicted person or enterprise, in accordance with section 12 and 13, be recorded in the Register for Tender Defaulters.

Significant implementation obstacles appear in respect of this Act. The successful prosecution and conviction of alleged corrupt officials depends on proper investigation

¹ Chapter 1 of the Act defines 'public body' and 'public officer' to such an extent to include the numerous autonomous institutions that are created by the public service. Consequently, this would include the many private sector institutions that provide services on behalf of the state.

and the gathering of sufficient evidence. Often investigating officers are overloaded with cases which they should investigate and this could prove to be a major obstacle in the successful conviction and imposition of suitable penalties on a corrupt official (Fourie, 2008: 8). Furthermore, the Register for Tender Defaulters has since its inception in 2005 remained empty (Naidu, 2010: 8; Davids, 2009).

Section 28 of the Act prohibits the government from entering into any agreement with convicted persons or enterprises recorded in the Register for Tender Defaulters. Furthermore, section 34 makes it an obligation for persons in authority to report corruption, fraud, extortion or theft to any police official. Thus, if a head of department, municipal manager, or any public officer who is a member of the Senior Management Service knows or ought to reasonably have known that such an offence has been committed, but does not report it, is guilty of an offence.

4.5.10 *Executive Members' Ethics Act, 1998 (Act 82 of 1998)*

The *Executive Members' Ethics Act, 1998 (Act 82 of 1998)* requires the publication of a code of ethics governing the conduct of members of Cabinet, Deputy Ministers and Members of the Executive Councils (MEC) of provincial governments. In terms of the Act, the code of ethics should require executive office-bearers to *inter alia* declare their financial interests and not to act in conflict with their official responsibilities, and act in good faith and in the best interest of good governance. The code of ethics should prohibit members of Cabinet, Deputy Ministers and MEC's to *inter alia* undertake any other private work, and use their position to enrich themselves or improperly benefit any other person. The Code should require members of Cabinet, Deputy Ministers and MEC's to declare their financial interests when assuming office, and any financial interest gained during the term of office.

4.5.11 National Anti-Corruption Hotline

Various whistle-blowing mechanisms have been established in South Africa. In addition to the existence of some institutional and provincial hotlines, a National Anti-Corruption Hotline (NACH) has been established for citizens to report unethical conduct including tender irregularities, abuse of government vehicles and fraud. After receipt of complaints by the Public Service Commission, allegations are passed on to state departments to investigate (CBPE & SAMDI, 2006: 123-124).

Departments' responses to these allegations have not been adequate. Of a total of 2297 allegations of corruption, the Public Service Commission only received feedback for 36% of these cases. A major constraint seems to be the lack of capacity on the part of departments to investigate cases of misconduct (Public Service Commission, 2008: xii). In some instances, Departments have not submitted any feedback to the Public Service Commission (Public Service Commission, 2007 C: 14; Public Service Commission, 2007 A: vii-xi).

4.5.12 Envisaged Corruption Prevention Measures

The Department of Public Service and Administration has proposed various new policy measures which will be submitted as a draft bill before parliament before the end of 2010. These measures include:

- Prohibiting officials from doing business with their own departments;
- Preventing officials from taking up employment with companies with which they may have done business;
- Providing for a dedicated ethics officer to scrutinise, assess and analyse disclosure forms of all officials; and
- Establishing a corruption management information system that would assist in tracing allegations of corruption and the investigation of their validity, as well as the completion of e-file disclosure forms by officials and tracing of a possible conflict of interest.

(Naidu, 2010: 8; Davids, 2009).

The Department of Public Service and Administration also intends to establish a special unit that would take responsibility for corruption at national, provincial and local government level (Claasen, 2010:11).

4.6 Policy Interventions for Promoting Integrity at the Department of Correctional Services

This section aims to describe the various policy interventions that the Department of Correctional Services have established to promote integrity (cf. Cloete, 1998: 126-127). These interventions should be considered in the context of the Department's obligation to identify and manage its risks in terms of the *Public Finance Management Act, 1999* (Act 1 of 1999), the *Treasury Regulations* of 2002, as well as the capacity improvement initiatives as proposed in the *Public Service Anti-Corruption Strategy* and the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* (cf. section 4.5).

4.6.1 Correctional Services Act, 1998 (Act 111 of 1998)

The *Correctional Services Act, 1998* (Act 111 of 1998) provides for *inter alia* the custody of all prisoners under conditions of human dignity; policy prescriptions for sentenced and unsentenced prisoners; and policy prescription for community corrections. Of significance to this study are the provisions for the establishment of a Judicial Inspectorate to *inter alia* inspect prisons and report on any dishonest or corrupt activities in prisons (chapter IX). Chapter XV of the Act (section 113-129) specifies various offences including aiding in escapes; giving or receiving money or other consideration; supplying certain articles to prisoners; selling or supplying articles to prisoners; unauthorised access to or modification of computer material; and unauthorised disclosure

of information. In many cases, the Act specifies the penalties that could be imposed by a court of law.

4.6.2 *White Paper on Correctional Services in South Africa, 2005*

The *White Paper on Correctional Services in South Africa, 2005* intends to *inter alia* outline a new strategic direction for the Department; address the challenges of the Department, including corruption and maladministration; transform the existing organisational culture into one that is conducive to the efficient delivery of its core business; and provide for strategic interventions aimed at a strict code of behaviour supported by a clear and effectively enforced disciplinary code with effective disciplinary procedures.

Section 8 (4) of the *White Paper* indicates that existing corruption in the Department is an indicator of an ineffective organisational culture which deserves special attention. To this effect, section 8 (11) of the *White Paper* identifies discipline as a core supervisory and management responsibility. Corruption and mismanagement will be prevented with *inter alia* the tightening of management systems; integrity testing and the vetting of personnel; increasing compliance with policy and controls; and internal investigation and sanction, as well as referral to external law enforcement agencies. Furthermore, section 8 (12) of the *White Paper* identifies integrity and the disassociation with corruption and maladministration is one of the core values of the Department.

4.6.3 Departmental Investigation Unit and Code Enforcement Unit

In 2004, the Department established the directorates of the Departmental Investigation Unit (DIU) and the Code Enforcement Unit (CEU) as part of Legal and Special Operations based at the head office in Pretoria (cf. Annexure 6). Whereas the DIU detects and investigates cases of reported corruption, CEU is responsible for conducting disciplinary hearings, the training of chairpersons of disciplinary hearings, and handing over cases to the South African Police Service.

The DIU consists of three sections: the Investigating Unit, the Analytical and Prevention Desk, and Integrity Testing. The Investigating Unit is responsible for investigating allegations and cases of corruption. The Analytical and Prevention Desk is responsible for updating the Department's corruption database and undertaking trend analysis. The Integrity Testing Desk is responsible for vetting staff in co-operation with the National Intelligence Agency. The CEU consists of two sections: Prosecutions; responsible for disciplinary prosecutions, and Sanctions; responsible for training chairpersons for disciplinary hearings (Interview, 2007: Malatsi; Interview, 2008: Paxton; CBPE & SAMDI, 2006: 139-141; cf. Annexure 6).

Whereas disciplinary processes for minor offences could be undertaken in management areas with their own internal capacity, more serious transgressions seems to be the responsibility of the DIU and CEU. In cases of serious offences the Department could request the Special Investigating Unit to assist where the DIU and CEU does not have the necessary authority, for example when the bank statements of an official is necessary to conclude an investigation into malfeasance (Interview, 2008: Paxton).

Absolute reliance on such anti-corruption units in public service departments should be applied with caution. It was reported that an anti-corruption unit in the public service has been disbanded for taking bribes in exchange for not taking actions against unscrupulous officials (Gifford, 2004).

4.6.4 Resolution 1 of 2006: Disciplinary Code and Procedure for the Department of Correctional Services

In Annexure A of the *Department of Correctional Service Disciplinary Code and Procedure* various institution specific acts of misconduct are described. This Disciplinary Code and Procedure is applicable to all employees between post level 2 and 12 in the Department. The Disciplinary Code and Procedure also outlines the disciplinary process, the procedure that should be followed during a disciplinary hearing, and the sanctions that may be imposed. Disciplinary transgressions include *inter alia* theft, bribery, fraud,

corruption as well as non-criminal forms of corruption such as sleeping on duty, being under the influence of alcohol while on duty, and breaching security measures.

The effectiveness of disciplinary action against malfeasance is apparently hampered by the unwillingness of line managers to undertake the disciplinary function. Line managers often expect the CEU to undertake disciplinary action against members (Interview, 2008: Paxton). In addition, the effectiveness of disciplinary action against perpetrators of malfeasance is significantly hampered by labour legislation which makes penalties difficult to impose (Steenkamp, 2010: 2).

4.6.5 Vetting of Public Officials

All new appointments should be vetted in terms of previous employment, qualifications, citizenship, and criminal record. This is not a legal requirement but put forward as a mechanism to deal with corruption by the Anti-Corruption Coordinating Committee (no date: 6; cf. Klitgaard, 1991: 75). The Integrity Testing Desk at the DCS has the responsibility to undertake security vetting of senior and high risk officials while all qualifications are verified as part of a pre-employment screening process (CBPE and SAMDI, 2006: 113- 141).

The screening of employees should not be confused with integrity testing. Integrity testing could be used to test the integrity of officials by covertly offering them, while placed within their day-to-day environment, an opportunity to engage in an illicit act. If the official accepts the opportunity, the evidence could be used against him or her. In some courts, such evidence is inadmissible, especially when the bribe offered is of a magnitude that the official would not be exposed to under normal circumstances (United Nations Office for Drugs and Crime, 2004: 396-399). However, this practice appears to be acceptable in the South African public service. Draft regulations to carry out integrity tests as part of a broader programme to promote integrity within a division at the South African Police Service have been published in the Government Gazette for public comment (Department of Police, 2010).

4.6.6 Miscellaneous Ethics Policies

The Department has a range of administrative policies aimed at promoting integrity including the Whistle-blowing Policy for the Department of Correctional Services, the Department of Correctional Services Anti-Corruption Strategy, the Fraud Prevention Policy, the Anti-Corruption Policy, Anti-Corruption Procedures, the Vetting Policy and the DCS Code of Conduct (CBPE & SAMDI, 2006: 39-41, Appendix A & B).

4.7 The Implementation of Ethics Policies at the Department of Correctional Services: Provisional Findings

It is not only the composition of ethics policies that should be scrutinised, but rather their effective implementation (cf. Section 2.5.3.1). A World Bank Report (2000: xv) reflects this concern by emphasising the vulnerability of ethics programmes at their implementation stage. A Kenyan study also identifies the lack of enforcement as a significant problem for corruption prevention programmes (Kibwana, Wanjala & Owiti, 1996:164). Although a myriad of policy measures on corruption prevention exists, it is its implementation that seems to be of significance (cf. Klitgaard *et al.*, 2000:24-29).

Empirical research at the Department has provided a number of provisional findings that are worth noting. Policies and structures have been established at Head Office since 2004. Whistle-blowing, Anti-Corruption, Anti-Fraud, and Vetting policies have been established. The primary responsibility for its implementation lies with the DIU, which employs 25 officials. A database which captures corruption related cases enable officials to analyse trends to identify departmental weaknesses. All senior and middle level public managers have received ethics training in 2006 (Interview, Malatsi, 2007).

A different picture seems to emerge within decentralised management areas where public officials are employed. A total of 228 Prisons are located in management areas and can be found in all nine provinces of South Africa. At one management area it was reported that policies, such as the anti-corruption and anti-fraud policies, are formulated at Head

Office and do not reach 'ground level'. Officials reported that they had not even seen these policies, nor was any form of training provided. Officials were generally afraid to report corruption as management could not be trusted. Whistle-blowing was ineffective as officials did not believe that reports would be kept confidential and thus could be victimised. One respondent replied that no one even answered the Whistle-blowing Line. Furthermore, the impression of impunity was created as suspended members would simply return just to be transferred to another unit (Interview, DCS officials, 2007).

The *Disciplinary Code and Procedure for the Department of Correctional Services, Resolution 1 of 2006*, outlines acts of misconduct, penalties and the disciplinary procedure. In March 2007, at the same management area, 29 disciplinary cases had either been finalised or were pending in accordance with Resolution 1 of 2006. However, whether such measures are adequate for preventing corruption seems doubtful. Disciplinary procedures seem not to be an effective deterrent as the author observed when an official appeared quite content with his suspended status (cf. section 4.2.2).

These provisional findings point to the ineffective implementation of ethics policies. The work of Brynard (2006), Hood (1976), Warwick (1982), Okumus (2003), and Kaptein (2008) provide an appropriate evaluative framework to determine possible causes for poor policy implementation. In the following chapter this researcher engages with a more representative sample within the Department to ensure reliable and valid research results.

4.8 Conclusion

In this chapter an exposition of the most recent government reports, surveys and policy documents aimed at preventing corruption was provided. From these reports a number of findings appear to be significant including the need to revisit the debate on the establishment of a single anti-corruption agency; to discuss the appropriateness of legislating the private funding of political parties; the need for improved coordination and cooperation between institutions responsible for the combat and prevention of corruption; and the high levels of perceived corruption compared with the lower levels of actual

corruption experienced. At institutional level a public service policy framework for preventing corruption has been established. However, evidence suggests that public service departments are experiencing problems in building the necessary capacity.

The South African public service has not escaped the pressure to undertake public management reform. This reform, with its focus on outputs and outcomes, has contributed to the prominence of the auditing function in the public service. The Auditor-General fulfils a significant role in corruption prevention, specifically in respect of its forensic audit function.

The prevention of public service corruption has been a government objective since 1997. A myriad of policy measures have been promulgated to prevent the manifestation of corruption. Notwithstanding these provisions corruption has remained a significant problem within the public service. Consequently, it is not only the public policies that should be of concern, but also their implementation.

An evaluation of the policy framework to prevent and combat corruption enabled this researcher to identify a number of specific policy goals and objectives that public service departments should pursue. These policy goals include *inter alia* establishing a minimum anti-corruption capacity including and improved management policies and practices to manage malfeasance. The following departmental policy objectives include to conduct risk assessment; to formulate fraud prevention and anti-corruption policies; to receive and manage allegations of corruption through whistle blowing or other measures; to investigate allegations of corruption and detected risks at a preliminary level; to identify early signs of a lack of discipline; to improve the accountability and capacity of managers to manage discipline; and to encourage managers to act against transgression.

The work of policy implementation scholars provides a suitable conceptual framework to evaluate the implementation of this ethics policy framework (cf. section 2.5.5). In the next chapter this author will reflect on the most appropriate macro research methods to

evaluate the implementation of these policies in pursuance of the identified policy objectives.

CHAPTER 5

A DESCRIPTION OF THE EMPIRICAL APPROACH TO STUDYING THE IMPLEMENTATION OF THE PUBLIC SERVICE ANTI-CORRUPTION STRATEGY

5.1 Introduction

In this chapter, the objective is to explain the choice of research design and to describe its implementation. From the outset of any social science study, the researcher considers the choice of working within either the qualitative or quantitative methodological paradigm. In taking this decision, the researcher is informed by his own assumptions of human nature, as well as the nature of the object of study. The attributes of both these methodological paradigms will be discussed.

This research is conducted mainly within the quantitative methodological paradigm, but data collection methods from the qualitative methodological paradigm will also be used. The data collection methods used in this study will be discussed, including personal and group interviews, observations, visits to the head office and management areas of the Department of Correctional Services, document analysis, as well as the survey method.

The survey method is used within the quantitative methodological paradigm and requires the researcher to undertake various sequential steps. This section will be followed by a description of the conceptualisation process which includes the design of the questionnaire, identification of indicators, formulation of questionnaire items, and pre-testing the questionnaire. This process was followed by determining the research sample, a description of the fieldwork experiences, and the response rate achieved.

5.2 Empirical Studies in Ethics Management

In Gilman's view (1999:95-114; cf. section 2.5.3) empirical research into ethics management in the public service is at best anecdotal and impressionistic. Literature in the study field is theoretically vague and provides little indication of how these programmes work on a policy and administrative level. However, a later publication by Menzel (2005: 16-46) points to the fact that empirical research into government and administrative ethics has recently shown substantial growth. Before 1990, empirical research was neglected in favour of greater research emphasis on its counterpart, ethics theory. Menzel's review of empirical research into ethics, with particular emphasis on articles published in the United States of America between 1999 and 2003, enabled him to establish five different study areas: ethical decision-making and moral development; ethics laws and regulatory agencies; organisational performance and ethics; ethics management experiences and strategies; and community, culture, and the ethical environment.

Similar sentiments have been expressed by Lawton and Doig (2006:11-33). In their review of European publications between 1999 and 2003 on the general track of public service ethics, they point to the eclectic nature of research on the subject, stemming from various academic disciplines, as well as a dearth of empirical research. Quite the opposite was found in the more specific research track on corruption and fraud. This track has been characterised by a multitude of easily accessible practitioner-lead research publications and empirical material – including those from transnational agencies and non-governmental organisations. In the above authors' view, corruption and fraud have not received the necessary attention from academics with practitioners taking the lead in research. Theory development in the field seems to be neglected.

Except for the numerous government publications on the compliance with ethics policies in the South African public administration, very little – if any – empirical research has been published in South Africa. A review of local publications on ethics in chapter two supports this criticism raised by Gilman. For example, the publications by Bauer (1999:

76-97), Kroukamp (2006: 206-217), and Mafunisa (2007: 260-270) appear to rely mostly on secondary data such as government reports, without attempting to make use of qualitative data collection methods such as individual interviews, group interviews and personal observations, or the survey as a quantitative data collection method.

5.3 Selecting an appropriate Research Design and Methodology

In his evaluation of research in Public Administration, Wessels (1999:361-415) argues that researchers often do not carefully consider the context of their research when deciding on appropriate research methods. Furthermore, these researchers do not satisfy the epistemic imperative of scientific knowledge. Arriving at the most valid findings possible to contribute to scientific knowledge should be the overriding criterion when researchers decide on the most appropriate methodological paradigm, or as Wessels calls them macro research methods. Researchers should clearly motivate their choice of methodological paradigm, which - at the level of meta-theory and social inquiry - is differentiated between the positivistic and the interpretivist epistemological approaches to the research object (Hill & Hupe, 2009: 9-11, 38-40; cf. Babbie & Mouton, 2007: 20-21, 28). These two broad categories reflect the basic assumptions upon which the qualitative and quantitative methodological paradigms are based. With the epistemic imperative in mind, this researcher considered the various methodological paradigms most applicable to the object of study.

In the following sections, the research design is explained.

5.3.1 Research Question

At the outset of this study, continuing reports of unethical conduct in the Department of Correctional Services were identified as a research problem to investigate. Emanating from this problem, the following research question was formulated: How can the implementation of the *Public Service Anti-Corruption Strategy* be enhanced?

A study of the implementation of the PSACS requires an evaluation of the means used to achieve its objectives. Cloete (2006: 246-288) defines policy evaluation as 'the process of finding out about a public policy in action, the means being employed and the objectives being served'. The focus of a policy evaluation exercise could be to determine *inter alia* its effectiveness - the extent to which predetermined objectives are achieved; and the cost-benefit ratio of the policy - the extent to which the benefit of a policy programme outweighs its costs, or vice versa. Such an evaluation could take place before, during and after its implementation. Another objective of policy evaluation could be to determine its impact on its target group. In this respect Dye (1995: 319-337) distinguishes between policy outputs and outcomes. The focus of policy evaluation should be the impact of a policy on real world conditions. Policy evaluation should not only be concerned with output but also the impact of the policy on its target group.

The *Encyclopedia of Evaluation* (2005: 139) defines "evaluation" as 'an applied inquiry process for collecting and synthesizing evidence that culminates in conclusions about the state of affairs, value, merit, worth, significance, or quality of a program, product, person, policy, proposal, or plan'. To Hill and Hupe (2009:11-12) policy evaluation is a normative judgement based on a comparison between what was expected and what was actually delivered. Evaluation refers to a process where public policy is examined and the people who deliver it may be appraised, audited, valued and controlled.

An evaluation of the PSACS points to the achievement of a number of predetermined policy objectives (cf. section 4.5.1). At the systemic level the *Prevention and Combating of Corruption Act, 2004* (Act 12 of 2004) was promulgated to strengthen measures to prevent and combat corruption. Section 28 of Act 12 of 2004 makes provision for the establishment of a Register for Tender Defaulters in which the details of a convicted person or enterprise could be endorsed. The public service is prohibited from entering into any agreement with such a convicted person or enterprise (cf. section 4.5.9).

Furthermore, the *Public Service Regulations, 2001* requires senior managers in the public service to declare *inter alia* their personal financial interests in private or public

companies, directorships and partnerships, ownership in land and property, and gifts and hospitality received (cf. section 4.5.5). In addition to some institutional and provincial hotlines, a National Anti-Corruption Hotline (NACH) has been established for citizens to report unethical conduct including tender irregularities, abuse of government vehicles and fraud (cf. section 4.5.11).

At the departmental level various policy objectives have been achieved. Empirical research indicated that the DCS has established a significant anti-corruption capacity. The DCS established in 2004 the DIU and CEU. The DIU is responsible to detect and investigate cases of reported corruption. The CEU is responsible for conducting disciplinary hearings, the training of chairpersons of disciplinary hearings, and handing over cases to the South African Police Service (cf. section 4.6.3). The DCS has also accepted the *Department of Correctional Service Disciplinary Code and Procedure* which identifies specific acts of misconduct. This Code outlines the disciplinary process, the procedure that should be followed during a disciplinary hearing, and the sanctions that may be imposed (cf. section 4.6.4).

However, it should not be expected that the mere formulation of statutes and ethics policies and the establishment of departmental anti-corruption capacity would lead to reduced levels of corruption. These measures often serve to reduce public service efficiency and effectiveness, and create opportunities for corruption (Anechiarico & Jacobs, 1995: 143-175; Frederickson, 1997: 169-174). Hoekstra, Belling & Van der Heide (2008: 143-158) found that despite the imposition of policies, rules, and guidelines, and the strengthening of the organisational structure as a means to deal with malfeasance, integrity violations persisted in the Dutch public service. Rather, this compliance-based approach should be supplemented by a value-based approach which emphasises the development of internal self-control of individuals, the promotion of trust among employees, and the promotion of a culture of responsibility.

A number of variables could enhance the implementation of the PSACS. A highly committed senior management; adequate capacity to investigate malfeasance; visible

support by clients and coalitions for policy objectives; and an appropriate ethical culture could contribute to the successful implementation of the PSACS (cf. section 2.5.5; section 2.5.5.1).

5.3.2 Units of Analysis and Observation

For the purpose of this study an institution was identified as the unit of analysis: the Department of Correctional Services. As the DCS is a 'World One' object, this study is empirical in nature. Furthermore, as this study is concerned with the implementation of the PSACS, this researcher was interested in the orientations and actions of the DCS in the implementation of the PSACS (cf. Babbie & Mouton, 2007: 90-92).

Empirical questions are answered with new data or by analysing existing data (Mouton, 2008: 49-58; Babbie & Mouton, 2007: 72-79; Wessels, 1999: 368-372). To collect data it was necessary to identify the units of observation. For the purpose of this study, the unit of analysis and the unit of observation were not the same (cf. Babbie & Mouton, 2007: 174-175). Wessels refer to units of observation as sources of data, and categorises them into two types: human behaviour, orientation, and characteristics, and products of human behaviour and characteristics (Wessels, 1999: 374-375). Both units of observation were used in this study.

Units of observation could include documentary evidence – the so-called products of human behaviour - such as reports on the number of disciplinary hearings regarding misconduct, reports on the frequency of different types of misconduct, or the outcome of financial audits contained in the Auditor-General's reports over an extended period of time, say between 2002/3 and 2007/8. In the annual reports of the DCS, the number of disciplinary hearings increased from 1589 finalised during the 2002/3 financial year to 2722 finalised during the 2007/8 financial year. An improved system of recording the type of misconduct was initiated in the 2007/8 financial year. In this categorisation, sexual harassment is distinguished from theft, bribery, fraud, or corruption. In the 2007/8 financial year, 424 disciplinary hearings dealt exclusively with theft, bribery, fraud,

corruption, or any combination thereof. Based on these findings it could be argued that since 2002 the Department has demonstrated an increased commitment to implementing ethics policies. The number of disciplinary hearings increased by 71% to 2722 in 2008 (Department of Correctional Services, 2002/3; Department of Correctional Services, 2007/8).

However, one should be careful in making findings from these figures alone. Measurement is often complicated, as in many cases misconduct goes undetected. Corruption and fraud are illegal in most societies and occurs as a *covert activity*. Often only the perpetrators of corruption are aware that it occurred (Anechiarico & Jacobs, 1996: 14-16; cf. Precupetu, 2007: 1-39; McMullan, 1961:198-199).

Perpetrators try to hide their intentions to extort money or gifts from citizens. Citizens bribe public officials to gain an unjust advantage over other citizens, and when a competitive tender is to be selected for the provision of public services, over other competing companies. Naturally, when such malfeasance is exposed both parties risk the possibility of losing not only their unjust advantage, but also their upward career prospects – in the case of public officials, and their business reputations and future contractual dealings with the public service – in the case of business owners. The state is prohibited from considering a tender submitted by individuals listed on the Register for Convicted Corrupt Offenders (cf. Section 4.5.9). In addition, criminal prosecution possibly resulting in a conviction accompanied by a criminal record and a fine serves as a further deterrent (*Prevention and Combating of Corrupt Activities Act*, 2004 (Act 12 of 2004), sections 26 and 28). As no incentive exists for the bribed or the briber to report misconduct, estimates of misconduct could be conservative.

The Office of the Auditor-General regularly carries out performance audits on public institutions. Performance audits evaluate a department's management measures to determine resources have been procured economically and finances been spent effectively and efficiently. When performance audits identify weaknesses in a department's management control measures, the likelihood of corruption or fraud being

committed increases. It is at this point that forensic investigations could be undertaken to determine the existence of criminal activity in a department. Furthermore, when audit reports identify cases of fraud or corruption in a department, such information must be included in a department's annual report that is submitted with the audited financial statements and the audit report to the relevant legislature. (Interview, 2007: Louwrens.) For example, in the Annual Report for the 2004/5 financial year for the DCS the Auditor-General reports on its performance audit carried out in respect of the Department's fleet vehicle management, as well as its forensic investigation into excessive medical claims by members and service providers of the Department (cf. section 4.6; section 4.7).

In addition to the products of human behaviour, an alternative unit of observation – the so-called human behaviour, orientations and characteristics – was identified. The perceptions and experiences of employees of the Department served as a unit of observation. It is expected that data collected from this unit of observation could provide an answer to the main research question. Various initial questions related to the implementation of the PSACS provided guidance to this researcher. For example, do employees perceive fraud and anti-corruption policies to be clearly communicated? Do senior management and supervisors enforce these policies? Do employees perceive their senior management as vigilant in acting against perpetrators of malfeasance? Are ethics policies enforced with penalties and rewards for compliance? Is senior management committed to acting against unethical behaviour? Is management supportive of a culture of whistle blowing? Is there a culture of impunity in the department? (cf. Section 4.5.1).

Primary data had to be collected and this author decided to leave the comfort of his office to enter the 'field of study'. Field work requires the researcher to, in addition to data sources, identify data collection methods. Amongst the data collection methods, one would find personal observation in the natural field setting; personal and group face-to-face interviewing; documentary sources such as official memorandum, strategic plans, annual reports; and administering a survey in the form of a questionnaire (Mouton, 2008: 98-110; 158-159). Whereas experiments and surveys in the form of questionnaires belong to the quantitative methodological paradigm, individual interviewing, in depth individual

interviewing, focus group interviews, observation and participant observation belong to the qualitative methodological paradigm (Babbie & Mouton, 2007: 269-300). In addition to quantitative and qualitative methodological paradigms, a third, the participatory action paradigm exist (Wessels, 1999: 392-395). This paradigm was evaluated, but considered to be inappropriate for this study as this researcher did not intend to collaborate with the study object. For the purpose of this chapter, the participatory action paradigm will not be discussed.

When a researcher aims to answer a specific research question, a decision has to be made which methods to use - considering the limitations of each of these methods. Often the compatibility of using both qualitative and quantitative methods is questioned. However, social scientists sometimes find it desirable to make use of methods from both methodological paradigms to improve the quality of their research (Mouton, 2006: 35-40).

At this point it seems necessary to explain the basic attributes of the qualitative and quantitative methodological paradigms. These methodological paradigms are at a high level of complexity as they represent, not merely collections of research methods and techniques, but also include assumptions and values regarding their use under specific circumstances. When selecting a particular paradigm, researchers are influenced by various variables (Mouton, 2006: 36-37; Mouton, 1983: 125-129). This researcher was influenced by *inter alia* perceptions of the disciplinary traditions and developments, nature of the research objective, as well as assumptions on the nature of science and human beings.

5.4 Data Collection within the Qualitative Methodological Paradigm

At the outset of this study, this researcher was confronted with some difficulties to overcome. In order to arrive at an answer to the main research question, this researcher decided to start the fieldwork within the qualitative research paradigm. After all, the qualitative methodologies are particularly relevant in explorative studies (Mouton, 1983:

129). Following this paradigm with its research methodologies would enable this researcher to get an insider perspective. The qualitative researcher studies human action in its natural setting through the eyes of the actor who is the subject of the study. Within this paradigm, a deliberate attempt is made by the researcher to understand the actions, decisions, behaviour, practices, and rituals of the subject of study.

In contrast with the quantitative researcher, who uses somewhat artificial settings of experiments and surveys, the qualitative researcher describes the phenomenon in detail and tries to understand human behaviour within the appropriate context. When conducting qualitative research, the researcher uses an inductive approach, in other words, the researcher begins within the natural setting, describing events, developing hypotheses and eventually ends with a theory (Babbie & Mouton, 2007: 269; Webb & Auriacombe, 2006: 588-602; cf. Precupetu, 2007: 1-39).

Methods of data collection within the qualitative research design includes basic individual interviewing, in depth individual interviews, focus group interviews, observation and participant observation, and the use of personal documents (Babbie & Mouton, 2007: 288-303). Field observation often provides data which surveys are unable to provide, for example, when this researcher observed the light hearted response by a suspended public official when approached by a colleague on the premises of the DCS.

As this researcher was not familiar with the activities in the DCS, individual interviews seemed the most appropriate data collection method. It was decided that interviewees would be engaged in a conversation where no set questions - arranged in a specific order - would be asked. In this context, the respondent will be doing most of the talking and the researcher would apply good listening skills, probing the respondent with questions (Babbie & Mouton, 2007: 290).

The next step would be to identify suitable respondents to interview. With regard to sampling in the qualitative research design, three matters seemed appropriate to consider: enculturation, current involvement and adequate time (Babbie & Mouton, 2007:288). In

this regard, the work of the researcher was simplified as a departmental guide was assigned to the researcher (cf. Annexure 2). The departmental guide would contact the relevant Management Areas and notify them of my research intentions. In most cases, if not all, this researcher made contact with the Co-ordinator: Corporate Services. The Co-ordinator: Corporate Services was based in the Area Commissioner's Office and was in a position to identify respondents with whom interviews should be conducted. In many cases, this individual made appointments with the relevant respondents. At more than one occasion, this researcher was awaited by a room full of members waiting to be interviewed. The Department was very accommodative during the entire research process.

As a first step in the research process, an application was submitted to the Department of Correctional Services in October 2006 (cf. Annexure 1). This application included sections on the aim of the research and research problem, nature of the investigation, sample size, management areas to be visited, value of the research to the Department, as well as a draft questionnaire. In March 2007, a letter of approval for research in the Department was received and the Director: Departmental Investigations Unit was appointed as the departmental guide of this researcher (cf. Annexure 2). In the research proposal to the Department, approval for access to the following Management Areas was requested: Pretoria, Johannesburg, Durban-Westville, Pollsmoor, and Malmesbury Management Areas, including two correctional centres that were Public-Private-Partnership initiatives.

During 2007, field visits were undertaken to the Pollsmoor and Malmesbury Management Areas where a number of group and individual interviews were conducted. The Malmesbury Management Area was visited during April where three group interviews were conducted with staff members from the Medium A Correctional Centre, as well as members from the Area Commissioner's Office. At the Pollsmoor Management Area, one group interview was conducted with staff members at the Medium A Correctional Centre, as well as an individual interview with the Head of Medium A Correctional Centre. Three individual interviews were conducted at the Area Commissioner's Office.

Also during 2007, an individual interview was conducted with the Director: Departmental Investigation Unit based at the Head Office in Pretoria (Interview, Malatsi: 2007). This was followed up with an individual interview in 2008 with the Director: Code Enforcement Unit, also based at the Head Office in Pretoria (Interview, Paxton: 2008). Both these directorates play a central role in the investigation of ethics compliance and disciplinary processes, as well as the enforcement of sanctions for malfeasance. All the individual and group interviews were conducted with open ended questions, giving interviewees adequate time to respond. With this approach, the researcher could gather important data and insight including information on the basic operations of the Department, and employee's perceptions of the Department's capacity to implement ethics policies. These interviews also provided the researcher with an understanding of the possible variables that could have an influence on the implementation process. With these insights, the researcher could progress to the next stage of formulating questionnaire items and designing the overall layout of the questionnaire which is part of the survey.

As noted earlier public management reform has had a determining influence on activities in the public service. For example, if the devolution of authority is not accompanied by appropriate checks and balances, greater opportunities for corruption and fraud are created. The public services in developing states, in many instances, do not have the required skills and capacity to deal with this new found managerial freedom (cf. Section 3.6). To investigate this phenomenon further, this researcher conducted an individual interview in 2007 with the Manager: Special Audit Services in the Auditor-General's Office. Financial-, performance- and forensic audits that the Office of the Auditor-General undertakes, and the resultant audit reports, serve as a reliable indicator of the extent to which opportunities for malfeasance exist. The Special Audit Services mainly does performance audits, and when evidence of malfeasance exists, forensic investigations are undertaken. Many cases of fraud and corruption have been investigated, and when adequate evidence exists, it is handed over to the South African Police Services (cf. section 4.3).

In addition to the above mentioned interviews, various other sources of data were identified. These would include official departmental documents such as *Resolution 1 of 2006*; a departmental memorandum of the number of disciplinary cases postponed and finalised during the month of March 2007. Various personal observations were made during these field visits especially between formal interviews and meetings which would not have become evident during the individual and group interviews. Much of this kind of data is meaningful as it reveals something of the employees' perceptions, behaviour and attitudes which would not have been detected using quantitative research methodologies such as surveys. These visits were used as an opportunity to observe events and actions as they occur without any interference or intervention. In fact, most qualitative researchers aim to blend in and become participant observers of the events they investigate (Babbie & Mouton, 2007:270-274).

Data emanating from the interviews above could be triangulated with other sources of data. Triangulation is one of the best ways to enhance validity and reliability in qualitative research. Qualitative researchers are particularly subjected to personal biases and deficiencies that flow from single methodologies. Triangulation refers to combining different methods and investigators in a single study. We can also triangulate by paradigm, methodology, methods and researchers (Babbie & Mouton, 2007: 275-276; Shipman, 1995:113-115).

Triangulation enhances the credibility of qualitative research, ensuring compatibility between the constructed reality of respondents and the attributes assigned to them by the researcher. It enables researchers to strive to be objective and do justice to the object of study. To elicit various and divergent constructions of reality within the context of a study, triangulation means to collect information about different events and relationships from different points of view. This means asking different questions, seeking different sources and using different methods (Babbie & Mouton, 2007:277; Mouton, 1983: 130). For example, in two interviews the respondents referred to the inability of the employees to implement what they perceived as good departmental policies. These views are

supported by findings from the Jali Commission which investigated cases of corruption, fraud and maladministration in the Department (cf. section 4.2.2).

In the context of this study, qualitative research also has limitations. Contrary to the quantitative approach, the qualitative researcher is not concerned with the generalisation of research results. Data gathered and the conclusions drawn are applicable only to the case with which the researcher is concerned. These findings are not applicable to other contexts (Babbie & Mouton, 2007:277). For example, when an interviewee describes his perceptions of the department's commitment to honesty and integrity, one cannot assume that all members of the department would share this conviction.

Another limitation of qualitative research methods are that they are often very time consuming and expensive (UN Toolkit, 2003: 74-75; Auriacombe, 2009: 824-848). It would have taken considerably more finances and time to conclude individual and group interviews in all the identified management areas. Although group interviews, as opposed to individual interviews, allows the researcher to select a group of between eight and twelve respondents, and thus save time and money, it most often compromises the quality of data. In many cases, respondents are not at liberty to frankly discuss their views amongst their colleagues. These limitations lead the researcher to consider, as an alternative, the quantitative methodological research paradigm.

5.5 Data Collection within the Quantitative Methodological Paradigm

Wessels (1999: 386-389) describes the quantitative methodological paradigm as 'mainstream' social research most often used in the social sciences. In the quantitative methodological paradigm, it is assumed that the social science researcher engages in a similar fashion with his research object as colleagues in the natural sciences. Meaning, similar decisions are taken in respect of conceptualisation, operationalisation, data collection and analysis. The qualitative researcher rejects this assumption and is of the view that quantitative methodologies are not compatible with the social sciences (Mouton, 1983: 125).

Within the quantitative methodological paradigm, the researcher aims to analyse variables and the relationship between them in isolation from the context or setting, with the ultimate aim to arrive at general statements. Whereas the qualitative researcher wants to observe the natural settings of the research object, the quantitative researcher emphasises control and makes use of artificial settings such as experiments and surveys. The quantitative researcher endeavours to find empirical regularities of laws of human behaviour with the view of generalising the results (from a sample) to larger populations or even other settings. Furthermore, quantitative researchers aim to measure and quantify phenomena and concepts, whereas the qualitative researcher attempts to understand a phenomenon from the inside (Babbie & Mouton, 2007: 270-273; Mouton, 1983: 128).

With correctional centres based in fifty-three management areas distributed across six regions each administered by its own regional commissioner, it seemed appropriate to make use of a survey. The survey method would enable this researcher to generalise the findings to the entire DCS. At the time of study the study population constituted a total of 41 397 officials: too large for direct observation. For this purpose, this researcher had to develop a questionnaire to be administered to a sample of respondents that would be representative of the study population (Babbie & Mouton, 2007: 230-233). While the survey method has the advantage to describe a large population, it comes with certain advantages and disadvantages. Questionnaires features strong on reliability and weak on validity. All respondents are asked to answer the same set of questionnaire items, thus the measuring instrument would most likely produce the same findings if the survey is repeated. However, questionnaires are artificial measurement instruments as respondents provide approximate answers to sometimes hypothetical situations. The researcher makes findings on the responses which might not be accurate in all instances. Validity is thus compromised (Babbie & Mouton, 2007: 262-264).

Furthermore, questionnaire items for surveys are often drafted by researchers with the pre-conceived assumption that respondents would attach similar meanings to the same concepts or terms. For example, one respondent might perceive poor service delivery as a manifestation of corruption, while another respondent would have a narrower

understanding of corruption as the solicitation of bribes. Imposing the meanings of concepts on respondents could be a severe limitation of the survey method (Lawton, 2009: 45-62).

5.5.1 Conceptualisation Process and Questionnaire Design

Drafting the questionnaire started with a conceptualisation process during which specific variables were identified that could influence the implementation of the PSACS. The literature evaluated in chapter 2 pointed to the influence of various variables in the implementation of public policy (cf. section 2.5.5; section 2.5.5.1). The successful implementation of public policy requires, for example, a measure of commitment from institutional management to achieve policy objectives, the existence of adequate capacity to implement the programmes, a favourable bureaucratic context, appropriate communication within the institution, clients and coalitions in support of policy objectives, and the existence of unambiguous policy content. It is expected that the presence of these variables are a *sine qua non* for the successful implementation of policy.

For the purpose of this study, this researcher initially used the above variables as indicators to evaluate the implementation of the PSACS. According to Babbie and Mouton (2007: 108-117) researchers could make use of indicators to indicate the presence or absence of the concept that is being researched. In terms of the *Encyclopedia of Evaluation* indicators are used to operationalise a variable in an evaluation exercise. Indicators are descriptions of what can be empirically observed that will signal the occurrence of an aspect under study (Mathison, 2005: 199). Consequently, commitment by institutional management could serve as an indicator of the extent to which a policy is implemented.

In the initial draft questionnaire, items were formulated that would enable the researcher to assign attributes to the above variables or indicators. For example, questionnaire items asked respondents whether they believed that senior management was committed to

integrity and honesty. Another questionnaire item would ask respondents whether sanctions were applied when malfeasance was detected. If respondents responded positively to both items, it would indicate that a measure of commitment exists to prevent malfeasance within the institution. It was expected that the implementation of the PSACS within the DCS was contingent on the positive presence of the above indicators.

Collaboration with colleagues from the European Group of Public Administration's working group on Ethics and Integrity of Governance since 2007 provided this researcher with a wealth of academic work in the field of ethics and integrity in the public service. The publications of Kaptein (2008), Akaah (1992), Van Tankeren (2007), Kolthoff (2008), as well as the work of the Bureau Integriteit Nederlandse Gemeenten/ Dutch Office of Local Government Ethics (no date) and the Vrije Universiteit Amsterdam/ Research Group Integrity of Governance (no date), in particular their interest in measuring ethical conduct in institutions, represented an established collection of academic publications that this researcher could use in this study. Earlier academic work by Victor and Cullen (1987, 1988), and Trevino, Butterfield and McCabe (1998) provided for an interesting insight into ethical culture and ethical climate in institutions.

It is in particular the work of Kaptein (2008: 923-947) in which he attempts to develop a measure for the ethical culture of private sector organisations that proved useful for this study. He identified eight virtues of ethical culture, namely transparency, discussability, feasibility, supportability, congruence of values of supervisors, congruence of values of management, clarity, and sanctions. These indicators provide for a similar conceptual framework as the indicators of commitment, content, context, capacity, communication, and clients and coalitions identified earlier. Both frameworks describe those aspects that are a *sine qua non* in terms of the successful implementation of public policies. However, Kaptein's indicators appear to be a more refined measure for the purposes of this study; it focuses explicitly on measuring the ethical culture within institutions.

Institutional culture appears to significantly impact on the effectiveness of policy implementation (cf. Kolthoff, 2007: 62). Hill and Hupe (2009: 18-41) confirm the view

that policy – once accepted – is subjected to a range of institutional influences including values, relationships, power structures and standard operating procedures. They explain that the norms and values of an institution act as independent variables, whereas policies (and their outputs and outcomes) are dependent variables; influenced by norms and values. Among the policies that acknowledge the importance of establishing an ethical culture are the *Guide for Accounting Officers Public Finance Management Act* (2002); *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* (2006); the *White Paper on Correctional Services in South Africa*, 2005; the *DCS Whistle-Blowing Policy*; and the *DCS Anti-Corruption Strategy*.

For Kaptein (2008: 923-947) the ethical context of an institution is determined by two variables: its ethical climate and ethical culture dimensions. Whereas the ethical climate dimension of an institution determines what employee conduct qualifies to be ethical, the ethical culture dimension refers to those aspects that may stimulate ethical conduct among employees. A brief description of the difference between these two dimensions seems appropriate.

Victor and Cullen's (1987: 51-71; 1988:101-125) identified five different climate types of institutions - caring; law and code; rules; instrumental; and independence. These climate types are determined by two factors in an institution - the ethical criteria for decision-making, and the locus of analysis used for organisational decision-making. Whereas the ethical criteria include principle, benevolence, and egoism, the locus of analysis includes the individual, local and cosmopolitan. For example, employees who are 'caring' may be less concerned with following rules and principles in decision making. Similarly, employees may be more concerned with complying their own interests and those of their consumers, than with broader societal concerns – the locus of analysis.

Victor and Cullen (1987: 67-68) conclude that these two dimensions lead to distinct ethical climates in institutions and consequently the consideration of the appropriate ethics management strategies. For example, when employees strictly follow an

institution's rules, the ethical climate will be one of 'rules'. Conversely, when employees are motivated by a concern for others, an ethical climate of 'caring' would be dominant. The 'ethical climate' refers to the perceptions of employees in respect of their institution's practices and procedures. The significance of ethical climate becomes evident when an institution decides to introduce a code of conduct in an attempt to control unethical conduct. The introduction of codes of conduct may not be as effective in an ethical climate of caring, warmth and support, as it would be in a climate of rules and professionalism. Therefore, an ethics management strategy must be tailored to an institution's ethical climate to enhance its implementation.

Trevino, Butterfield and McCabe (1998:447-476) clarify the conceptual muddiness that seems to exist when a distinction is made between ethical climate and ethical culture. To them the two dimensions are closely related. Ethical climate is associated with attitudes, tells people what the organisational values are and influences decision-making and behaviour indirectly. Ethical culture, on the other hand, influences behaviour more directly and are observed in an institution's formal and informal control systems, including its rules, reward system, and norms.

Whereas a study on the ethical climate within the Department of Correctional Services would no doubt prove useful in respect of ethics management strategies, this study is concerned with the ethical culture dimension – that dimension that stimulates ethical conduct. In this respect, Kaptein (2008: 923-947) similarly suggests that a causal relationship between ethics management strategies and the virtues of ethical culture exist. Not only do the virtues of ethical culture influence ethical and unethical conduct, but also, different ethics management strategies influence ethical cultural virtues in different ways. For example, the introduction of codes of conduct may have a greater influence on the virtue of clarity than on the virtue of discussability.

Kaptein's (2008: 923-947) virtues of ethical culture provide a useful conceptual framework for this study and for the development of questionnaire items. A brief description of these virtues follows. The virtue of clarity refers to the normative

expectations regarding the conduct of employees. In the event that employees are not given concrete, comprehensive and understandable guidelines that direct their behaviour, the risk of unethical conduct increases. Vague or unclear moral expectations leave employees to act in their own discretion, providing scope for excuses and rationalisations.

Even when institutions do establish clear normative expectations in codes of conduct, management behaviour as a source of moral guidance could contradict these normative expectations. When management behaviour is inconsistent with the normative values of integrity and ethics, subordinates perceive moral ambiguity. Managers should visibly act in accordance with the normative values of the institution. A distinction should be made between this virtue of congruence of managers, and the virtue of congruence of supervisors. Whereas the concept 'supervisors' refers to the direct managers of respondents, the concept 'senior managers' refers to all managerial levels higher than that of supervisor. (Kaptein, 2008: 923-947.)

The virtue of feasibility is another useful indicator for the purposes of this study. Kaptein hypothesises that when employees do not have adequate time, budgets, equipment, information and authority to execute their responsibilities, the risk of unethical conduct increases. When excessively high targets are set for employees, the risk of malfeasance tends to increase. The virtue of supportability refers to the extent that employees are motivated and satisfied. Dissatisfied and unmotivated employees are more likely to behave unethically. Employees that feel that they are treated poorly will attempt to balance the scales of justice by deliberately damaging the institution. (Kaptein, 2008: 923-947.)

The virtue of transparency refers to the extent to which managers are able to observe the unethical conduct of its employees and its consequences, and vice versa. It also refers to the extent to which employees can observe unethical conduct and its consequences among themselves. High levels of transparency not only expose unethical conduct, but also act as a deterrent due to the perceived probability of getting caught. The virtue of discussability refers to the extent to which employees can raise and discuss ethical issues.

If employees are expected to report perceived transgressions, they should perceive their working environments as a secure place where moral issues can be raised and discussed. (Kaptein, 2008: 923-947.)

The virtue of sanctionability refers to the extent to which employees perceive that unethical conduct will go unpunished – i.e. their perceptions of impunity. Simultaneously, if employees perceive that they will not be rewarded for ethical conduct, they will be less willing to act ethically. Therefore, the virtue of sanctionability refers to the extent to which employees are either rewarded for ethical behaviour or sanctioned for unethical behaviour. (Kaptein, 2008: 923-947.)

These eight virtues were used as indicators in the questionnaire distributed among respondents during the fieldwork. It was argued earlier that a causal relationship between the ethics policies and practices, and ethical culture exist; more specifically the virtues of ethical culture. In fact, it could be argued that these two variables i.e. ethical culture and ethics policies and practices could significantly influence each other. For example, the introduction of a new whistle-blowing line will not be effective unless it is coupled with the virtue of sanctions. Employees would report malfeasance through a whistle-blowing mechanism only when they expect the perpetrators to be punished for wrong doing. When a culture of impunity exists, employees will not be motivated to report malfeasance. This new ethics management strategy would be inhibited in its implementation. Consequently, this researcher proposes that the implementation of the PSACS within the DCS could significantly be enhanced when ethics management practices acknowledges the importance of these virtues.

Much of the literature reflects the significance of the indicators (or virtues) of discussability, transparency, sanctions, congruence of supervisors and managers, clarity, feasibility, and supportability. Especially notable for this study is the empirical research by Liddle, Svensson and Wood (2009: 364-379) in which they identify the importance of stakeholder engagement in drafting a code of ethics, commitment by board members and senior managers to ethical concerns, and the importance of communicating ethics policies

to both internal and external stakeholders to establishing an ethical culture. These issues have much in common with the virtues of clarity, congruence of supervisors and managers, discussability, clients and coalitions, and supportability (cf. Menzel, 2005: 25-31).

In pursuit of an ethical organisational culture, Rossouw (2008: 130-141) distinguishes between a compliance-based and a value-based approach to managing ethics. Whereas the compliance-based approach focuses on the imposition of external control and compliance with policies and rules, the value-based approach focuses on the development of integrity and requires individuals to internalise ethical values (cf. section 1.4). The value based approach, similar to Kaptein's virtues of ethical culture, identify the less formal aspects of ethics management including *inter alia* communicating moral expectations with employees, visible punishing offenders, ethics training, and appraising ethics performance of employees by making it a stand-alone key performance area. With a value-based approach to ethics management, senior officials are expected to demonstrate commitment to their own ethical conduct.

Menzel (2005:27) in turn refers to resource scarcity and overwhelming workload demands as determinants of ethical conduct within institutions. Menzel argues that greater workload and resource scarcity creates an environment for cheating to occur – similar to Kaptein's virtue of feasibility. In the contribution by Holtzhausen (2009: 234-246) she describes organisational trust as a pre-requisite for whistle-blowing to be effective in public institutions. If employees do not experience a measure of trust and support amongst their colleagues, they would be less likely to blow the whistle – the indicator of supportability.

It was decided to make use of existing questionnaires for this study. These questionnaires have been developed with the intention to measure *inter alia* integrity violations and ethical culture. The questionnaires of Kaptein proved extremely useful, but also those of Akaah (1992), Van Tankeren (2007), and Kolthoff (2007). Standard questionnaire items were adapted to fit the working environment of the Department of Correctional Services

and could be viewed in sections C, D and E of the attached questionnaire (cf. Annexure 5).

The section on the biographical information of respondents (section G) required new development. In particular, the post levels, post titles, and places of work had to be specified. This researcher had to familiarise himself with the unique organisational structure of the Department of Correctional Services. For this reason a meeting with the Department's work study officers were held in Pretoria to clarify the organisational structure of the Department. This meeting revealed that the Department consists of regions (at the highest level), which are divided into management areas, and lastly divisions (a sub-division within management areas). The post titles of the Department did not adequately reflect their job functions, so it was decided to omit these post titles. An indication of the respondent's division would satisfy the requirements for the purposes of this research project.

It was decided to include two additional indicators besides the eight indicators discussed above - clients and coalitions, and management reform. For both these indicators new questionnaire items were developed. Brynard (2006: 203) indicated that clients and coalitions can have a significant effective on public policy implementation (cf. section 2.5.5). There was reason to believe that unions played a significant role in the activities of the Department. The Jali Commission found that union involvement has a detrimental effect on the activities of the Department, including its appointment processes. Consequently, it was decided to investigate what the role of labour unions are in respect of ethics management strategies.

It was argued earlier that public management reform could contribute to the rise in the opportunities for malfeasance (cf. section 3.6). Management reform comprised the second additional indicator. Questionnaire items were developed with the intention to measure the extent to which adequate internal control measures were applied; performance was management in accordance with outputs and outcomes, rather than inputs and compliance; and decision making authority was decentralised to lower levels

in the hierarchy. Due to the diverse nature of public management reform measures this researcher did not intend to measure all trends. For example, the use of contracting and public-private-partnerships were not measured (cf. Doyle, 2002: 142; Kolthoff, 2007: 25-27).

Public management reform has been widely criticized by many scholars including for its effect on corruption and malfeasance. Pollitt & Bouckaert (2004: 7, 22) criticized public management reform for its rhetorical nature, bringing about little, if any, improvements in the provision of public services. Hughes (2003:218-235) is critical of the blunt implementation of public management reform in developing states; due to *inter alia* their lack of administrative capacity. Frederickson (1997: 157-182) points to the growing evidence of corruption due to moving many traditional public sector functions to the private sector, and appointing individuals to public office which are inclined to act and think like business people.

It was decided to include two additional sections at the beginning of the questionnaire; namely sections A and B. In Section A this researcher attempts to determine the personal motives and opinions of respondents. In section 3.4 it was argued that personal financial problems, specifically poor remuneration levels contribute to malfeasance. The section on personal motives assesses whether this could indeed be a contributory factor. The phenomenon of cultural relativity was the objective of the section on personal opinions (cf. section 2.5.4). This phenomenon proposes that segments within society – based on, for example, gender, racial, or cultural differences – hold different perceptions of the acceptability of corruption. This researcher wanted to establish whether grounds for such assumptions exist (cf. Kurer, 2005: 235-236).

Section B focuses on the observations, experiences and perceptions of employees of unethical conduct within their immediate working environment. Initially it was thought that respondents would not honestly answer questionnaire items on malfeasance as this may expose their corrupt and fraudulent dealings. However, questionnaire items are formulated in such a fashion that respondents are asked to provide their answers based on

their "immediate working environment". Of course, the respondents were also told that the questionnaire was anonymous, so as to encourage honesty. Data from this section would serve as an indicator of the level of perceived malfeasance in the Department. This baseline information could be compared to culmination data if the same survey is repeated in the next five years.

In responding to the questionnaire items in section A, B, C, D, and E, respondents could choose any value between 1 and 5 on the Likert scale. The values were assigned as follows: 1 - Strongly Disagree; 2 - Disagree; 3 - Neutral; 4 - Agree; and 5 - Strongly Agree (cf. Annexure 5).

In Section F, the researcher attempted to determine the extent to which the Department's employees are knowledgeable of its disciplinary code. The findings in this section should be interpreted in conjunction with the indicators of clarity (section D), transparency and sanctions (section C). It is assumed that if respondents are knowledgeable of the penalties for malfeasance, they would be less likely to engage in such conduct.

This questionnaire could also be used as an index. Indexes are composite measures of indicators and could be used as a data analysis device. For example, this questionnaire could be used to compare the ethical culture between different management areas of the DCS. One management area could obtain a higher score on the 'ethical culture index' as compared to another management area. The attributes of each indicator is determined by the responses of respondents to various questionnaire items. An index is then constructed through the simple accumulation of scores assigned to individual attributes. An index could also be refined to establish a scale. Whereas indexes measure a number of indicators without taking into consideration their relative weight in relation to the variable under study, scales recognises this feature. A particular indicator could carry a greater weight than other indicators in the scale (Babbie & Mouton, 2007: 136-139).

In finalising the questionnaire design, the requirement of face validity was taken into account. Although many of the questionnaire items originated from existing

questionnaires, the necessity remained to adapt the items to the study population of the DCS. Furthermore, care was taken to ensure that additional items would comply with the criterion of face validity; thus items must on face value relate to the phenomenon that is being measured (Babbie & Mouton, 2007:139). For example, the questionnaire item 'When you report misconduct, it will always be investigated' should on face value represent the indicator of sanctions (cf. Annexure 5, section C5).

5.5.2 Pre-testing the Questionnaire

To detect and avoid errors in the questionnaire before the start of the fieldwork, it was decided to administer it before hand to a pre-selected group of individuals. The questionnaire was pre-tested in December 2008 on six employees within the Directorate: Code Enforcement Unit based at the Department's head office. No changes to the questionnaire were deemed necessary.

5.5.3 Sampling

Social science researchers are often confronted with a study population too large to observe. It therefore becomes necessary to identify a sample for research purposes. In homogeneous study populations, it would be unnecessary to undertake a carefully constructed sampling procedure. In such cases, any sample would be representative. However, no study population is entirely homogeneous. It was therefore necessary to attempt to sample management areas which were representative of the study population, and thus share the same attributes, or even share the same variations. When this is done, the researcher can make observations and generalise from the sample to the study population (Babbie & Mouton, 2007: 169).

Researchers are often subject to conscious and unconscious bias when selecting a sample. When planning for fieldwork, one is often confronted with the limitations of time and money, and could easily be lured into identifying a sample that would consume as little resources possible to observe. This would result in a sample that is not representative of

the study population and would ultimately distort the research findings. Both non-probability- and probability sampling methods were used in this research study (Babbie & Mouton, 2007: 164-203). 'Probability sampling' refers to identifying a sample of respondents that will be representative of the population from which it is selected when all members of the population have an equal chance of being selected. Conversely, 'non-probability sampling' refers to a method by which the researcher identifies a sample based on his knowledge of the elements and attributes of the study population.

The study population was identified as those employees working at the forty-eight management areas located in the six regions of the Department (cf. Annexure 8); employees working at the Regional Commissioner's Office based in each of six regions which are the Eastern Cape-; Free State and Northern Cape-; Gauteng-; Kwa Zulu Natal-; Mpumalanga, North West and Limpopo-, and Western Cape regions; as well as the Department's head office in Pretoria.

For the purpose of sampling, various sampling units were employed (Babbie & Mouton, 2007: 174). For the first stage of sampling, it was decided to use the purposive sampling method (Babbie & Mouton, 2007:166-167). Only two of the six regions were selected: one located primarily in urban areas, and another located primarily in rural areas. The Gauteng region was selected as it was close to the place of work of the researcher and represented management areas located in an urban area. The Mpumalanga, North West and Limpopo region was selected as it was also relatively close to the researcher's place of work and represented management areas in rural areas. Both regions contained eight management areas each. The Gauteng region consists of the Boksburg-, Johannesburg-, Pretoria, Leeuwkop-, Baviaanspoort-, Krugersdorp-, Zonderwater-, and Modderbee Management Areas. The Mpumalanga, North West and Limpopo region consists of the Barberton-, Bethal-, Thohoyandou-, Witbank-, Rooigrond-, Rustenburg-, Polokwane-, and Klerksdorp Management Areas.

For the second stage of sampling, the simple random sampling method was used, as all management areas have the same organisational structure and therefore the same general

attributes (cf. Annexure 7) (Babbie & Mouton, 2007: 189-190). The names of the sixteen management areas were recorded on separate cards. Only six management areas were identified; three from each region. The sample consisted of the following management areas: Leeuwkop-, Baviaanspoort-, and Boksburg Management areas (Gauteng region), and Barberton-, Bethal-, and Thohoyandou Management Areas (Mpumalanga, North West and Limpopo region).

The Leeuwkop Management Area, sampled for the purpose of this study, was also subject to investigation by the Jali-Commission of Inquiry in 2002 (Jali-Commission of Inquiry, 2002: 74-75). Findings of the Jali-Commission will be compared with findings of this survey (cf. section 6.5.10).

5.5.4 Fieldwork

As this sample was different from those management areas listed in the research application, an additional written request was made to add the six sampled management areas. After approval was obtained, a fax was sent by the Office of the Director: Research of the DCS to the Area Commissioners of the relevant Management Areas. Various options for administering the questionnaire were considered. The questionnaire could have been distributed by standard mail, a telephone interview, use of the e-mail, or in person. Considering the attributes of the unit of observation, it was believed that a questionnaire posted, either in standard format or by e-mail, would not provide a significant feedback. The DCS is by nature a 'closed' institution considering their purpose. It was decided that the researcher should personally visit the management areas. The advantages were numerous. This would substantially increase the response rate and provide the researcher with an 'insider perspective', much in the same fashion as qualitative studies. Many personal conversations, facial impressions, and general attitudes were recorded by this researcher during his time 'in prison'. This would not have been the case if the survey was conducted by mail. Of course, this method of administering the questionnaire was time consuming and physically taxing – moving from one unit in the

correctional centres to another. This, however, would be the only method by which reliable data would be obtained.

This correspondence was followed up by a fax and/ or a telephone call from the researcher to confirm a suitable date and time for the visit to the management areas. In most cases, the contact person was the Area Co-ordinator: Corporate Services. At arrival at the various management areas, the researcher was met by the Area-Co-ordinator: Corporate Services. At this point, the research purposes were explained and a member of the Department was assigned to escort the researcher through the different sections and units within the prison. It was soon realised that the response rate would depend on the active involvement of the researcher in the data collection process. The copies of the questionnaire could not be dropped off at a central point and collected at a later stage. Members of the Department were in some cases reluctant to complete the questionnaire. They were under the impression that the survey was conducted on instruction from the head office. This was particularly evident at the Barberton Management Area which seems to harbour negative feelings toward the Department's top management in Pretoria. Others believed that the research was conducted with the intent to apply the Occupation Specific Dispensation – a contentious matter in the Department aimed at increasing the salaries of officials. Nonetheless, the researcher was obligated to explain the research to every unit member in every section of the correctional centre, and within all the correctional centres inside the management area.

Another obstacle appeared during the fieldwork. Officials were in the process of completing their *Performance Management Booklets* for the purpose of the Department's performance evaluation process. In some instances, officials were reluctant to complete the questionnaires as they had to complete the Booklets. However, a conversation with the human resource practitioner at the Piet Retief Correctional Centre – within the Bethal Management Area, justified the personal visits to the management areas; rather than by mail. The official remarked that the performance evaluation exercise was superficial as all the officials at the correctional centre scored top ratings. The performance management system of the Department appears to be an illegitimate exercise. Such a

system is required to be an efficient tool available to supervisors to administer a system of rewards and discipline; particularly in respect of ethics policies.

The field work started on 23 March 2009 and ended on 7 May 2009, a period of more or less six and a half weeks. During this period the researcher travelled to more than twenty different correctional centres located in the six sampled management areas within three provinces of South Africa. Furthermore, it took two to four hours to administer the questionnaire to those officials on duty - depending on the size of the correctional centre.

5.5.5 Response Rate

At the time of study the study population constituted 41 397 officials working within the Department of Correctional Services. From this study population, a sample of 14 528 officials within the six management areas and two Regional Commissioner's Offices was identified. During the field work and the distribution of the questionnaires not all officials could complete the questionnaire. Officials that did not participate in the survey were either busy with offenders, or arrived at work after normal working hours to comply with their duty rosters. A total of 818 respondents completed the questionnaire which translates to a response rate of 5,63%.

It was evident that management areas do not necessarily share equal workloads. A total of 24200 offenders are incarcerated in the six management areas set out as follows: Baviaanspoort, 2113; Boksburg, 4804; Leeuwkop, 5066; Barberton, 4181; Bethal, 2602; and Thohoyandou, 5434. This data will be useful for the interpretation of the findings in the following chapters.

5.6 Conclusion

Data collection methods in the qualitative methodological paradigm enabled the researcher to gain insider knowledge of the study objective. At the beginning of the research process, the researcher was unfamiliar with the object of study. The research

methods proved useful in an effort to explore the context of the Department, its internal structure and role players. Interviews, observation and documentary evidence were used as data collection methods.

However, the main thrust of the research design is found within the quantitative methodological paradigm. A questionnaire was designed for the purpose of the survey. It was argued that the implementation of the PSACS could be enhanced if the ethics management practices acknowledge the significance of an ethical culture within the DCS. This conceptualisation process required the identification of indicators for measuring ethical culture which include the sanctions, congruence of values of managers and supervisors, discussability, transparency, clarity, feasibility and supportability. The data collected with this questionnaire would indicate *inter alia* the extent to which these indicators of ethics culture enhances or inhibits the implementation of the PSACS.

By identifying a sample and administering a survey to this sample, the researcher is enabled to make observations and generalise the findings to the study population. For this study, a sample of six management areas within two regions of the Department was identified which included Leeuwkop-, Boksburg-, Baviaanspoort-, Bethal-, Barberton, and Thohoyandou Management Areas. The questionnaire was personally administered by this researcher with visits to the above mentioned management areas. A total of 818 completed questionnaires were submitted translating to a response rate of 5,63%. In the next chapter, the captured, analysed and interpreted data is presented.

CHAPTER 6

RESEARCH RESULTS: DESCRIPTIVE STATISTICS AND FACTOR ANALYSIS

6.1 Introduction

In this chapter the survey data that was collected and captured is analysed and interpreted. For the purpose of data collection, a questionnaire was developed as explained in section 5.5.1 (cf. Annexure 5). The purpose of the questionnaire was to *inter alia* measure the extent of observed malfeasance in the Department of Correctional Services (DCS) (section B); measure the extent to which the Department maintains an ethical culture (sections C, D & E); and to measure the influence of labour unions and management reform on the pursuance of ethical conduct (section E) (cf. section 5.5.1). For this purpose, the DCS with a focus on its actions and orientations were identified as the unit of analysis (cf. section 5.3.2). The employees of the DCS were identified as the unit of observation (cf. section 5.3.2).

It was expected that the data findings would provide an answer to the main research question: Whether ethical culture could serve as a measure to enhance the implementation of the Public Service Anti-Corruption Strategy (PSACS)? In the first part of this chapter, the biographic profile of respondents are described, including the post level, division of work (according to functional duties and organisational setting), regional placement, union membership, management area, years of service, age, qualification, race, and gender. This section is followed by an exploratory factor analysis to reduce the dimensionality of the data for ease of interpretation.

The exploratory factor analysis has produced 16 factors. These factors were subjected to the Analysis of Variance and Eta-square tests to determine the variance between groups, as well as the strength of association between the independent variables and the 16 factors. The 16

factors were subjected to a Pearson's Correlation Coefficient test to determine the correlation between them.

6.2 Biographic Profile of the Respondents

A total of 818 respondents completed the questionnaire. At the time of the sample, a total of 14 528 public officials were employed by the DCS: 8 589 officials in the Gauteng region, and 5 939 officials in the LMN region. This translates to a response rate of 5,63%. A total of 24 200 offenders are incarcerated in the six management areas set out as follows: Baviaanspoort, 2 113; Boksburg, 4 804; Leeuwkop, 5 066; Barberton, 4 181; Bethal, 2 602; and Thohoyandou, 5 434.

6.2.1 Post Levels

A total of 719 respondents provided their post levels of which 80,7% of respondents were appointed at lower levels of the departmental hierarchy, namely post levels 5-7. The remaining respondents were appointed on levels 8-16.

For the purpose of this study, respondents on the lowest post level are COIII (Correctional Official Grade 3), followed by post levels COII (Correctional Official Grade 2); COI (Correctional Official Grade 1); SCO (Senior Correctional Officer); ASD (Assistant Director); DD (Deputy Director); D (Director/ Area Commissioner); DC (Deputy Commissioner/ Area Commissioner); CDC (Chief Deputy Commissioner); and at the highest post level C (Commissioner/ Director General).

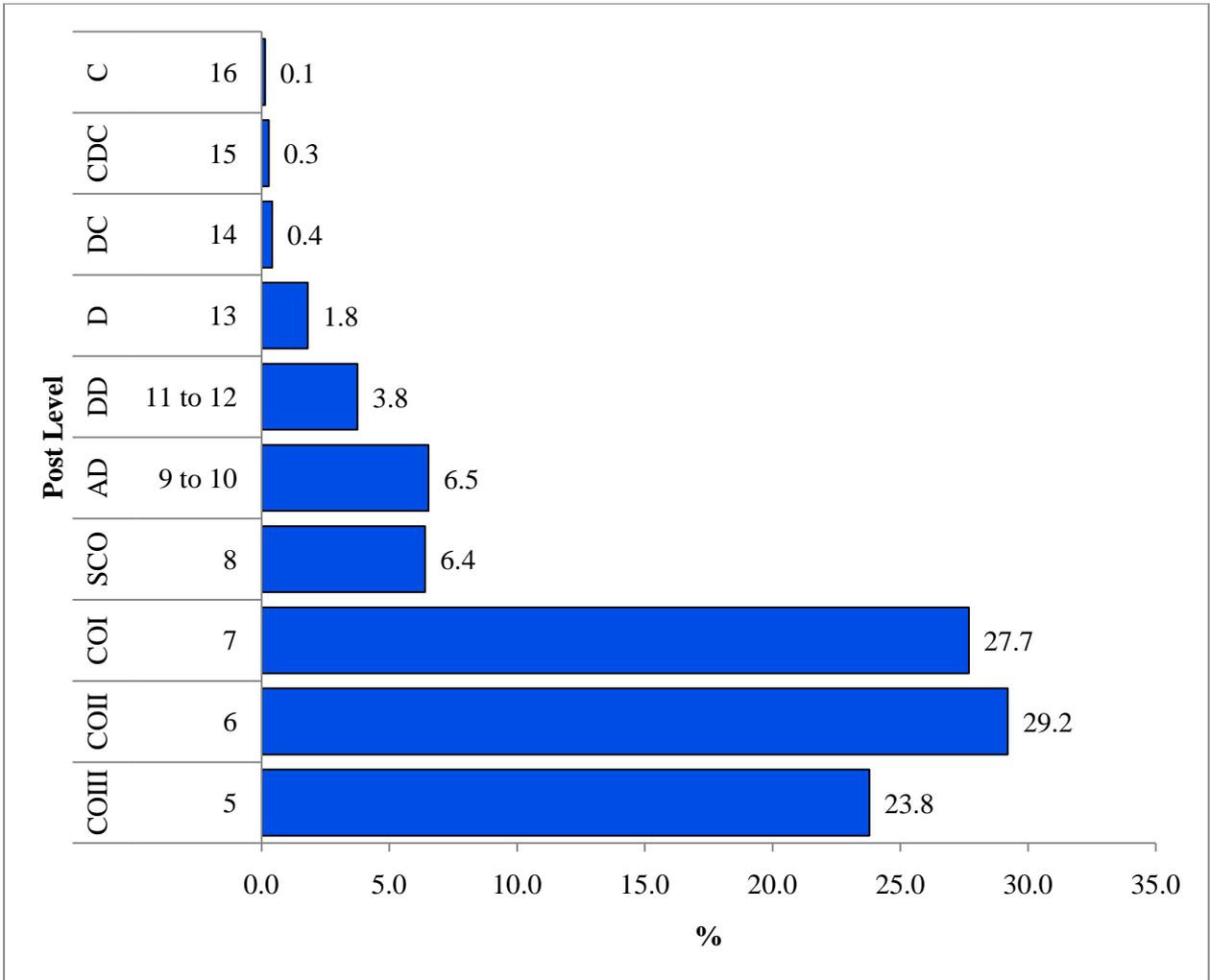


Figure 6.2.1 Post levels of respondents¹

6.2.2 Division of Work according to Functional Duties

A total of 693 respondents provided their divisions of work. This section was deemed necessary as respondents could work within 14 broadly defined divisions. In some of these divisions, members of the Department work closely with offenders, whereas other members provide support functions such as finance or human resource management. Of course, an official's work environment would greatly determine whether he or she is able to engage in unethical conduct. An official who is in daily contact with offenders and has discretion over the provision of a benefit and would consequently would be exposed to attempts of bribery.

¹ Due to technical reasons the values in the Figures and Tables are provided with a full stop. In the text, the author replaced the full stop with a comma.

Similarly, a procurement official based at the Regional Commissioner's Office has greater influence over the procurement processes than would his or her counterpart in the various management areas, e.g. Area Co-ordinator: Finance.

In figure 6.2.2 below, it is indicated that although 72,1% of respondents work within correctional centres, of which approximately 34,9% of the respondents work in direct contact with offenders, 24,2% of respondents provide direct support services, e.g. medical and psychological services, to offenders, and 13% of respondents provide administrative support services, e.g. human resource and finance services. Various correctional centres are based within management areas.

For the purpose of this study, six management areas were sampled. In these management areas, various policy co-ordination and implementation services are provided by departmental officials, including Corporate Services (7,5%), Development and Care (4,9%), Corrections (2,7%) and Finance (4,9%). In turn, these management areas are located within regions which are administered by Regional Commissioner's Offices. For the purpose of this study, only two Regional Commissioner's Offices were sampled, namely Limpopo, Mpumalanga and North West region (LMN) and the Gauteng region. At the Regional Commissioner's Office, officials are grouped in similar divisions as in the management areas: Corporate Services (3,6%), Development and Care (0,6%), Corrections (0,6%) and Finance (0,7%).

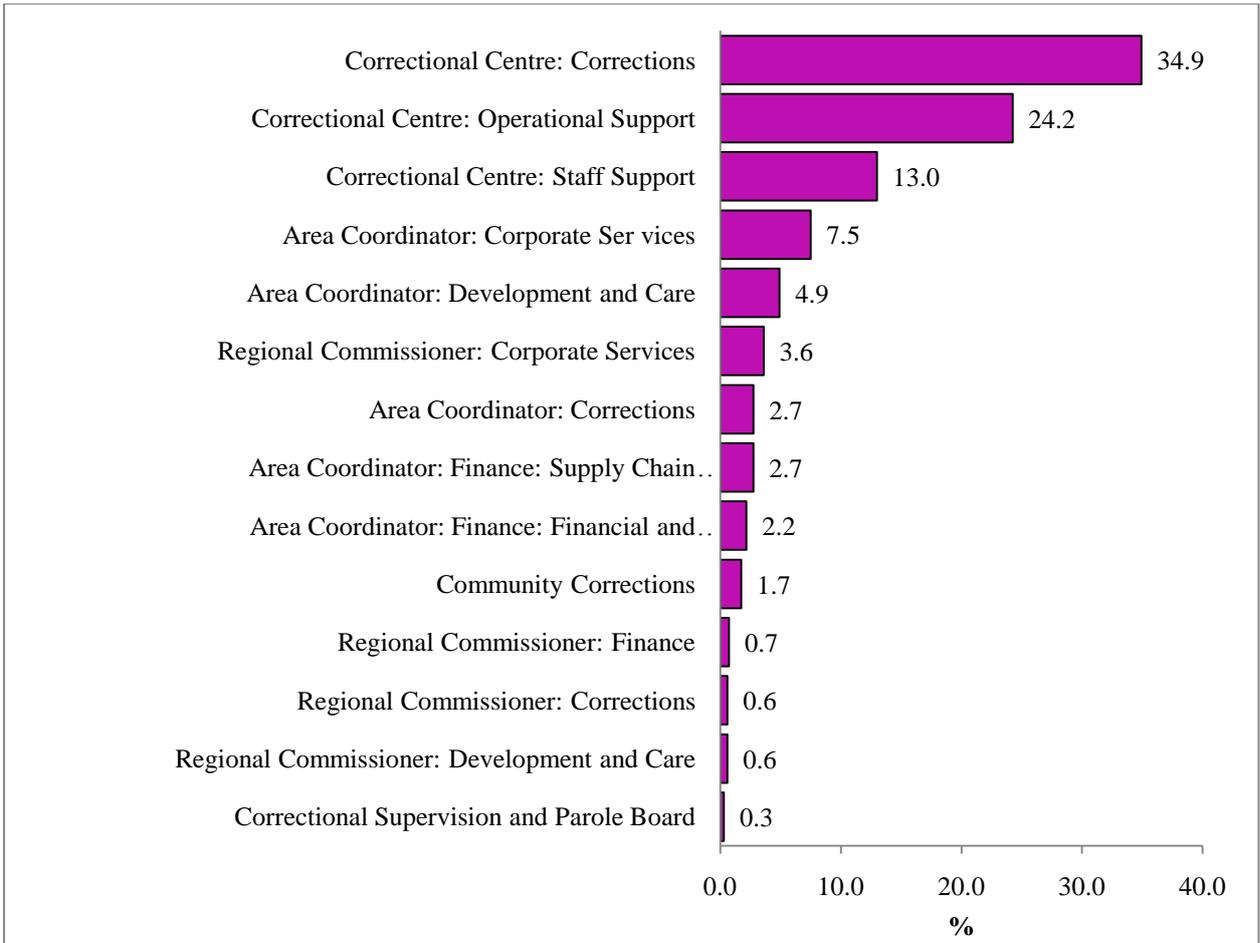


Figure 6.2.2 Division of Work of Respondents according to Functional Duties

6.2.3 Division of Work according to Organisational Setting

A total of 759 respondents indicated whether they were employed within a correctional centre, area commissioner's office, or regional commissioner's office. No less than, 90,9% of respondents indicated that they were employed within geographically decentralised management areas, whereas 7,2% of respondents indicated that they were employed in one of the two regional commissioner's offices. The offices of both Regional Commissioners are located in Pretoria.

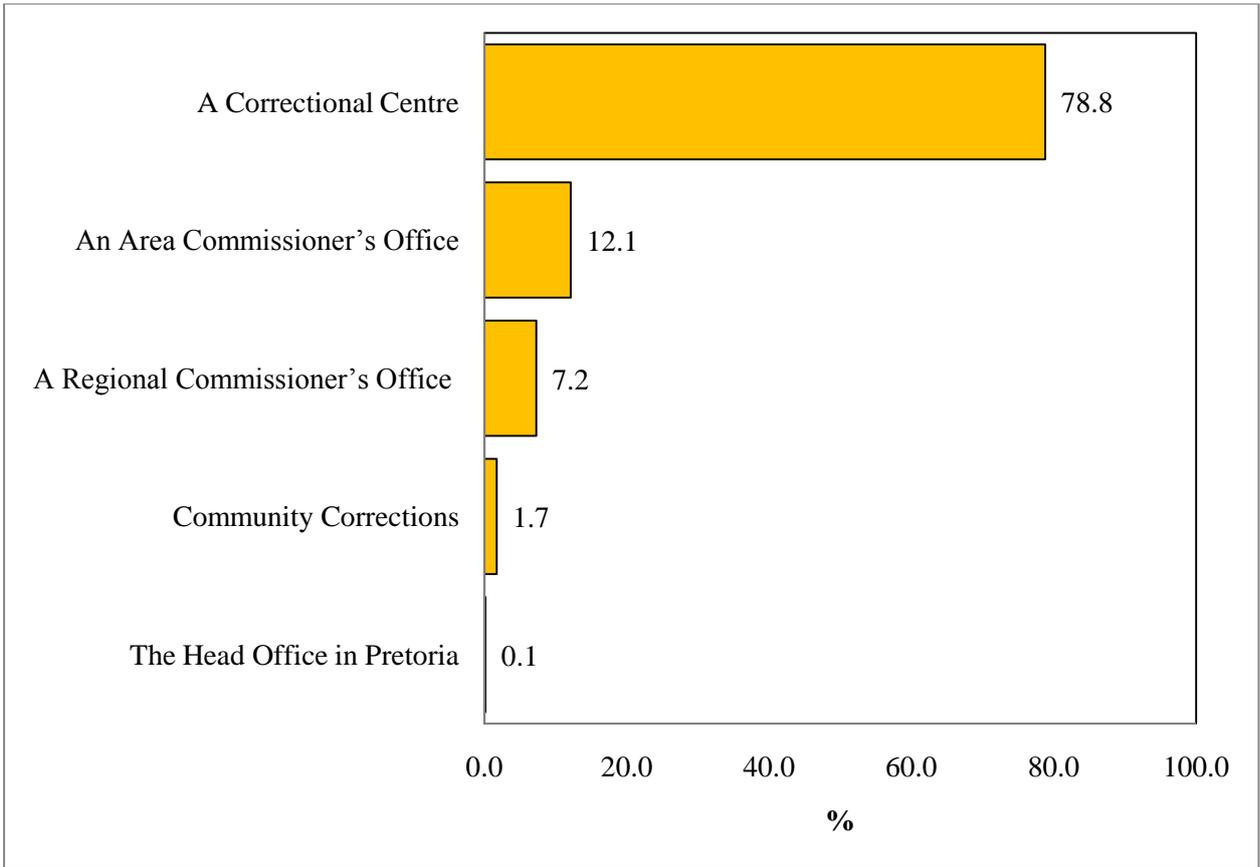


Figure 6.2.3 Division of Work according to Organisational Setting

6.2.4 Regional Placement of Respondents

A total of 771 respondents provided their regional placement. From this sample, 36% of respondents were based in the urban region of Gauteng, whereas the remaining 64% indicated that they are based in the predominantly rural region of LMN. This variable, it was expected, would have a significant influence on the data interpretation.

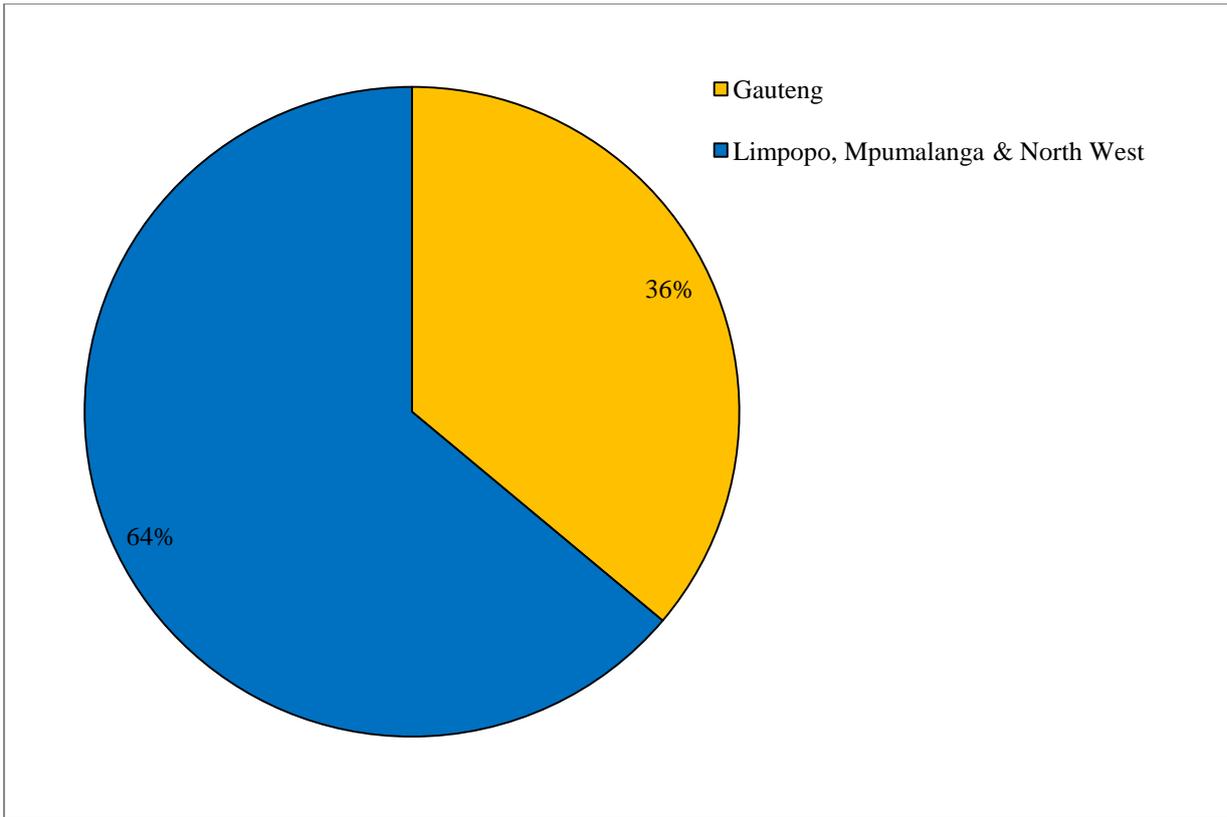


Figure 6.2.4 Region of Respondents

6.2.5 Union Membership

A total of 716 respondents provided data on whether they were members of a recognised labour union. No less than 97% respondents indicated that they were members of a labour union.

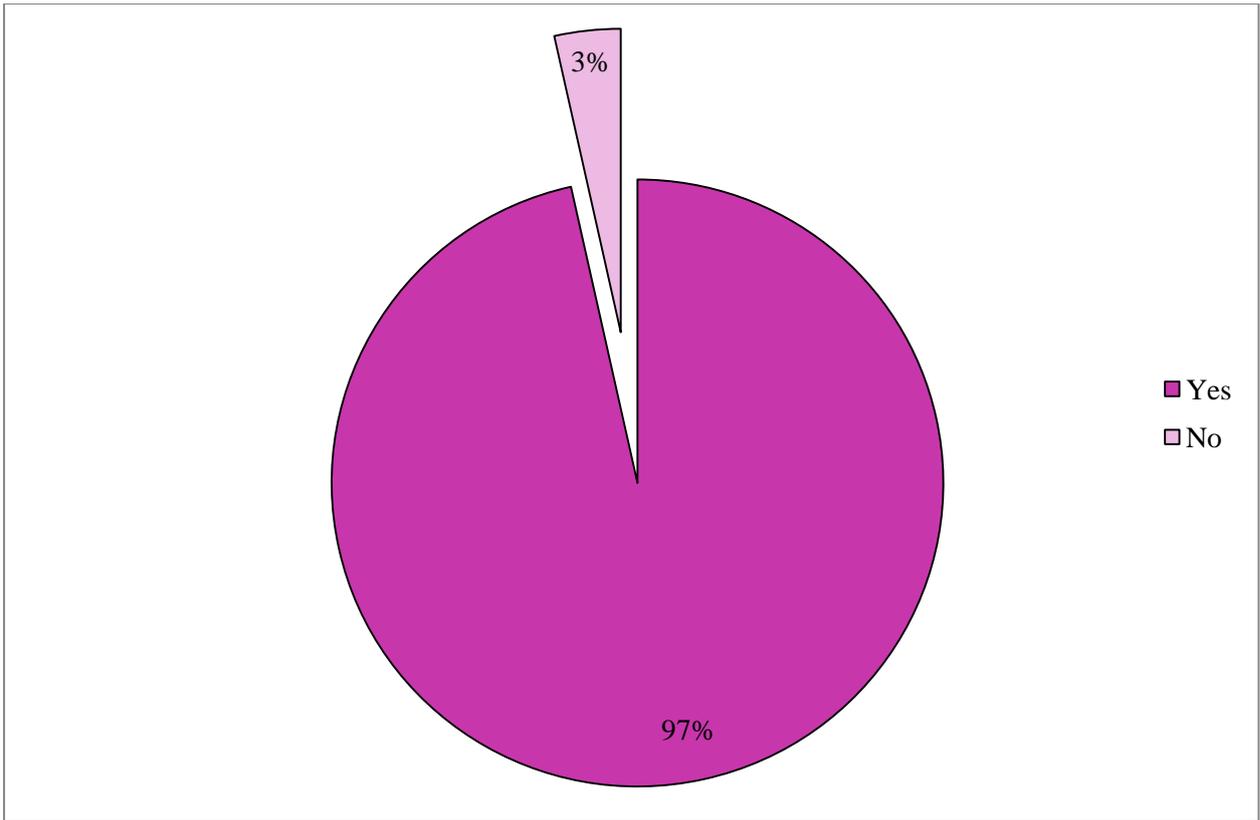


Figure 6.2.5 Union Membership of Respondents

6.2.6 Management Area/ Regional Commissioner's Office

Data from 767 respondents indicated their place of work. The sampled management areas are geographically decentralised within 4 provinces of South Africa, and in some cases these areas are significantly long distances from each other with an expected difference in ethical culture. Consequently it is expected that management areas would score differently on their ethical culture measurement. Whereas the Bethal Management Area represented 26,5% of the respondents, the Baviaanspoort Management Area represented only 6% of the respondents.

Two regional commissioner's offices – both located in Pretoria – were sampled for the study. Approximately 4,3% of respondents are based at the Regional Commissioner's Office for LMN and 2,6% of respondents are based at the Regional Commissioner's Office for Gauteng.

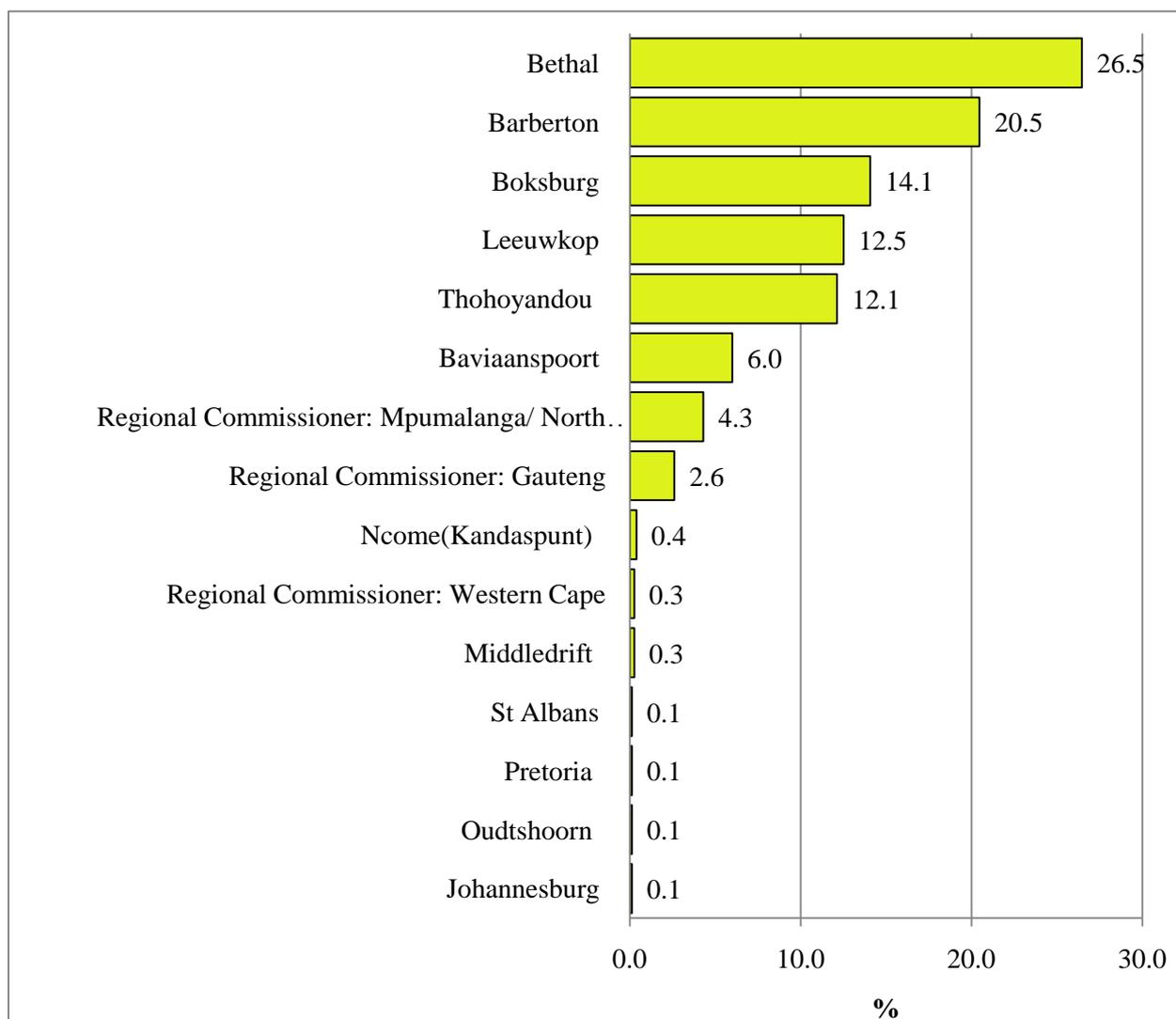


Figure 6.2.6 Management Area/ Regional Commissioner's Office of Respondents

6.2.7 Years of Service

A total of 811 respondents provided their years of service in the Department. Of this sample, 21,95% of respondents had been working for between 2 and 5 years at the Department, and 24,54% of the respondents between 15 and 30 years. It could be argued that these respondents have different perceptions in respect of Departmental processes and practices. Longer serving officials, as opposed to newly appointed officials, have experienced the institutional transformation within the Department. The *White paper on Corrections in South Africa, 2004 (Executive Summary and Chapter 2)* intended to adapt the Department's

practices and processes to the new Constitutional dispensation, provide for the demilitarisation of the Department, promote a culture of human rights which enforced the principle of the rehabilitation of offenders, and engender a move away from a closed institutional culture.

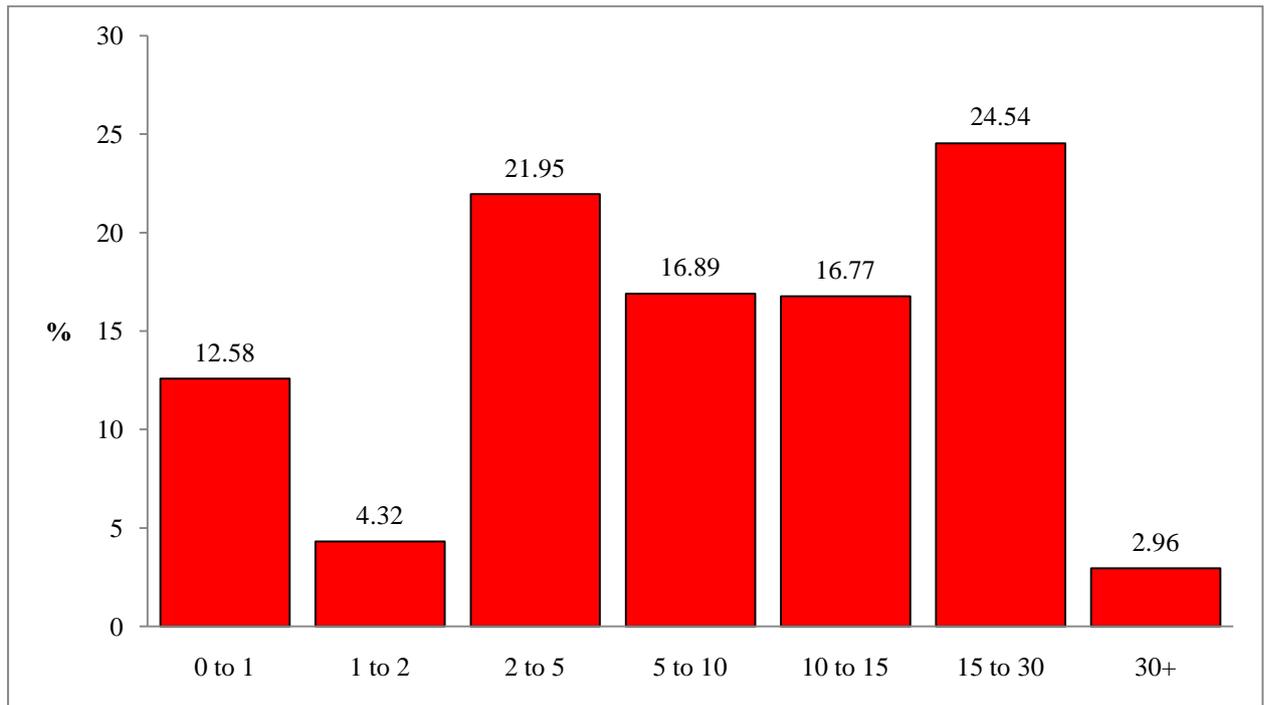


Figure 6.2.7 Distribution of Respondents according to Years of Service

6.2.8 Distribution in the Sample according to Age

A total of 793 respondents provided their age for this survey. Of this sample, 79,7% of respondents are aged between 26 and 45.

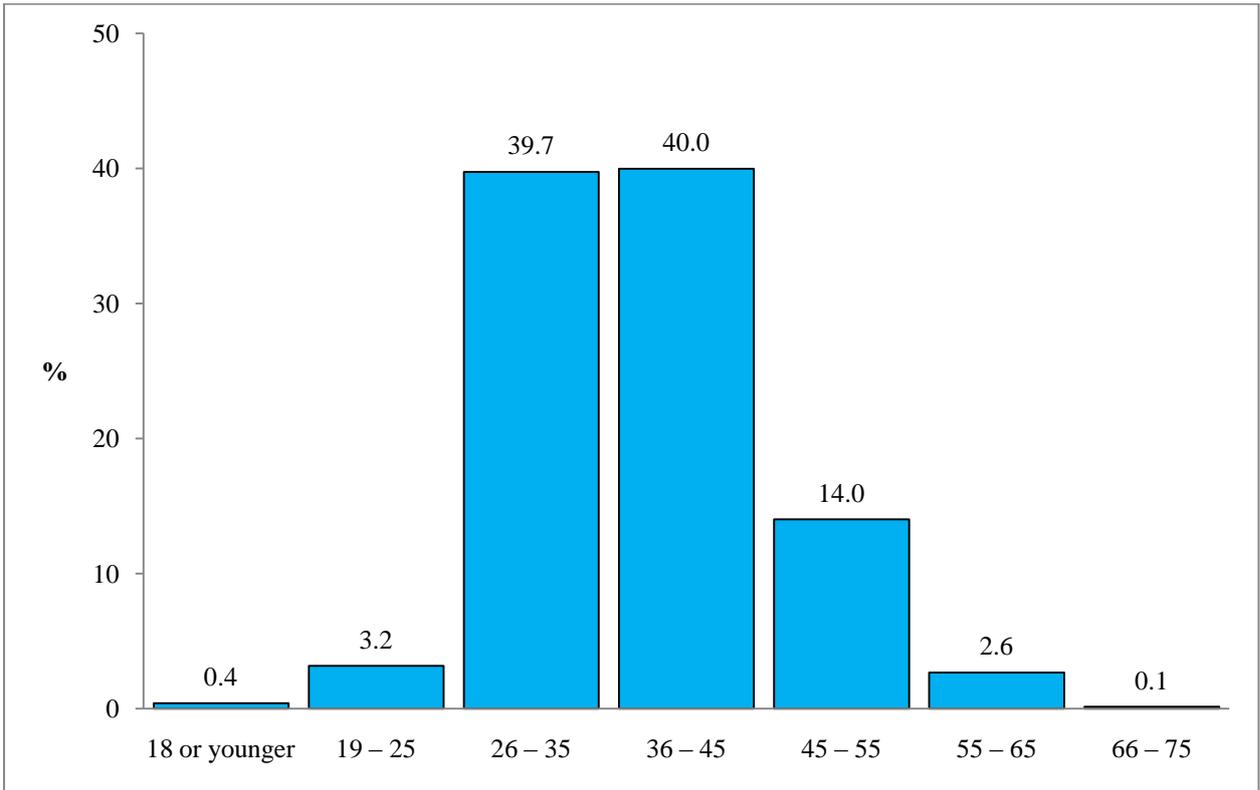


Figure 6.2.8 Age distribution of Respondents

6.2.9 Qualifications of Respondents

A total of 786 respondents provided their qualifications. Of this sample 55,3% of respondents indicated that they had a grade 12/ standard 10 qualification. Only 29% indicated that they had a degree or a diploma. This data would provide a view on the relationship between the level of qualification of respondents and perceptions of ethical culture.

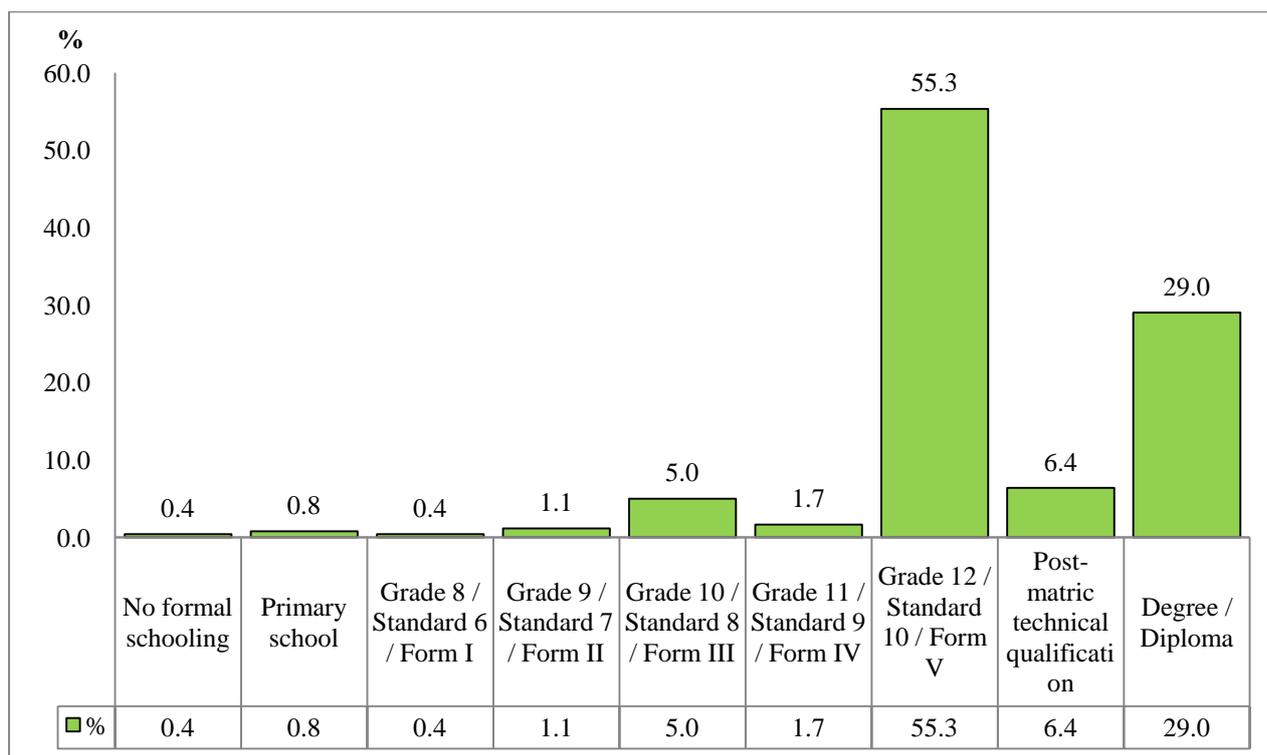


Figure 6.2.9 Educational background of Respondents

6.2.10 Race of Respondents

A total of 785 respondents provided their race for this survey. Of this sample, 81% of respondents are Black, 13% of respondents White, 5% of respondents are Coloured, and 1% are Indian. For data interpretation purposes, Indian, Coloured and Black respondents are grouped together as a single group of respondents. This variable would provide for an understanding of the perceptions of different races on the perceived level of corruption, the dimensions of ethical culture, and cultural relativity.

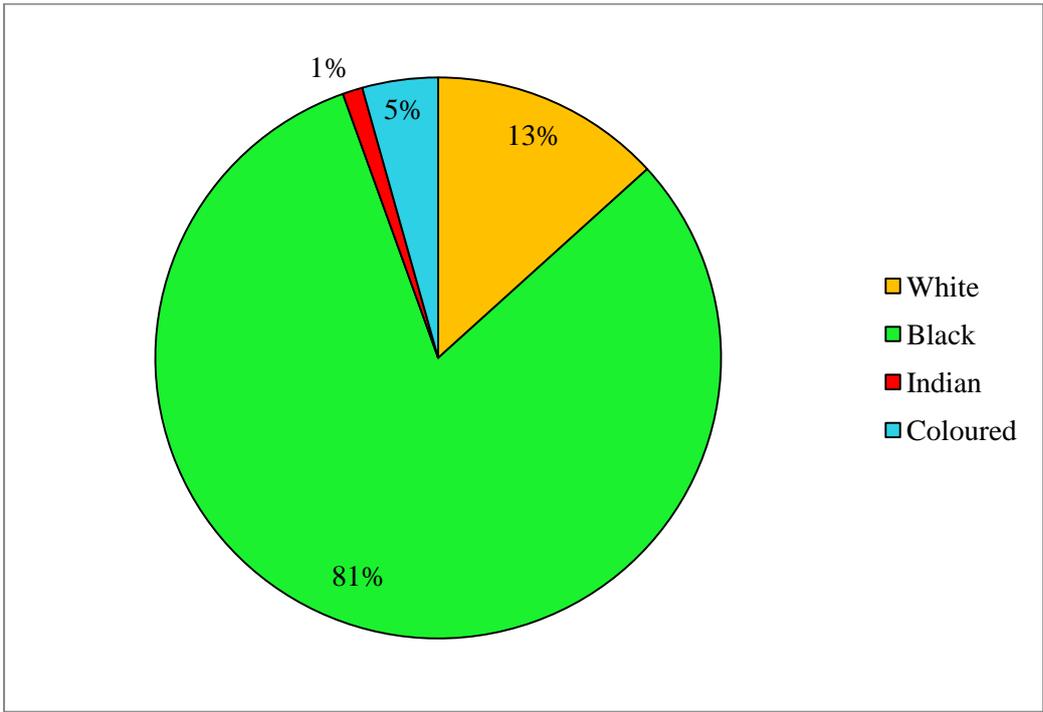


Figure 6.2.10 Race composition of the Sample

6.2.11 Gender

A total of 787 respondents provided their gender for the purpose of the survey. Of this sample 63% of respondents were male, and the remaining 37% of respondents were female.

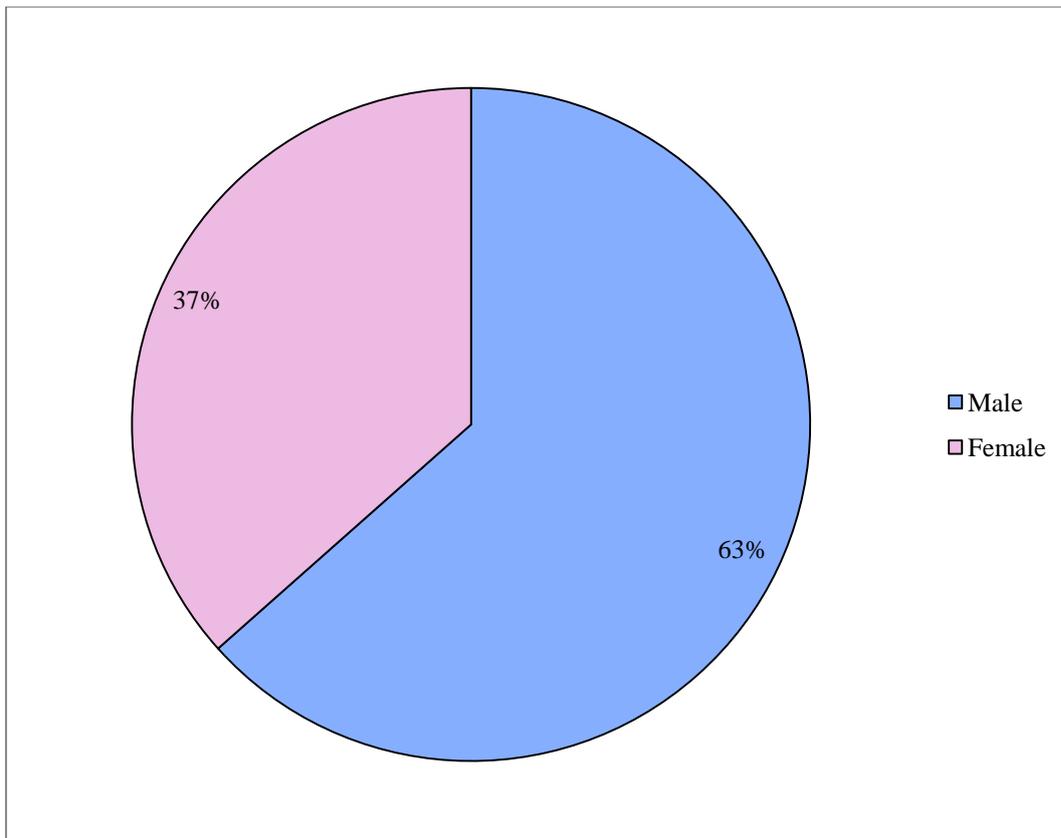


Figure 6.2.11 Gender composition in the Sample

6.3 Principle Component Exploratory Factor Analysis

Factor analysis is a generic name given to a type of multivariate statistical tool. It addresses the problem of analysing the structure of interrelationships or correlations among a large number of variables such as questionnaire responses. Those variables that are related to each other are grouped together and provided with a factor (or dimension) name. Factor analysis serves mainly two purposes, i.e. to summarise and to reduce data (Salkind, 2004:300; Diamantopolous & Schlegelmilch, 2000: 209 - 218).

With factor analysis the researcher can describe data with a fewer number of underlying factors, rather than interpreting each individual questionnaire response. Individual questionnaire responses are assumed to be a member of a broader factor. When interpreting

data, the identified underlying factors can then substitute the original questionnaire responses (Hair, Anderson, Tatham & Black, 1998: 90-92).

For example, in the data generated from Section C of the questionnaire, factor analysis suggested *Sanctions: Rewards and Punishment for Misconduct* as a factor, with questionnaire items C1, C2, C3, C5, and C6 grouped together. These items share one common purpose: to determine the extent to which virtuous behaviour is rewarded and malfeasance penalised within an institution. Items C2, C1, and C5 focus on misconduct, and items C3 and C6 on ethical behaviour. Factor analysis simplified the interpretation of data and enabled this researcher to interpret 16 factors rather than the original 46 questionnaire items to answer the main research question (cf. section 1.4).

The dimensionality of the data obtained from respondents was reduced with an exploratory factor analysis. For each identified factor, an item analysis was performed and Cronbach's coefficient alpha of internal consistency was calculated. Cronbach's alpha is defined as a measure of reliability that ranges from 0 to 1, with values of 0,60 to 0,70 deemed the lower limit of acceptability (Hair, Anderson, Tatham & Black, 1998:88).

The results of the Exploratory Factor Analysis are reported below in Sections A, B, C1, C2, D1, D2 and E. Items that reduced the internal consistency of factors below the value of 0,60 were treated as individual items and are discussed in chapter 7.

SECTION A²

Factor 1: Personal Motives: Remuneration	Loading
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	0.83
A1: You believe you are adequately remunerated for your employment	0.82
Cronbach's alpha	0.651
Factor 2: Positive Attitude to misconduct	
A6: Accepting bribes in exchange for a favour should be permitted	0.80
A9: It is acceptable to assist offenders to obtain illegal substances	0.66
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	0.64
Cronbach's alpha	0.462
Factor 3: Negative Attitude to misconduct	
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	0.78
A7: Fraud is unacceptable and should be punished by the department	0.76
Cronbach's alpha	0.379
Factor 4: Not clear	
A4: You perceive corruption to be a problem in the Department of Correctional Services	0.81
A2: You engage in additional forms of work after hours to ensure a decent standard of living	0.40
Cronbach's alpha	0.121

² Detailed results of the Exploratory Factor Analysis are not included in this dissertation. The results are available on request from the author of this dissertation.

SECTION B

Factor 1: FB1: External service providers' role in corruption	
B5: You have been offered a bribe by an external service provider in exchange for a personal favour	0.85
B6: You have observed an external service provider offer a bribe to a colleague in exchange for a favour	0.81
B7: You have observed a colleague extort money from an external service provider	0.76
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	0.64
Cronbach's alpha (B8 excluded)	0.841
Factor 2: FB2: Offenders' role in corruption	
B4: You have been offered a bribe by an offender in exchange for a personal favour	0.44
B2: You have observed a colleague extort money from an offender	0.87
B1: You have observed an offender offer a bribe to a colleague in exchange for a favour	0.86
B3: You often observe offenders with illegal substances in the correctional centre	0.63
Cronbach's alpha (B3, B4 excluded)	0.874
Factor 3: Single item	
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	0.90

Single items
B3: You often observe offenders with illegal substances in the correctional centre
B4: You have been offered a bribe by an offender in exchange for a personal favour
B8: You have observed fraud, for example submission of false expense claims for reimbursement.
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department

SECTION C1

Factor 1: FC1: Sanctions: Rewards and Punishments for misconduct	
C2: Your manager will also be disciplined if he/ she behaves unethically	0.75
C3: Employees who act with honesty and integrity stand a better chance of receiving a positive performance appraisal	0.72
C1: Misconduct will always be punished after an internal disciplinary inquiry	0.67
C5: When you report misconduct it will always be investigated	0.56
C6: Your supervisor often acknowledges you for ethical conduct (honesty, integrity, reliability, and so on)	0.53
Cronbach's alpha	0.731
Factor 2: FC2: Transparency: Immediate working environment	
C11: When a colleague acts unethically, you or another colleague will find out about it	0.82
C13: When a colleague acts unethically, my supervisor will find out about it	0.76
C12: When my manager acts unethically, the institution will find out about it	0.71
Cronbach's alpha	0.753
Factor 3: Sanctions: Culture of Impunity	
C8: Colleagues who act unethically often get away without being punished	0.78
C4: Employees who are guilty of misconduct are not punished harshly enough	0.71
C10: Your supervisor is often unwilling to discipline misconduct	0.62
Cronbach's alpha	0.556
Factor 4: Transparency: Institutional environment	
C14: There is adequate awareness of the potential effect of unethical conduct	0.70
C16: Adequate checks are carried out to detect unethical conduct	0.66
C15: Management is aware of the type of unethical conduct that occurs	0.58
Cronbach's alpha	0.552
Factor 5: Not clear	
C7: In your immediate working environment, you are held accountable for your actions	0.75
C9: Only people with integrity are considered for promotion	-0.51
Cronbach's alpha (item C9 reverse coded in item analysis)	0.117

Single items
C4: Employees who are guilty of misconduct are not punished harshly enough
C7: In your immediate working environment, you are held accountable for your actions
C8: Colleagues who act unethically often get away without being punished
C9: Only people with integrity are considered for promotion
C10: Your supervisor is often unwilling to discipline misconduct
C14: There is adequate awareness of the potential effect of unethical conduct
C15: Management is aware of the type of unethical conduct that occurs
C16: Adequate checks are carried out to detect unethical conduct

SECTION C2

Factor 1: FC3: Discussability: Opinions and Discussions	
C25: You would rather report misconduct to the investigating officer based at your correctional centre/ management area	0.75
C26: You would rather report misconduct to your supervisor	0.72
C29: In your immediate working environment, personal opinions are expressed freely	0.69
C27: In your working environment, there is adequate scope to discuss unethical conduct	0.68
C17: When you report misconduct, you will be protected from victimisation	0.58
Cronbach's alpha	0.743
Factor 2: FC4: Discussability: External working environment	
C23: You would rather report unethical conduct to the anonymous National Anti-Corruption Hotline	0.82
C24: You would rather report misconduct to the Departmental Investigating Unit at Head Office	0.79
C28: You would rather report misconduct to an external institution like the Special Investigating Unit	0.77
Cronbach's alpha	0.742
Factor 3: FC5: Discussability: Internal working environment	
C20: You will report your supervisor if he/ she engages in misconduct	0.91
C21: You will report your colleague if he/she engages in misconduct	0.90
Cronbach's alpha	0.850
Factor 4: Discussability: Fear to report misconduct	
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	0.81
C19: You are afraid to report corruption to the authorities	0.62
C18: You supervisor encourages you to report misconduct	-0.45
Cronbach's alpha (item C18 reverse coded in item analysis)	0.425

Single items
C18: You supervisor encourages you to report misconduct
C19: You are afraid to report corruption to the authorities
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities

SECTION D1

Factor 1: FD1: Congruence of Senior Managers	
D10: The conduct of senior management always reflects the principles of honesty and integrity as contained in the Code of Conduct	0.88
D9: The senior management of the Department sets a good example in terms of ethical conduct	0.86
D11: The senior management always communicates the importance of ethical conduct	0.78
D12: The senior management would never allow unethical conduct	0.65
Cronbach's alpha	0.867
Factor 2: FD2: Congruence of Supervisors	
D6: Your supervisor often communicates the importance of ethical conduct	0.83
D5: Your supervisor is committed to acting ethically and with integrity	0.81
D7: Your supervisor would never approve or support unethical conduct	0.79
D8: Your supervisor is honest and reliable	0.78
Cronbach's alpha	0.864
Factor 3: FD3: Feasibility	
D2: You have adequate resources to carry out your responsibilities properly	0.78
D1: You have adequate time to execute your responsibilities properly	0.77
D4: You have adequate authority to carry out your duties responsibly	0.69
Cronbach's alpha	0.675
Factor 4: Not clear	
D3: Work pressure forces you to do things you normally would not do	0.82
D13: The senior management would never be guilty of corruption, fraud or nepotism	0.56
Cronbach's alpha	0.121

Single items
D3: Work pressure forces you to do things you normally would not do
D13: The senior management would never be guilty of corruption, fraud or nepotism

SECTION D2

Factor 1: FD4: Clarity: Ethics policies	
D23: The Department has made it sufficiently clear what the Vetting policy stipulates	0.83
D21: The Department makes it sufficiently clear what conduct constitutes nepotism	0.81
D24: The Department has made it sufficiently clear what the Disclosure of Financial Interest, as contained in the Public Service Regulations of 2001, requires	0.73
D20: The Department makes it sufficiently clear when, how and to whom you should report cases of misconduct	0.72
D22: The Department makes it sufficiently clear how you should conduct yourself towards external service providers	0.68
D19: The Department makes it sufficiently clear what penalties will be imposed for various forms of unethical conduct	0.57
Cronbach's alpha	0.866
Factor 2: FD5: Clarity: Operational policies	
D15: The Department makes it sufficiently clear how you should behave while on duty (e.g. not to operate a money lending scheme, not to sleep, not to breach security measures)	0.83
D16: You know what is expected in terms of the Department's code of conduct	0.80
D14: The Department makes it sufficiently clear to you how you should conduct yourself towards offenders	0.79
D18: The Department makes it sufficiently clear how you should apply for normal leave and sick leave and the conditions attached thereto	0.71
D17: The Department makes it sufficiently clear what conduct constitutes fraud, corruption and/or theft	0.69
Cronbach's alpha	0.856

SECTION E

Factor 1: FE1: Supportability	Factor loading
E2: An atmosphere of respect and mutual trust exists	0.85
E3: Everyone has the best interests of the Department at heart	0.82
E4: Mutual trust exists between the employees and management	0.81
E1: Everyone is committed to the values and norms of the Department	0.69
E5: You are treated fairly	0.62
E6: Work is distributed equally	0.60
E7: You enjoy your work (excluded after item analysis)	0.41
Cronbach's alpha	0.880
Factor 2: FE2: Unions and ethical conduct	
E9: Your union often reminds you of your obligations in terms of Resolution 1 of 2006	0.84
E8: Your union often encourages you to conduct yourselves with integrity and to act ethically	0.84
E10: Your union encourages you to report fraud and corruption to the authorities	0.79
E11: Union leaders are always honest and act with integrity	0.76
E12: Unions would never cover up members' unethical conduct (excluded after item analysis)	0.66
Cronbach's alpha	0.864
Factor 5: Union influence over decision-making	
E13: Unions often oppose disciplinary action against their members	0.82
E14: Your union has greater influence over decision-making than your line manager	0.76
Cronbach's alpha	0.543
Factor 3: FE3: Management Reform: Delegation of authority	
E22: My supervisor regularly checks my work performance	0.73
E20: My supervisor compares my performance with key performance indicators at least every six months	0.72
E25: You have been given a growing measure of decision-making authority when making human resource decisions	0.72
E24: My supervisor often emphasises the importance of complying with Departmental policies and procedures	0.67
E21: I have been given a growing measure of decision-making authority when making financial decisions	0.61
Cronbach's alpha	0.802
Factor 4: FE4: Management Reform: Internal control	
E16: Senior management often emphasises the importance of complying with Departmental policies and procedures	0.76
E15: There are adequate controls to ensure that you comply with Departmental policies and procedures	0.70
Cronbach's alpha	0.756
Factor 6: Not clear	
E18: The major responsibility of employees in this Department is to control costs	0.69
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	0.66
Cronbach's alpha	0.306
Factor 7: Single item factor	
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	0.76

Single items
E7: You enjoy your work
E12: Unions would never cover up members' unethical conduct
E13: Unions often oppose disciplinary action against their members
E14: Your union has greater influence over decision-making than your line manager
E18: The major responsibility of employees in this Department is to control costs
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first
E23: Senior management often does not comply with Departmental policies and procedures

6.4 Descriptive Measures of Factor Scores

In Table 6.4.1 below, the mean (m), standard deviation (SD), minimum (min) and maximum (max) values, and the sample size (n) for calculated factor scores are provided. The mean is the most common type of average, or central measure of tendency, that is used. It simply refers to the sum of all values obtained divided by the number of values in that group. The Standard Deviation refers to the variability or how the scores differ from one another in a set of scores. In different terms, standard deviation refers to the average distance of scores from the mean. In other words, the larger the standard deviation, the larger the average distance each data point is from the mean of the distribution. In the data set above, the positive deviation is the same as the negative deviation (Diamantopolous & Schlegelmilch, 2000: 97-104; Salkind, 2004: 19-41).

For the interpretation of the values (in other words the mean) in tables in chapter 6 and 7 it was decided to follow a consistent approach. The following categorisation for interpretation was used, namely: where $m = 1 - 2,49$ (negative response); where $m = 2,50 - 2,89$ (fairly negative response); where $m = 2,90 - 3,09$ (neutral response); where $m = 3,10 - 3,49$ (fairly positive response); and where $m = 3,50 - 5,00$ (positive response).

After questionnaire responses had been subjected to an Exploratory Factor Analysis, 16 factors were identified and are listed below as FB1: External Service Providers' Role in Corruption; FB2: Offenders' Role in Corruption; FC1: Sanctions: Rewards and Punishment for Misconduct; FC2: Transparency: Immediate Working Environment; FC3: Discussability:

Opinions and Discussions; FC3: Discussability: External Working Environment; FC3: Discussability: Internal Working Environment; FD1: Congruence of Senior Managers; FD2: Congruence of Supervisors; FD3: Feasibility; FD4: Clarity: Ethics Policies; FD5: Clarity: Operational Policies; FE1: Supportability; FE2: Unions and Ethical conduct; FE3: Management Reform: Delegation of Authority; and FE4: Management Reform: Internal Control. Those questionnaire responses that were not grouped as part of the 16 dimensions will be treated as single items and will be interpreted in chapter 7. In all the tables provided, N refers to the size of the sample.

6.4.1 Factor Mean Scores (All Groups)

A number of conclusions may be drawn from the factor scores listed below. The factor scores in figure 6.4.1 are ranked from the highest to the lowest score. A total of 682 respondents agreed with the items listed under factor FD5: Clarity Operational Policies which provided for a mean score of 4,01. Respondents indicated that they had sufficient clarity on how they should behave on duty, what was expected in terms of the code of conduct, how they should behave towards offenders, how leave provisions work, and what constitutes fraud, corruption and theft.

A total of 698 respondents agreed with the items listed under factor FE4: Management Reform: Internal Control which provided for a mean score of 3,57. Respondents indicated that the senior management of the Department often emphasised the importance of complying with policies and procedures and were of the opinion that adequate internal controls were in place to ensure compliance. This finding should be interpreted within the context of the institutional transformation of the DCS which fairly recently experienced a lack of adherence to policies and regulations, a lack of adequate checks and balances in activities of the institution, excessive union involvement, and maladministration and corruption (Jali Commission of Inquiry, 2004).

A total of 697 respondents agreed with the items listed under factor FC5: Discussability: Internal Working Environment which provided for a mean score of 3,53. Respondents indicated that they would report their supervisor and/ or colleagues if they engage in misconduct. Furthermore, a total of 689 respondents were measured on the factor FC4: Discussability: External Working Environment which provided for a mean score of 3,51. This is an indication that respondents would not be uncomfortable to report misconduct and transgressions to an external office for further investigation.

The above findings should be compared with factor FC3: Discussability: Discussion and Opinions. A total of 675 respondents provided for a much lower mean score of 2,91. This is an indication that officials would not discuss misconduct, nor express their opinions freely in their immediate working environment. They fear not being protected from victimisation and would not report misconduct to their supervisor, or to an officer within their immediate working surroundings.

Respondents' fear to freely discuss malfeasance in their immediate work environment cannot be ascribed to their supervisors. Respondents appear to hold favourable views on the integrity of their supervisors. On factor FD2: Congruence of Supervisors, a total of 691 respondents provided a mean of 3,48. This indicates that officials hold a fairly positive view on their supervisors. Supervisors are seen as honest and reliable, act ethically and with integrity, often communicate the importance of ethical conduct, and would never approve of unethical conduct.

Respondents seem to hold different views in respect of senior management. In respect of factor FD1: Congruence of Senior Managers, 689 respondents held a comparatively negative view and scored a mean of 2,92. This dimension reflects on the role of senior managers within the Department. Respondents provided a neutral response on whether senior managers act with honesty and integrity, set a good example in terms of ethical conduct, communicates the importance of ethical conduct and would never allow unethical conduct. This finding is significant as senior management should ideally, in the context of ethics management, be

seen to establish clear policy guidelines and communication for ethical conduct, provide a clear commitment to ethical behaviour, and act with honesty and integrity.

An unexpected finding is the positive role that unions play within the context of ethics management in the DCS. A total of 677 respondents scored a mean of 3,43 on factor FE2: Unions and Ethical Conduct. According to the survey, union leaders act with honesty and integrity, and unions often reminds officials of their obligations in terms of Resolution 1 of 2006, and encourages members to act with integrity and honesty, and to report fraud and corruption.

In respect of factor FC2: Transparency: Immediate Working Environment a total of 687 respondents obtained a mean of 3,43. This indicates that respondents believe that their immediate working environment is fairly transparent. It would be difficult to hide an act of misconduct, either to the institution, their supervisor or a colleague.

On factor FC1: Sanctions: Rewards and Punishment for Misconduct, respondents indicated that adequate institutional mechanisms are practiced that would lead to the reward of ethical conduct and the punishment of misconduct. A total of 681 respondents obtained a fairly positive mean of 3,38. This measure for the prevention of misconduct is often emphasised in the literature (cf. section 3.7.3; section 3.7.4; section 3.7.5) and should receive significant attention within the institution.

In respect of factor FD4: Clarity: Ethics Policies respondents obtained a mean of 3,37. A total of 672 respondents provided a fairly positive response on whether had sufficient clarity on the Department's Vetting-, Disclosure of Financial Interest-, nepotism policies, as well as the policies dealing with penalties for misconduct. It is however significant to note that respondents obtained a significant higher mean score on the clarity of operational policies, as compared to ethics policies.

In respect of factor FD3: Feasibility 694 respondents obtained a mean score of 3,15. Respondents provided a fairly positive response on whether they had adequate resources, time and authority to carry out their responsibilities within the Department. A lack of resources, time and authority to carry out responsibilities could be a serious impediment in the pursuance of ethical conduct. Overworked employees tend to justify unethical conduct within their work places.

On factor FE3: Management Reform: Delegation of Authority, a total of 680 respondents obtained a mean score of 3,12. This mean score indicates that respondents provided a fairly positive response on whether they had a growing measure of human resources and financial decision-making authority, and their performance was measured in respect of specific key performance indicators. Respondents provided a more convincing positive response on the other indicator of management reform, FE4: Management Reform: Internal Control. Both factors measure the extent of management reform undertaking at DCS (cf. section 5.5.1)

In respect of factor FE1: Supportability a total of 685 respondents obtained a fairly negative mean score of 2,77. This is an indication that respondents experienced a lack of respect and mutual trust, absence of commitment to the values and norms of the Department, and lack of fairness and equality. This finding indicates that respondents held a negative opinion on whether all employees have the best interest of the Department at heart. This could significantly contribute to unethical conduct within the Department.

In another interesting finding, a total of 686 respondents obtained a significantly negative mean score of 2,04 in respect of factor FB2: Offenders' Role in Corruption. This is an indication that respondents had not observed misconduct in their immediate working environment. This should be understood within the context that the survey was mainly conducted at correctional centres within management areas. In respect of factor FB1: External Service Providers' Role in Corruption, a total of 690 respondents provided for a mean score of 1,71 and indicated that they had not experienced unethical conduct with external service providers within their immediate working environment. The finding should be seen within the context of the survey which omitted the department's senior management

which is based at the head office. It could be assumed that senior management, and not employees based at the correctional centres would have more regular contact with external service providers. If senior management had been included in this survey, different conclusions might have been drawn.

Although improvement could be pursued in all the dimensions of ethical culture in the Department, the following factors seem in most urgent need of attention i.e. FD4: Clarity: Ethics Policies; FD1: Congruence of Senior Managers; FC3: Discussability: Opinions and Discussions; and FE1: Supportability.

Table 6.4.1: Factor Mean Scores (All Groups)

Factor Score	Mean	Std. Dev	Min	Max	N
FD5: Clarity: Operational policies	4.01	0.77	1	5	682
FE4: Management Reform: Internal control	3.57	0.92	1	5	698
FC5: Discussability: Internal working environment	3.53	0.95	1	5	697
FC4: Discussability: External working environment	3.51	0.98	1	5	689
FD2: Congruence of Supervisors	3.48	0.95	1	5	691
FE2: Unions and ethical conduct	3.43	0.89	1	5	677
FC2: Transparency: Immediate working environment	3.43	0.83	1	5	687
FC1: Sanctions: Rewards and Punishments for misconduct	3.38	0.89	1	5	681
FD4: Clarity: Ethics policies	3.37	0.87	1	5	672
FD3: Feasibility	3.15	0.91	1	5	694
FE3: Management Reform: Delegation of authority	3.12	0.82	1	5	680
FD1: Congruence of Senior Managers	2.92	1.04	1	5	689
FC3: Discussability: Opinions and Discussions	2.91	0.85	1	5	675
FE1: Supportability	2.77	0.90	1	5	685
FB2: Offenders' role in corruption	2.04	1.09	1	5	686
FB1: External service providers' role in corruption	1.71	0.87	1	5	690

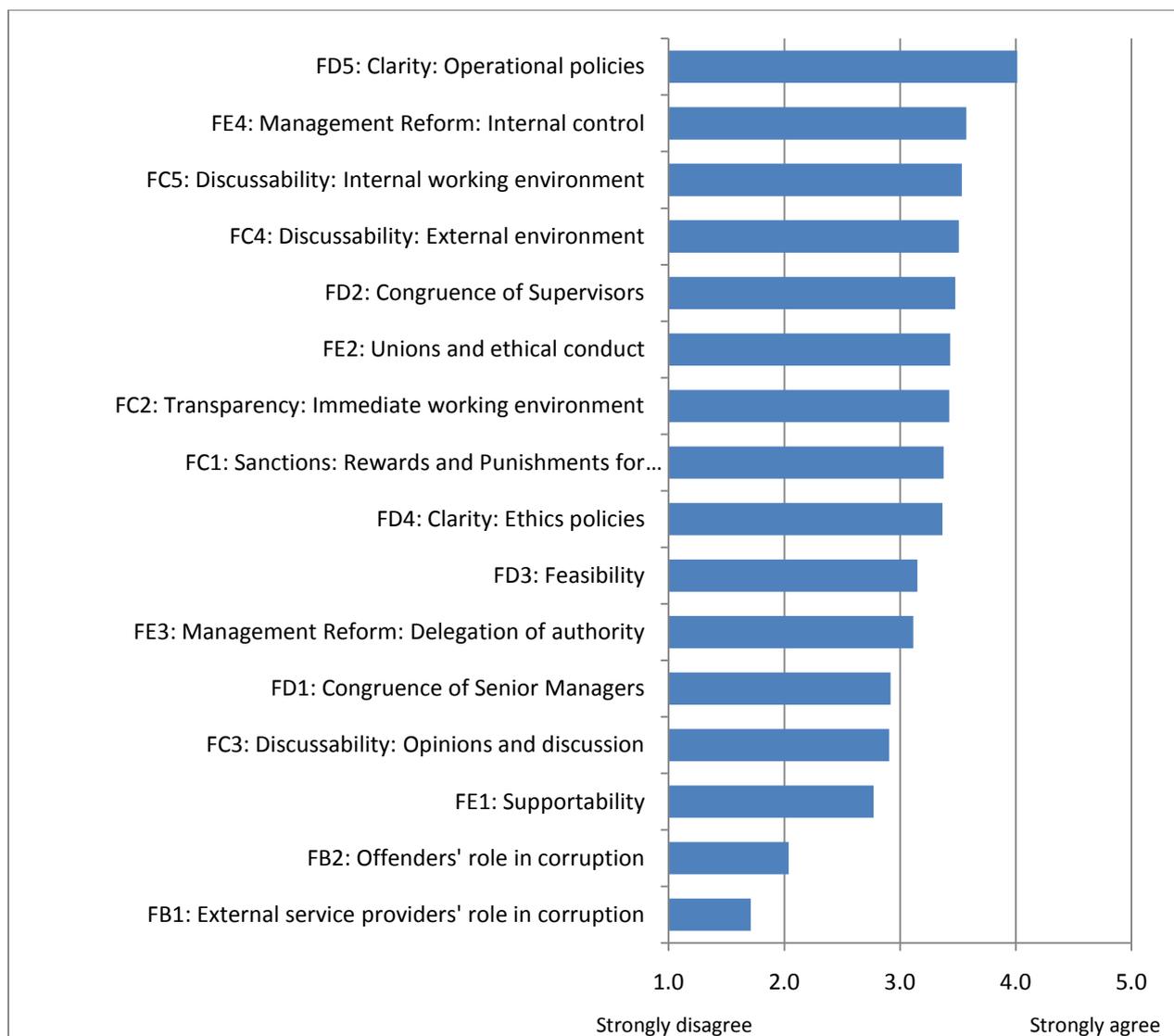


Figure 6.4.1: Factor Mean Scores (All Groups)

6.5 Analysis of Variance (ANOVA), Eta-square and Chi-square tests

Many statistical tests could be applied to determine whether differences between groups exist. For example, Diamantopolous and Schlegelmilch (2000: 154 – 157; 172 – 196; cf. Salkind, 2004: 152) are of the view that the ANOVA test is the appropriate statistical tool when more than two groups are compared. For this data set the following statistical tests were performed: Analysis of Variance, Eta-square, and Chi Square tests. In the following paragraphs the nature of these tests are shortly explained. Each statistical test makes use of a

particular formula and could also be computed by a statistical software package (Salkind, 2004: 5-211).

Analysis of Variance (ANOVA), or the simple analysis of variance, is a statistical technique used to compare the responses of more than two groups. The ANOVA is used to determine the variance between and within groups. The mean is not the only indicator of variance between groups. Even when the mean scores of two groups are similar the scores within the same two groups could differ significantly. In the following sections the data has been subjected to an ANOVA testing. For example, an analysis is done of the responses of various age groups in respect of the dimension FD5: Clarity: Operational Policies. A comparison is therefore made of the different age groups including 25 or younger, 26-35, 36-45, 36-55, and 56+ in respect of the dependent variable FD5: Clarity: Operational Policies (Hair *et al.*, 1998: 326-333).

The ANOVA test provides for a level of significance at which the null hypothesis is rejected; that is, to prove that there is in fact a difference between the age groups in respect of the dependent variable. When the level of significance is given at 0,05 it means that a 5% probability exist that the null hypothesis is in fact true. Although the conventional level of significance is between 0,05 and 0,01, statisticians attempt to reduce this probability as far as possible (Salkind, 2004, 142 – 148). For the interpretation of this data set, the level of significance is even more stringent at $\alpha < 0.001$, although interpretation is also provided at $\alpha = 0.01$, and $\alpha = 0.05$ (The statistical software package SPSS provides for the exact level of significance at which the null hypothesis is rejected and is reported as the p-value).

Although the F test (test statistic for ANOVA) determines the overall difference between the means of three or more groups, it does not specify where the difference lies. The location of this difference; for example between group 1 (25 or younger) and group 2 (36-55), could be determined by a simple *post-hoc* comparison which is easily generated by computerised statistical package (Salkind, 2004: 208). The post-hoc comparison was not applied in this study. The author identified differences between groups by observing the calculated means.

A second analysis of data was completed. Although a statistical test may state that a significant difference between groups exists, this does not say whether the difference is meaningful. The effect size is a measure of how different two groups are from one another. Whereas an effect size of 0,20 is regarded as small, an effect size of between 0,50 and 1 is regarded as large. The larger the effect size, the larger the difference between groups (Salkind, 2004, 167-178). However, for the interpretation of this data set, effect size is significant at $0,01 < \eta^2 \leq 0,06$ (small effect size), and $\eta^2 > 0,06$ (medium to large effect size).

When the mean of group A and group B differs in respect of a dependent variable – as reflected by the effect size – it could be assumed that group membership (independent variable) influences the dependent variable. According to Levine and Hullett (2002: 612-625), and Pierce, Block and Aguinis (2004: 916-924) effect size refers to the strength of association/ relationship between an independent and a dependent variable. It reflects how strong two or more variables are related. The most often used estimate of effect size is Eta-square.

A third statistical test was performed on the data set. This test was only applied to the items in chapter 7 and not to the factors in chapter 6. The Chi-square test involves a comparison between what is observed and what is expected when no differences exist. The Null hypothesis in the Chi-square test states that no differences in frequencies between groups on some specific questionnaire item are expected. The obtained value is determined by a formula and compared to the critical value (this value is always pre-determined). When the obtained value exceeds the critical value, the null hypothesis can be rejected and it could be concluded that the frequencies are not what we expected. When no difference exists between what was expected and what was observed, the Chi-square value would be equal to zero (Salkind, 2004: 261-272).

With the Chi-square test, similarly to the ANOVA test, differences between groups are indicated when the null hypothesis is rejected. When the level of significance is set at 0,05 it means that a 5% probability exist that the null hypothesis is in fact true. For the interpretation of this data, the level of significance is set at $\alpha < 0,001$, as well as $\alpha = 0,01$, and $\alpha = 0,05$

(Again, the statistical software package SPSS provides for the exact level of significance at which the null hypothesis is rejected).

In Table 6.5.1 below, both the data findings of ANOVA and Eta-Square tests are listed. In terms of the ANOVA test, those dimensions that are shaded in yellow, green and red indicates that a significant difference between and within the different age groups exists. In respect of Eta-Square, those dimensions that are shaded in yellow or red indicates the strength of the association between the variables. In other words, the shaded areas are an indication that the null hypothesis is rejected (in other words, the notion that no difference between and within groups exist, is rejected), and a strong relationship between, for example, age as an independent variable and FC1: Sanctions: Rewards and Punishments for Misconduct as a dependent variable exists. When a researcher hypothesises that samples (or, in this case different age groups) come from a population with equal means for a dependent variable, a null hypothesis is stated. When a difference between and within samples is found to be significant, the null hypothesis is rejected.

6.5.1 Factor Mean Scores by Age Group

Table 6.5.1 lists the factor mean scores of all 16 dimensions by age group. In terms of the ANOVA tests, significant differences between and within in means across age groups were identified in respect of four dependent variables: FE2: Unions and Ethical conduct ($p=0,000$); FC1: Sanctions: Rewards and Punishment for Misconduct ($p=0,000$); FD1: Congruence of Senior Managers ($p=0,005$); and FE1: Supportability ($p=0,038$). The null hypothesis was rejected in these cases. In terms of FE2: Unions and Ethical conduct, the age group 25 or younger obtained a positive mean score of 3,51, whereas the age group 56+ obtained a neutral mean score of 2,93. Older respondents perceive the role of unions in the promotion of ethics and integrity as less significant as compared to younger respondents.

In terms of FC1: Sanctions: Rewards and Punishment of Misconduct, the age group 36-45 obtained a mean score of 3,24, while the age group 25 or younger was significantly more

positive with a mean score of 3,65. The younger group of respondents appeared more certain that the Department's reward and punishment measures are in place to prevent malfeasance. In terms of FD1: Congruence of Senior Management, the age group 36-45 was significantly less positive about the role of senior management in setting the tone for ethical conduct. This age group obtained a mean score of 2,76 in comparison with the younger age group of 26-35 with a mean score of 3,07. In terms of FE1: Supportability, the age group 36-45 obtained a mean score of 2,65 as compared to the higher mean score of 2,88 obtained by the age group 26-35. The older age group held more negative views on the above four factors of ethical culture than the younger age group.

In five cases were the strength of the relationship between age and the dependent variable significant: FC4: Discussability: External Working Environment ($\eta^2 = 0,011$); FE2: Unions and Ethical conduct ($\eta^2 = 0,031$); FC1: Sanctions: Rewards and Punishment for Misconduct ($\eta^2 = 0,028$); FD1: Congruence of Senior Managers ($\eta^2 = 0,019$); and FE1: Supportability ($\eta^2 = 0,013$). These values reflect similar findings to that of the ANOVA tests. However, the Eta-square test points the strength of the relationship of an additional factor *id est* FC4: Discussability: External Working Environment. It seems as if the age group 25 or younger with a mean score of 3,67 is significantly more willing to report misconduct to institutions outside their immediate working environment, than the age group 26-35 with a mean score of 3,44. Younger respondents might be less aware of the negative consequences for their careers when they blow the whistle on misconduct.

Table 6.5.1: Factor Mean Scores by Age Group

Factor Score	25 or younger	26-35	36-45	46-55	56+	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	3.76	4.04	4.01	3.99	4.08	0.452	0.005
FE4: Management Reform: Internal control	3.18	3.63	3.56	3.49	3.38	0.101	0.010
FC5: Discussability: Internal working environment	3.30	3.58	3.52	3.58	3.88	0.293	0.005
FC4: Discussability: External environment	3.67	3.44	3.57	3.45	3.53	0.462	0.011
FD2: Congruence of Supervisors	3.51	3.55	3.39	3.47	3.22	0.246	0.007
FC2: Transparency: Immediate working environment	3.49	3.48	3.37	3.37	3.63	0.374	0.006
FE2: Unions and ethical conduct	3.51	3.56	3.34	3.16	2.93	0.000	0.031
FC1: Sanctions: Rewards and Punishments for misconduct	3.65	3.55	3.24	3.30	3.45	0.000	0.028
FD4: Clarity: Ethics policies	3.39	3.40	3.28	3.40	3.32	0.537	0.004
FD3: Feasibility	3.35	3.19	3.08	3.12	3.53	0.130	0.009
FE3: Management Reform: Delegation of authority	3.10	3.15	3.04	3.18	3.15	0.445	0.005
FD1: Congruence of Senior Managers	3.02	3.07	2.76	2.90	3.01	0.005	0.019
FC3: Discussability: Opinions and discussion	3.19	2.93	2.83	2.98	3.15	0.088	0.006
FE1: Supportability	2.87	2.88	2.65	2.74	2.79	0.038	0.013
FB2: Offenders' role in corruption	2.32	2.02	2.07	2.02	2.00	0.710	0.003
FB1: External service providers' role in corruption	1.68	1.71	1.75	1.58	1.57	0.501	0.004

ANOVA Significance coding: Red: significance <0,001 Yellow: Significant at $\alpha=0,01$ Green: Significant at $\alpha=0,05$

Eta Squared coding: Red: Medium to large effect size ($\eta^2 > 0,06$) Yellow: Small effect size ($0,01 < \eta^2 \leq 0,06$) using guidelines suggested by Kittler, Menard and Phillips (2007: 115-120).

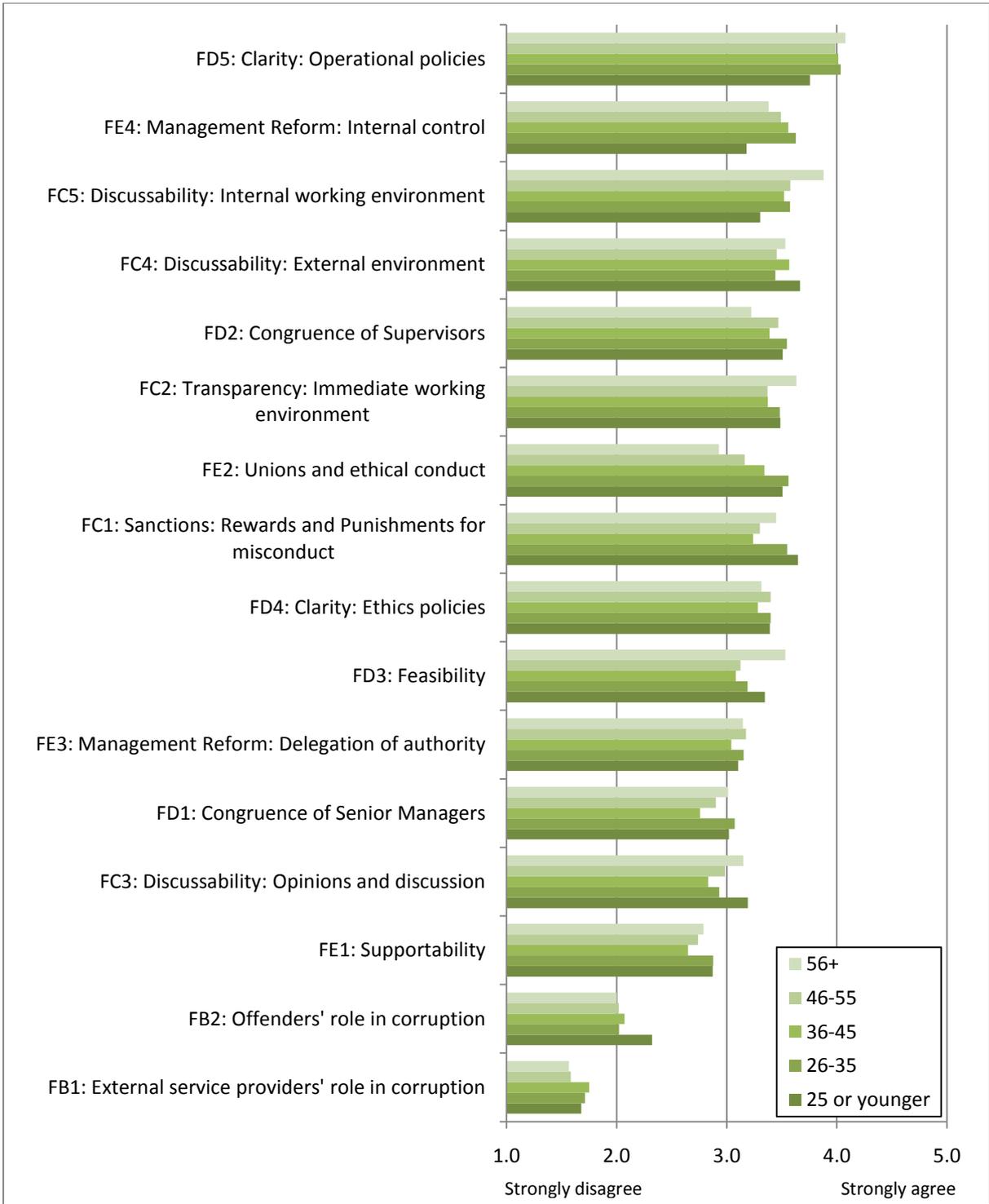


Figure 6.5.1: Factor Mean Scores by Age Group

6.5.2 Factor Mean Scores by Race Group

Table 6.5.2 lists the factor mean scores of all 16 dimensions by race group. In terms of the ANOVA tests, significant differences between and within race groups were identified in the case of ten dependent variables. The most significant difference between race groups were in respect of FE4: Management Reform: Internal Control ($p= 0,000$); FE2: Unions and Ethical conduct ($p= 0,000$); FC1: Sanctions: Rewards and Punishment for Misconduct ($p= 0,000$); FD1: Congruence of Senior Management ($p= 0,000$); and FE1: Supportability ($p= 0,000$). In terms of the above findings white respondents were significantly less convinced of the existence of adequate control measures within the Department, the role of unions in promoting honesty and integrity, the adequacy of sanctions and rewards in preventing misconduct, and ethical leadership of the Department's senior management. White respondents were less positive about the existence of mutual trust, respect, fairness, and the equal distribution of work.

Other significant differences between white and black respondents were in respect of FE3: Management Reform: Delegation of Authority ($p= 0,005$), and FC3: Discussability: Opinions and Discussions ($p= 0,002$). Black respondents ($m=3,14$) perceive that a growing measure of authority on financial and human resource matters had been delegated to them, and that their performance is monitored with key performance indicators. This conviction is not shared by white respondents ($m=2,90$). Furthermore, white respondents are less comfortable to discuss unethical conduct with their supervisors and are less likely to report misconduct to their immediate supervisor.

Less significant, but still notable, are the differences between white and black respondents in respect of FB2: Offenders' Role in Corruption and FB1: External Service Providers' Role in Corruption. With a mean score of 2,27 white respondents are more likely to have witnessed a colleague extort money from an offender, and an offender offer a bribe in exchange for a favour. With a mean score of 1,91 white respondents are also more likely to have been offered a bribe from an external service provider, or to have observed a colleague extort

money from an external service provider. Notwithstanding these findings, the mean scores remain relatively low.

The strength of the relationship between race and the dependent variable was significant in six cases: FE4: Management Reform: Internal control ($\eta^2 = 0,038$); FE2: Unions and Unethical Conduct ($\eta^2 = 0,064$); FC1: Sanctions: Rewards and Punishment for Misconduct ($\eta^2 = 0,110$); FE3: Management Reform: Delegation of Authority ($\eta^2 = 0,010$); FC3: FD1: Congruence of Senior Managers ($\eta^2 = 0,037$); and FE1: Supportability ($\eta^2 = 0,045$). These findings reflect the findings of the ANOVA tests. However, the Eta-square test also pointed to the strength of the relationship between race and another dimension, i.e. FC4: Discussability: External Working Environment ($\eta^2 = 0.013$). White respondents with a mean score of 3,57 are more likely to report misconduct to institutions outside their immediate working environment than black respondents with a mean score of 3,49.

Table 6.5.2: Factor Mean Scores by Race Group

Factor Score	White	Black	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	3.89	4.02	0.105	0.004
FE4: Management Reform: Internal control	3.09	3.62	0.000	0.038
FC5: Discussability: Internal working environment	3.50	3.56	0.546	0.001
FC4: Discussability: External environment	3.57	3.49	0.446	0.013
FD2: Congruence of Supervisors	3.32	3.48	0.105	0.003
FC2: Transparency: Immediate working environment	3.28	3.45	0.056	0.005
FE2: Unions and ethical conduct	2.81	3.49	0.000	0.064
FC1: Sanctions: Rewards and Punishments for misconduct	2.63	3.51	0.000	0.110
FD4: Clarity: Ethics policies	3.24	3.36	0.205	0.002
FD3: Feasibility	2.97	3.18	0.029	0.006
FE3: Management Reform: Delegation of authority	2.90	3.14	0.005	0.010
FC3: Discussability: Opinions and discussion	2.67	2.95	0.002	0.000
FD1: Congruence of Senior Managers	2.41	2.99	0.000	0.037
FE1: Supportability	2.28	2.84	0.000	0.045
FB2: Offenders' role in corruption	2.27	2.02	0.033	0.006
FB1: External service providers' role in corruption	1.91	1.67	0.012	0.008

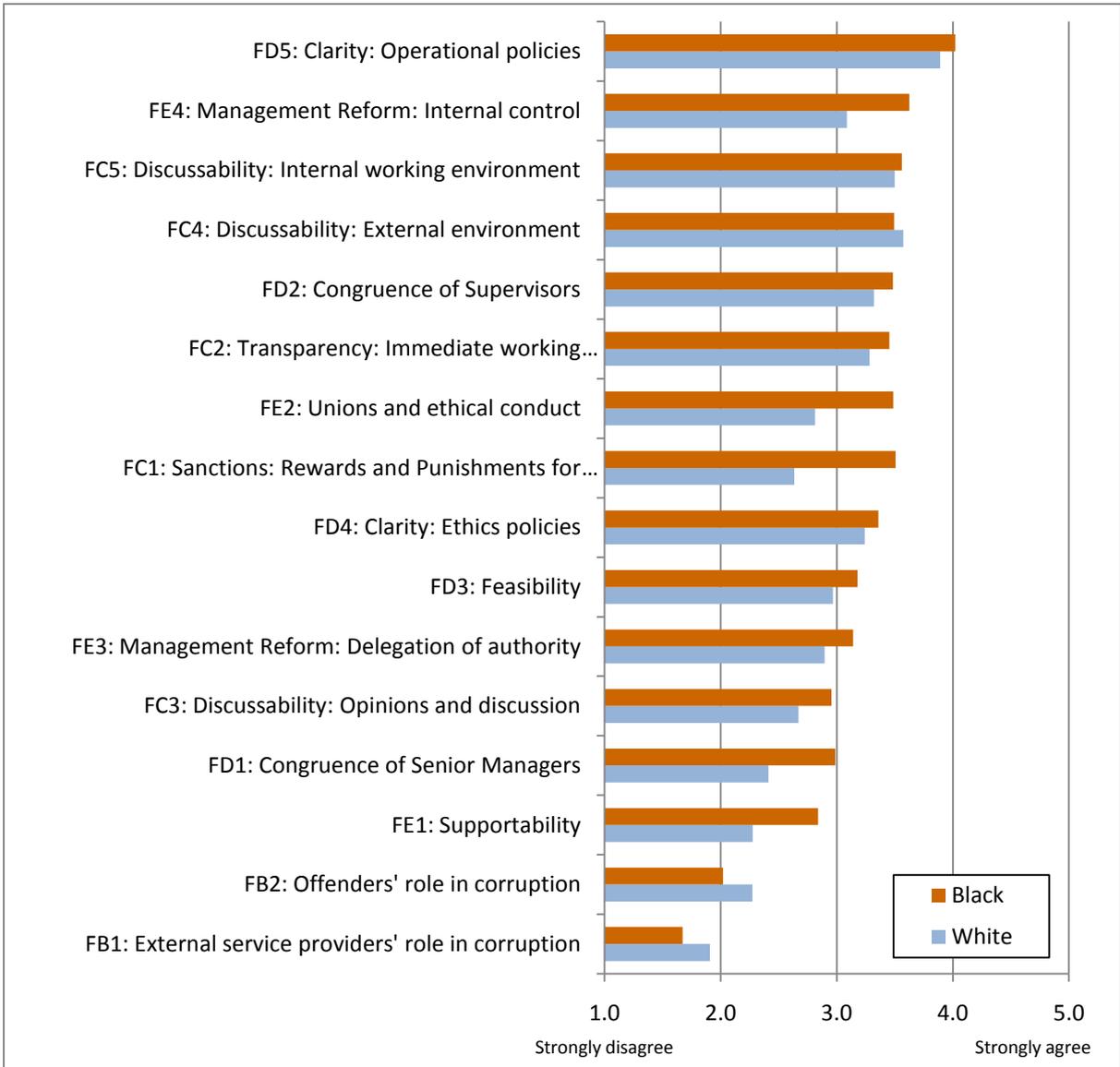


Figure 6.5.2: Factor Mean Scores by Race Group

6.5.3 Factor Mean Scores by Gender

Table 6.5.3 lists the mean scores for male and female respondents in respect of the 16 dimensions. The ANOVA test identified 5 dimensions in respect of which male and female respondents differ significantly. Female respondents obtained a mean score of 2,92 in respect of FE1: Supportability as compared to the mean score of 2,67 of male respondents. Female respondents experience to a greater extent an atmosphere of respect and mutual trust than

their male counterparts. The strength of the association is supported by the Eta-square test with an effect size value of $\eta^2 = 0,017$.

In respect of FE4: Management Reform: Internal Control, female respondents obtained a mean of 3,67 while male respondents obtained a mean of 3,49. Female respondents experience a greater emphasis on internal control measures and policy compliance than their male counterparts in the Department. Female respondents obtained a mean score of 1,81 as compared to their male counterparts with a mean score of 1,66 in respect of FB1: External Service Providers' Role in Corruption. Female respondents are more likely to have been offered a bribe by an external service provider. Furthermore, female respondents have a greater understanding of the Department's ethics policies than their male counterparts. Female respondents obtained a mean score of 3,45 as compared to male respondents with a mean score of 3,30 in respect of FD4: Clarity: Ethics Policies. Female respondents are more likely to perceive senior management as committed to principles of honesty and integrity. Female respondents obtained a mean score of 3,02 as compared to the mean score of 2,86 of their male counterparts in respect of FD1: Congruence of Senior Managers.

Table 6.5.3: Factor Mean Scores by Gender

Factor Score	Male	Female	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	3.99	4.05	0.289	0.001
FE4: Management Reform: Internal control	3.49	3.67	0.007	0.009
FC5: Discussability: Internal working environment	3.60	3.47	0.070	0.005
FC4: Discussability: External environment	3.55	3.41	0.055	0.001
FD2: Congruence of Supervisors	3.43	3.53	0.145	0.003
FC2: Transparency: Immediate working environment	3.45	3.40	0.469	0.001
FC1: Sanctions: Rewards and Punishments for misconduct	3.37	3.42	0.410	0.001
FE2: Unions and ethical conduct	3.34	3.46	0.083	0.004
FD4: Clarity: Ethics policies	3.30	3.45	0.033	0.006
FD3: Feasibility	3.12	3.23	0.106	0.003
FE3: Management Reform: Delegation of authority	3.10	3.13	0.642	0.000
FD1: Congruence of Senior Managers	2.86	3.02	0.041	0.005
FC3: Discussability: Opinions and discussion	2.94	2.88	0.397	0.004
FE1: Supportability	2.67	2.92	0.000	0.017
FB2: Offenders' role in corruption	2.08	2.04	0.574	0.000
FB1: External service providers' role in corruption	1.66	1.81	0.027	0.006

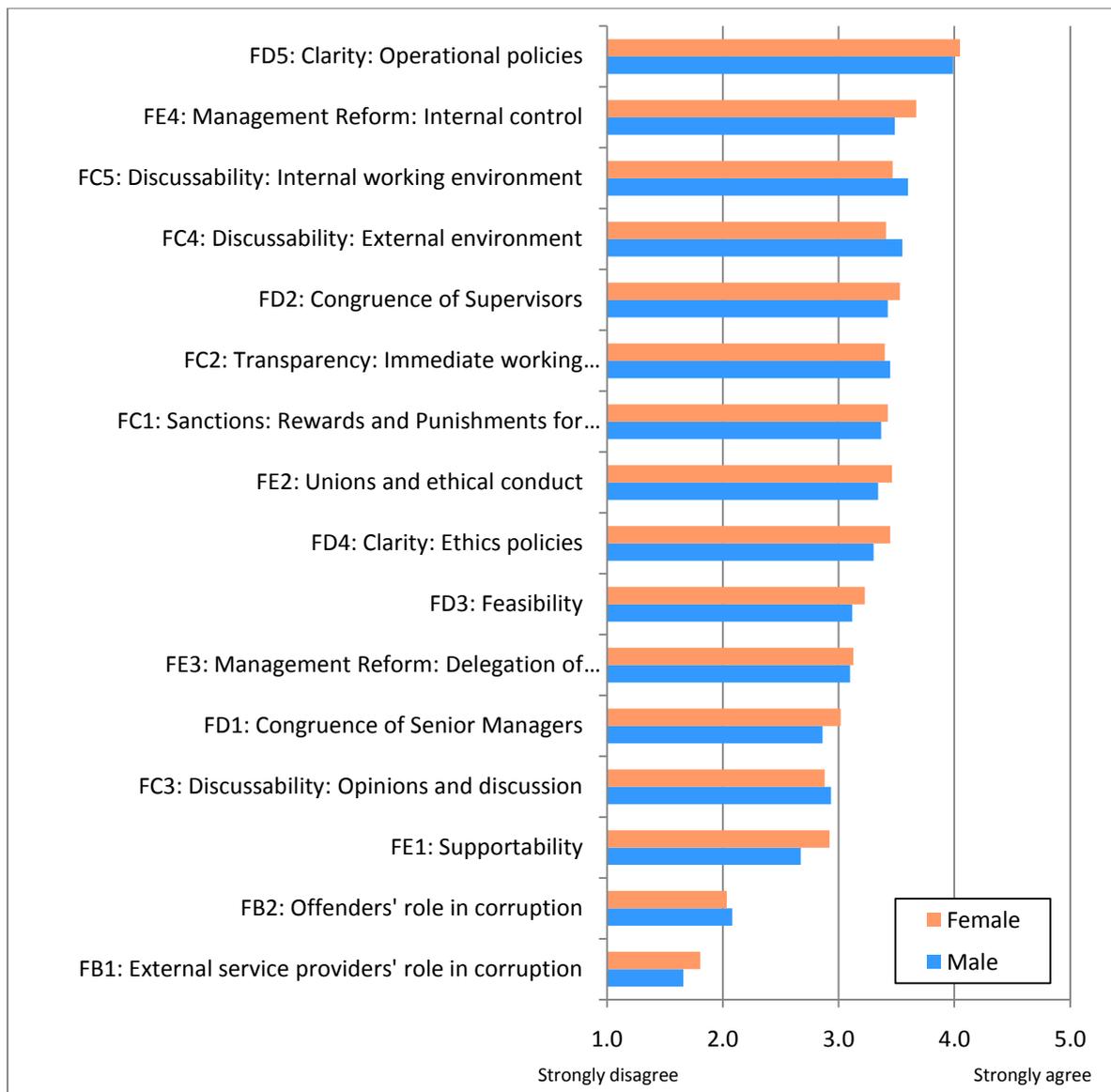


Figure 6.5.3: Factor Mean Scores by Gender

6.5.4 Factor Mean Scores by Qualification

In table 6.5.4 the mean scores by qualification in respect of the 16 factors are listed. The ANOVA and Eta-Square result indicated that the null hypothesis was rejected in respect of three dimensions. The most significant variance across the three groups of qualifications was in respect of dimensions FE2: Unions and Unethical Conduct ($p = 0,000$). From the finding it appears that respondents with higher qualifications (post-matric with a mean score of 3,32) perceive the role of unions in promoting ethical conduct as less significant. Respondents with a grade 12 qualification obtained a mean score of 3,51. This finding is supported by an Eta-

square value of 0,029. It could be expected that better qualified respondents are not closely involved with union activities as they may be less reliant on them for career advancement.

Respondents with grade 12 are positive about the Department's allocation of resources, time and authority to execute their responsibilities. These respondents obtained a mean score of 3,23 as compared to their counterparts with a post-matric qualification with a mean score of 3,03 in respect of FD3: Feasibility. Respondents with grade 10 or 11 provided a neutral response (m=3.02) on whether they have adequate scope to discuss unethical conduct within their immediate working environment. Respondents with a post-matric qualification provided a fairly negative response with a mean score of 2,81 on FC3: Discussability: Opinions and Discussions.

Table 6.5.4: Factor Mean Scores by Qualification

Factor Score	Grade 10 or 11	Grade 12	Post matric	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	4.04	3.99	4.05	0.598	0.001
FE4: Management Reform: Internal control	3.50	3.58	3.56	0.825	0.001
FC5: Discussability: Internal working environment	3.67	3.58	3.47	0.235	0.001
FC4: Discussability: External environment	3.42	3.52	3.49	0.760	0.010
FD2: Congruence of Supervisors	3.45	3.47	3.49	0.912	0.000
FC2: Transparency: Immediate working environment	3.44	3.44	3.40	0.793	0.001
FE2: Unions and ethical conduct	2.94	3.51	3.32	0.000	0.029
FC1: Sanctions: Rewards and Punishments for misconduct	3.40	3.43	3.29	0.129	0.006
FD4: Clarity: Ethics policies	3.31	3.38	3.35	0.841	0.000
FD3: Feasibility	3.22	3.23	3.03	0.016	0.011
FE3: Management Reform: Delegation of authority	3.08	3.12	3.11	0.946	0.000
FD1: Congruence of Senior Managers	2.95	2.91	2.94	0.905	0.000
FC3: Discussability: Opinions and discussion	3.02	2.97	2.81	0.030	0.004
FE1: Supportability	2.73	2.80	2.72	0.522	0.002
FB2: Offenders' role in corruption	2.27	2.10	1.95	0.083	0.007
FB1: External service providers' role in corruption	1.50	1.69	1.74	0.213	0.004

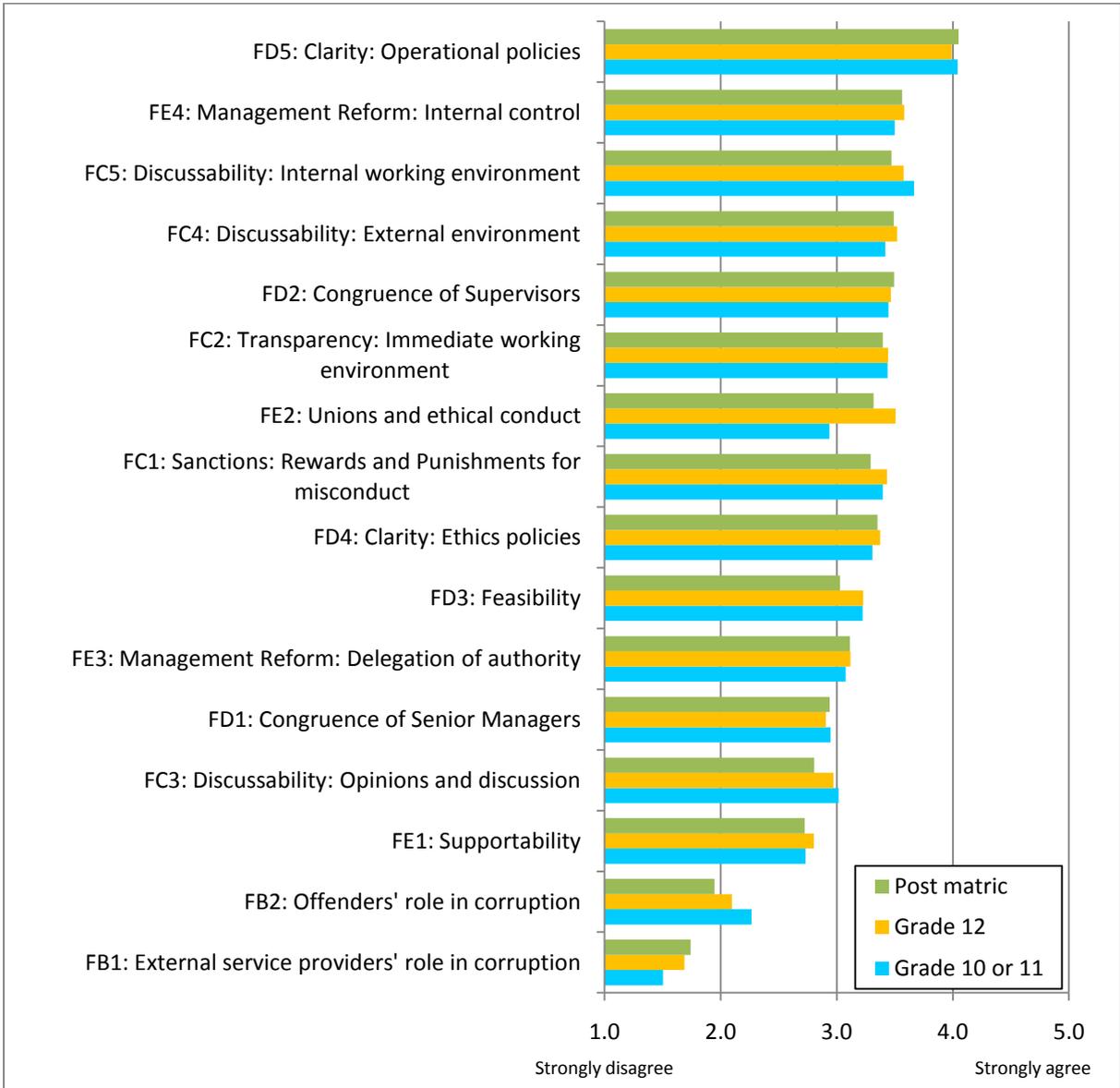


Figure 6.5.4: Factor Mean Scores by Qualification

6.5.5 Factor Mean Scores by Years of Service

A significant relationship was identified between years of service as an independent variable and five dimensions as dependent variables. It is notable that respondents with more years of service are significantly less positive, compared to their counterparts with shorter years of service. For example, respondents with 20 to 30 years of service obtained a mean score of

2,75 in respect of their opinions of senior management in setting an example by acting with honesty and integrity (FD1: Congruence of Senior Managers). Respondents with two years or less of service obtained a mean score of 3,24 on the same factor. The same applies to respondents with 10 to 20 years of service who obtained a mean score of 2,77 in respect of the extent to which they could freely discuss their views on misconduct. In respect of FC3: Discussability: Opinions and Discussions respondents with two years of service or less perceive a greater measure of freedom to discuss their opinions on misconduct with a mean score of 3,22. This same trend is repeated where respondents with 10 to 20 years service obtained a mean score of 2,56 in respect of FE1: Supportability and experience less mutual support and trust than their counterparts with two years of less years of service with a mean score of 3,14.

In respect of FC1: Sanctions, respondents with 10 to 20 years of service obtained a mean score of 3,18 with respondents with four years or less of service obtained a mean score of 3,62. Shorter-serving officials hold more positive views of the Departmental mechanisms that exist to promote ethical conduct and punish malfeasance. As officials increase their years of service the novelty of a new working environment seems to wear off with official less convinced of the effectiveness of these policy measures.

It could also be deduced that the more years of service an official served within the Department, the less positive he/ she would be in respect of the available time, resources and authority available to execute his/ her responsibilities. In respect of FD3: Feasibility, respondents with 10 to 20 years of service obtained a mean score of 3,01 while their counterparts with 2 years or less obtained a mean score of 3,34. In terms of FC4: Discussability: External Environment, respondents with 10-20 years of service with a mean score of 3,58 are more willing to report misconduct to institutions outside their immediate working environment as compared to respondents with 2 years or less of service with a mean score of 3,45. Shorter-serving officials may hold a more positive view of the Department's internal capacity to deal with malfeasance.

Respondents with 20 to 30 years of service obtained a mean score of 3,08 on dimension FE2: Unions and Ethical Conduct, whereas respondents with 2 to 4 years of service obtained a mean score of 3,60. Years of service, as an independent variable, seems to have a significant influence on whether respondents perceived their unions as supportive of ethical conduct in the Department. The Eta-square test points to the effect of years of service on the factor FE3: Management Reform: Delegation of Authority. Respondents with between two and four years of service obtained a mean score of 3,26. They perceive a greater freedom to manage human resource and financial matters than their counterparts with more years of service (between 10 and 20 years) with a mean score of 3,02.

Table 6.5.5: Factor Mean Scores by Years of Service

Years of service	2 yrs or less	2 - 4 yrs	4 - 10 yrs	10-20 yrs	20-30 yrs	More than 30 yrs	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	4.02	3.99	3.97	4.07	3.96	4.04	0.801	0.003
FC5: Discussability: Internal working environment	3.69	3.49	3.47	3.55	3.55	3.87	0.216	0.004
FE4: Management Reform: Internal control	3.67	3.55	3.63	3.53	3.39	3.43	0.217	0.009
FC4: Discussability: External environment	3.45	3.46	3.46	3.58	3.57	3.38	0.637	0.035
FD2: Congruence of Supervisors	3.59	3.58	3.45	3.41	3.34	3.51	0.229	0.009
FC2: Transparency: Immediate working environment	3.47	3.44	3.44	3.38	3.46	3.39	0.927	0.002
FE2: Unions and ethical conduct	3.52	3.60	3.58	3.28	3.08	2.88	0.000	0.052
FC1: Sanctions: Rewards and Punishments for misconduct	3.62	3.62	3.42	3.18	3.18	3.39	0.000	0.043
FD4: Clarity: Ethics policies	3.43	3.38	3.30	3.36	3.28	3.50	0.655	0.004
FD3: Feasibility	3.34	3.16	3.18	3.01	3.08	3.53	0.011	0.019
FE3: Management Reform: Delegation of authority	3.19	3.26	3.08	3.02	3.03	3.25	0.072	0.013
FD1: Congruence of Senior Managers	3.24	3.08	2.92	2.73	2.75	2.90	0.000	0.033
FC3: Discussability: Opinions and discussion	3.22	2.92	2.85	2.77	2.85	3.31	0.000	0.009
FE1: Supportability	3.14	2.99	2.69	2.56	2.59	2.72	0.000	0.057
FB2: Offenders' role in corruption	1.91	2.06	2.13	2.13	1.98	2.05	0.496	0.006
FB1: External service providers' role in corruption	1.70	1.68	1.82	1.72	1.58	1.67	0.358	0.007

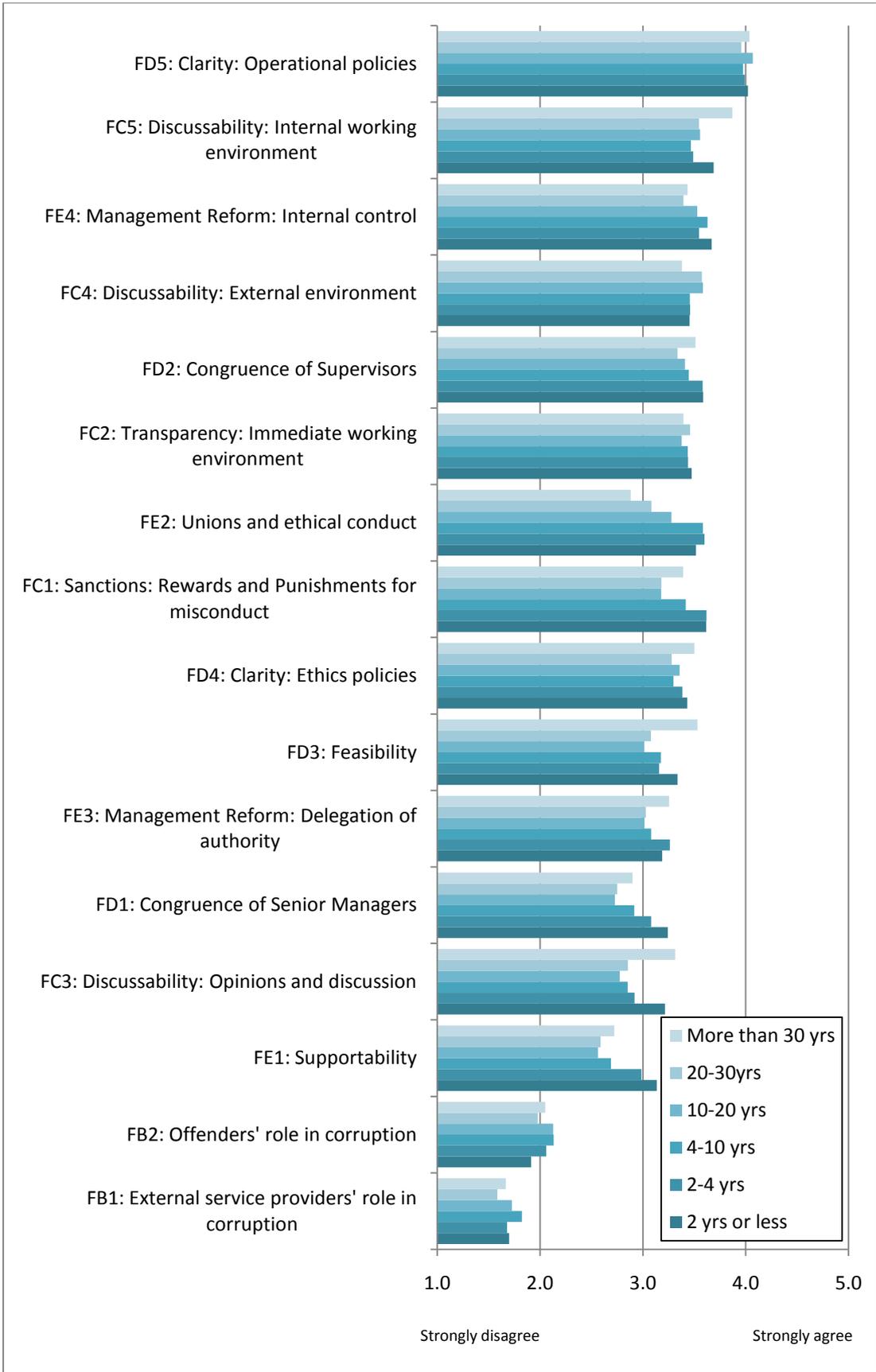


Figure 6.5.5: Factor Mean Scores by Years of Service

6.5.6 Factor Mean Scores by Post Level

The ANOVA and Eta-square test reveals a significant relationship between post level and eight factors of ethical culture. A notable observation from the findings in Table 6.5.6 is the decline of ethical culture measurement as responses are interpreted from the lowest post levels in the establishment within the DCS to higher post levels. In respect of FD5: Clarity Operational Policies, respondents on post level 8 – 10 obtained a mean score of 4,16 as compared to respondents on post levels 13-16 with a mean of 3,51. Junior respondents seem to have a slightly better understanding of the operational policies than senior respondents. In respect of FC1: Sanctions: Rewards and Punishment for Misconduct, senior respondents (post levels 13-16) obtained a neutral mean of 3,02 whereas junior respondents obtained a positive mean of 3,56. Senior respondents seem to be less certain of the effectiveness of disciplinary and reward mechanisms than more junior respondents. In respect of FD4: Clarity: Ethics Policies, respondents on post levels 13 – 16 obtained a neutral mean of 3,03 as compared to respondents on post levels 11 – 12 with a positive mean of 3,61. The neutral responses by respondents on post levels 13 – 16 are significant. These respondents should have an improved understanding of the institution's ethics policies. They are not only required to comply with these policies, but also enforce the provision of these policies to promote ethical conduct among their subordinates.

In respect of FD1: Congruence of Senior Management, respondents on post levels 13 – 16 obtained a relatively negative mean of 2,62 as compared to respondents on post level 5 with a neutral mean of 3,03. This finding reflects the negative views of senior respondents on the commitment of the senior management at the DCS to promote integrity. This finding should be compared to the significantly more favourable finding on supervisors. The Eta-square test identified the relationship between post level and FD2: Congruence of Supervisors as significant. Respondents on post level 13 to 16 obtained a mean score of 3,30 as compared to the mean score of 3,70 for respondents on post level 11 to 12.

In respect of FE1: Supportability, respondents on post levels 13 – 16 obtained a negative mean of 2,43 as compared to the fairly negative mean of respondents on post level 5 with a mean of 2,89. This finding indicates that a poor measure of mutual trust and respect exists at the DCS. At post level 5 (Correctional Officer III) respondents obtained a positive mean

score of 3,51 on factor FE2: Unions and Ethical Conduct as compared to the neutral mean of 3,03 of respondents on post levels 8 – 12. Junior respondents are significantly more comfortable with the role of unions in ethics management.

In respect of FE4: Management Reform: Internal Control, respondents on post level 13 – 16 obtained a neutral mean of 3,06 as compared to the positive mean of 3,64 of respondents on post level 6. This finding reflects on the increasing negative perceptions of more senior respondents in respect of the Department's internal controls and compliance with policies and procedures. In respect of FE3: Management Reform: Delegation of Authority senior respondents on post level 13 – 16 obtained a fairly negative mean of 2,78 as compared to the fairly positive mean of 3,17 of respondents on post level 5. The senior officials of the Department do not perceive decision-making authority to be adequately decentralised, nor do they perceive that adequate control measures exist to monitor the performance of delegated duties.

Table 6.5.6: Factor Mean Scores by Post Level

Factor Score	COIII Level 5	COII Level 6	COI Level 7	SCO 8 AD 9- 10	DD Level 11-12	D+ Levels 13-16	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	3.88	4.12	3.98	4.16	3.96	3.51	0.001	0.032
FC5: Discussability: Internal working environment	3.49	3.65	3.54	3.63	3.56	3.45	0.609	0.006
FE4: Management Reform: Internal control	3.44	3.64	3.45	3.71	3.65	3.06	0.015	0.020
FC4: Discussability: External environment	3.43	3.52	3.54	3.52	3.67	3.18	0.551	0.006
FD2: Congruence of Supervisors	3.42	3.44	3.35	3.68	3.70	3.30	0.075	0.014
FC2: Transparency: Immediate working environment	3.42	3.41	3.47	3.36	3.28	3.07	0.423	0.007
FE2: Unions and ethical conduct	3.51	3.59	3.28	3.03	3.03	2.91	0.000	0.052
FC1: Sanctions: Rewards and Punishments for misconduct	3.56	3.39	3.19	3.32	3.40	3.02	0.002	0.027
FD4: Clarity: Ethics policies	3.39	3.34	3.18	3.58	3.61	3.03	0.003	0.026
FD3: Feasibility	3.17	3.22	3.06	2.98	3.00	3.14	0.240	0.010
FE3: Management Reform: Delegation of authority	3.17	3.03	3.03	3.28	3.25	2.78	0.042	0.017
FC3: Discussability: Opinions and discussion	3.00	2.89	2.81	2.88	2.94	2.81	0.508	0.005
FD1: Congruence of Senior Managers	3.03	2.86	2.72	3.04	2.99	2.62	0.030	0.018
FE1: Supportability	2.89	2.70	2.61	2.73	2.89	2.43	0.039	0.017
FB2: Offenders' role in corruption	2.06	2.04	2.06	2.12	1.98	2.61	0.450	0.007
FB1: External service providers' role in corruption	1.75	1.74	1.65	1.75	1.64	2.10	0.433	0.007

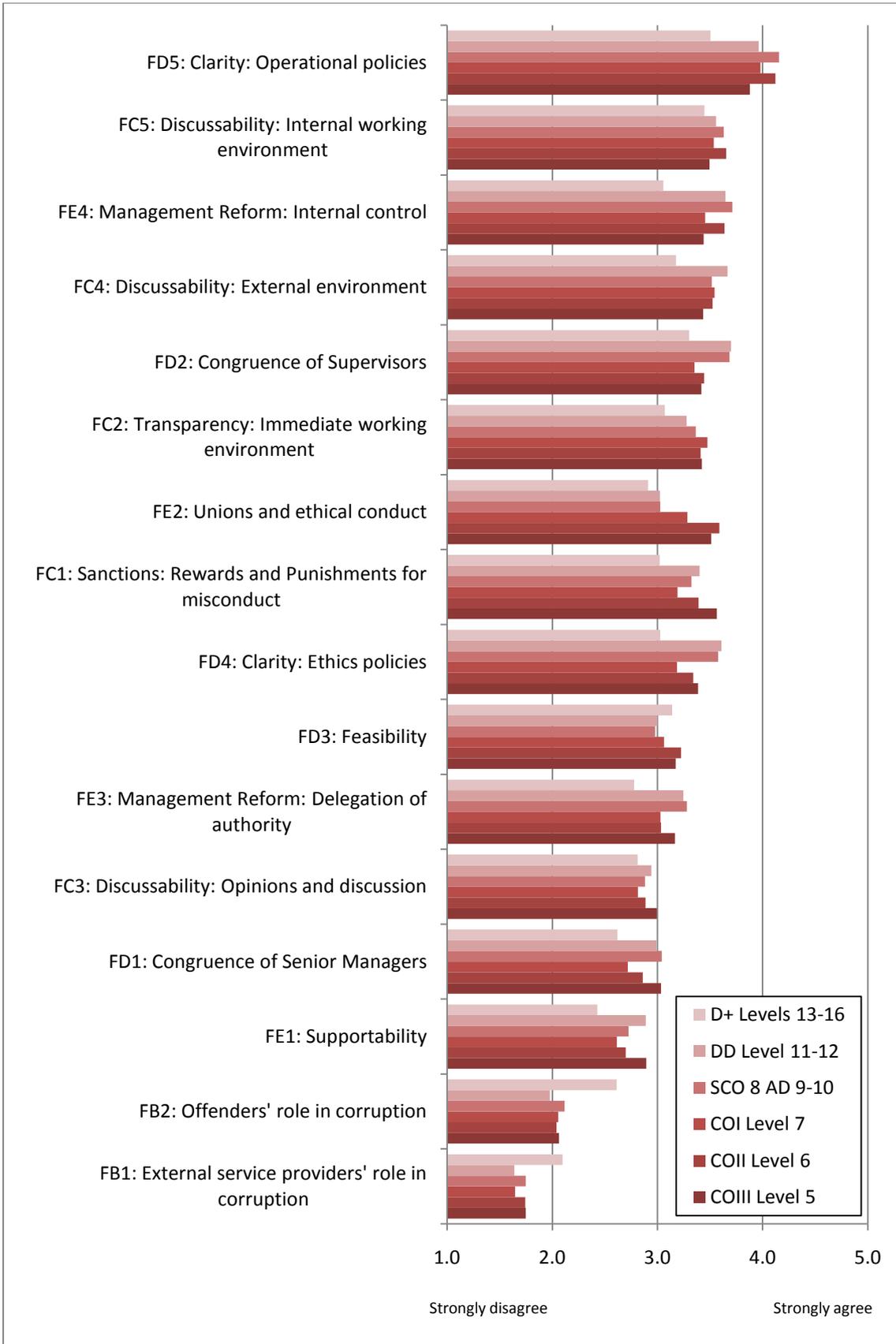


Figure 6.5.6: Factor Mean Scores by Post Level

6.5.7 Factor Mean Scores by Place of Employment

The findings in Table 6.5.7 reflect the mean scores of groups according to place of employment. The most significant variance is that of place of employment and the role of unions in promoting ethical conduct. Respondents based at correctional centres are significantly more positive about the role of unions in promoting honesty and integrity. In respect of FE2: Unions and Ethical conduct these respondents obtained a mean score of 3,47 as compared to respondents based at the regional commissioner's offices with a mean score of 3,06. In respect of FE3: Management Reform: Delegation of Authority respondents based at regional commissioner's offices are significantly less positive about the delegation of authority in respect of human resources and financial matters with a mean score of 2,80. Respondents based in management areas are significantly more positive about the delegations to their working environments with a mean score of 3,22. Respondents based in management areas seem to enjoy a greater measure of freedom to take operational decisions.

Another significant association between variables is identified with the Eta-square test. Respondents based at the correctional centres are more positive about the application of reward and punishment for preventing misconduct than the respondents at the area commissioner's offices (FC1: Sanctions). Respondents at correctional centres obtained a mean score of 3,42 compared to respondents based at the area commissioner's offices with a mean score of 3,17.

Table 6.5.7: Factor Mean Scores by Place of Employment

Factor Score	A correctional centre	Community corrections	Area commission	Regional commission	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	4.01	3.89	4.11	3.96	0.569	0.003
FE4: Management Reform: Internal control	3.58	3.73	3.54	3.53	0.883	0.001
FC5: Discussability: Internal working environment	3.56	3.19	3.67	3.50	0.334	0.004
FC4: Discussability: External environment	3.50	3.62	3.40	3.71	0.354	0.008
FD2: Congruence of Supervisors	3.46	3.58	3.66	3.34	0.181	0.007
FC2: Transparency: Immediate working environment	3.46	3.69	3.22	3.35	0.043	0.011
FE2: Unions and ethical conduct	3.47	3.77	3.12	3.06	0.000	0.028
FC1: Sanctions: Rewards and Punishments for misconduct	3.42	3.38	3.17	3.25	0.065	0.010
FD4: Clarity: Ethics policies	3.36	3.53	3.41	3.27	0.736	0.002
FD3: Feasibility	3.18	3.23	3.21	2.99	0.508	0.003
FE3: Management Reform: Delegation of authority	3.12	3.11	3.22	2.80	0.034	0.012
FD1: Congruence of Senior Managers	2.95	2.92	2.96	2.73	0.530	0.003
FC3: Discussability: Opinions and discussion	2.96	2.62	2.91	2.73	0.143	0.005
FE1: Supportability	2.79	2.76	2.74	2.61	0.564	0.003
FB2: Offenders' role in corruption	2.06	2.15	2.13	2.09	0.954	0.000
FB1: External service providers' role in corruption	1.73	1.62	1.59	1.65	0.537	0.003

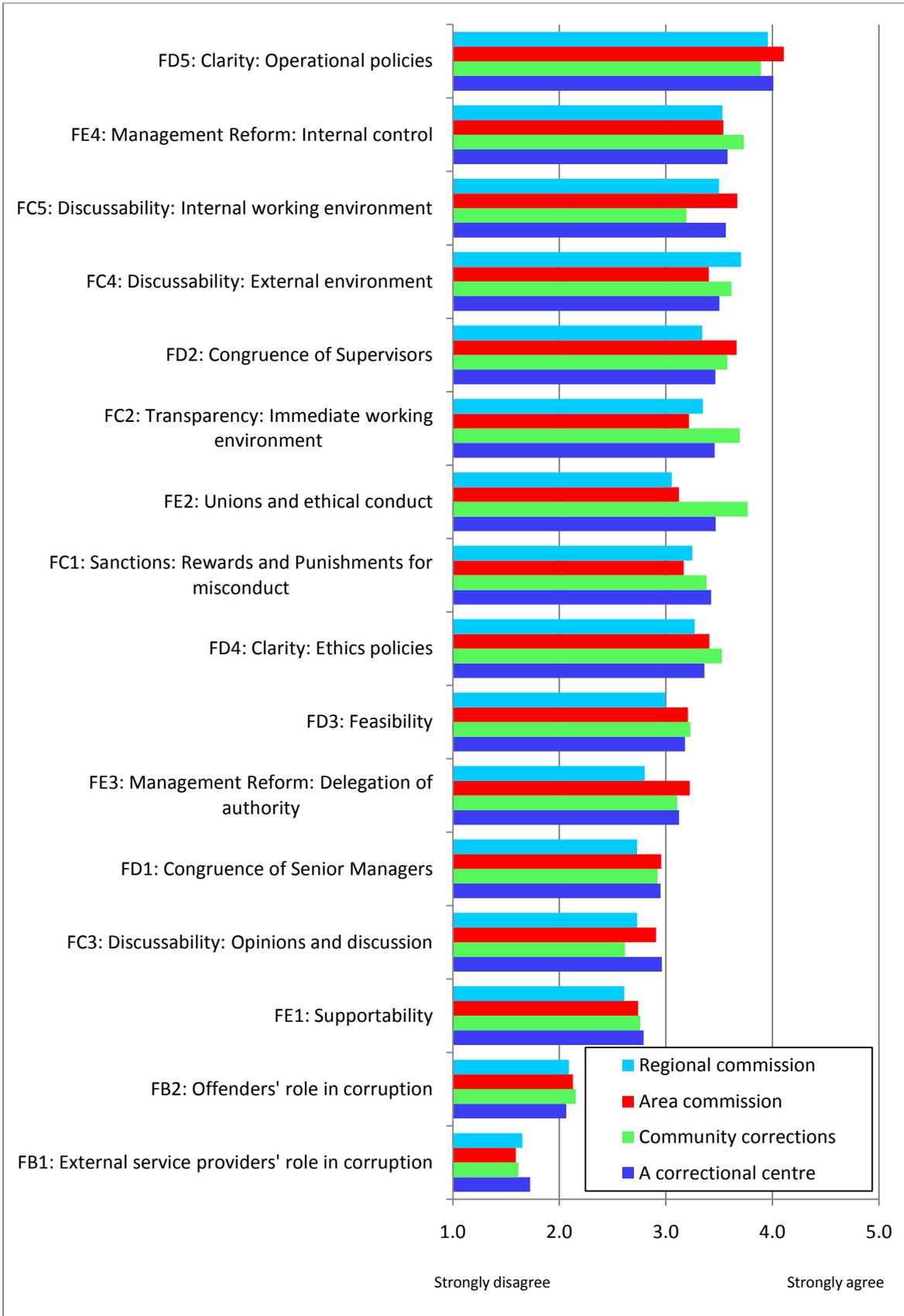


Figure 6.5.7: Factor Mean Scores by Place of Employment

6.5.8 Factor Mean Scores by Region

In Table 6.5.8 seven relationships of significance have been identified with the ANOVA tests. Respondents in the LMN region obtained a mean score of 3,46 in respect of FC1: Sanctions: Rewards and Punishments for Misconduct in comparison with respondents from the Gauteng region with a mean score of 3,22. Respondents in the LMN region have a stronger expectation than respondents in the Gauteng region that when an employee commits misconduct, he/she will be punished for the offence. The ethical performance of duties is also more likely to be rewarded in the LMN region.

Respondents in the LMN region obtained a mean score of 3,01 in respect of factor FC3: Discussability: Opinions and Discussions as compared to their counterparts in the Gauteng region with a mean score of 2,72. This factor of ethical culture reflects *inter alia* the extent to which respondents believe that they can freely discuss their opinions and will be protected from victimisation. Respondents in the LMN region obtained a mean score of 3,18 in respect of FE3: Management Reform: Delegation of Authority, whereas respondents in the Gauteng region obtained a mean score of 2,97. The delegation of authority to lower levels in the hierarchy, as well as management of performance in accordance with key performance indicators, seem to be used to a greater extent in the LMN region.

In respect of FE1: Supportability, respondents provided a fairly negative response. In the Gauteng region respondents obtained a mean score of 2,62 as compared to the mean score of respondents in the LMN region with a mean score of 2,82. Respondents based in the Gauteng region do not seem to share the same level of mutual trust and respect, commitment to shared values and norms, and perception that they are treated fairly than those respondents in the LMN region. The same observation could be made about FD3: Feasibility. Respondents in the LMN region with a mean score of 3,20 are to a greater extent satisfied that they have adequate resources, time and authority to execute their responsibilities. Respondents in the Gauteng region obtained a mean score of 3,04.

Respondents in the LMN region obtained a mean score of 3,51 for FD2: Congruence of Supervisors as compared to the mean score of 3,37 of respondents in the Gauteng region. Respondents in the LMN region have a more significant experience of their supervisors as

committed to acting ethically and with integrity, and who communicate the importance of such values, as compared to respondents in the Gauteng region.

A greater awareness of offenders in committing unethical conduct in co-operation with officials in the Department exist in the Gauteng region with a mean score of 2,16 in respect of FB2: Offenders' Role in Corruption. The corresponding mean score for respondents in the LMN region is 2,00. This finding corresponds with the findings above on the LMN region which appear to have a more ethical culture than the Gauteng region.

A significant association between FC4: Discussability: External Environment and region of respondents exist. The value of the effect size for the association is $\eta^2 = 0,027$. Whereas Gauteng based respondents obtained a mean score of 3,55, LMN based respondents obtained a mean score of 3,46. Although both groups are willing to report misconduct to an institution outside their immediate working environment, respondents in Gauteng seems more willing to do so.

Table 6.5.8: Factor Mean Scores by Region

Factor Score	Gauteng	Limpopo, Mpumalanga, North West	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	4.04	3.99	0.455	0.001
FC5: Discussability: Internal working environment	3.55	3.56	0.910	0.002
FE4: Management Reform: Internal control	3.48	3.58	0.131	0.003
FC4: Discussability: External environment	3.55	3.46	0.226	0.027
FD2: Congruence of Supervisors	3.37	3.51	0.049	0.005
FC2: Transparency: Immediate working environment	3.43	3.41	0.761	0.000
FE2: Unions and ethical conduct	3.34	3.42	0.262	0.002
FC1: Sanctions: Rewards and Punishments for misconduct	3.22	3.46	0.000	0.017
FD4: Clarity: Ethics policies	3.29	3.39	0.139	0.003
FD3: Feasibility	3.04	3.20	0.017	0.008
FE3: Management Reform: Delegation of authority	2.97	3.18	0.001	0.015
FC3: Discussability: Opinions and discussion	2.72	3.01	0.000	0.000
FD1: Congruence of Senior Managers	2.81	2.94	0.097	0.004
FE1: Supportability	2.62	2.82	0.003	0.012
FB2: Offenders' role in corruption	2.16	2.00	0.049	0.005
FB1: External service providers' role in corruption	1.71	1.71	0.963	0.000

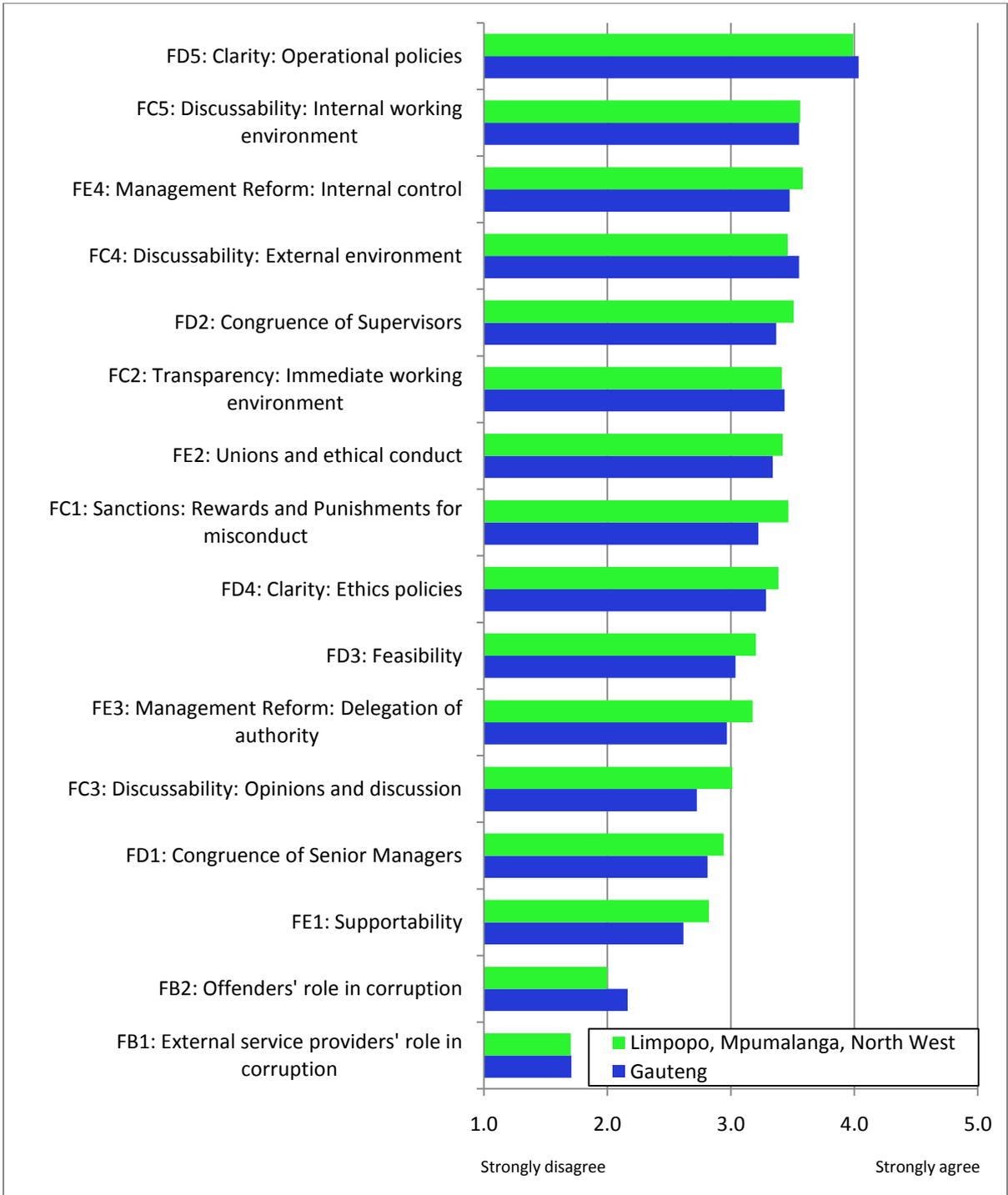


Figure 6.5.8: Factor Mean Scores by Region

6.5.9 Factor Mean Scores by Union Membership

Apparent from Table 6.5.9 is the role that unions play in providing clarity to employees with regard to the operational policies and the ethics policies within the Department. Respondents that are not members of a union have considerably less clarity of the operational policies of the DCS. Respondents who are union members obtained a mean score of 4,06, while respondents who are not union members obtained a score of 3,39 on FD5: Clarity: Operational Policies. A similar observation could be made in respect of mean scores of union members of 3,39 in respect of FD4: Clarity: Ethics Policies. Non-union respondents obtained a mean score of 2,91. Union members have a significantly improved understanding and knowledge of ethics policies than their counterparts.

Table 6.5.9: Factor Mean Scores by Union Membership

Union membership	Yes	No	ANOVA Significance	Eta Squared
FD5: Clarity: Operational policies	4.06	3.39	0.000	0.025
FC5: Discussability: Internal working environment	3.57	3.66	0.645	0.002
FE4: Management Reform: Internal control	3.58	3.35	0.233	0.002
FC4: Discussability: External environment	3.50	3.71	0.305	0.001
FD2: Congruence of Supervisors	3.49	3.42	0.693	0.000
FC2: Transparency: Immediate working environment	3.44	3.38	0.736	0.000
FE2: Unions and ethical conduct	3.42	3.06	0.089	0.004
FC1: Sanctions: Rewards and Punishments for misconduct	3.39	3.44	0.771	0.000
FD4: Clarity: Ethics policies	3.39	2.91	0.008	0.010
FD3: Feasibility	3.15	3.16	0.967	0.000
FE3: Management Reform: Delegation of authority	3.12	2.94	0.324	0.001
FD1: Congruence of Senior Managers	2.91	2.95	0.866	0.000
FC3: Discussability: Opinions and discussion	2.91	2.81	0.546	0.000
FE1: Supportability	2.75	3.02	0.173	0.003
FB2: Offenders' role in corruption	2.03	2.09	0.801	0.000
FB1: External service providers' role in corruption	1.68	1.96	0.132	0.003

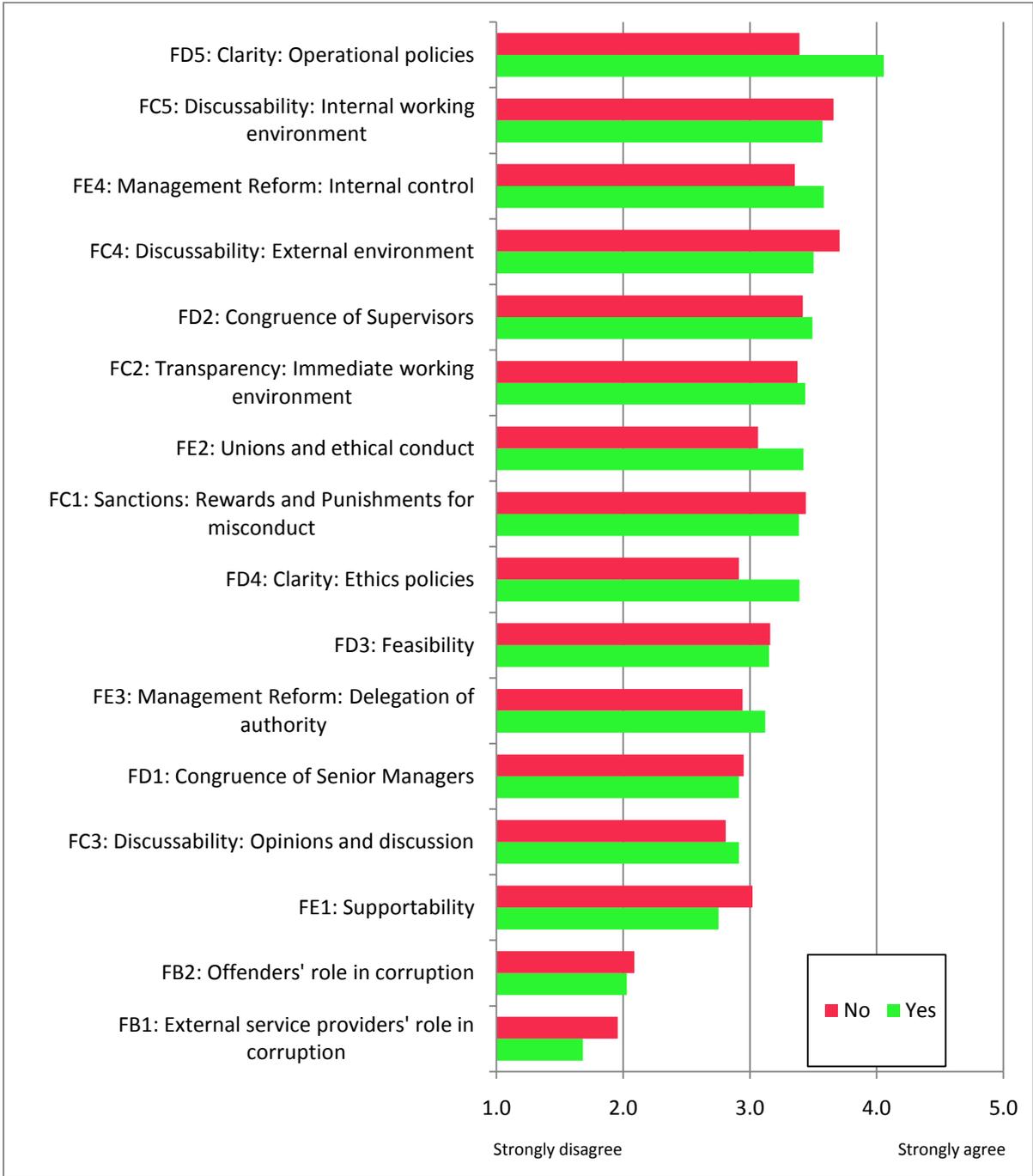


Figure 6.5.9: Factor Mean Scores by Union Membership

6.5.10 Factor Mean Scores by Management Area

ANOVA and Eta-square tests have identified significant variances across management areas of the sample in Table 6.5.10. The most significant variance across management areas include FE4: Management Reform: Internal Control; FC1: Sanctions: Rewards and Punishment for Misconduct; FE3: Management Reform: Delegation of Authority; FD1: Congruence of Senior Management; and FC3: Discussability: Opinions and Discussions. In respect of FE4: Management Reform: Internal Control, the Thohoyandou Management Area obtained the highest mean score of 3,86 and the Leeuwkop Management Area obtained the lowest mean score of 3,26. This finding should be interpreted together with FE3: Management Reform: Delegation of Authority. For this factor the Thohoyandou Management Area obtained the highest mean score of all management areas of 3,55, whereas Baviaanspoort Management Area obtained the lowest mean score of 2,90.

The Thohoyandou Management Area's mean scores in respect of these two factors could partly be explained by the fact that this Management Area is geographically located furthest from Pretoria where both the head office and the LMN Regional Commissioner's Office – under whose authority it falls - are based. Respondents based in the Thohoyandou Management Area might perceive a greater measure of delegation of authority, less direct supervision and consequently a more active use of specified performance indicators. On the other hand, both head office and the LMN Regional Commissioner's office could, due to the geographical distance from the Thohoyandou Management Area, place greater emphasis on the importance of compliance with departmental policies and internal control measures.

In respect of FC1: Sanctions: Rewards and Punishment for Misconduct, Thohoyandou Management Area obtained the highest mean score of 3,87, whereas Leeuwkop Management Area obtained the lowest mean score of 3,03. Respondents at Leeuwkop Management Area are less convinced that the Department's disciplinary and reward systems serve a positive role in preventing misconduct. In respect of FD1: Congruence of Senior Management, respondents as the Thohoyandou Management Area obtained the highest mean of 3,33 compared to the lowest mean of 2,63 at the Barberton Management Area. Respondents at the Barberton Management Area are of the opinion that senior management are not committed and do not communicate the importance of acting honestly and with integrity.

In respect of FC3: Discussability: Opinions and Discussions, respondents from the Thohoyandou Management Area scored the highest mean score of 3,27, and respondents at the Leeuwkop Management Area obtained the lowest mean score of 2,62. Respondents at the Leeuwkop Management Area do not believe that they could freely express their opinions in respect of misconduct. They would not feel comfortable with reporting misconduct to an investigating officer in their immediate working environment and do not believe that they will be protected from victimisation when they report misconduct.

In respect of FD2: Congruence of Supervisors, respondents at Thohoyandou Management Area obtained the highest mean score of 3,83 and respondents at Leeuwkop Management Area obtained the lowest mean score of 3,28. Respondents based at Leeuwkop Management Area are comparably less positive about the extent to which their supervisors emphasise the importance of ethical conduct. In respect of FE1: Supportability, the respondents at the Thohoyandou Management Area obtained the highest mean score of 3,15 as compared to the lowest mean score of 2,59 at the Boksburg Management Area. Respondents at the Boksburg Management Area are significantly less positive about the atmosphere that exists in their immediate working environment. In their view, an atmosphere of mutual trust and respect in which all officials are committed to the values and norms in the Department, does not exist.

In respect of FD3: Feasibility, respondents based at the Thohoyandou Management Area obtained the highest mean score of 3,41 with the lowest mean score of 2,95 at the Leeuwkop Management Area. This dimension reflects the extent to which respondents believe that they have adequate authority, time and scope to execute their responsibilities. In respect of FD5: Operational Policies, the Thohoyandou Management Area obtained the highest mean score of 4,22 and the Baviaanspoort Management Area the lowest mean score of 3,80. Respondents at the Thohoyandou Management Area appear to have a greater understanding and knowledge of the operational policies at the DCS. In respect of FE2: Unions and Ethical conduct, the highest mean score of 3,43 was obtained at the Bethal Management Area and the lowest mean score of 3,22 at the Leeuwkop Management Area. This dimension measures the extent to which unions play a positive role in promoting ethical conduct in the Department.

In respect of FB2: Offenders' Role in Corruption, respondents at the Thohoyandou Management Area obtained the lowest score of 1,68 and the highest score of 2,24 at the Leeuwkop Management Area. This dimension measures the extent to which corruption was

observed within the management area. From these findings it appears that corruption was observed more often at the Leeuwkop Management Area as compared to the Thohoyandou Management Area. In respect of FD4: Clarity: Ethics Policies, again, Thohoyandou Management Area obtained the highest mean score of 3,63 whereas the lowest mean score of 3,21 was obtained at the Leeuwkop Management Area. Respondents at the Thohoyandou Management Area seem to have a better understanding of ethics policies and the consequences of unethical conduct than their counterparts at the Leeuwkop Management Area.

Although ANOVA did not reveal a significant relationship between FC5: Discussability: Internal Working Environment and the different groups according to management area, the Eta-square test confirmed such a relationship ($\eta^2=0,011$). Respondents at Thohoyandou Management Area obtained the highest mean score of 3,69 compared to the lowest mean score of 3,34 at the Baviaanspoort Management Area. A greater willingness to report misconduct exists at Thohoyandou Management Area as compared to their counterparts at the Baviaanspoort Management Area. The Eta-square test also identified a significant relationship between management area and FC4: Discussability: External Environment. Here Leeuwkop Management Area obtained the highest mean score of 3,69 compared to the lowest mean score of 3,39 at the Bethal Management Area. This factor measures the extent to which respondents are willing to report misconduct to an office external to their immediate working environment.

Considering the fact that management areas within the Gauteng region have the lowest official/ offender ratio, it was expected that the LMN region, in particular the Thohoyandou Management Area, should have performed poorer in terms of the measures of ethical culture. The Leeuwkop Management Area has a personnel establishment of 929 and offender total of 5 066; a ratio of 5.45 offenders for every official. The Boksburg Management Area has a personnel establishment of 807 and an offender total of 4 804; that is 5,95 offenders per official. The Baviaanspoort Management Area has a personnel establishment of 485 and an offender total of 2 113; that is 4,35 offenders per official. In the LMN region, the Bethal Management Area has a personnel establishment of 225 with an offender total of 2 602; 11,56 offenders for every official. The Barberton Management Area has a personnel establishment of 639 with an offender total of 4 181; that is 6,54 offenders per official. The

Thohoyandou Management Area has a personnel complement of 461 and an offender total of 5 434; the highest ratio of 11,78 offenders for each official. Notwithstanding these ratios, the Thohoyandou Management Area outperformed the other management areas in respect of 9 of the 11 ethical culture factors as identified by the exploratory factor analysis. The Thohoyandou Management Area also obtained the lowest level of observed malfeasance among offenders.

The Leeuwkop Management Area was the subject of investigation by the Jali Commission (cf. section 4.2.2). The Jali Commission revealed a substantial number of cases of malfeasance. The findings suggest that, compared to the other sampled management areas, the Leeuwkop Management Area has the highest level of misconduct. The Leeuwkop Management Area obtained the highest mean score in respect of observed malfeasance among offenders and the lowest mean of all the management areas surveyed in respect of five factors of ethical culture. This Management Area also obtained the lowest mean score in respect of the adequacy of internal control measures.

6.5.11 Summary of ANOVA findings

In Table 6.5.11 below a summary is provided of the ANOVA findings. It is significant that the most variance across groupings occurred in respect of the variables of years of service, post level, race, region and management area. Gender, qualification, place of employment, union membership, and age group are less significant variables in terms of the dimensions of ethical culture.

6.5.12 Summary of Eta-square findings

In Table 6.5.12 below, a summary is provided of the Eta-square findings. The Eta-square tests identified similar findings to the ANOVA tests in respect of the variance between groups. The strength of the association between the dimensions of ethical culture and the variables of race (on average $\eta^2 = 0,022$), years of service (on average $\eta^2 = 0,019$), post level (on average $\eta^2 = 0,017$), and management area (on average $\eta^2 = 0,030$) is significant.

Table 6.5.10: Factor Mean Scores by Management Area

Management area	RC: Mpu/N- W/ Limp	Leeuwko p	Barberton	RC: Gauteng	Baviaans poort	Boksburg	Bethal	Thohoyan dou	ANOVA Significan ce	Eta Squared
FD5: Clarity: Operational policies	3.89	4.04	3.87	3.97	3.80	4.12	4.04	4.22	0.009	0.026
FE4: Management Reform: Internal control	3.45	3.26	3.38	3.61	3.61	3.61	3.65	3.86	0.000	0.038
FC5: Discussability: Internal working environment	3.47	3.62	3.42	3.34	3.34	3.52	3.64	3.69	0.185	0.011
FC4: Discussability: External environment	3.62	3.69	3.46	3.73	3.48	3.49	3.39	3.59	0.300	0.050
FD2: Congruence of Supervisors	3.21	3.28	3.38	3.66	3.57	3.37	3.53	3.83	0.001	0.032
FC2: Transparency: Immediate working environment	3.27	3.39	3.40	3.22	3.42	3.48	3.49	3.39	0.759	0.006
FE2: Unions and ethical conduct	3.30	3.22	3.52	2.91	3.67	3.40	3.43	3.30	0.027	0.022
FC1: Sanctions: Rewards and Punishments for misconduct	3.22	3.03	3.42	3.26	3.39	3.36	3.39	3.87	0.000	0.058
FD4: Clarity: Ethics policies	3.22	3.21	3.28	3.34	3.26	3.36	3.42	3.63	0.048	0.020
FD3: Feasibility	2.79	2.95	3.07	3.22	3.17	3.09	3.24	3.41	0.005	0.028
FE3: Management Reform: Delegation of authority	2.91	3.02	3.07	2.78	2.90	3.02	3.15	3.55	0.000	0.051
FD1: Congruence of Senior Managers	2.47	2.73	2.63	3.03	2.79	2.89	3.14	3.33	0.000	0.061
FC3: Discussability: Opinions and discussion	2.76	2.62	2.89	2.70	2.91	2.72	3.02	3.27	0.000	0.014
FE1: Supportability	2.77	2.68	2.72	2.67	2.70	2.59	2.83	3.15	0.002	0.031
FB2: Offenders' role in corruption	2.09	2.24	2.11	2.25	2.18	2.10	2.05	1.68	0.036	0.020
FB1: External service providers' role in corruption	1.78	1.72	1.73	1.76	1.58	1.78	1.74	1.59	0.777	0.006

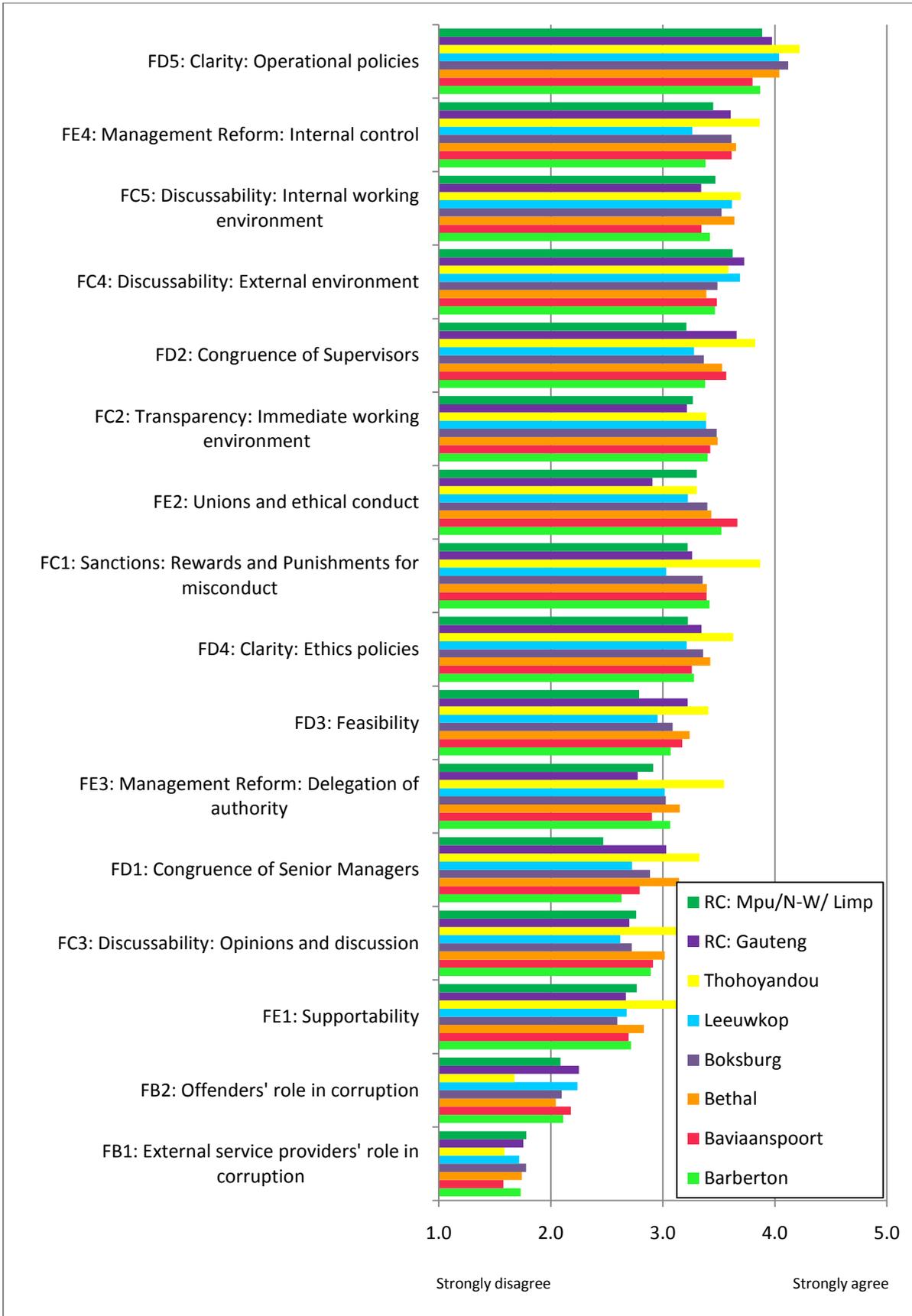


Figure 6.5.10: Factor Mean Scores by Management Area

Table 6.5.11: Significance of Anova Test

Factor Scores	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area
FB1: External service providers' role in corruption	0.501	0.012	0.027	0.213	0.358	0.433	0.537	0.963	0.132	0.777
FB2: Offenders' role in corruption	0.710	0.033	0.574	0.083	0.496	0.450	0.954	0.049	0.801	0.036
FC1: Sanctions: Rewards and Punishments for misconduct	0.000	0.000	0.410	0.129	0.000	0.002	0.065	0.000	0.771	0.000
FC2: Transparency: Immediate working environment	0.374	0.056	0.469	0.793	0.927	0.423	0.043	0.761	0.736	0.759
FC3: Discussability: Opinions and discussion	0.088	0.002	0.397	0.030	0.000	0.508	0.143	0.000	0.546	0.000
FC4: Discussability: External environment	0.462	0.446	0.055	0.760	0.637	0.551	0.354	0.226	0.305	0.300
FC5: Discussability: Internal working environment	0.293	0.546	0.070	0.235	0.216	0.609	0.334	0.910	0.645	0.185
FD1: Congruence of Senior Managers	0.005	0.000	0.041	0.905	0.000	0.030	0.530	0.097	0.866	0.000
FD2: Congruence of Supervisors	0.246	0.105	0.145	0.912	0.229	0.075	0.181	0.049	0.693	0.001
FD3: Feasibility	0.130	0.029	0.106	0.016	0.011	0.240	0.508	0.017	0.967	0.005
FD4: Clarity: Ethics policies	0.537	0.205	0.033	0.841	0.655	0.003	0.736	0.139	0.008	0.048
FD5: Clarity: Operational policies	0.452	0.105	0.289	0.598	0.801	0.001	0.569	0.455	0.000	0.009
FE1: Supportability	0.038	0.000	0.000	0.522	0.000	0.039	0.564	0.003	0.173	0.002
FE2: Unions and ethical conduct	0.000	0.000	0.083	0.000	0.000	0.000	0.000	0.262	0.089	0.027
FE3: Management Reform: Delegation of authority	0.445	0.005	0.642	0.946	0.072	0.042	0.034	0.001	0.324	0.000
FE4: Management Reform: Internal control	0.101	0.000	0.007	0.825	0.217	0.015	0.883	0.131	0.233	0.000

Table 6.5.12 Eta Squared of Factor Scores in one-way Anova Analysis

	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area	SUM
FB1: External service providers' role in corruption	0.004	0.008	0.006	0.004	0.007	0.007	0.003	0.000	0.003	0.006	0.049
FB2: Offenders' role in corruption	0.003	0.006	0.000	0.007	0.006	0.007	0.000	0.005	0.000	0.020	0.055
FC1: Sanctions: Rewards and Punishments for misconduct	0.028	0.110	0.001	0.006	0.043	0.027	0.010	0.017	0.000	0.058	0.298
FC2: Transparency: Immediate working environment	0.006	0.005	0.001	0.001	0.002	0.007	0.011	0.000	0.000	0.006	0.038
FC3: Discussability: Opinions and discussion	0.006	0.000	0.004	0.004	0.009	0.005	0.005	0.000	0.000	0.014	0.048
FC4: Discussability: External environment	0.011	0.013	0.001	0.010	0.035	0.006	0.008	0.027	0.001	0.050	0.162
FC5: Discussability: Internal working environment	0.005	0.001	0.005	0.001	0.004	0.006	0.004	0.002	0.002	0.011	0.041
FD1: Congruence of Senior Managers	0.019	0.037	0.005	0.000	0.033	0.018	0.003	0.004	0.000	0.061	0.180
FD2: Congruence of Supervisors	0.007	0.003	0.003	0.000	0.009	0.014	0.007	0.005	0.000	0.032	0.081
FD3: Feasibility	0.009	0.006	0.003	0.011	0.019	0.010	0.003	0.008	0.000	0.028	0.097
FD4: Clarity: Ethics policies	0.004	0.002	0.006	0.000	0.004	0.026	0.002	0.003	0.010	0.020	0.078
FD5: Clarity: Operational policies	0.005	0.004	0.001	0.001	0.003	0.032	0.003	0.001	0.025	0.026	0.101
FE1: Supportability	0.013	0.045	0.017	0.002	0.057	0.017	0.003	0.012	0.003	0.031	0.200
FE2: Unions and ethical conduct	0.031	0.064	0.004	0.029	0.052	0.052	0.028	0.002	0.004	0.022	0.289
FE3: Management Reform: Delegation of authority	0.005	0.010	0.000	0.000	0.013	0.017	0.012	0.015	0.001	0.051	0.126
FE4: Management Reform: Internal control	0.010	0.038	0.009	0.001	0.009	0.020	0.001	0.003	0.002	0.038	0.130
Average	0.010	0.022	0.004	0.005	0.019	0.017	0.006	0.006	0.003	0.030	

6.6 Pearson's Correlation Coefficient

Researchers are often interested in determining whether a relationship between variables exists. For example, does a culture of impunity coincide with a higher level of malfeasance? Or, does a greater measure of respect and mutual support among employees coincide with a willingness to openly discuss ethical dilemmas? Or, does greater union involvement coincide with a greater measure of understanding of ethics policies amongst officials at the correctional centre? Although these are interesting questions, it should be noticed that such a correlation does not imply a cause-effect relationship. Union involvement does not lead to greater clarity in ethics policies. The two variables are only associated with each other (Diamantopolous & Schlegelmilch, 2000: 198-208).

Researchers are not only interested in the mere existence of such a relationship, but also in the direction of it. Measures of association usually range between -1 and 0, and 0 and +1. When a correlation between variables is indicated as close to 0, no specific relationship exists. When a relationship is indicated by a measure of close to +1, a positive relationship of magnitude exists. Alternatively, when a correlation is indicated with a measure of close to -1, a negative and substantial relationship exists. Even when the variables are not related, a measure of association will still produce a non-zero value owing to sampling error. The Pearson's product moment correlation coefficient (indicated by r) is the most widely used measure of association for examining the relationships between variables. For example, if the Pearson's correlation between union involvement and clarity of ethics policies is measured at $r = 0,90$, it could be assumed that greater union involvement in Departmental activities will be associated with greater clarity on ethics policies. This association is positive and of substantial magnitude ($r = 0,90$) and highly significant ($p = 0,000$). Conversely, if the Pearson's correlation is measured at $r = -0,80$, it could be assumed that increased union involvement will coincide with decreased clarity on ethics policies. This association is negative and of substantial magnitude ($r = -0,80$), and if $p = 0,000$ also highly significant. Finally, when Pearson's correlation $r = 0$, increased union involvement has no correlation with an improved understanding of ethics policies (Diamantopolous & Schlegelmilch, 2000: 198-208). In Table 6.6.1 below, the Pearson's Correlation Coefficient values of all 16 dimensions are provided.

Table 6.6.1: Pearson Correlation Coefficients between Factor Scores

Pearson Correlation (n=690) one-tailed significance	FB1	FB2	FC1	FC2	FC3	FC4	FC5	FD1	FD2	FD3	FD4	FD5	FE1	FE2	FE3	FE4
FB1: External service providers' role in corruption	1.000															
FB2: Offenders' role in corruption	0.480 0.000	1.000														
FC1: Sanctions: Rewards and Punishments for misconduct	-0.197 0.000	-0.163 0.000	1.000													
FC2: Transparency: Immediate working environment	-0.098 0.005	-0.057 0.069	0.275 0.000	1.000												
FC3: Discussability: Opinions and discussion	-0.100 0.005	-0.070 0.036	0.447 0.000	0.199 0.000	1.000											
FC4: Discussability: External environment	0.040 0.149	0.031 0.212	0.010 0.403	0.143 0.000	-0.050 0.100	1.000										
FC5: Discussability: Internal working environment	-0.044 0.124	-0.094 0.007	0.193 0.000	0.062 0.054	0.285 0.000	0.088 0.011	1.000									
FD1: Congruence of Senior Managers	-0.049 0.104	-0.122 0.001	0.449 0.000	0.185 0.000	0.475 0.000	0.032 0.204	0.161 0.000	1.000								
FD2: Congruence of Supervisors	-0.089 0.010	-0.082 0.017	0.312 0.000	0.172 0.000	0.442 0.000	-0.003 0.473	0.192 0.000	0.476 0.000	1.000							
FD3: Feasibility	-0.054 0.082	-0.008 0.414	0.347 0.000	0.180 0.000	0.493 0.000	0.039 0.155	0.198 0.000	0.390 0.000	0.389 0.000	1.000						
FD4: Clarity: Ethics policies	-0.155 0.000	-0.075 0.028	0.383 0.000	0.196 0.000	0.411 0.000	0.063 0.053	0.214 0.000	0.478 0.000	0.421 0.000	0.374 0.000	1.000					
FD5: Clarity: Operational policies	-0.142 0.000	-0.079 0.021	0.303 0.000	0.224 0.000	0.209 0.000	0.141 0.000	0.242 0.000	0.357 0.000	0.339 0.000	0.269 0.000	0.622 0.000	1.000				
FE1: Supportability	-0.127 0.001	-0.142 0.000	0.507 0.000	0.199 0.000	0.519 0.000	-0.034 0.193	0.163 0.000	0.662 0.000	0.475 0.000	0.431 0.000	0.499 0.000	0.309 0.000	1.000			
FE2: Unions and ethical conduct	-0.075 0.028	-0.121 0.001	0.293 0.000	0.136 0.000	0.180 0.000	0.090 0.011	0.167 0.000	0.250 0.000	0.170 0.000	0.253 0.000	0.264 0.000	0.227 0.000	0.315 0.000	1.000		
FE3: Management Reform: Delegation of authority	-0.073 0.031	-0.090 0.010	0.353 0.000	0.189 0.000	0.471 0.000	0.033 0.195	0.202 0.000	0.456 0.000	0.558 0.000	0.355 0.000	0.437 0.000	0.302 0.000	0.508 0.000	0.220 0.000	1.000	
FE4: Management Reform: Internal control	-0.153 0.000	-0.161 0.000	0.364 0.000	0.206 0.000	0.369 0.000	0.033 0.195	0.244 0.000	0.470 0.000	0.431 0.000	0.352 0.000	0.501 0.000	0.494 0.000	0.497 0.000	0.360 0.000	0.460 0.000	1.000

For the purpose of interpreting the findings in Table 6.6.1, the following categorisation of values is used:

Perfect correlation: if the correlation coefficient value is near ± 1 .

High degree of correlation: if the correlation coefficient value is between $\pm 0,50$ and ± 1 .

Moderate degree of correlation: if the correlation coefficient value is between $\pm 0,30$ and $\pm 0,50$.

Low degree of correlation: if the correlation coefficient value is between 0 and $\pm 0,30$.

No correlation: if the correlation coefficient value is 0.

In the paragraphs that follow, specific attention is given to dimensions with moderate and high degree correlations, i.e. dimensions with correlation values between $\pm 0,30$ and $\pm 0,50$, and dimensions with values between $\pm 0,50$ and ± 1 . Furthermore, for all the moderate and high degree correlations $p = 0,000$, which implies a significant correlation.

FB1: External Service Providers' Role in Corruption obtained a *positive and moderate degree of correlation* with FB2: Offenders' Role in Corruption ($r = 0,480$). When a correctional centre experiences moderate problems of misconduct between officials and offenders, a similar measure of unethical dealings between departmental officials and external service providers can be expected. FB1: External Service Providers' Role obtained a *negative and low degree of correlation* with FC1: Sanctions: Rewards and Punishment for Misconduct ($r = -0,197$); FD4: Clarity: Ethics Policies ($r = -0,155$); and FD5: Clarity: Operational Policies ($r = -0,142$). Although the correlation is of a low degree, the negative direction of the relationship between the factors remains significant. An increase in the frequency of observation of external service providers' role in corruption would coincide with a decrease in sanctions and rewards; a decrease in understanding and knowledge of ethics policies and operational policies. FB1: External Service Providers' Role obtained a *negative and low degree of correlation* with FE4: Management Reform: Internal Control ($r = -0,153$). An increase in emphasis on internal control measures would coincide with a decrease in the frequency of observation of external service providers' role in corruption.

Similarly, FB2: Offenders' Role in Corruption obtained a *negative and low degree of correlation* with FC1: Sanctions: Rewards and Punishment for Misconduct ($r = -0,163$); and FE1: Supportability ($r = -0,142$). Consequently, an increase in the frequency of observation of misconduct by offenders would coincide with a decrease in the implementation of sanctions and rewards for misconduct; and a decrease in mutual respect and trust in the Department. FB2: Offenders' Role in Corruption obtained a *negative and low degree of correlation* with FE4: Management Reform: Internal Control ($r = -0,161$). An increase in the frequency of observation of misconduct by offenders would coincide with a decrease in emphasis on internal control measures.

FC1: Sanctions: Rewards and Punishment for Misconduct has a *positive and high degree of correlation* with FE1: Supportability ($r = 0,507$). An increase in the application of appropriate institutional sanctions and rewards would coincide *inter alia* with an increase in the commitment of employees to Departmental values and norms, and an atmosphere of mutual trust and respect.

FC1: Sanctions: Rewards and Punishment for Misconduct has a *positive and moderate degree of correlation* with FC3: Discussability: Opinions and Discussions ($r = 0,447$), FD1: Congruence of Senior Managers ($r = 0,449$), FD2: Congruence of Supervisors ($r = 0,312$), FD3: Feasibility ($r = 0,347$), FD4: Clarity: Ethics Policies ($r = 0,383$), and FD5: Clarity: Operational Policies ($r = 0,303$). The application of institutional disciplinary measures and rewards systems coincides with the free expression and discussion of opinions among officials; a senior management that emphasises the importance of acting with integrity and honesty; supervisors that are committed to acting ethically; an appropriate allocation of time, resources, and authority to carry out duties; a clear understanding and knowledge of ethics policies; and a clear understanding and knowledge of operational responsibilities.

FC1: Sanctions: Rewards and Punishment for Misconduct has a *positive and moderate degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,353$), and FE4: Management Reform: Internal Control ($r = 0,364$). The application of institutional disciplinary measures and rewards systems coincides with the delegation of significant

financial and human resource decision-making authority; and the implementation of appropriate internal control measures.

FC1: Sanctions: Rewards and Punishment for Misconduct has a *positive and low degree of correlation* with FE2: Unions and Ethical conduct ($r = 0,293$). Greater union involvement in the promotion of integrity would coincide with the enforcement of internal disciplinary measures against transgressors of ethical codes, as well as the reward of ethical conduct.

FC2: Transparency: Immediate Working Environment has a *positive and low degree of correlation* with FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,275$) and FD5: Clarity: Operational Policies ($r = 0,224$). Greater transparency amongst colleagues is likely to coincide with the increase in sanctions and rewards for misconduct and an increase in understanding and knowledge of operational policies. This factor correlates poorly with the other factors of ethical culture.

FC2: Transparency: Immediate Working Environment also has a *positive and low degree of correlation* with and FE4: Management Reform: Internal Control ($r = 0,206$). An emphasis to comply with Departmental policies and procedures would also coincide with an increase in transparency in the immediate working environment.

FC3: Discussability: Opinions and Discussions has a *positive and high degree of correlation* with FE1: Supportability ($r = 0,519$). An increased measure to discuss opinions on misconduct freely is likely to coincide with an increased measure of mutual trust and respect, and commitment to the values and norms of the Department.

FC3: Discussability: Opinions and Discussions has a *positive and moderate degree of correlation* with FD1: Congruence of Senior Managers ($r = 0,475$), FD2: Congruence of Supervisors ($r = 0,442$), FD3: Feasibility ($r = 0,493$), and FD4: Clarity Ethics Policies ($r = 0,411$). An increased measure to discuss misconduct and opinions freely in the immediate

working environment should coincide with an increase in the extent to which senior managers value integrity and honesty; an increase in the extent to which supervisors recognise the importance of ethical conduct; an increased measure in allocated time, resources and authority for subordinates to execute their daily responsibilities; and an increased understanding and knowledge of ethics policies.

FC3: Discussability: Opinions and Discussions has a *positive and moderate degree of correlation* with FE4: Management Reform: Delegation of Authority ($r = 0,471$), and FE4: Management Reform: Internal Control ($r = 0,369$). An increased measure to discuss misconduct and opinions freely in the immediate working environment should coincide with an increased delegation of financial and human resource decision-making authority; and an increased measure of compliance with internal control measures.

FC4: Discussability: External Environment refers to the extent to which to which officials are willing to report misconduct to an institution external to their immediate working environment. This dimension has a *positive and low degree of correlation* with FC2: Transparency: Immediate Working Environment ($r = 0,143$); and FD5: Clarity: Operational Policies ($r = 0,141$). This dimension represents the practice of whistle blowing in the workplace. An increase in the willingness of employees to report misconduct coincides, albeit poorly, with greater transparency in the workplace, and a greater understanding and knowledge of operational policies. This factor appears not to correlate (and thus coincide) with any of the other indicators of ethical culture. It could be concluded that this mechanism is a poor instrument in promoting an ethical culture within the Department.

FC5: Discussability: Internal Working Environment refers to the extent to which an employee would report an immediate colleague or supervisor if he/ she engaged in misconduct. This factor has a *positive and low degree of correlation* with the other 10 factors of ethical culture. A *positive and low degree of correlation* was obtained with *inter alia* FD4: Clarity: Ethics Policies ($r = 0,214$), FD5: Clarity: Operational Policies ($r = 0,242$), and FC3: Discussability: Opinions and Discussions ($r = 0,285$). A greater willingness by officials to report malfeasance in their work environment will coincide with an increased understanding and

knowledge of ethics policies and operational policies, and an increased measure to discuss misconduct and opinions freely. Findings on the correlation between FC5: Discussability: Internal Working Environment and the other factors of ethical culture are even less significant.

FC5: Discussability: Internal Working Environment has a *positive and low degree of correlation* with the FE3: Management Reform: Delegation of Authority ($r = 0,202$) and FE4: Management Reform: Internal Control ($r = 0,244$). A greater willingness by officials to report malfeasance in their work environment will coincide with greater delegation of financial and human resource decision-making authority, and a greater emphasis of internal control measures.

FD1: Congruence of Senior Managers has a *positive and high degree of correlation* with FE1: Supportability ($r = 0,662$). When senior managers are committed to ethical leadership, it would most likely coincide with an atmosphere of mutual respect and trust, and a commitment to the values and norms of the Department.

FD1: Congruence of Senior Managers has a *positive and moderate degree correlation* with FD2: Congruence of Supervisors ($r = 0,476$), FD3: Feasibility ($r = 0,390$), FD4: Clarity: Ethics Policies ($r = 0,478$), FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,449$); FC3: Discussability: Opinions and Discussions ($r = 0,475$); and FD5: Clarity: Operational Policies ($r = 0,357$). It could be concluded that when senior managers concern themselves with ethics and integrity, it would coincide with *inter alia* a greater commitment by supervisors to communicate the importance of ethical conduct; a greater measure of time, resources and authority for subordinates to carry out their responsibilities; and a greater understanding and knowledge of ethics and operational policies.

FD1: Congruence of Senior Managers has a *positive and moderate degree correlation* with, FE3: Management Reform: Delegation of Authority ($r = 0,456$), and FE4: Management Reform: Internal Control ($r = 0,470$). It could be concluded that when senior managers

concern themselves with ethics and integrity, it would coincide with an increase in the delegation of financial and human resource authority to lower levels; and an increase in significance of internal control measures.

FD2: Congruence of Supervisors has a *positive and moderate degree of correlation* with FD3: Feasibility ($r = 0,389$), FD4: Clarity of Ethics Policies ($r = 0,421$), FD5: Clarity: Operational Policies ($r = 0,339$), FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,312$); FC3: Discussability: Opinions and Discussions ($r = 0,442$); and FE1: Supportability ($r = 0,475$). Increased commitment by supervisors to ethical conduct would coincide with *inter alia* an increasing allocation of time, authority, and resources to carry out responsibilities; greater understanding and knowledge of ethics policies and operational policies; and an increased measure of mutual trust and respect and commitment to Departmental norms and values.

FD2: Congruence of Supervisors has a *positive and high degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,558$) and a *positive and moderate degree of correlation* with and FE4: Management Reform: Internal Control ($r = 0,431$). Increased commitment by supervisors to ethical conduct would most likely coincide with a greater delegation of financial and human resource decision-making authority to lower levels in the hierarchy of the Department, and an increased emphasis of internal control measures.

FD3: Feasibility obtained a *positive and moderate degree of correlation* with FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,347$); FC3: Discussability: Opinions and Discussions ($r = 0,493$); FD2: Congruence of Supervisors ($r = 0,389$); FD1: Congruence of Senior Managers ($r = 0,390$); FD4: Clarity: Ethics Policies ($r = 0,374$), and FE1: Supportability ($r = 0,431$). An increased allocation of time, resources and authority to subordinates to carry out their responsibilities is likely to coincide with *inter alia* a greater understanding and knowledge of ethics policies, and increased mutual trust and respect.

FD3: Feasibility obtained a *positive and moderate degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,355$), and FE4: Management Reform: Internal Control ($r = 0,352$). An increased allocation of time, resources and authority to subordinates to carry out their responsibilities is likely to coincide with an increased measure of delegation of financial and human resources decision-making authority, and greater emphasis on internal control measures in the Department. A *positive and low degree of correlation* exists with FE2: Unions and Ethical Conduct ($r = 0,253$). An increased allocation of time, resources and authority to subordinates to carry out their responsibilities is likely to coincide with increased union involvement in upholding ethical conduct.

FD4: Clarity: Ethics Policies has a *positive and high degree of correlation* with FD5: Clarity: Operational Policies ($r = 0,622$). An increased understanding and knowledge of ethics policies is likely to coincide with an increased understanding and knowledge of operational policies. FD4: Clarity: Ethics Policies has a *positive and moderate degree of correlation* with FE1: Supportability ($r = 0,499$); FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,383$); FC3: Discussability: Opinions and Discussions ($r = 0,411$); FD2: Congruence of Supervisors ($r = 0,421$); and FD1: Congruence of Senior Managers ($r = 0,478$). An increased understanding and knowledge of ethics policies is like to coincide with *inter alia* increased levels of mutual trust and respect, and a commitment to the norms and values of the Department.

FD4: Clarity: Ethics Policies has a *positive and low degree of correlation* with FE2: Unions and Ethical Conduct ($r = 0,264$). An increased understanding and knowledge of ethics policies is like to coincide with greater union involvement with ethical behaviour. FD4: Clarity: Ethics Policies has a *positive and moderate degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,437$) and a *positive and high degree of correlation* with FE4: Management Reform: Internal Control ($r = 0,501$). An increased understanding and knowledge of ethics policies is like to coincide with a greater delegation of human and financial decision-making authority to lower levels in the hierarchy and greater emphasis of internal control measures in the Department.

FD5: Clarity: Operational Policies has a *positive and high degree of correlation* with FD4: Clarity: Ethics Policies ($r = 0,622$) and a *positive and moderate degree of correlation* FE1: Supportability ($r = 0,309$); FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,303$); FD2: Congruence of Supervisors ($r = 0,339$); and FD1: Congruence of Senior Managers ($r = 0,357$). An increase in the understanding and knowledge of operational policies is likely to coincide with *inter alia* an increase in the understanding and knowledge of ethics policies, and an increase in mutual trust and respect and commitment to the norms and values of the Department.

FD5: Clarity: Operational Policies obtained a *positive and low degree of correlation* with FE2: Unions and Ethical Conduct ($r = 0,227$). Greater union advocacy for ethical conduct is likely to coincide with an increase in understanding and knowledge of operational policies. FD5: Clarity: Operational Policies obtained a *positive and moderate degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,302$), and FE4: Management Reform: Internal Control ($r = 0,494$). An increase in the understanding and knowledge of operational policies is likely to coincide with an increase in the delegation of financial and human resource decision-making authority to lower levels in the hierarchy of the Department, as well as a greater emphasis of the significance of internal control measures.

FE1: Supportability obtained a *positive and high degree of correlation* with FC1: Sanctions: Rewards and Punishment for Misconduct ($r = 0,507$); FD1: Congruence of Senior Managers ($r = 0,662$); and FC3: Discussability: Opinions and Discussions ($r = 0,519$). FE1: Supportability obtained a *positive and moderate degree of correlation* with FD3: Feasibility ($r = 0,431$), FD4: Clarity of Ethics Policies ($r = 0,499$), FD5: Clarity: Operational Policies ($r = 0,309$); and FD2 Congruence of Supervisors ($r = 0,275$). An increased measure of mutual trust and support is likely to coincide with *inter alia* increased allocation of time, resources and authority to subordinates to carry out their responsibilities, a greater understanding and knowledge of ethics and operational policies, increased freedom to discuss ethical dilemmas in the work place, and the imposition of appropriate penalties and rewards.

FE1: Supportability obtained a *positive and high degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,508$), and a *positive and moderate degree of correlation* with FE2: Unions and Ethical Conduct ($r = 0,315$) and FE4: Management Reform: Internal Control ($r = 0,497$). The promotion of mutual respect and trust, and commitment to the Department' values and norms is likely to coincide with an increase in the delegation of financial and human resource decision-making authority to lower levels in the hierarchy. Greater union involvement in ethical conduct and an increase in the emphasis of internal control measures are likely to coincide with an increase in mutual trust and respect, a commitment to departmental values and norms, and having the interest of the Department at heart.

FE2: Unions and Ethical Conduct has a *positive and low degree of correlation* with FC1: Sanctions ($r = 0,293$); FD1: Congruence of Senior Management ($r = 0,250$); FD3: Feasibility ($r = 0,253$); FD4: Clarity: Ethics Policies ($r = 0,264$); FD5: Clarity: Operational Policies ($r = 0,227$); and a *positive and moderate degree of correlation* with FE1: Supportability ($r = 0,315$). Greater union involvement coincides with *inter alia* increased allocation of time, resources and authority to subordinates to carry out their responsibilities, the imposition of appropriate penalties and rewards for misconduct, increased trust and mutual respect, and employees being treated fairly.

FE2: Unions and Ethical conduct obtained a *positive and low degree of correlation* with FE3: Management Reform: Delegation of Authority ($r = 0,220$) and a *positive and moderate degree of correlation* with FE4: Management Reform: Internal Control ($r = 0,360$). Greater union involvement in ethical conduct is likely to coincide with an increase in the delegation of financial and human resource decision-making authority to lower levels in the hierarchy, and the increase in the significance of internal control measures and an emphasis on compliance with Departmental policies and procedures.

FE3: Management Reform: Delegation of Authority obtained a *positive and high degree of correlation* with two factors of ethical culture: FE1: Supportability ($r = 0,508$) and FD2: Congruence of Supervisors ($r = 0,558$); and a *positive and moderate degree of correlation*

with another six factors of ethical culture: FC1: Sanctions ($r = 0,353$); FC3: Discussability: Opinions and Discussions ($r = 0,471$); FD1: Congruence of Senior Management ($r = 0,456$); FD3: Feasability ($r = 0,355$); FD4: Clarity: Ethics Policies ($r = 0,437$); and FD5: Clarity: Operational Policies ($r = 0,302$). It appears that the delegation of financial and human resource decision-making authority coincides with an improved measure of ethical culture.

FE3: Management Reform: Delegation of Authority obtained a *positive and moderate degree of correlation* with FE4: Management Reform: Internal Control ($r = 0,460$). The delegation of financial and human resource decision-making authority to lower levels is likely to coincide with an emphasis on compliance with Departmental policies and procedures.

FE4: Management Reform: Internal Control has a *positive and high degree of correlation* with one factor of ethical culture: FD4: Clarity Ethics Policies ($r = 0,501$), and a *positive and moderate degree of correlation* with another seven factors of ethical culture: FC1: Sanctions ($r = 0,364$); FC3: Discussability: Opinions and Discussions ($r = 0,369$); FD1: Congruence of Senior Management ($r = 0,470$); FD2: Congruence of Supervisors ($r = 0,431$); FD3: Feasability ($r = 0,352$); FD5: Clarity: Operational Policies ($r = 0,494$); and FE1: Supportability ($r = 0,497$). The emphasis of internal control measures and compliance with department policies and procedures appear to coincide with an improved measure of eight factors of ethical culture.

FE4: Management Reform: Internal Control has a *positive and moderate degree of correlation* with FE2: Unions and Ethical conduct ($r = 0,360$), and FE3: Management Reform: Delegation of Authority ($r = 0,460$). A greater emphasis on departmental internal control measures is likely to coincide with greater devolution of decision-making authority as well as greater union involvement in the promotion of ethical conduct.

6.7 Summary of Empirical Findings

The following findings for the DCS are reported below. Post levels as an independent variable has a significant influence on some factors of ethical culture. Senior respondents, as compared to more junior respondents, seem to be less certain of the effectiveness of disciplinary and reward mechanisms than more junior respondents. Senior respondents also obtained low mean scores on their knowledge and understanding of ethics policies (cf. section 6.5.6). These findings are significant as senior officials should not only have a clear understanding of the institution's ethics policies (as these policies also apply to them), but are also responsible to apply the necessary measures of reward and punishment to ensure ethical conduct by subordinates.

Years of service of respondents provided for note-worthy findings. Shorter-serving officials hold more positive views of the DCS mechanisms that exist to promote ethical conduct. As officials increase their years of service the novelty of a new working environment seems to wear off with official less convinced of the effectiveness of these policy measures (cf. section 6.5.5).

The race of respondents significantly influences perceptions. White respondents are significantly less convinced about the existence of adequate control measures within the DCS, the role of unions in promoting honesty and acting with integrity, the importance of sanctions and rewards in preventing misconduct, and ethical leadership of the Department's senior management. White respondents were also less positive about the existence of mutual trust, respect, fairness, and the equal distribution of work (cf. section 6.5.2).

Actual levels of corruption, as observed by the respondents in the Department, appear to be low. Respondents were asked to indicate whether they have observed malfeasance with offenders and external service providers. Findings indicate that respondents have not observed various forms of misconduct involving offenders in their immediate working environment. A similar finding was obtained in respect of external service providers. These

findings should be understood within the context that the survey was mainly conducted at correctional centres based at management areas. The department's senior management, which is based at the head office, was also omitted from the survey. It could be assumed that senior management, and not employees based at the correctional centres would have more regular contact with external service providers (cf. section 6.4.1).

Unions seem to play a positive role in respect of ethics management at the DCS. According to the survey findings, union leaders act with honesty and integrity; encourage members to act with integrity and honesty, and report fraud and corruption. Unions often remind officials of their obligations in terms of Resolution 1 of 2006 (cf. section 6.4.1).

The Department seems to have a poor measure of supportability. This is an indication that respondents experience a lack of respect and mutual trust, absence of commitment to the values and norms of the Department, and lack of fairness and equality. Respondents hold negative opinions on whether all employees have the best interest of the Department at heart. This could significantly contribute to unethical conduct within the Department (cf. section 6.4.1).

The Department obtained a low mean score on FC3: Discussability: Discussion and Opinions. This is an indication that officials would not discuss misconduct, nor express their opinions freely in their immediate working environment. They fear not being protected from victimisation and would not report misconduct to their supervisor, or to an officer within their immediate working surroundings (cf. section 6.4.1).

The Department also obtained a low mean score on FD4: Clarity: Ethics policies. The factor tested respondents' knowledge and understanding of the Department's Vetting-, Disclosure of Financial Interest-, nepotism policies, as well as the policies dealing with penalties for misconduct. It is significant to note that respondents obtained a significantly higher mean score on clarity of the Department's policies dealing with operational activities, than its ethics policies (cf. section 6.4.1).

The LMN region performed better than the Gauteng region in respect of various factors of ethical culture. For example, respondents in the LMN region have a stronger expectation than respondents in the Gauteng region that when an employee commits misconduct, he/she will be punished for the offence. The ethical performance of duties is also more likely to be rewarded in the LMN region. Also, respondents based in the Gauteng region do not seem to share the same level of mutual trust and respect, commitment to shared values and norms, and perception that they are treated fairly than those respondents in the LMN region.

Senior management has a prominent role in promoting an ethical culture. In comparison with perceptions of supervisors, the Department's senior management is not perceived favourably by respondents. Respondents provided a neutral response on whether the senior managers reflect principles of honesty and integrity, sets a good example in terms of ethical conduct, communicates the importance of ethical conduct and would never allow unethical conduct. Ideally, the senior management should be seen to establish clear policy guidelines and communication for ethical conduct, provide a clear commitment for ethical behaviour, and act with honesty and integrity (cf. section 6.4.1).

The ANOVA and Eta-square tests also pointed to varied degree to which ethical culture manifests in different management areas. The Thohoyandou Management Area obtained the most positive results in terms of a number of ethical culture factors. These positive findings appear despite the high workload of officials in the Thohoyandou Management Area. The Thohoyandou Management Area has a personnel complement of 461 and an offender total of 5 434. This constitutes the highest ratio of all management areas: 11.78 offenders for each official. In respect of the management reform factors, the findings identify the Thohoyandou Management Area to have the greatest measure of delegation of financial and human resource authority, as well as emphasis on internal control measures.

6.8 Contribution to the Theory and Practice of Ethics Management

Kaptein's (2008: 923-947) existing conceptual framework for testing ethical culture was used in this survey. This conceptual framework includes eight dimensions, namely sanctions, transparency, discussability, congruence of senior managers, congruence of supervisors, feasibility, clarity, and supportability. A number of additional sections were included in the questionnaire including personal motives; personal opinions; offenders' role in corruption; external service providers' role in corruption; general corruption; clients and coalitions; and management reform. With the additional sections, the author intended to determine the extent to which poor salaries could be a contributing factor to malfeasance; test the phenomenon of cultural relativity; measure the actual level of observed corruption; determine the influence of union involvement on ethics management; and determine the effect of management reform on ethical behaviour.

The data of the survey was subjected to a principle component exploratory factor analysis which provided for 16 different factors. The factor analysis suggested three additional factors to the original eight factors of ethical culture; consequently adding up to 11 factors of ethical culture. The Pearson's Correlation Coefficient values in Table 6.6.1 provided the correlation coefficient between the 11 factors of ethical culture; the two factors on the role of offenders and external service providers in corruption; the union involvement factor; and the two management reform factors. The first two factors in Table 6.6.1, FB1: External Service Providers' Role and FB2: Offenders' Role in Corruption intends to measure the regularity with which acts of malfeasance are observed within the Department. This would provide an indication of the extent of observed misconduct in the Department and could for future research purposes serve as baseline data. Both factors obtained a negative and low degree of correlation with different factors of ethical culture. This was to be expected as the increase in misconduct would coincide with a decrease in the ethical culture measurement of the Department. These factors could be included as part of a questionnaire to measure the ethical culture of an institution.

The next 11 factors should be regarded as a variation of the ethical culture measurement as provided for by Kaptein (2008: 923-947). Six of the original eight factors were retained with the remaining two factors i.e. 'clarity' and 'discussability' – as a result of the exploratory factor analysis - sub-divided into five new ethical culture factors. The original factor 'clarity' was divided into FD4: Clarity: Operational Policies, and FD5: Clarity: Ethics Policies. The factor 'discussability' was divided into FC3: Discussability: Opinions and Discussion; FC4: Discussability: External Working Environment; and FC5: Discussability: Internal Working Environment.

A positive correlation between eight of these factors were identified which served to validate the conceptual framework of ethical culture. In this respect, it is worth noting that mutual trust and respect, and a commitment to the norms and values of the Department has a positive and high degree of correlation with the implementation of a system of reward and punishment; the extent to which officials could freely discuss their views on misconduct; and the commitment by senior management to ethical conduct. Furthermore, an increased understanding and knowledge of the operational policies of the Department has a positive and high degree of correlation with the understanding and knowledge of ethics policies.

However, three factors obtained a positive but lower degree of correlation with the other factors of ethical culture i.e. FC2: Transparency: Immediate Working Environment; FC4: Discussability: External Working Environment; and FC5: Discussability: Internal Working Environment. These factors did not correlate adequately with the other factors of ethical culture (cf. section 6.6). Whereas FC2: Transparency: Immediate Working Environment measures the extent to which misconduct will be detected, FC5: Discussability: Internal Working Environment and FC4 : Discussability: External Working Environment measures the willingness of officials to report misconduct internally within the Department, or to institutions external to the Department respectively. It could be argued that the latter two factors represent the practice of whistle-blowing in the public service.

While the positive and low degree of correlation for the first factor could be ascribed to the secretive nature of a prison environment, the same interpretation cannot be made for the latter

two factors. An increase in the measurement of most factors of ethical culture would not coincide with an increase in measurement for these factors. For example, increased senior management and supervisor commitment to acting ethically and with integrity, adequate penalties for misconduct and rewards for ethical conduct, or the promotion of ethical behaviour through the publication of a code of conduct and/or a code of ethics would not coincide with a greater willingness by officials to report misconduct internally or to an external institution. The findings suggest that whistle-blowing measures and the promotion of an ethical culture are two mutually exclusive means for the promotion of integrity in public institutions.

Many corruption prevention measures rely, amongst other policy instruments, on officials to report misconduct to the authorities (cf. section 3.7.6; section 4.5.6). From the findings of the survey it is evident that respondents at the DCS are willing to report malfeasance of their supervisors and colleagues (cf. section 6.4.1). Respondents indicated that they are also willing to report malfeasance through external measures such as the National Anti-Corruption Hotline (cf. section 4.5.11) and the Special Investigating Unit (cf. Section 4.3). However, the evidence suggests that such measures are not effective as departments often lack the capacity to investigate malfeasance and in many instances do not provide feedback to the PSC (cf. section 4.5.11).

The findings also suggest that the promotion of an ethical culture coincides with lower levels of malfeasance (cf. section 6.6). Based on the findings, this researcher is of the view that the promotion of an ethical culture would significantly enhance the implementation of the PSACS; specifically those objectives and sub-objectives identified in section 4.5.1. The implementation of the PSACS requires an acknowledgement of the variables that could promote or inhibit its implementation. The factors of ethical culture provide PSACS implementation officials within departments with a conceptual framework that could be used to enhance the implementation of its objectives and sub-objectives. It serves to combine the compliance-based and value-based approaches to ethics management in the public service.

It should be accepted that this finding is applicable in particular to the DCS with its unique set of institutional practices. The findings would not necessarily be applicable to other public service departments, the private sector, or even other countries.

The exploratory factor analysis provided for an additional 3 factors: FE2: Unions and ethical conduct; FE3: Management Reform: Delegation of authority; and FE4: Management Reform: Internal control. These findings suggest that unions play a positive role in promoting an ethical culture within the Department (cf. section 6.4.1). Although the correlation between the role of unions in the promotion of ethical conduct, and the understanding and knowledge of ethics policies appear to be weak, the ANOVA and Eta square tests suggested that unions could play a significant role in increasing the understanding and knowledge of ethics and operational policies (cf. table 6.5.9).

Both management reform factors have a positively high and moderate degree of correlation with eight ethical culture factors (cf. section 6.6; Kolthoff, 2007: 109-117). From the findings it appears that greater union involvement, the delegation of decision-making authority, and an emphasis on internal control and the compliance with policies and procedures coincides with an improved measure of ethical culture within a public institution. These findings could enhance the implementation of the PSACS within state departments (cf. section 4.5.1).

6.9 Conclusion

The exploratory factor analysis simplified the interpretation of data and enabled this researcher to interpret 16 factors rather than the original 46 questionnaire items. To determine the variance within and between groups in the sample, the Analysis of Variance, Chi-square, and Eta square tests were performed. The correlation between factors was determined by computing the Pearson's Correlation Coefficient. This is an indication of the relationship between variables and does not imply a cause-effect relationship.

In the next chapter, the items that reduced the internal consistency of factors below the value of 0.60 will be discussed. These items will be analysed according to the same independent variables, and subjected to Chi-square, ANOVA and Eta-square tests to determine the variation between and within groups, and the strength of association between variables.

CHAPTER 7

RESEARCH RESULTS: ANALYSIS OF INDIVIDUAL ITEMS

7.1 Introduction

In the previous chapter, the independent variables of the study were described including the respondent's age, race, years of service, post level, qualifications, place of employment, union membership, region, gender, and management area. In the same chapter the questionnaire items were subjected to factor analysis to reduce the dimensionality of the data. The factor analysis essentially grouped together similar items and provided for a fewer number of factors. Sixteen factors were analysed according to 11 independent variables, and subjected to ANOVA and Eta-square tests, and Pearson's Correlation Coefficient tests. The findings were interpreted.

The 34 questionnaire items discussed in this chapter were not included in any of 16 factors interpreted in chapter 6. These items reduced the internal consistency of factors below the value of 0,60. These items were analysed according to the same independent variables, and subjected to Chi-square, ANOVA and Eta-square tests to determine the variation between and within groups, and the strength of association between variables (cf. section 6.5).

7.2 Mean Scores by Items in Sections A and B

For the interpretation of values, the categorisation of values as provided for in section 6.4 is used. The mean scores by items (across all groups) from sections A and B (in the questionnaire) are provided in Table 7.2 below. A total of 807 respondents obtained a mean score of 4,24 on item A7. Respondents indicated that they strongly agreed that fraud in the Department is unacceptable and should be punished. A total of 790 respondents obtained a mean score of 3,92 on item A4. This finding is significant as there is agreement among respondents that corruption is a problem in the Department. Although few respondents

personally observed misconduct in their immediate working environment; either among external service providers (FB2 = 2,04) or offenders (FB1 = 1,71) (cf. section 6.4.1), this finding could be a reflection of respondents' negative view of the integrity of senior management. Alternatively, this finding could be a reflection of a different type of malfeasance, e.g. late coming at work, or the use of Departmental vehicles for personal use, that does not require collaboration with a second party.

A total of 808 respondents obtained a mean score of 3,28 on item A8 indicating, in comparison with item A4, a rather apathetic opinion on the use of work telephones during office hours. During the data collection process a respondent indicated informally to this researcher that cellular phones were not allowed within correctional centres and that employees were obliged to use departmental phones if required for personal purposes. A total of 795 respondents obtained a mean score of 3,01 on item B9. Respondents on average indicated that they have a neutral opinion on whether they have observed nepotism in the Department.

A total of 784 respondents obtained a mean score of 2,81 on item A2 providing a fairly negative response as to whether they perform additional work after working hours to ensure a decent standard of living. This finding suggests a positive tendency among respondents as it appears as if they are content with their remuneration with consequently little financial incentive to engage in misconduct. A total of 784 respondents obtained a mean score of 2,70 on item B3 indicating that they had seldom observed offenders with illegal substances in the correctional centre; confirming the findings in section 6.4.1.

A total of 788 respondents obtained a mean score of 2,11 on item A1. Respondents generally disagreed with the statement that they are adequately remunerated. This could pose a problem as poor salaries in the public service are perceived to contribute to malfeasance (cf. section 3.7.2). A total of 779 respondents with a mean score of 2,03 on item A3 believed that their remuneration compared poorly with people with similar experience and skills. This could also serve as a justification by officials to act unethically.

A total of 808 respondents indicated that nepotism is unacceptable in their culture. In this respect, respondents obtained a mean score of 1,92 on item A5. A total of 795 respondents obtained a mean score of 1,92 on item B8 indicating that they had not observed fraud in their immediate working environment. This finding confirms other findings on misconduct (cf. section 6.4.1). Observed misconduct in the Department appears to be at a significantly lower level as compared to the perceived levels of corruption. The only exception seems to be nepotism on which respondents provided a neutral opinion (cf. interpretation of item B9 above).

A total of 789 respondents obtained a mean score of 1,68 on item B4 indicating that they had not been offered bribes by offenders. A total of 807 respondents indicated that accepting bribes in exchange for favours should not be permitted. Respondents obtained a mean score of 1,51 on item A6. A total of 807 respondents indicated that it was unacceptable to assist offenders to obtain illegal substances. A total of 807 respondents obtained a mean score of 1,45 on item A9.

Table 7.2 Descriptive Measures of Items

Item Description	Mean	Std. Dev	Min	Max	N
A7: Fraud is unacceptable and should be punished by the department	4.24	1.29	1	5	807
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.92	1.24	1	5	790
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.28	1.41	1	5	808
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.01	1.56	1	5	795
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.81	1.34	1	5	784
B3: You often observe offenders with illegal substances in the correctional centre	2.70	1.42	1	5	784
A1: You believe you are adequately remunerated for your employment	2.11	1.20	1	5	788
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.03	1.14	1	5	779
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.92	1.28	1	5	808
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.92	1.11	1	5	795
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.68	1.07	1	5	789
A6: Accepting bribes in exchange for a favour should be permitted	1.51	1.09	1	5	807
A9: It is acceptable to assist offenders to obtain illegal substances	1.45	1.10	1	5	807

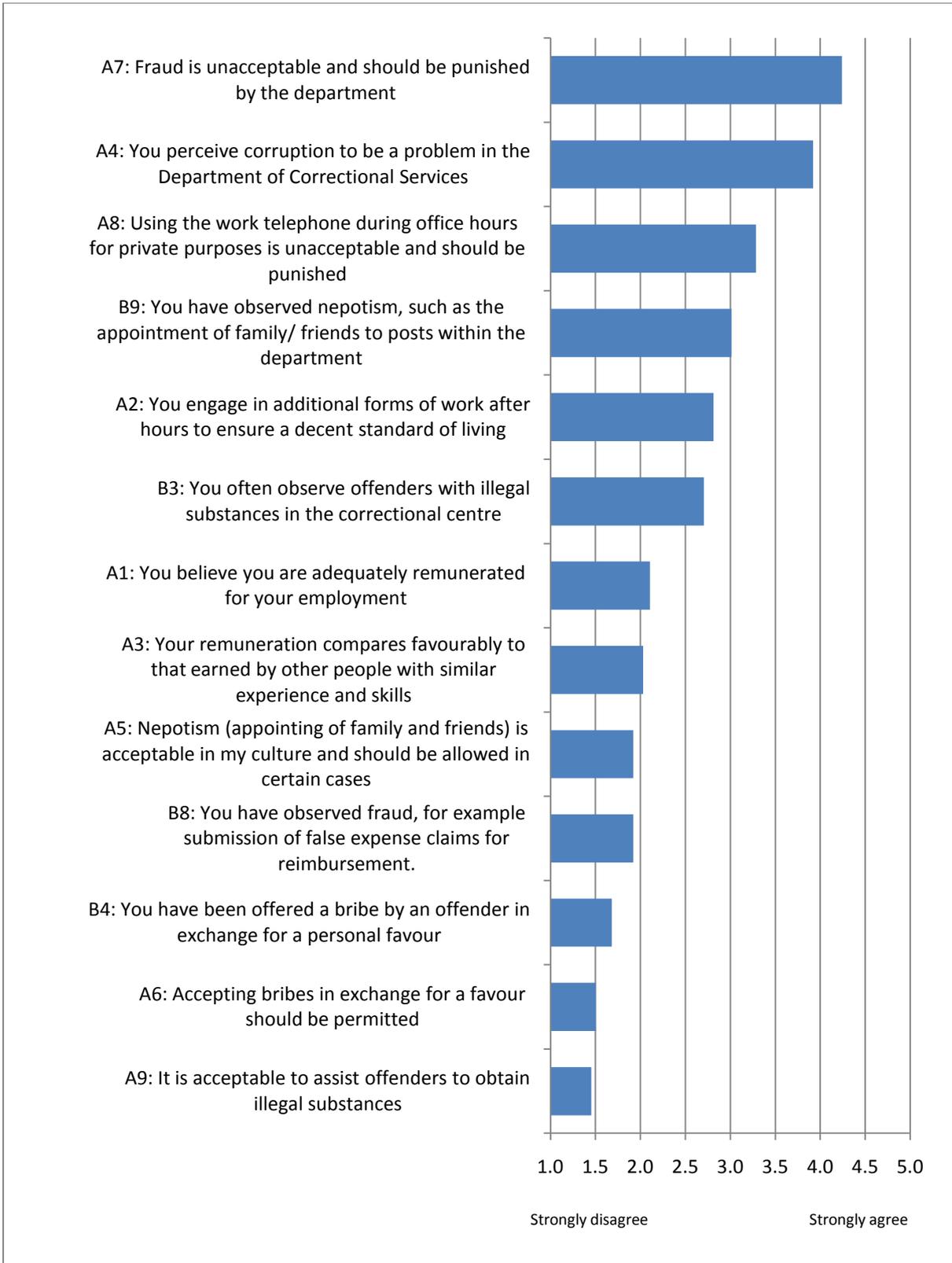


Figure 7.2: Item Mean Scores (All Groups)

7.2.1 Item Mean Scores by Age Group

The Chi-square test identified significant differences between groups on item A7. Whereas the age group 56 and older disagreed strongly with the statement that fraud is acceptable with a mean of 4,67, the age group 25 or younger were less convinced of its unacceptability with a mean of 3,67. Eta-square seems to support this finding with $\eta^2 = 0,010$ and that age group influences perceptions of misconduct. Significant differences between age groups are identified on item A8. The older age group of 56 and older ($m = 4,13$) are more opposed to the use of the official telephone as compared with the younger age group of 25 or younger who provided a more neutral view on this matter ($m = 3,08$).

The Chi-square test revealed significant differences between groups in respect of item A2 with $p = 0,011$. The ANOVA test provided for a level of significance of $p = 0,034$. Older respondents in the age group 46 – 55 obtained a mean of 2,98 compared to the age group 25 or younger that obtained a mean of 2,28. Younger respondents are in stronger disagreement with the statement that officials have to engage in additional work to ensure a decent standard of living.

Eta-square revealed a small effect size for the independent variable of age and item B4. On item B4, older respondents (56+) indicated that they have not been offered a bribe in exchange for a personal favour with a mean of 1,14. Younger respondents seem to be more exposed to bribery by offenders with a mean of 2,08 (25 or younger).

Table 7.2.1: Item Mean Scores by Age Group

Age group	25 or younger	26-35	36-45	46-55	56+	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	3.67	4.25	4.29	4.35	4.67	0.022	0.149	0.010
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.75	3.87	4.00	3.96	4.33	0.507	0.531	0.005
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.08	3.20	3.31	3.57	4.13	0.014	0.080	0.012
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	2.72	2.96	3.18	2.92	3.50	0.159	0.245	0.008
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.28	2.90	2.65	2.98	2.63	0.011	0.034	0.015
B3: You often observe offenders with illegal substances in the correctional centre	2.28	2.72	2.76	2.53	2.00	0.058	0.238	0.008
A1: You believe you are adequately remunerated for your employment	2.13	2.02	2.09	2.14	2.78	0.215	0.393	0.006
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.48	2.03	1.99	1.92	2.44	0.311	0.195	0.009
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	2.20	1.88	1.85	2.17	2.00	0.467	0.185	0.009
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	2.04	1.92	1.98	1.85	1.75	0.623	0.841	0.002
B4: You have been offered a bribe by an offender in exchange for a personal favour	2.08	1.74	1.66	1.52	1.14	0.059	0.088	0.012
A6: Accepting bribes in exchange for a favour should be permitted	1.68	1.49	1.46	1.66	1.44	0.486	0.541	0.004
A9: It is acceptable to assist offenders to obtain illegal substances	1.38	1.40	1.41	1.70	1.56	0.846	0.202	0.008

Chi-Square significance coding: Red: significance $\alpha < 0.001$; Yellow: Significant at $\alpha = 0.01$; Green: Significant at $\alpha = 0.05$

ANOVA significance coding: Red: significance $\alpha < 0.001$; Yellow: Significant at $\alpha = 0.01$; Green: Significant at $\alpha = 0.05$

Eta Squared coding: Red: Medium to large effect size ($\eta^2 > 0.06$) Yellow: Small effect size ($0.01 < \eta^2 \leq 0.06$)

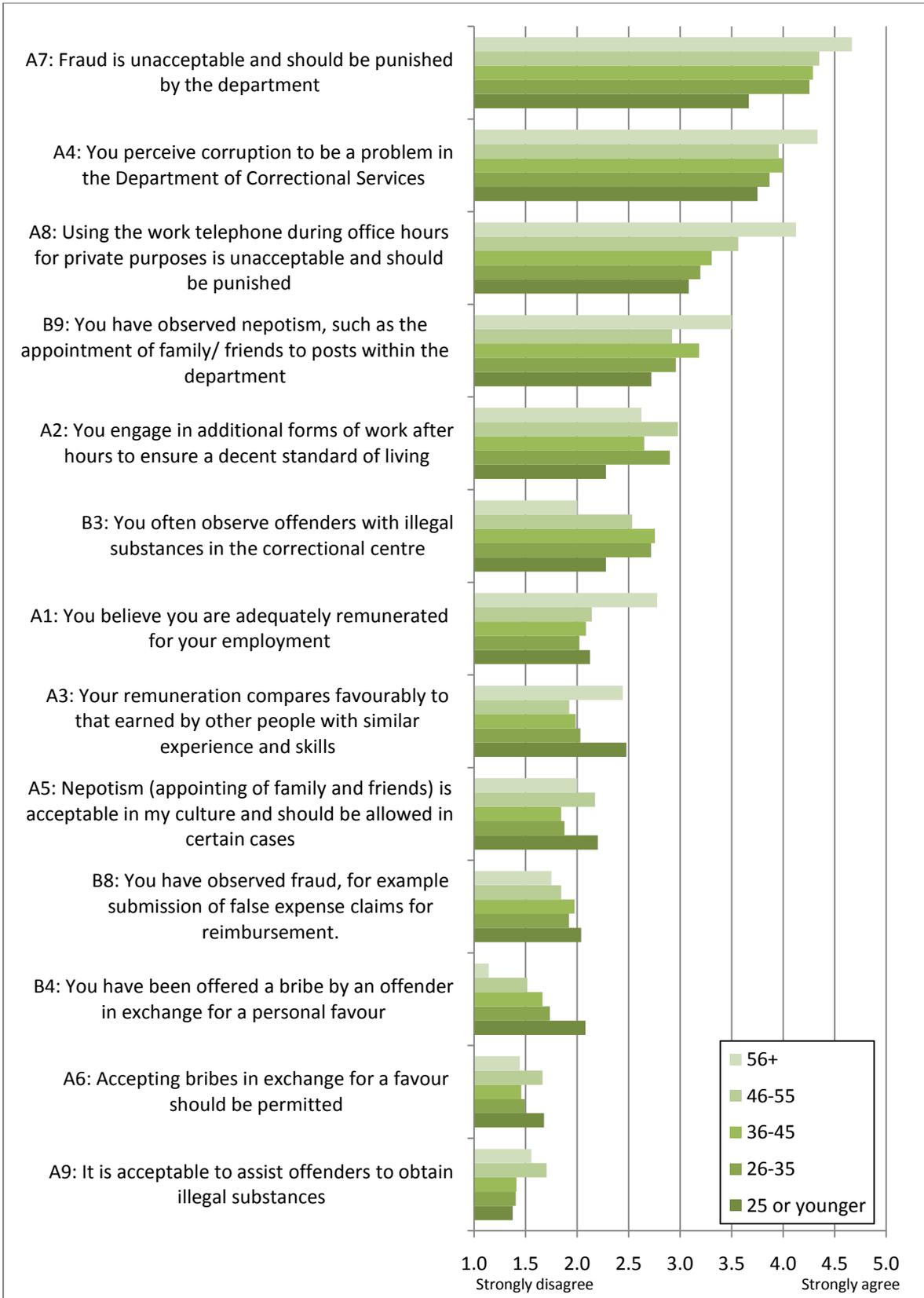


Figure 7.2.1: Item Mean Scores by Age Group

7.2.2 Item Mean Scores by Race Group

As with the analysis of factors in chapter 6, race is a significant variable with respect to items in sections A and B. The perception that race influence perceptions of misconduct seem to be justified: the phenomenon of cultural relativity. Cultural relativity refers to differing beliefs, opinions, and views of what constitutes unethical conduct (cf. Kurer, 2005: 235-236). In this context it could be argued that nepotism, for example, is an acceptable practice in some cultural settings.

In respect of item A4 ($p = 0,000$), A5 ($p = 0,000$), and B8 ($p = 0,000$) the Chi-square test rejected the null hypothesis. In respect of item A4, white respondents ($m = 4,30$) strongly perceived corruption to be a problem in the Department of Correctional Services as compared to the views of black respondents ($m = 3,89$). In respect of item A5, white respondents ($m = 2,16$) provided a stronger indication than black respondents ($m = 1,88$) that nepotism is unacceptable in their culture. Also in respect of item B8, black respondents ($m = 1,89$) seemed to have observed fraud to a lesser extent than their white counterparts ($m = 2,24$).

In respect of items A7 ($p = 0,028$) and B9 ($p = 0,008$), the Chi-square test rejected the null hypothesis. In respect of item A7 both black and white respondents believed that fraud should be punished with means of 4,23 and 4,53 respectively. In respect of item B9, black respondents provided a neutral view on whether they have observed nepotism within the Department with means of 3,03. White respondents provided a fairly positive response on whether they observed nepotism in the Department with a mean of 3,13. The findings appear to indicate that differences between races exist in respect of the acceptability of malfeasance. However, these differences are relatively insignificant.

In respect of item A2 ($p = 0,005$) and B3 ($p = 0,003$), the Chi-square test rejected the null hypothesis. In respect of item A2, white respondents ($m = 3,05$) provided a neutral view in respect of whether they performed additional work after hours to ensure a decent standard of living. Black respondents ($m = 2,74$) seemed less likely to perform additional work for the

same reason. In respect of item B3, white respondents (m = 2,89) indicated that they had not often observed offenders with illegal substances, where black respondents (m = 2,66) were even less likely to have made the same observation.

Table 7.2.2: Item Mean Scores by Race Group

	White	Black	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.53	4.23	0.028	0.039	0.006
A4: You perceive corruption to be a problem in the Department of Correctional Services	4.30	3.89	0.000	0.003	0.013
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.36	3.28	0.219	0.634	0.000
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.13	3.03	0.008	0.597	0.000
A2: You engage in additional forms of work after hours to ensure a decent standard of living	3.05	2.74	0.005	0.047	0.006
B3: You often observe offenders with illegal substances in the correctional centre	2.89	2.66	0.003	0.165	0.003
A1: You believe you are adequately remunerated for your employment	2.26	2.05	0.152	0.125	0.003
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	1.97	2.03	0.766	0.623	0.000
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	2.16	1.88	0.000	0.054	0.005
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	2.24	1.89	0.000	0.006	0.011
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.87	1.66	0.062	0.106	0.004
A6: Accepting bribes in exchange for a favour should be permitted	1.46	1.51	0.532	0.666	0.000
A9: It is acceptable to assist offenders to obtain illegal substances	1.33	1.45	0.206	0.357	0.001

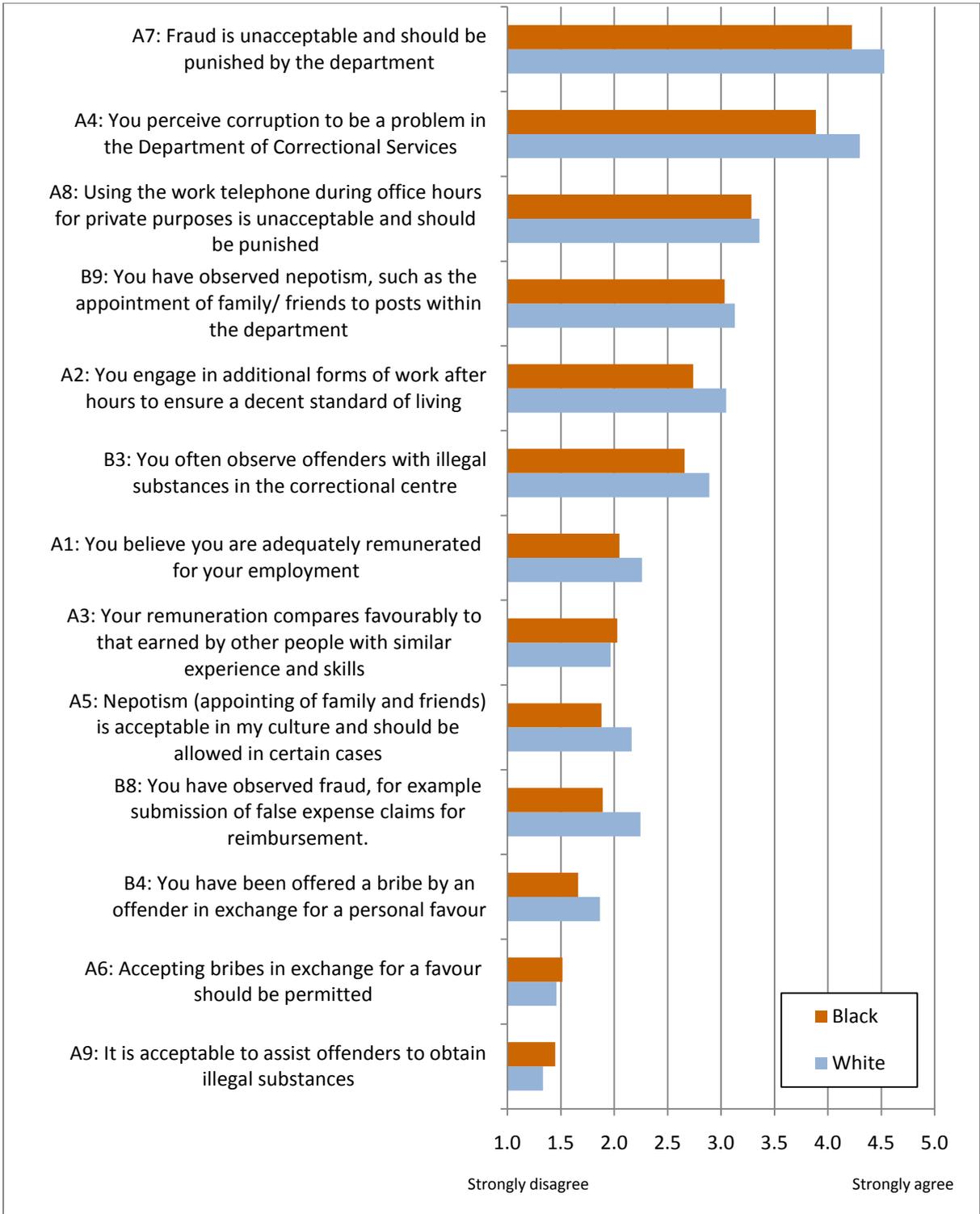


Figure 7.2.2: Item Mean Scores by Race Group

7.2.3 Item Mean Scores by Gender

Chi-square rejected the null hypothesis - indicating significant differences between male and female respondents - in respect of item A4 ($p = 0,005$); A8 ($p = 0,013$); A1 ($p = 0,013$); B4 ($p = 0,020$); and A9 ($p = 0,011$). ANOVA rejected the null hypothesis in respect of item A8 ($p = 0,013$); B3 ($p = 0,044$); and A5 ($p = 0,036$). However, the Eta-square test indicated that the strength of the relationship between gender, as an independent variable, and items in sections A and B is poor.

In respect of item A4, male respondents ($m = 3,96$) were more concerned about corruption in the Department than their female counterparts ($m = 3,88$). Both female respondents ($m = 1,44$) and male respondents ($m = 1,45$) believed it was unacceptable to assist offenders to obtain illegal substances (item A9). Female respondents ($m = 3,13$) were less convinced than male respondents ($m = 3,40$) that it is unacceptable to use the work telephone during office hours (item A8). Both female ($m = 2,17$) and male respondents ($m = 2,02$) believed they were not adequately remunerated, with female respondents stronger convinced of this perceived unfairness (item A1). Both male ($m = 1,63$) and female respondents ($m = 1,79$) denied being offered a bribe in exchange for a favour; although female respondents seemed more likely to have experienced this misdemeanour (item B4).

Male respondents ($m = 1,84$) had a stronger conviction that nepotism is unacceptable in their culture than female respondents ($m = 2,05$) (item A5). Male respondents ($m = 2,77$) are more likely to have observed offenders with illegal substances than female respondents ($m = 2,55$) (item B3). These findings are not conclusive enough to say with certainty that malfeasance is more likely in either female or male correctional centres.

Table 7.2.3: Item Mean Scores by Gender

Gender	Male	Female	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.31	4.21	0.602	0.275	0.002
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.96	3.88	0.005	0.406	0.001
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.40	3.13	0.013	0.013	0.009
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.07	3.01	0.175	0.633	0.000
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.83	2.72	0.377	0.296	0.002
B3: You often observe offenders with illegal substances in the correctional centre	2.77	2.55	0.056	0.044	0.006
A1: You believe you are adequately remunerated for your employment	2.02	2.17	0.013	0.115	0.004
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	1.97	2.09	0.356	0.184	0.003
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.84	2.05	0.121	0.036	0.006
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.93	1.96	0.977	0.739	0.000
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.63	1.79	0.020	0.064	0.005
A6: Accepting bribes in exchange for a favour should be permitted	1.46	1.59	0.086	0.130	0.003
A9: It is acceptable to assist offenders to obtain illegal substances	1.45	1.44	0.011	0.857	0.000

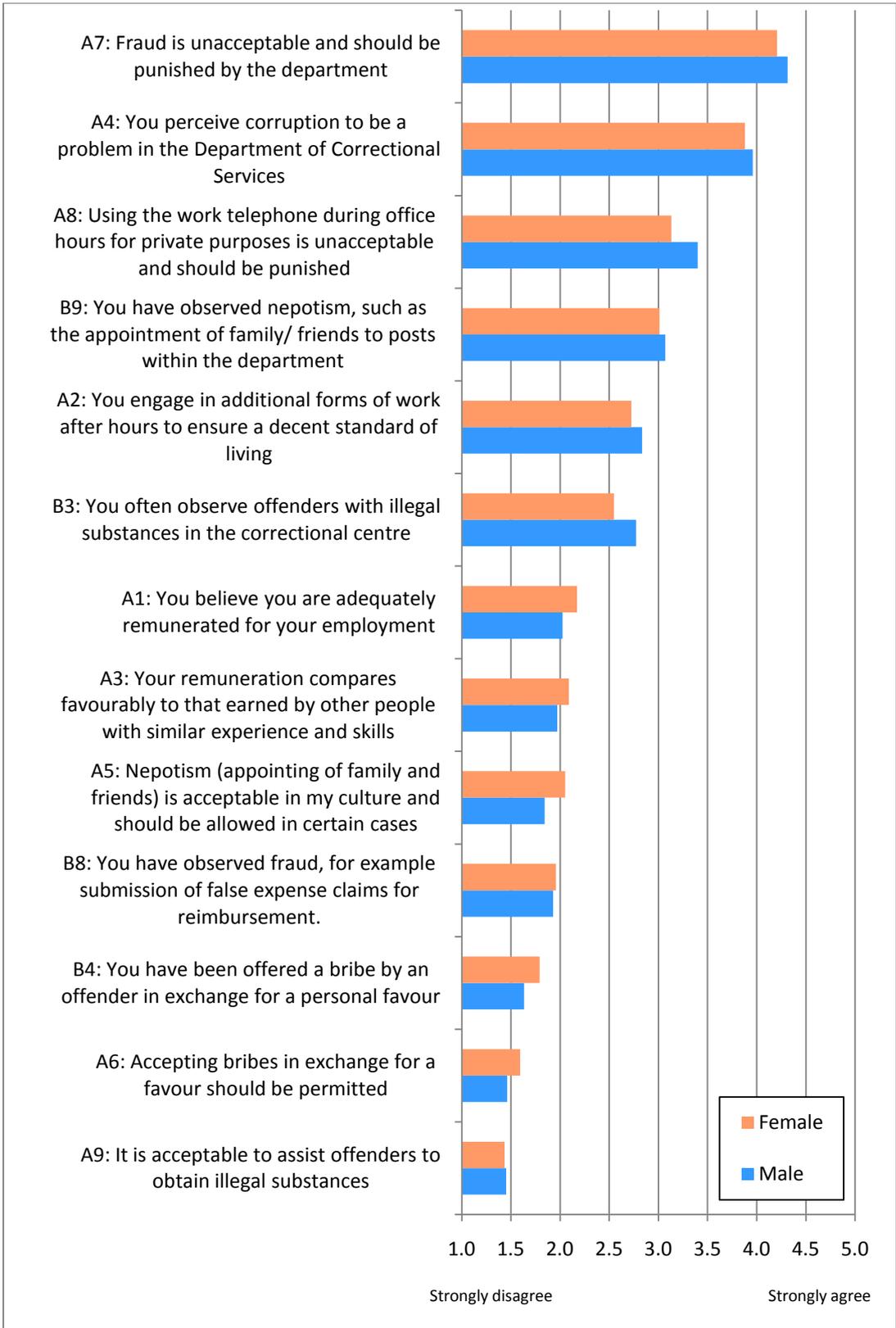


Figure 7.2.3: Item Mean Scores by Gender

7.2.4 Item Mean Scores by Qualification

No significant variance across the groups of qualification, i.e. respondents with grade 10 or 11; grade 12; and a post-matric qualification was found with the Chi-square, ANOVA and Eta-square tests; therefore the null hypothesis is retained.

Table 7.2.4: Item Mean Scores by Qualification

Qualification	Grade 10 or 11	Grade 12	Post matric	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.29	4.23	4.33	0.539	0.617	0.001
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.83	3.90	4.01	0.209	0.442	0.002
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.41	3.27	3.33	0.188	0.737	0.001
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	2.80	2.98	3.15	0.059	0.212	0.004
A2: You engage in additional forms of work after hours to ensure a decent standard of living	3.23	2.80	2.77	0.323	0.082	0.007
B3: You often observe offenders with illegal substances in the correctional centre	2.65	2.73	2.62	0.175	0.587	0.001
A1: You believe you are adequately remunerated for your employment	2.37	2.13	1.99	0.328	0.082	0.007
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.19	2.06	1.95	0.558	0.291	0.003
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.98	1.92	1.93	0.836	0.946	0.000
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.73	1.91	1.97	0.171	0.364	0.003
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.61	1.68	1.70	0.151	0.882	0.000
A6: Accepting bribes in exchange for a favour should be permitted	1.39	1.49	1.54	0.347	0.640	0.001
A9: It is acceptable to assist offenders to obtain illegal substances	1.38	1.45	1.44	0.628	0.897	0.000

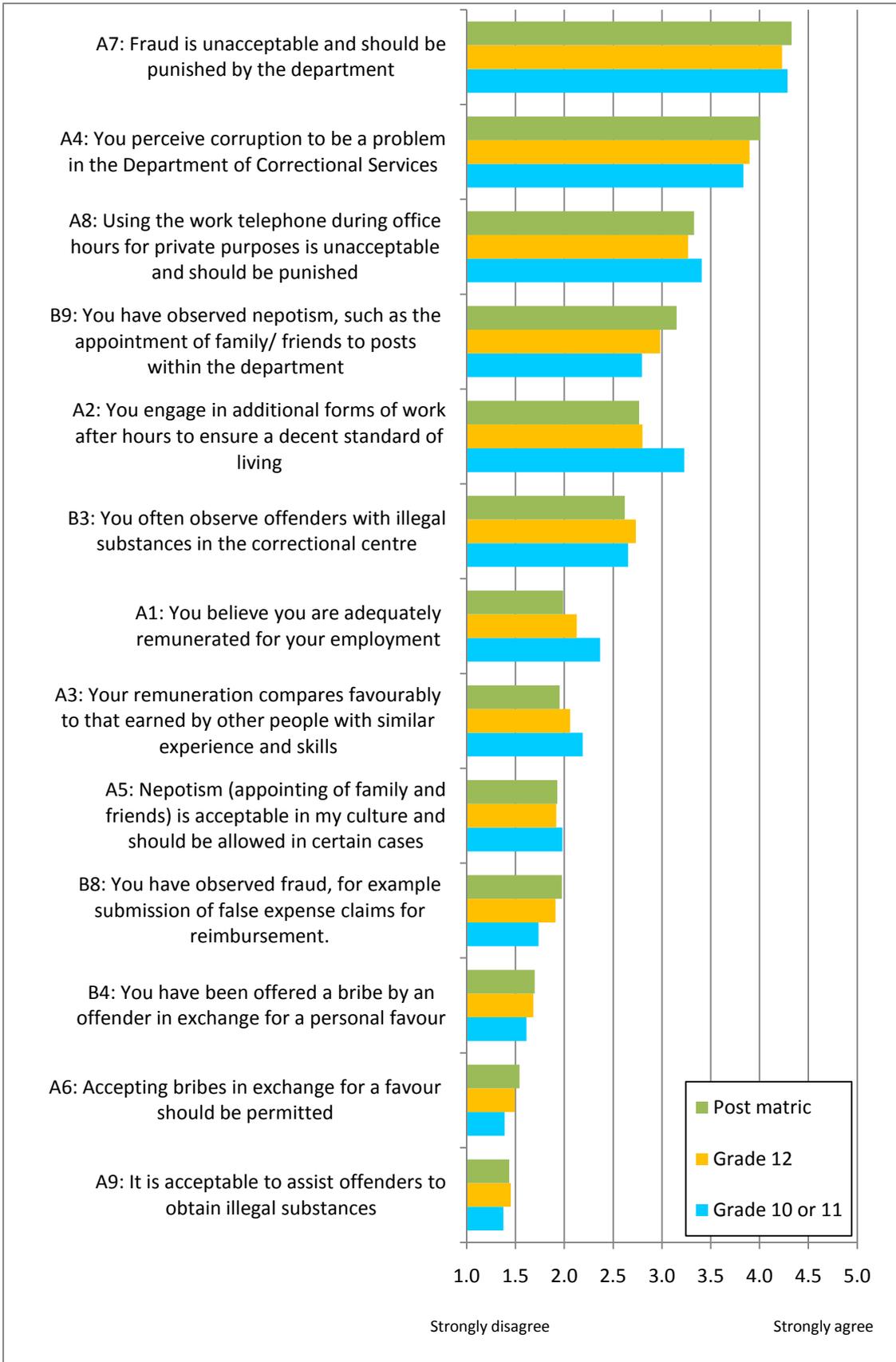


Figure 7.2.4: Item Mean Scores by Qualification

7.2.5 Item Mean Scores by Years of Service

Significant difference across groups has been identified in respect of item A1. Respondents with 10 – 20 years of service obtained a mean of 1,91 disagreeing with the statement that they were adequately remunerated whereas respondents with 2 years or less providing a more neutral opinion with a mean of 2,56. On item A3, respondents with between 10 – 20 years of service disagreed ($m = 1,78$) with the statement that their remuneration compares favourably with that of other people with similar experience and skills as compared with respondents with 2 years or less service ($m = 2,34$). As the years of service increase, respondents believe themselves to be poorly remunerated. Longer serving officials might be more susceptible to engage in malfeasance due to their perceived inadequate remuneration.

Respondents with 4 – 10 years of service obtained a mean of 3,31 on item B9 agreeing with the statement that they had observed nepotism in the Department. Respondents with 2 years or less years of service seemed to disagree with this statement with a mean of 2,58. In respect of item A7, respondents in the age group 20 – 30 years obtained a mean of 4,46 agreeing with the statement that fraud should be punished, with respondents with 2 years or less years of service also agreeing with the statement but with a mean of 4,04. As the years of service increase, respondents seem to be more aware of malfeasance and its negative consequences.

Although Eta-square established a significant but small effect size in respect of items A4, B3, and B4, both Chi-square and ANOVA tests seem to accept the null hypothesis; that is, years of service did not influence responses on these items. In terms of this finding a significant but small difference between various groups was identified. In respect Item A4, respondents with 10 to 20 years of service obtained a mean score of 4,07 on whether they perceive corruption to be a problem in the Department; a rather strong conviction. Respondents with two years or less are less sure of this observation and obtained a mean score of 3,72.

In respect of item B3, respondents with 4 to 10 years of service were more likely to have observed offenders with illegal substances in the correctional centre ($m = 2,88$) as compared

to respondents with two years or less years of service (m = 2,40). More years of service – up to a point – would be associated with a greater likelihood that the respondent would have been exposed to opportunities for misconduct. For example, in respect of item B4, respondents with 4 to 10 years of service (m = 1,82) are more likely to have been offered bribes by offenders, compared to those with two years and less years of service (m = 1,69). However, respondents with more than 10 years of service would then be less exposed to bribes from offenders: 10 to 20 years, m = 1,74; and 20 – 30 years, m = 1,50). It could be assumed that employees with longer years of service do not find themselves at the lower end of the hierarchy, and would consequently not be exposed to offenders on a regular basis.

Table 7.2.5: Item Mean Scores by Years of Service

Years of service	2 yrs or less	2 - 4 yrs	4 - 10 yrs	10-20 yrs	20-30 yrs	More than 30 yrs	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.04	4.05	4.34	4.40	4.46	4.47	0.001	0.030	0.018
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.72	3.87	3.94	4.07	4.07	3.67	0.126	0.153	0.012
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.33	3.28	3.17	3.26	3.51	3.86	0.815	0.306	0.009
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	2.58	3.04	3.31	3.16	3.00	2.43	0.002	0.003	0.025
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.86	2.86	2.78	2.63	2.90	3.21	0.579	0.386	0.008
B3: You often observe offenders with illegal substances in the correctional centre	2.40	2.67	2.88	2.77	2.59	2.27	0.056	0.104	0.013
A1: You believe you are adequately remunerated for your employment	2.56	1.92	1.90	1.91	2.21	2.80	0.000	0.000	0.050
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.34	2.15	1.95	1.78	1.99	2.33	0.003	0.001	0.030
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.88	1.84	1.99	1.87	2.04	1.86	0.863	0.812	0.003
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	2.00	1.86	2.04	1.88	1.89	1.86	0.604	0.709	0.004
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.69	1.63	1.82	1.74	1.50	1.27	0.486	0.190	0.011
A6: Accepting bribes in exchange for a favour should be permitted	1.60	1.42	1.48	1.54	1.50	1.53	0.194	0.874	0.003
A9: It is acceptable to assist offenders to obtain illegal substances	1.60	1.44	1.47	1.31	1.55	1.33	0.074	0.285	0.009

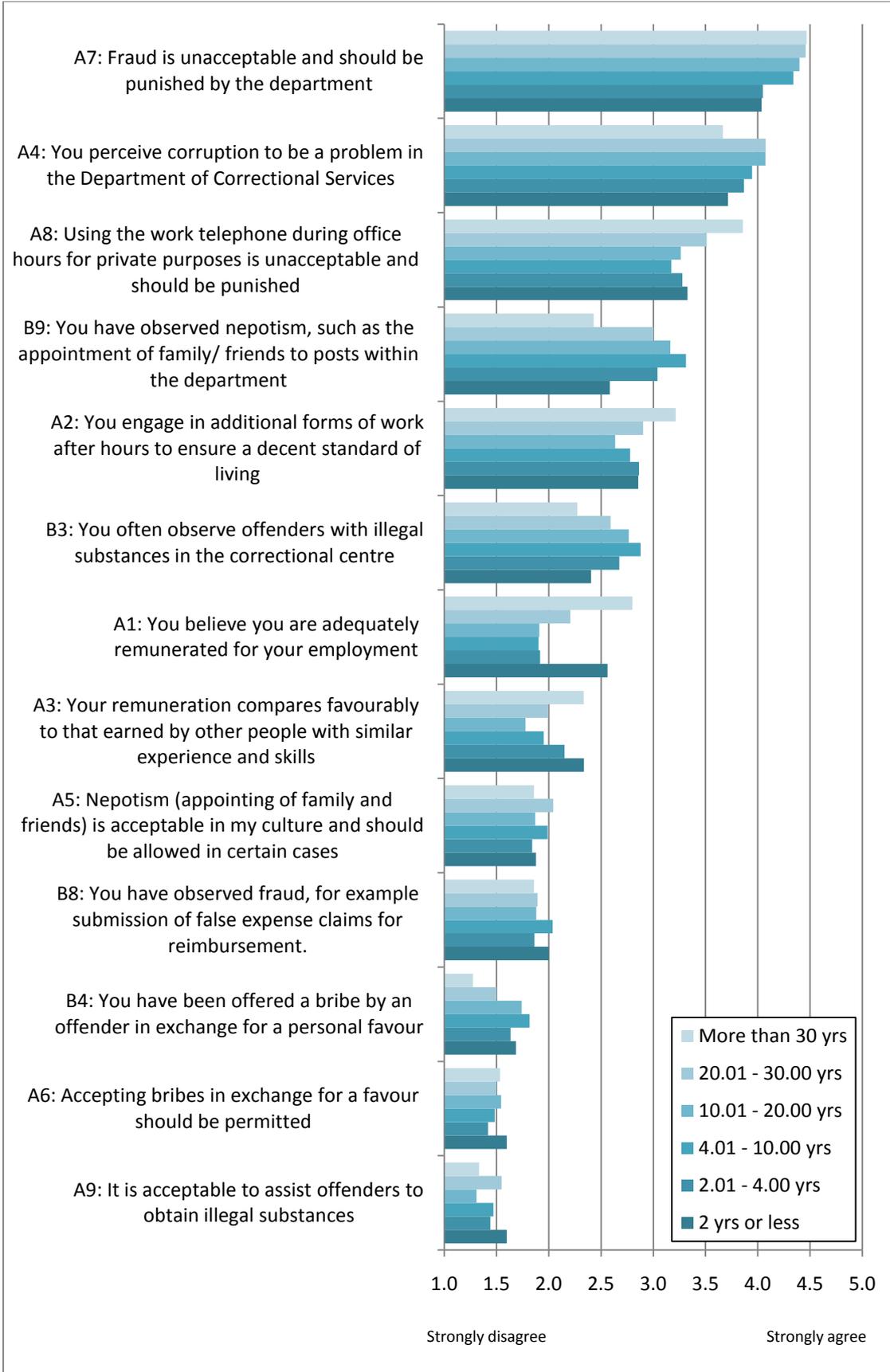


Figure 7.2.5: Item Mean Scores by Years of Service

7.2.6 Item Mean Scores by Post Level

In terms of item A7 ($p = 0,008$), the ANOVA tests identify a significant difference between and within post level groups. More senior respondents on post level 13 to 16 obtained a mean score of 4,81 and strongly agreed that fraud is unacceptable and should be punished.

Respondents on post level 5 with a mean of 4,03 also agreed with the statement. In terms of item A4, respondents on post level 7 agreed with the statement that corruption is a problem in the Department and obtained a mean score of 4,12. Respondents on post level 5 also agreed and provided a positive response with a mean score of 3,69 on the same item.

In respect of item A3, senior respondents on post level 13 – 16 disagreed strongly ($m = 1,73$) with the statement that their remuneration compares favourably to that earned by people with similar experience and skills. More junior respondents on post level 11 – 12 did not entirely share this negative view with a mean of 2,30. Although Eta-square identified a small but significant difference among groups of post levels for items A2, A9, A1, A6, and B9, both Chi-square and ANOVA tests accepted the null hypothesis; that is, no significant difference among groups were identified. In respect of item A2, respondents at junior post levels (level 5) provided a neutral response on whether they engage in additional work to ensure a decent standard of living ($m = 3,01$). Respondents on more senior post levels (level 11-12) disagreed with this statement and obtained a mean score of 2,67. Junior respondents are more likely to need to supplement their basic salaries with additional income.

In respect of item A9 respondents at post level 5 indicated with a mean of 1,49 that they strongly oppose assisting offenders to obtain illegal substances. Respondents on post level 8-10 provided an even stronger negative response with $m = 1,24$. In respect of item A1, respondents on post level 11-12 disagreed with the statement that they are adequately remunerated ($m = 2,56$). However, respondents on lower post levels (level 7) seem to be even less satisfied ($m = 1,91$). Although both groups appeared dissatisfied with their remuneration, officials on more senior post levels are more likely to engage in malfeasance due to their greater decision-making authority. Inadequate remuneration could pose a serious problem for the Department's ethical endeavours.

In terms of item A6, all respondent groupings rejected the statement that bribes should be permitted with respondents on post level 8 – 10 providing the strongest indication of this statement with $m = 1,33$. In terms of item B9, respondents on post level 8-10 seem to have observed nepotism in the Department more often ($m = 3,33$) as compared to respondents on level 13-16 ($m = 2,63$).

Table 7.2.6: Item Mean Scores by Post Level

Post level	COIII Level 5	COII Level 6	COI Level 7	SCO 8 AD 9- 10	DD Level 11-12	D+ Levels 13-16	Chi-Sq Sig	Anova Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.03	4.49	4.21	4.39	4.41	4.81	0.189	0.008	0.025
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.69	3.99	4.12	4.05	3.78	3.94	0.002	0.043	0.019
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.23	3.16	3.48	3.27	3.33	3.25	0.141	0.432	0.008
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	2.97	3.22	3.08	3.33	2.72	2.63	0.052	0.224	0.011
A2: You engage in additional forms of work after hours to ensure a decent standard of living	3.01	2.58	2.86	2.81	2.67	2.93	0.558	0.114	0.015
B3: You often observe offenders with illegal substances in the correctional centre	2.68	2.81	2.66	2.83	2.52	2.53	0.129	0.799	0.004
A1: You believe you are adequately remunerated for your employment	2.05	2.05	1.91	2.05	2.56	2.19	0.509	0.178	0.012
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.18	1.99	1.79	2.04	2.30	1.73	0.304	0.036	0.020
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.88	2.01	1.88	1.92	1.89	2.00	0.060	0.944	0.002
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.94	1.92	1.93	2.01	2.00	2.06	0.068	0.985	0.001
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.69	1.81	1.65	1.56	1.52	1.80	0.333	0.502	0.007
A6: Accepting bribes in exchange for a favour should be permitted	1.56	1.57	1.44	1.33	1.63	1.94	0.396	0.278	0.010
A9: It is acceptable to assist offenders to obtain illegal substances	1.49	1.37	1.58	1.24	1.56	1.13	0.123	0.126	0.014

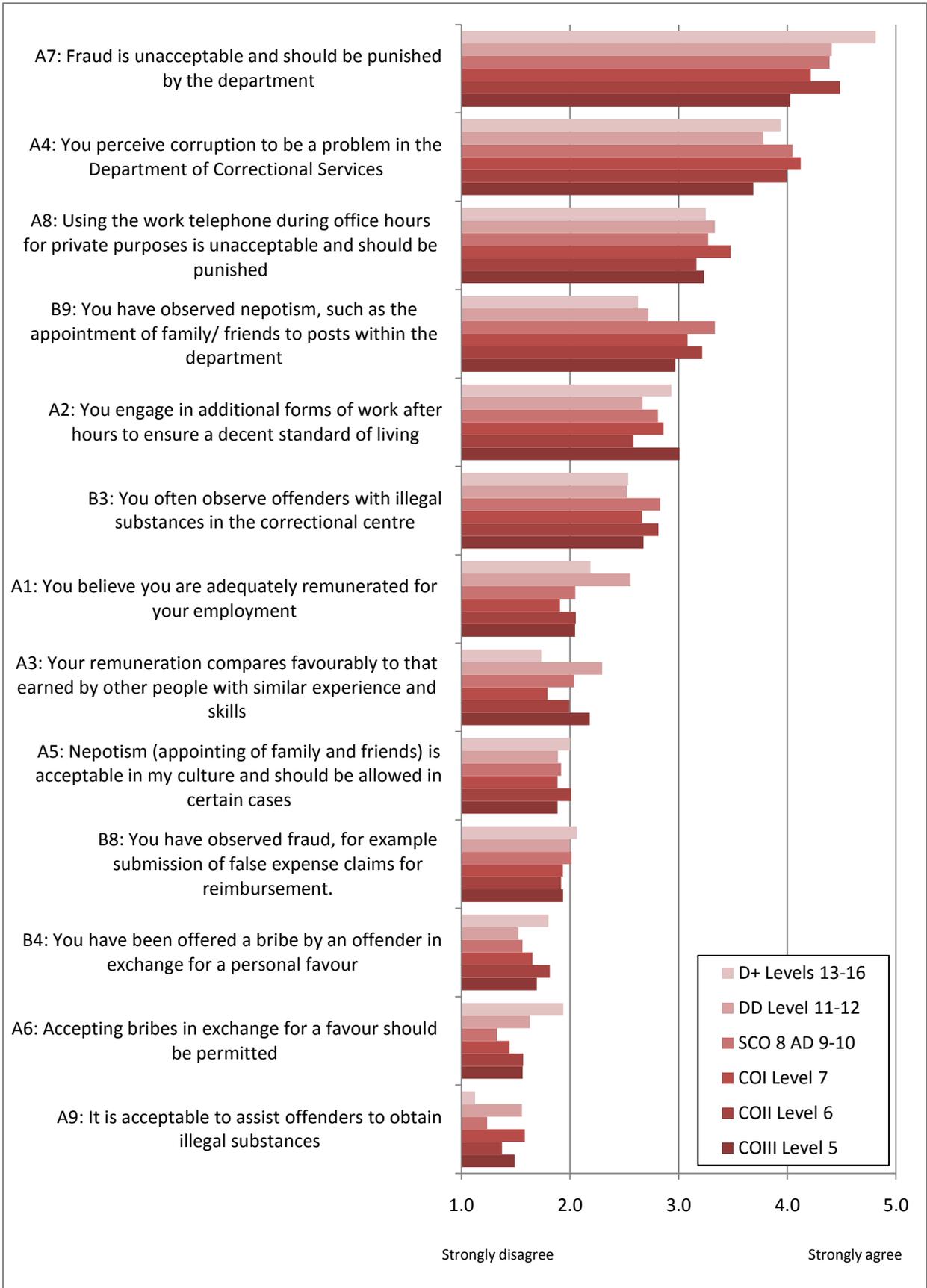


Figure 7.2.6: Item Mean Scores by Post Level

7.2.7 Item Mean Scores by Place of Employment

Significant differences between groups exist in respect of item A8. Respondents based at the regional commissioner's offices seem to condone the use of the work telephones for private purposes during official hours ($m = 2,63$). Conversely, respondents based at correctional centres seem to agree that using the office telephone during office hours ($m = 3,35$) should be punished. This could be due not only to an increased emphasis by area management officials of such policy transgressions, but also due to the increased security risk that such behaviour could pose in respect of the incarceration of offenders.

In respect of item A7, respondents based at the area commissioner's offices obtained a mean score of 4,47 and strongly agreed with the statement that fraud is unacceptable and should be punished. This strong conviction could be ascribed to their proximity to the area commissioner who is responsible for policy implementation in the management area. In comparison, respondents at correctional centres are mostly responsible for the day-to-day line function activities of the DCS. In respect of the same item, respondents based at the correctional centres and community corrections' offices obtained a mean of 4,28 and 4,08 respectively. In respect of item A6, respondents based at the area commissioner's offices rejected the notion that accepting bribes in exchange for a favour should be permitted ($m = 1,27$). Respondents based at the correctional centre similarly rejected this statement with $m = 1,53$.

Table 7.2.7: Item Mean Score by Place of Employment

Employed within	A cor- rectional centre	Com- munity cor- rections	Area commis- sion	Regional com- mission	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.28	4.08	4.47	4.13	0.014	0.406	0.004
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.95	3.69	4.06	4.04	0.555	0.680	0.002
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.35	3.23	3.29	2.63	0.000	0.006	0.019
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.07	3.46	2.81	3.02	0.694	0.417	0.004
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.81	2.38	2.81	2.47	0.674	0.245	0.007
B3: You often observe offenders with illegal substances in the correctional centre	2.74	3.00	2.58	2.30	0.134	0.179	0.008
A1: You believe you are adequately remunerated for your employment	2.06	2.00	2.20	2.24	0.119	0.588	0.003
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.05	2.38	1.91	1.98	0.167	0.494	0.004
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.90	1.77	1.84	1.92	0.457	0.955	0.001
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.94	2.15	1.86	2.04	0.585	0.738	0.002
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.72	1.85	1.58	1.71	0.183	0.717	0.002
A6: Accepting bribes in exchange for a favour should be permitted	1.53	1.38	1.27	1.51	0.042	0.210	0.007
A9: It is acceptable to assist offenders to obtain illegal substances	1.50	1.38	1.34	1.25	0.063	0.294	0.006

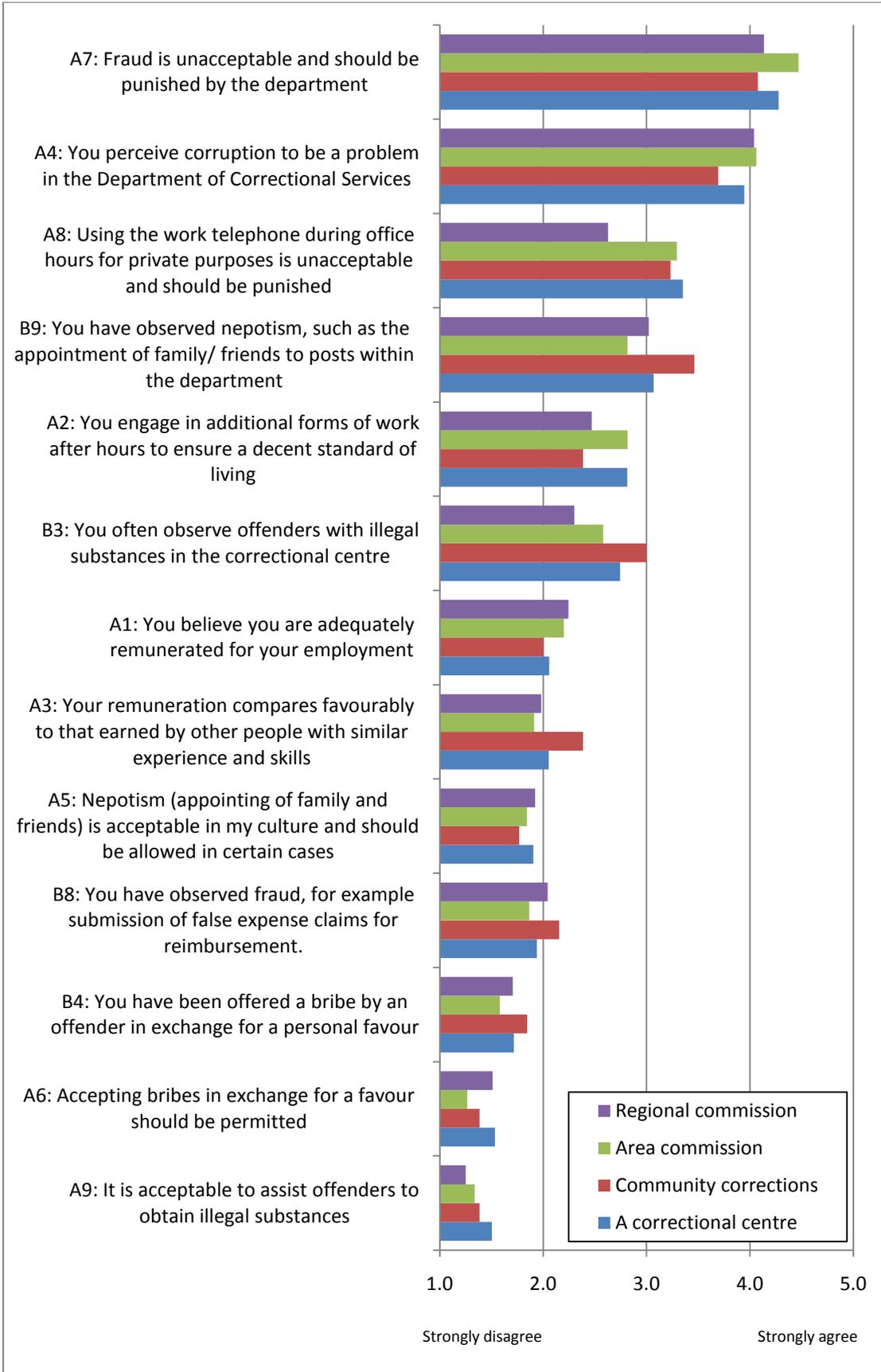


Figure 7.2.7: Item Mean Score by Place of Employment

7.2.8 Item Mean Scores by Region

A significant difference between groups has been identified in respect of item A2.

Respondents based in the Gauteng region seemed to disagree with the statement that they have to perform additional work to ensure a decent living standard ($m = 2,51$). Respondents in the Limpopo/ Mpumalanga/ North West region (LMN) provided a more neutral response with $m = 2,90$. In respect of item A8, respondents in the LMN region seemed to agree with the statement that using the work telephone during office hours for private purposes is unacceptable and should be punished ($m = 3,42$). On the same item, respondents in Gauteng provided a neutral response and were unsure whether they should agree or disagree with this statement ($m = 3,07$).

In respect of item B3, respondents in the LMN region were less likely to observe offenders with illegal substances in a correctional centre ($m = 2,60$). For the same item respondents based in Gauteng obtained a mean score of 2,89. In respect of item A3, respondents in Gauteng are less likely than their counterparts in LMN to view their remuneration as favourable in comparison with people with similar experience and skills. Gauteng respondents obtained a mean score of 1,86 whereas LMN respondents obtained a mean score of 2,12. In respect of item A1, respondents in Gauteng repeated their view that they believed themselves not to be adequately remunerated ($m = 1,93$). On the same item LMN respondents obtained a mean of 2,15. This could be due to the greater concentration of wealth in the Gauteng region. Consequently it could be argued that malfeasance is more likely in this region (cf. section 6.5.8).

In respect of item B9, respondents in LMN ($m = 3,09$) are more likely to have observed nepotism than their counterparts in the Gauteng Region ($m = 3,03$). Both these findings, however, fall within the neutral category as provided in section 6.4.

Table 7.2.8: Item Mean Scores by Region

Region	Gauteng	Limpopo, Mpumalanga, North West	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.41	4.24	0.136	0.082	0.005
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.93	3.95	0.940	0.840	0.000
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.07	3.42	0.001	0.002	0.014
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.03	3.09	0.020	0.660	0.000
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.51	2.90	0.005	0.000	0.020
B3: You often observe offenders with illegal substances in the correctional centre	2.89	2.60	0.002	0.010	0.010
A1: You believe you are adequately remunerated for your employment	1.93	2.15	0.017	0.024	0.008
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	1.86	2.12	0.024	0.005	0.012
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.94	1.93	0.790	0.901	0.000
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.90	1.97	0.290	0.452	0.001
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.70	1.68	0.528	0.812	0.000
A6: Accepting bribes in exchange for a favour should be permitted	1.44	1.57	0.098	0.147	0.003
A9: It is acceptable to assist offenders to obtain illegal substances	1.36	1.47	0.576	0.192	0.003

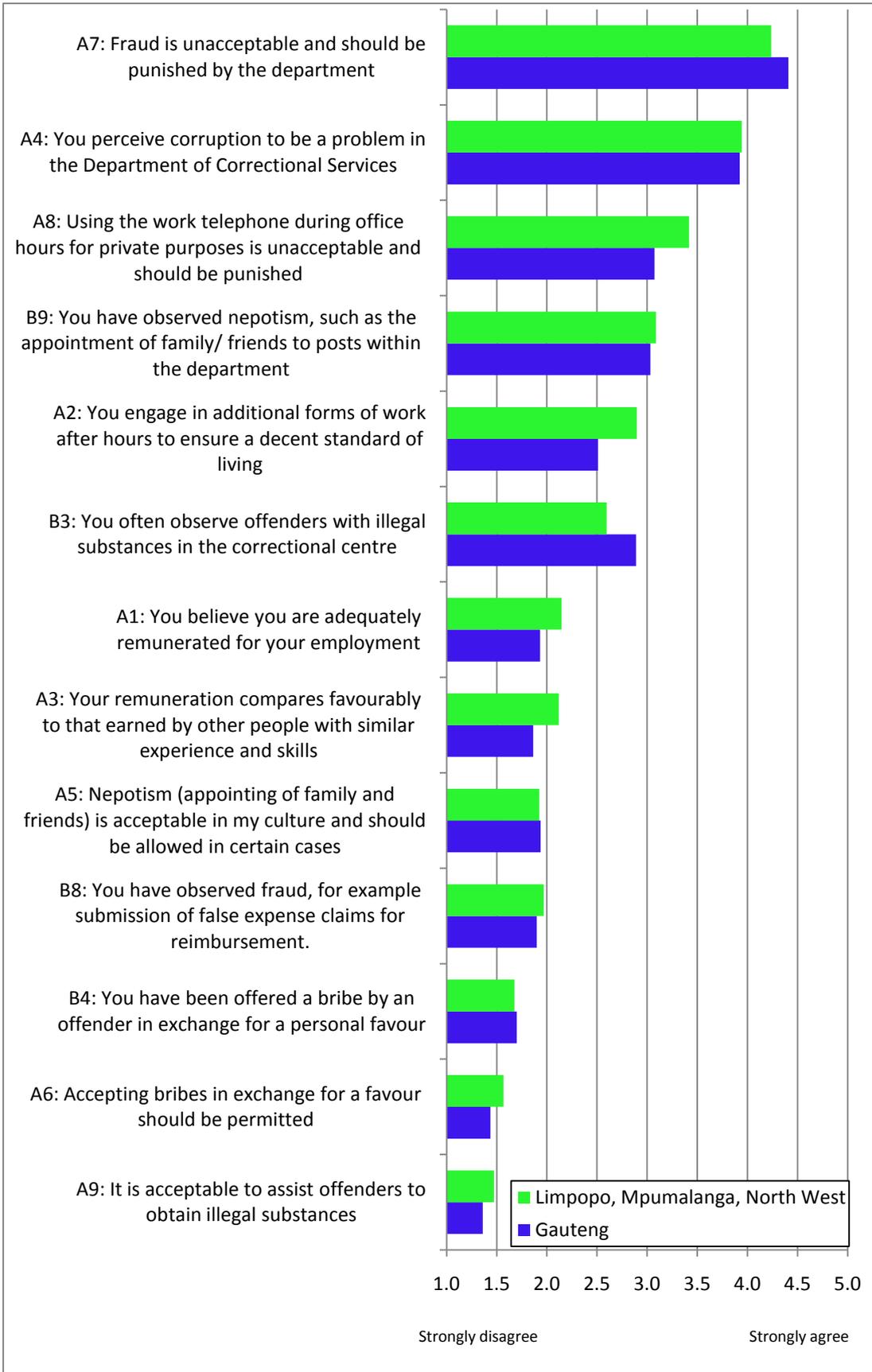


Figure 7.2.8: Item Mean Scores by Region

7.2.9 Item Mean Scores by Union Membership

In respect of item A1, respondents who are also members of unions do not believe that they are adequately remunerated ($m = 2,02$). Respondents who are not union members provided a neutral response on this matter ($m = 3,00$). Respondents who are not union members are slightly more convinced that the abuse of the work telephone for private purposes is unacceptable and should be punished (item A8; $m = 3,29$). Respondents who are union members obtained a mean of 3,28 on the same item.

Table 7.2.9: Item Mean Scores by Union Membership

Union membership	Yes	No	Chi-Sq Sig	ANOVA Sig	Eta Squared
A7: Fraud is unacceptable and should be punished by the department	4.32	4.00	0.554	0.233	0.002
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.97	3.71	0.070	0.347	0.001
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	3.28	3.29	0.026	0.992	0.000
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	3.06	2.95	0.668	0.755	0.000
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.75	2.76	0.133	0.979	0.000
B3: You often observe offenders with illegal substances in the correctional centre	2.71	2.11	0.573	0.068	0.005
A1: You believe you are adequately remunerated for your employment	2.02	3.00	0.004	0.000	0.023
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	2.01	2.33	0.357	0.198	0.003
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1.90	1.55	0.832	0.190	0.003
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	1.93	2.24	0.628	0.206	0.003
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.68	1.60	0.694	0.743	0.000
A6: Accepting bribes in exchange for a favour should be permitted	1.47	1.43	0.364	0.848	0.000
A9: It is acceptable to assist offenders to obtain illegal substances	1.42	1.32	0.057	0.651	0.000

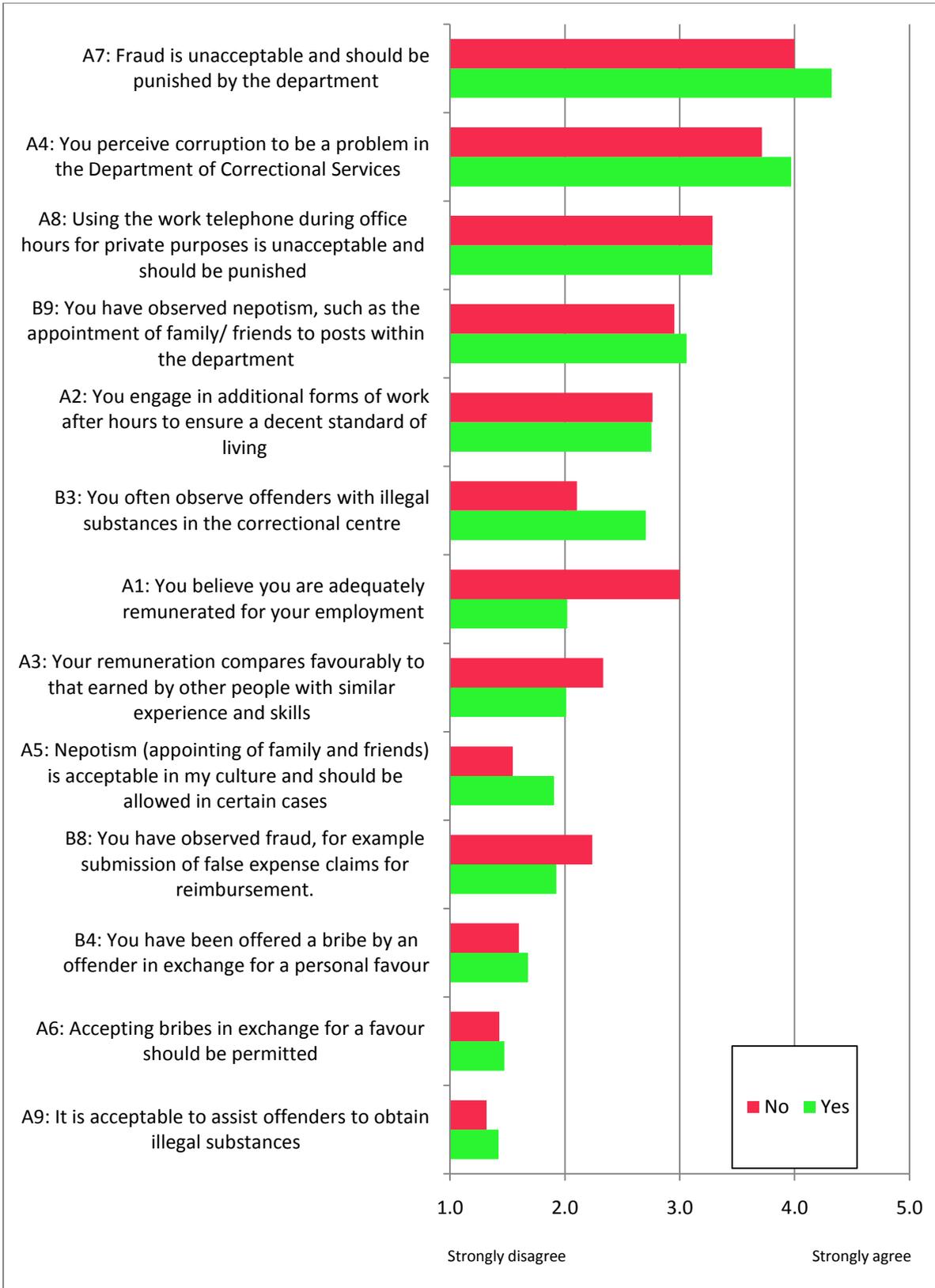


Figure 7.2.9: Item Mean Scores by Union Membership

7.2.10 Item Mean Scores by Management Area

In respect of item A8 ($p = 0,000$), Chi-square and ANOVA tests identified significant differences across groups. At the Thohoyandou Management Area, respondents agreed with the statement that the use of the official telephone during working hours for private purposes is unacceptable and should be punished ($m = 3,76$). Respondents at the Baviaanspoort Management Area seemed not to agree with this statement and obtained $m = 2,70$.

In respect of item A1, Baviaanspoort Management Area respondents disagreed with the statement that they are adequately remunerated and obtained a mean score of 1,72. Respondents at the Thohoyandou Management Area obtained a mean score of 2,32 on the same item. Respondents at the Thohoyandou Management Area seem to be less aggrieved about their remuneration than their counterparts at the Baviaanspoort Management Area.

Significant differences also exist in respect of item B3. Respondents at the Thohoyandou Management Area ($m = 2,18$) seem less likely than their Baviaanspoort counterparts ($m = 3,09$) to observe offenders with illegal substances. On a related measure of unethical conduct, item B9, respondents at the Barberton Management Area seem most likely to have observed nepotism within the Department ($m = 3,35$) with respondents in Bethal Management Area least likely to have observed this form of misconduct ($m = 2,91$).

In respect of item A4 ($p = 0,037$), the Chi-square test identified significant differences among groups. Leeuwkop Management Area ($m = 4,08$) respondents are more likely to perceive corruption to be a problem in the Department while respondents at the Boksburg Management Area are the least likely ($m = 3,78$).

Although the Eta-square test identified management area as a variable that has a significant influence on the responses to items A7, A2, A3, A9, and B4, both Chi-square and ANOVA tests do not support this finding. The finding of this effect size test implies that significant

differences between various groups have been identified (cf. section 6.5). Eta-square computed a small effect size on these items indicating a relatively weak relationship between the concerned variables. The most significant amongst these are for item A2 where respondents at Bethal Management Area (m = 3,00) are most likely to engage in additional forms of work to ensure a decent living standard, and respondents at Boksburg Management Area (m = 2,47) least likely.

In respect of item A3, all groupings believed themselves to be poorly remunerated with respondents at Leeuwkop Management Area (m = 1,78) most aware of their comparatively poor remuneration and respondents at Barberton Management Area (m = 2,17) least aware of this fact. In respect of item A7, all groupings of respondents strongly agreed that fraud is unacceptable and should be punished with Baviaanspoort Management Area (m = 4,55) most convinced of this judgement and Bethal Management Area (m = 4,15) least convinced of this judgement. On whether it is acceptable to assist offenders to obtain illegal substances (item A9) all groupings disagreed; with respondents at Boksburg Management Area (m = 1,27) expressing the strongest disagreement. Barberton respondents obtained the highest mean score (m = 1,60) for item A9. In respect of item B4, respondents were asked whether they have been offered a bribe by an offender in exchange for a personal favour. Respondents at the Thohoyandou Management Area seem to be exposed to this misconduct least frequently (m = 1,51) with respondents at Baviaanspoort most frequently (m = 1,93).

In Tables 7.2.11 and 7.2.12, a summary is provided of the Chi-square and ANOVA test findings respectively. In these Tables the independent variables of race, region, and management area accounts for the most significant cause of variance across groups in respect of the individual items in sections A and B.

In table 7.2.13, the Eta-square test identified significant variance between groups. In this respect the strength of association between the independent variables of post level, years of service and management area, and the individual items in sections A and B appear to be significant.

Table 7.2.10: Item Mean Scores by Management Area

Management area	RC: Gauteng	Boks-burg	Leeuw-kop	Baviaan-s-poort	Thohoyandou	Bethal	RC: Mpum / N-W / Limpopo	Barber-ton	Chi-Sq Sig	ANOVA Sig	Eta ²
A7: Fraud is unacceptable and should be punished by the department	4.10	4.48	4.18	4.55	4.40	4.15	4.00	4.26	0.593	0.230	0.014
A4: You perceive corruption to be a problem in the Department of Correctional Services	3.80	3.78	4.08	3.98	3.84	3.92	3.97	4.06	0.037	0.683	0.007
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	2.50	3.26	3.29	2.70	3.76	3.21	2.76	3.58	0.000	0.000	0.052
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	2.78	2.97	3.03	3.14	2.93	2.91	3.57	3.35	0.021	0.143	0.017
A2: You engage in additional forms of work after hours to ensure a decent standard of living	2.65	2.47	2.66	2.58	2.79	3.00	2.86	2.90	0.115	0.080	0.020
B3: You often observe offenders with illegal substances in the correctional centre	2.14	2.89	2.87	3.09	2.18	2.80	2.44	2.62	0.004	0.002	0.034
A1: You believe you are adequately remunerated for your employment	2.05	1.78	2.00	1.72	2.32	2.07	2.32	2.16	0.000	0.030	0.024
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	1.95	1.85	1.78	1.93	2.04	2.05	2.28	2.17	0.069	0.202	0.015
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	2.20	1.91	2.03	1.89	1.80	1.98	1.90	1.85	0.496	0.878	0.005
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	2.12	1.79	1.93	1.88	1.86	1.94	2.21	2.04	0.232	0.589	0.009
B4: You have been offered a bribe by an offender in exchange for a personal favour	1.93	1.74	1.53	1.93	1.51	1.67	1.71	1.78	0.278	0.306	0.013
A6: Accepting bribes in exchange for a favour should be permitted	1.55	1.42	1.34	1.56	1.70	1.50	1.50	1.53	0.140	0.636	0.008
A9: It is acceptable to assist offenders to obtain illegal substances	1.30	1.27	1.33	1.57	1.52	1.48	1.21	1.60	0.552	0.241	0.014

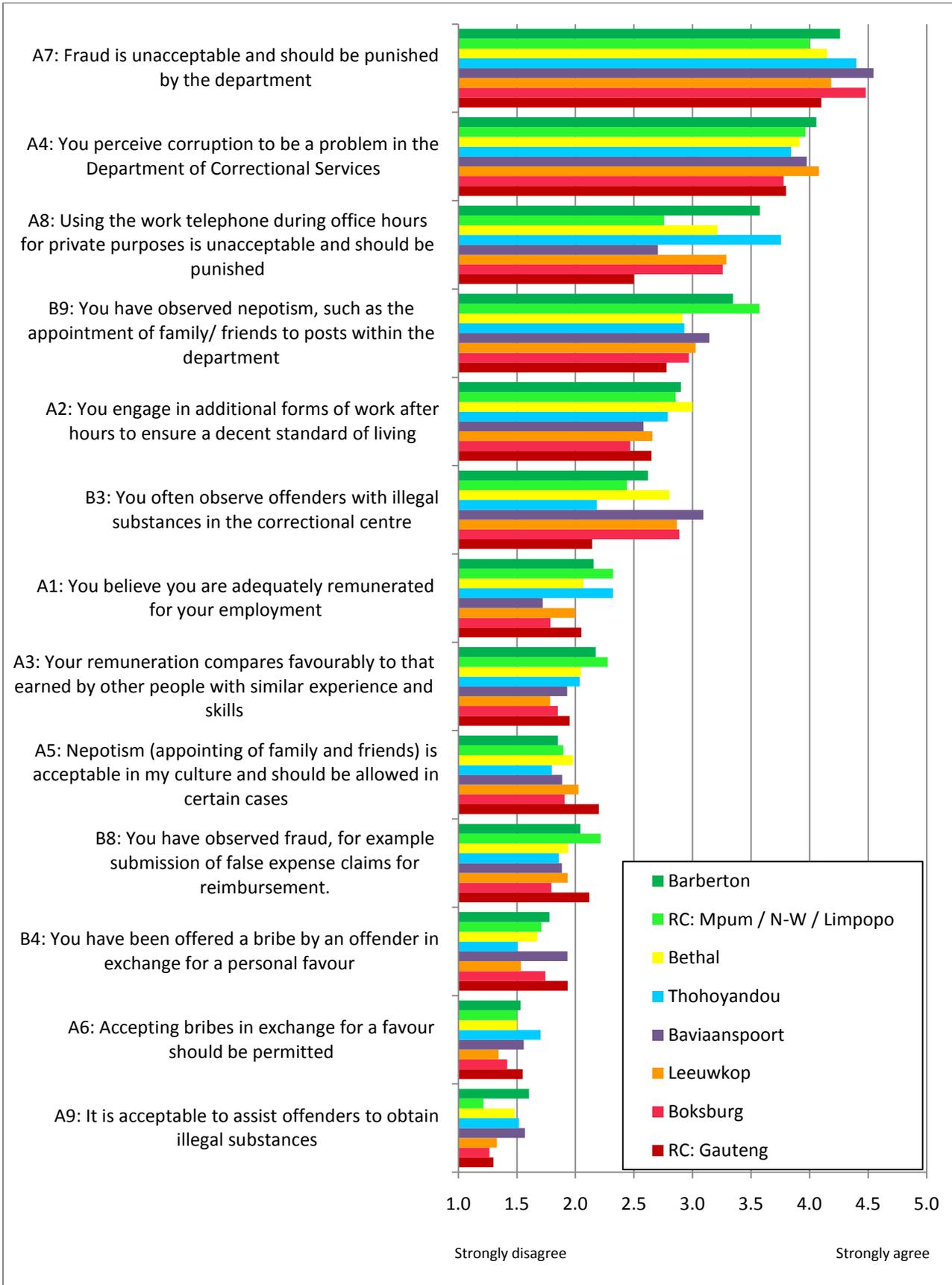


Figure 7.2.10: Item Mean Scores by Management Area

Table 7.2.11: Significance of Chi-Square Test of Independence

p-values	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area
A1: You believe you are adequately remunerated for your employment	0.215	0.152	0.013	0.328	0.000	0.509	0.119	0.017	0.004	0.000
A2: You engage in additional forms of work after hours to ensure a decent standard of living	0.011	0.005	0.377	0.323	0.579	0.558	0.674	0.005	0.133	0.115
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	0.311	0.766	0.356	0.558	0.003	0.304	0.167	0.024	0.357	0.069
A4: You perceive corruption to be a problem in the Department of Correctional Services	0.507	0.000	0.005	0.209	0.126	0.002	0.555	0.940	0.070	0.037
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	0.467	0.000	0.121	0.836	0.863	0.060	0.457	0.790	0.832	0.496
A6: Accepting bribes in exchange for a favour should be permitted	0.486	0.532	0.086	0.347	0.194	0.396	0.042	0.098	0.364	0.140
A7: Fraud is unacceptable and should be punished by the department	0.022	0.028	0.602	0.539	0.001	0.189	0.014	0.136	0.554	0.593
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	0.014	0.219	0.013	0.188	0.815	0.141	0.000	0.001	0.026	0.000
A9: It is acceptable to assist offenders to obtain illegal substances	0.846	0.206	0.011	0.628	0.074	0.123	0.063	0.576	0.057	0.552
B3: You often observe offenders with illegal substances in the correctional centre	0.058	0.003	0.056	0.175	0.056	0.129	0.134	0.002	0.573	0.004
B4: You have been offered a bribe by an offender in exchange for a personal favour	0.059	0.062	0.020	0.151	0.486	0.333	0.183	0.528	0.694	0.278
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	0.623	0.000	0.977	0.171	0.604	0.068	0.585	0.290	0.628	0.232
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	0.159	0.008	0.175	0.059	0.002	0.052	0.694	0.020	0.668	0.021

Table 7.2.12: Significance of Anova Test

p-values	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area
A1: You believe you are adequately remunerated for your employment	0.393	0.125	0.115	0.082	0.000	0.178	0.588	0.024	0.000	0.030
A2: You engage in additional forms of work after hours to ensure a decent standard of living	0.034	0.047	0.296	0.082	0.386	0.114	0.245	0.000	0.979	0.080
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	0.195	0.623	0.184	0.291	0.001	0.036	0.494	0.005	0.198	0.202
A4: You perceive corruption to be a problem in the Department of Correctional Services	0.531	0.003	0.406	0.442	0.153	0.043	0.680	0.840	0.347	0.683
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	0.185	0.054	0.036	0.946	0.812	0.944	0.955	0.901	0.190	0.878
A6: Accepting bribes in exchange for a favour should be permitted	0.541	0.666	0.130	0.640	0.874	0.278	0.210	0.147	0.848	0.636
A7: Fraud is unacceptable and should be punished by the department	0.149	0.039	0.275	0.617	0.030	0.008	0.406	0.082	0.233	0.230
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	0.080	0.634	0.013	0.737	0.306	0.432	0.006	0.002	0.992	0.000
A9: It is acceptable to assist offenders to obtain illegal substances	0.202	0.357	0.857	0.897	0.285	0.126	0.294	0.192	0.651	0.241
B3: You often observe offenders with illegal substances in the correctional centre	0.238	0.165	0.044	0.587	0.104	0.799	0.179	0.010	0.068	0.002
B4: You have been offered a bribe by an offender in exchange for a personal favour	0.088	0.106	0.064	0.882	0.190	0.502	0.717	0.812	0.743	0.306
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	0.841	0.006	0.739	0.364	0.709	0.985	0.738	0.452	0.206	0.589
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	0.245	0.597	0.633	0.212	0.003	0.224	0.417	0.660	0.755	0.143

Table 7.2.13 Eta Squared of Item Scores in one-way Anova Analysis

	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area	SUM
A1: You believe you are adequately remunerated for your employment	0.006	0.003	0.004	0.007	0.050	0.012	0.003	0.008	0.023	0.024	0.139
A2: You engage in additional forms of work after hours to ensure a decent standard of living	0.015	0.006	0.002	0.007	0.008	0.015	0.007	0.020	0.000	0.020	0.098
A3: Your remuneration compares favourably to that earned by other people with similar experience and skills	0.009	0.000	0.003	0.003	0.030	0.020	0.004	0.012	0.003	0.015	0.098
A4: You perceive corruption to be a problem in the Department of Correctional Services	0.005	0.013	0.001	0.002	0.012	0.019	0.002	0.000	0.001	0.007	0.062
A5: Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	0.009	0.005	0.006	0.000	0.003	0.002	0.001	0.000	0.003	0.005	0.034
A6: Accepting bribes in exchange for a favour should be permitted	0.004	0.000	0.003	0.001	0.003	0.010	0.007	0.003	0.000	0.008	0.040
A7: Fraud is unacceptable and should be punished by the department	0.010	0.006	0.002	0.001	0.018	0.025	0.004	0.005	0.002	0.014	0.086
A8: Using the work telephone during office hours for private purposes is unacceptable and should be punished	0.012	0.000	0.009	0.001	0.009	0.008	0.019	0.014	0.000	0.052	0.123
A9: It is acceptable to assist offenders to obtain illegal substances	0.008	0.001	0.000	0.000	0.009	0.014	0.006	0.003	0.000	0.014	0.055
B3: You often observe offenders with illegal substances in the correctional centre	0.008	0.003	0.006	0.001	0.013	0.004	0.008	0.010	0.005	0.034	0.092
B4: You have been offered a bribe by an offender in exchange for a personal favour	0.012	0.004	0.005	0.000	0.011	0.007	0.002	0.000	0.000	0.013	0.054
B8: You have observed fraud, for example submission of false expense claims for reimbursement.	0.002	0.011	0.000	0.003	0.004	0.001	0.002	0.001	0.003	0.009	0.035
B9: You have observed nepotism, such as the appointment of family/ friends to posts within the department	0.008	0.000	0.000	0.004	0.025	0.011	0.004	0.000	0.000	0.017	0.071
Average	0.008	0.004	0.003	0.002	0.015	0.011	0.005	0.006	0.003	0.018	

7.3 Mean Scores by Items in Sections C, D, and E

The mean scores by items (across all groups) from section C are provided in Table 7.3 (Section C). Section C of the questionnaire (Annexure 5) measured the virtues of sanctions, transparency, and discussability. A total of 794 respondents obtained a mean score of 3,94 on item C7. Respondents strongly agree that they are held accountable for their actions. Responses to item C15 indicate that management seem to be aware of the unethical conduct that occurs in the Department. A total of 790 respondents obtained a mean score of 3,64. This item is a reflection of the transparency within the Department. This mean score should ideally be even higher as the greater the transparency at the DCS, the more likely that malfeasance will be detected. Respondents obtained a mean of 3,39 on item C18. In terms of this finding, 800 respondents provided a positive response on whether they are encouraged to report misconduct.

On item C14, 778 respondents obtained a rather low mean of 3,25 on whether there is adequate awareness of the potential effect of misconduct. In respect of item C8, 797 respondents provided a neutral response ($m = 3,08$) on whether a culture of impunity in the Department exists; in other words that colleagues who act unethically often get away without being punished. On whether the sanctions imposed on employees who are guilty of misconduct are too lenient, respondents provided a neutral response and obtained a mean of 3,04 (item C4). Item C22 reflects a similar finding as respondents provided a neutral response on whether corruption and bribery is reported to the authorities. A total of 793 respondents obtained a mean of 3,06 on this item.

On whether adequate checks are carried out to detect malfeasance, respondents provided a neutral answer ($m = 3,01$). This finding is slightly less positive than the value obtained on FE4: Management Reform: Internal Control (cf. section 6.4.1), but a distinction could possibly be made between generic control measures and checks to detect malfeasance. In respect of item C16, it would be expected that employees' conduct is monitored continually and that respondents would be aware of checks by their supervisors. On item C19, respondents provided a fairly negative response on whether they would be afraid to report

misconduct. A total of 793 respondents obtained a mean score of 2,85. Here it would be expected that respondents disagree or strongly disagree with this statement.

The purpose of item C9 was to determine to what extent the Department rewards employees for ethical behaviour, particularly as part of their key performance indicators. However, item C9 contains a measure of ambiguity. Respondents could have interpreted it different from what the author intended. Item C9 was intended to determine whether integrity is, amongst others, a significant consideration for promotion purposes. Other considerations could have included teamwork, ability to solve problems, and willingness to work hard. Respondents could have concluded that integrity alone is not, and indeed should not be the only consideration for promotion, and consequently disagree with the item. A more appropriate formulation could be: 'For an employee to be promoted, integrity is *a significant* consideration'. The interpretation of this item is throughout this chapter complicated by this ambiguity. A total of 799 respondents obtained a mean of 2,74 indicating that ethical behaviour is not the only significant consideration for promotion. In respect of item C10, a total of 797 respondents obtained a mean of 2,72 and provided a fairly negative response on whether their supervisor is unwilling to discipline misconduct. This finding suggest that supervisors are fairly committed to it act against transgressors.

The mean scores by items (across all groups) from section D and E are provided in Table 7.3 (Section C and D). Sections D and E of the questionnaire (Annexure 5) measured the virtues of feasibility, congruence of supervisors and managers, clarity, supportability, clients and coalitions, and management reform. On item D3, 791 respondents indicated that they are subject to a measure of work pressure and obtained a mean score of 3,11. When subjected to extreme work pressure, employees could rationalise using the institutional system to provide themselves with additional benefits, with the consequent increase in malfeasance. On item D13, respondents disagreed with the statement that the Department's senior management would never be guilty of corruption; a total of 784 respondents obtained a mean of 2,43 (cf. section 6.4.1; FD1: Congruence of Senior Management). Respondents provided a fairly positive response on whether they enjoy their work. A total of 795 respondents obtained a mean of 3,25 on item E7.

On item E12, a total of 782 respondents provided a neutral response on whether unions would cover up the malfeasance of members (m = 3,09). Respondents provided a neutral response on whether senior management comply with policies and procedures. A total of 789 respondents obtained a mean of 3,03 on item E23. On whether unions often oppose disciplinary action against their members, a total of 777 respondents provided a neutral response to item E13 with a mean of 2,95.

Compliance with departmental policies and procedures, and controlling costs seem to be of secondary importance in the Department. Item E17 and E18 were included in the questionnaire to determine the extent to which management reform was pursued within the Department. Whereas the compliance with policies and procedures was an appropriate ideal within the *Weberian* bureaucracy, management reform provided us with new ideals which include, among others, focusing on output and outcome, cutting back on expenses, and delegating decision-making authority to lower levels in the hierarchy. In terms of the DCS, such management reform measures appear to be reflected in the behaviour of officials that seem to assign greater prominence to rehabilitate offenders whilst in custody, than to comply with departmental policies and procedures. A total of 785 respondents obtained a mean score of 3,18 on item E17 indicating that the well being of offenders are at times more important than compliance with policies and procedures. However, respondents indicated that decision-making authority is not delegated to lower levels in the hierarchy as they are required to obtain the supervisor approval for day-to-day operational decisions. In respect of item E19, a total of 794 respondents provided a mean of 2,60. Item E18 should be interpreted in the same context. A total of 782 respondents indicated that cost control is not necessarily the main responsibility in the department and provided a neutral mean of 2,91. The mixed results of these findings reflect the view by Hughes that public management reform measures are often poorly implemented in the public services of developing states (cf. section 3.6).

On item E14, a total of 778 respondents indicated that unions do not have greater influence over decision-making than their line managers and provided a mean of 2,80. The influence of unions appears to have declined since the Jali-Commission's findings (cf. section 4.2.2).

Table 7.3 Section C: Descriptive Measures of Items (All Groups)

	Mean	Std. Dev	Min	Max	N
C7: In your immediate working environment, you are held accountable for your actions	3.94	0.89	1	5	794
C15: Management is aware of the type of unethical conduct that occurs	3.64	1.02	1	5	790
C18: You supervisor encourages you to report misconduct	3.39	1.06	1	5	800
C14: There is adequate awareness of the potential effect of unethical conduct	3.25	1.02	1	5	778
C8: Colleagues who act unethically often get away without being punished	3.08	1.22	1	5	797
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.06	1.22	1	5	793
C4: Employees who are guilty of misconduct are not punished harshly enough	3.04	1.23	1	5	798
C16: Adequate checks are carried out to detect unethical conduct	3.01	1.10	1	5	787
C19: You are afraid to report corruption to the authorities	2.85	1.26	1	5	793
C9: Only people with integrity are considered for promotion	2.74	1.29	1	5	799
C10: Your supervisor is often unwilling to discipline misconduct	2.72	1.12	1	5	797

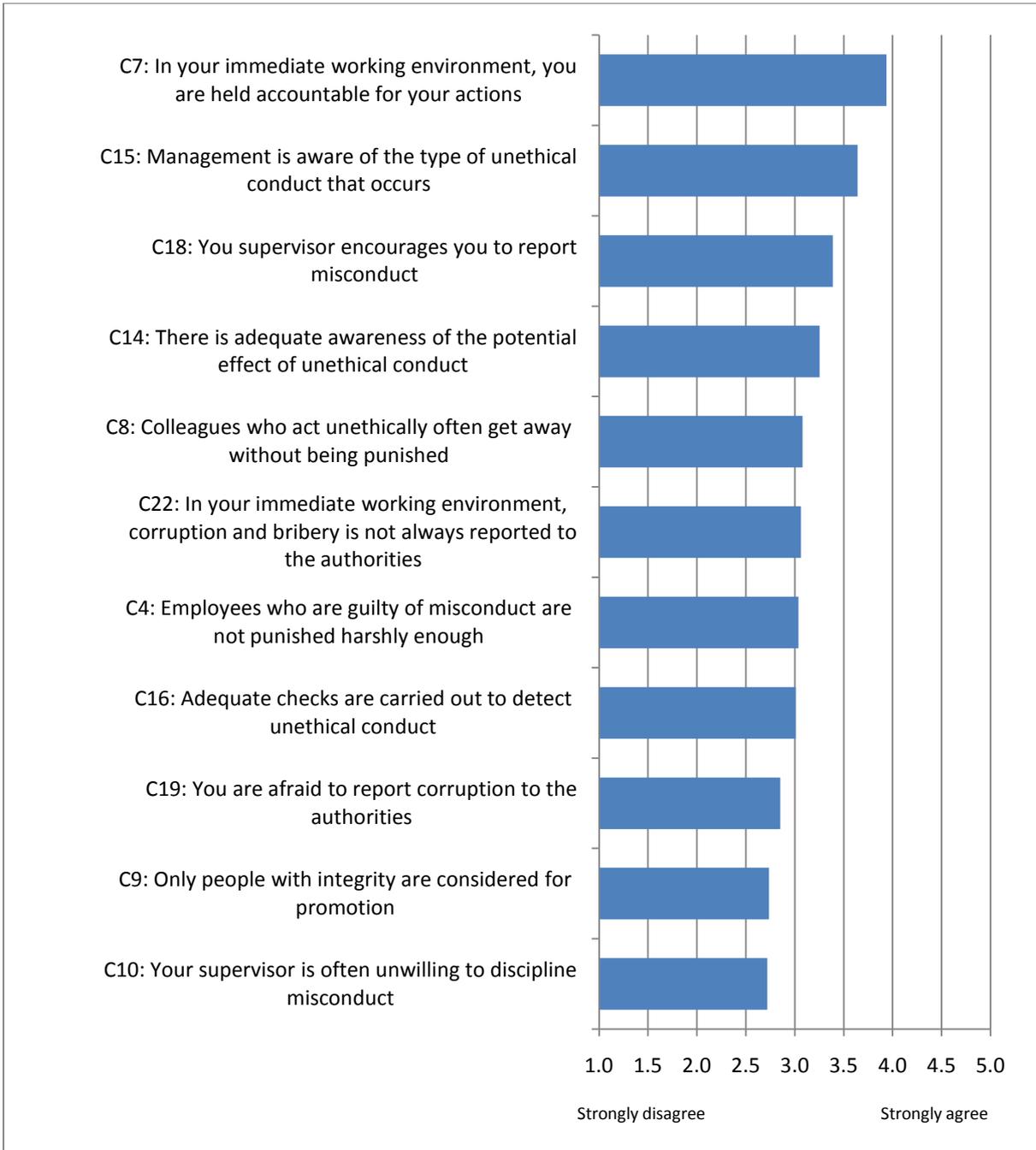


Figure 7.3 Section C: Mean Item Scores (All Groups)

Table 7.3 Section D and E: Descriptive Measures of Items (All Groups)

	Mean	Std Dev	Min	Max	N
D3: Work pressure forces you to do things you normally would not do	3.11	1.19	1	5	791
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.43	1.29	1	5	784
E7: You enjoy your work	3.25	1.28	1	5	795
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.18	1.12	1	5	785
E12: Unions would never cover up members' unethical conduct	3.09	1.16	1	5	782
E23: Senior management often does not comply with Departmental policies and procedures	3.03	1.20	1	5	789
E13: Unions often oppose disciplinary action against their members	2.95	1.14	1	5	777
E18: The major responsibility of employees in this Department is to control costs	2.91	1.12	1	5	782
E14: Your union has greater influence over decision-making than your line manager	2.80	1.11	1	5	778
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.60	1.16	1	5	794

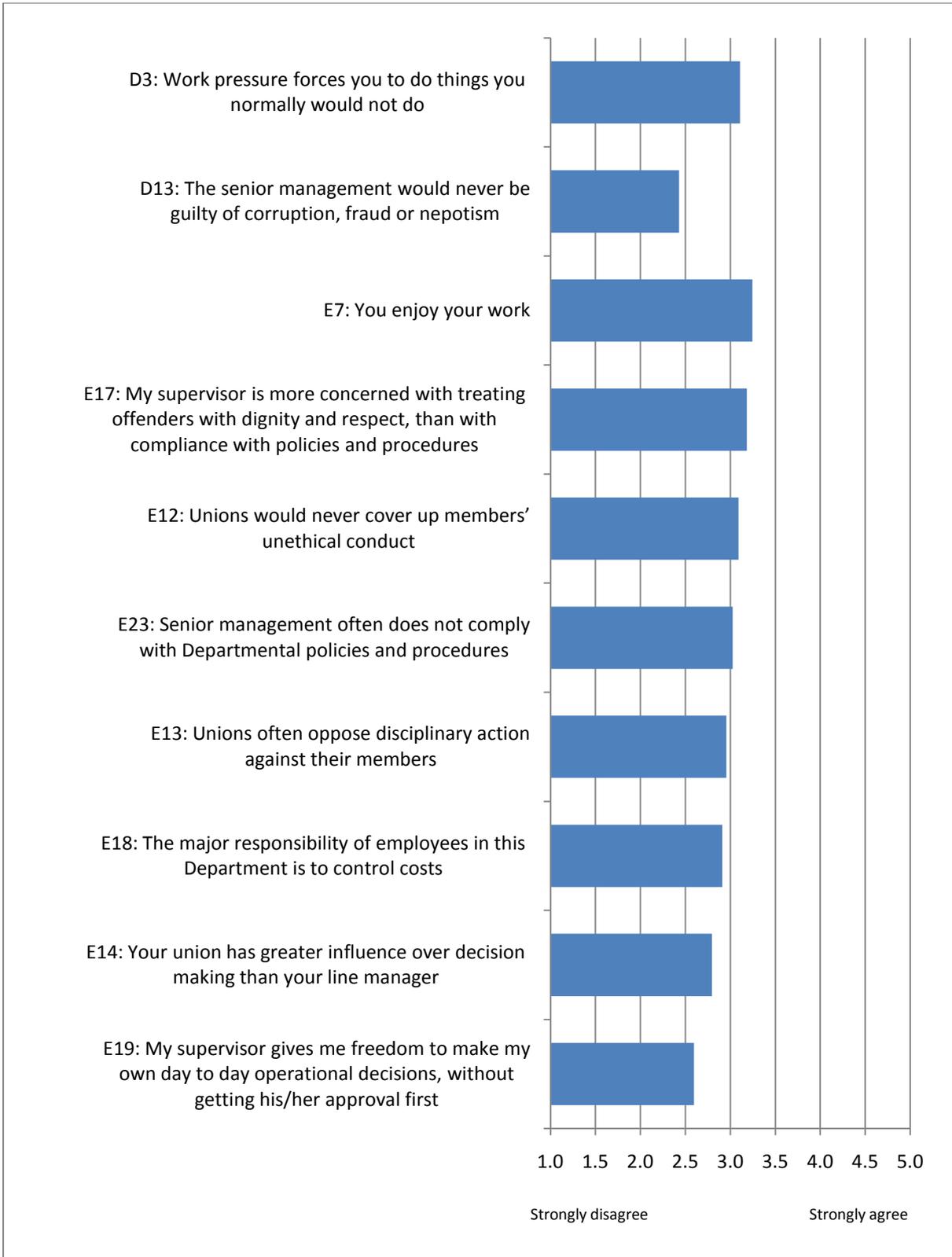


Figure 7.3 Section D and E: Mean Item Scores (All Groups)

7.3.1 Item Mean Scores by Age Group

In Table 7.3.1 (Section C), the ANOVA test identified significant differences across groups in respect of item C8 ($p = 0,049$). Whereas older respondents (aged 46-55; $m = 3,26$) perceive a culture of impunity to exist, younger respondents seem to believe that colleagues who make themselves guilty of misconduct do, in fact, get punished (aged 25 or younger; $m = 2,76$). In respect of item C4, respondents were asked whether they thought the penalties imposed to be appropriate to the offence committed. Respondents in the age group 46 – 55 obtained a mean score of 3,21 indicating that penalties are not severe enough. Respondents in the age group 26 – 35 obtained a mean score of 2,86 and indicated that they believe the penalties to be appropriate.

Subject to the ambiguity identified in respect of item C9 in section 7.3 the following interpretation could be provided. Respondents in the age group 46 – 55 obtained a mean of 2,42 indicating that integrity is not the only significant consideration for the promotion of employees. Older respondents might have thought that teamwork, problem solving skills and a willingness to work hard are also important considerations for promotion. Respondents in the age group 25 or younger obtained a mean of 3,16 and provided a fairly positive stance on the prominence of integrity as the only key performance indicator. Their lack of understanding and inexperience could have contributed to this response.

The Eta-square test reveals differences among groups in respect of item C10. Whereas respondents 25 or younger provided a neutral response ($m = 3,08$), respondents aged between 46 and 55 indicated that their supervisors are not unwilling to discipline misconduct ($m = 2,62$). In respect of item C15, respondents indicated that management is aware of the unethical conduct that occurs at correctional centres. Older respondents (aged 36-55) obtained a mean of 3,52 and younger respondents (aged 26-35) obtained a mean of 3,72.

In Table 7.3.1 (Section D and E), older respondents (aged 46-55) indicated with a mean of 2,79 that unions would act to cover up the unethical conduct by their members (item E12). Younger respondents (aged 26-35) obtained a mean of 3,35 and perceive unions to be significantly more ethical in their behaviour. In respect of item E14, respondents confirmed that unions do not have greater influence over decision-making than line supervisors.

Respondents aged between 46 and 55 obtained a mean of 2,86 whereas respondents aged between 36 and 45 obtained a mean of 2,73.

In respect of item D13, respondents across all ages disagreed with the statement that the department's senior management would never be guilty of corruption, fraud and nepotism. Respondents aged between 46 and 55 strongly expressed this disagreement with a mean of 2,22. Respondents aged between 26 and 35 disagreed with a mean of 2,44. In respect of item E19, respondents acknowledged that decision-making authority is not delegated to lower levels in the hierarchy. Younger respondents (aged 25 or younger) disagreed relatively stronger with a mean of 2,48 as compared to their older counterparts (aged 46 – 55) with a mean of 2,73.

In respect of item E17, respondents aged between 46 and 55 indicated that the treatment of offenders is a more significant consideration than compliance with the Department's procedures and policies ($m = 3,38$). Younger respondents aged 25 or younger disagreed with this statement and indicated that compliance with procedures and policies is a more significant consideration ($m = 2,68$).

From the above findings it appears as if older respondents believe that a culture of impunity exists and that penalties for misconduct are not severe enough. Older respondents (as compared to younger respondents) seem not to be comfortable with the role of unions; in particular with respect to their role in the management of ethics. Older respondents are also more concerned with treating offenders with dignity and respect than with compliance with departmental policies and procedures.

Table 7.3.1 Section C: Item Mean Scores by Age Group

Age group	25 or younger	26-35	36-45	46-55	56+	Chi-Sq Sig	ANOVA Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.76	3.92	3.90	4.00	3.88	0.357	0.809	0.002
C15: Management is aware of the type of unethical conduct that occurs	3.72	3.72	3.52	3.67	4.00	0.174	0.135	0.010
C18: You supervisor encourages you to report misconduct	3.16	3.47	3.30	3.48	3.33	0.383	0.211	0.008
C14: There is adequate awareness of the potential effect of unethical conduct	3.48	3.27	3.29	3.18	3.38	0.794	0.735	0.003
C8: Colleagues who act unethically often get away without being punished	2.76	2.92	3.17	3.26	3.13	0.394	0.049	0.014
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	2.84	3.02	3.08	2.98	3.25	0.143	0.825	0.002
C4: Employees who are guilty of misconduct are not punished harshly enough	3.36	2.86	3.05	3.21	3.50	0.316	0.032	0.015
C16: Adequate checks are carried out to detect unethical conduct	2.92	3.13	2.93	3.00	3.00	0.795	0.268	0.008
C19: You are afraid to report corruption to the authorities	3.08	2.79	2.82	2.91	3.11	0.528	0.702	0.003
C9: Only people with integrity are considered for promotion	3.16	2.85	2.69	2.42	3.13	0.018	0.020	0.017
C10: Your supervisor is often unwilling to discipline misconduct	3.08	2.60	2.76	2.62	3.13	0.088	0.100	0.011

Chi-Square significance coding: Red: significance $\alpha < 0.001$; Yellow: Significant at $\alpha = 0.01$; Green: Significant at $\alpha = 0.05$

ANOVA significance coding: Red: significance $\alpha < 0.001$; Yellow: Significant at $\alpha = 0.01$; Green: Significant at $\alpha = 0.05$

Eta Squared coding: Red: Medium to large effect size ($\eta^2 > 0.06$) Yellow: Small effect size ($0.01 < \eta^2 \leq 0.06$)

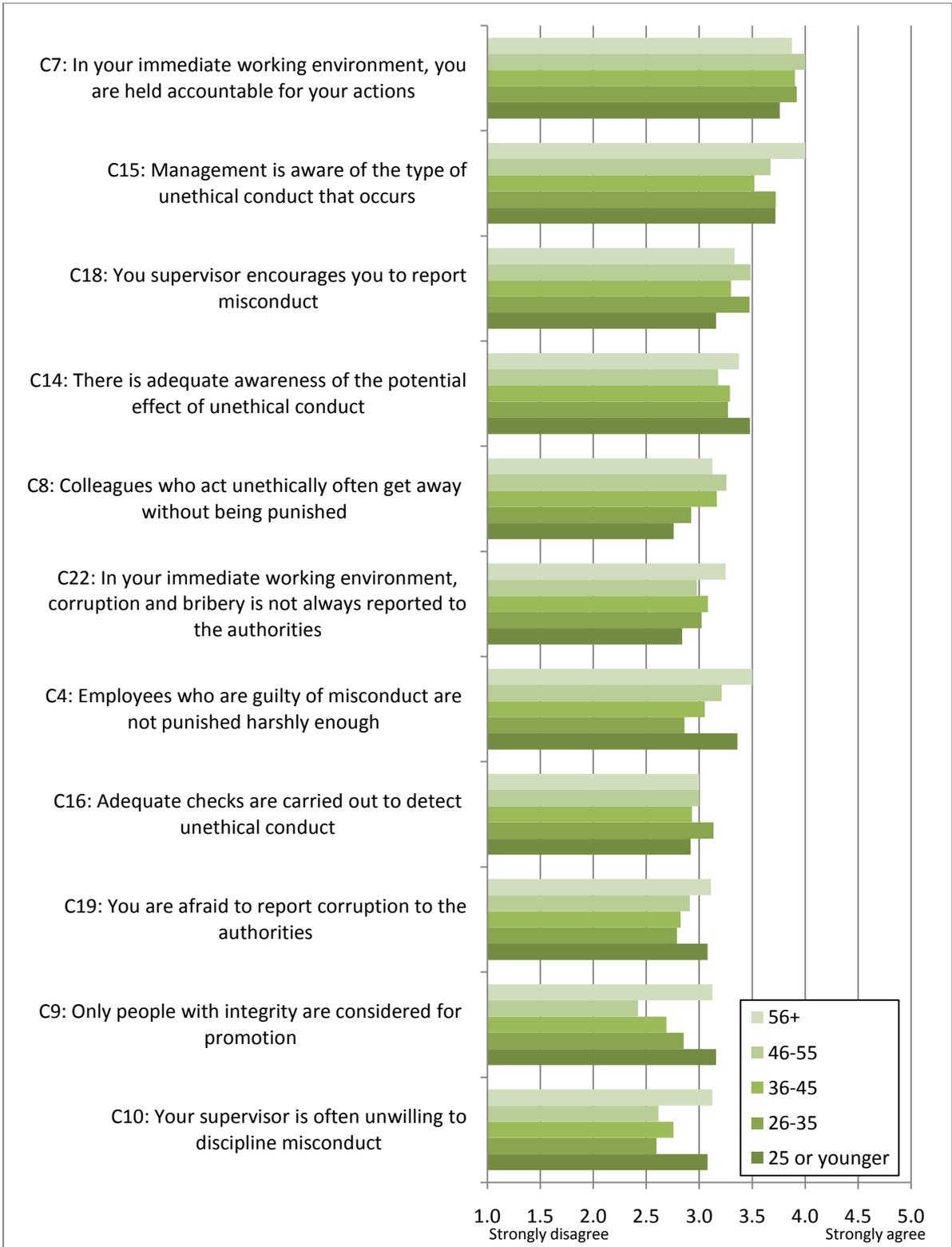


Figure 7.3.1 Section C: Item Mean Scores by Age Group

Table 7.3.1 Section D and E: Item Mean Scores by Age Group

	25 or younger	26-35	36-45	46-55	56+	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.32	3.02	3.11	3.02	3.44	0.994	0.579	0.004
D13: The senior management would never be guilty of corruption, fraud or nepotism	3.08	2.44	2.44	2.22	2.63	0.029	0.065	0.013
E7: You enjoy your work	3.56	3.26	3.25	3.18	3.33	0.802	0.770	0.003
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	2.68	3.19	3.18	3.38	3.38	0.051	0.095	0.011
E12: Unions would never cover up members' unethical conduct	3.20	3.35	2.98	2.79	3.33	0.000	0.000	0.034
E23: Senior management often does not comply with Departmental policies and procedures	2.92	3.01	3.08	3.00	3.38	0.506	0.855	0.002
E13: Unions often oppose disciplinary action against their members	2.68	2.96	2.92	3.02	3.25	0.224	0.621	0.004
E18: The major responsibility of employees in this Department is to control costs	3.00	2.95	2.80	2.97	3.00	0.175	0.504	0.005
E14: Your union has greater influence over decision-making than your line manager	2.92	2.76	2.73	2.86	3.38	0.003	0.434	0.006
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.48	2.49	2.62	2.73	3.25	0.036	0.177	0.009

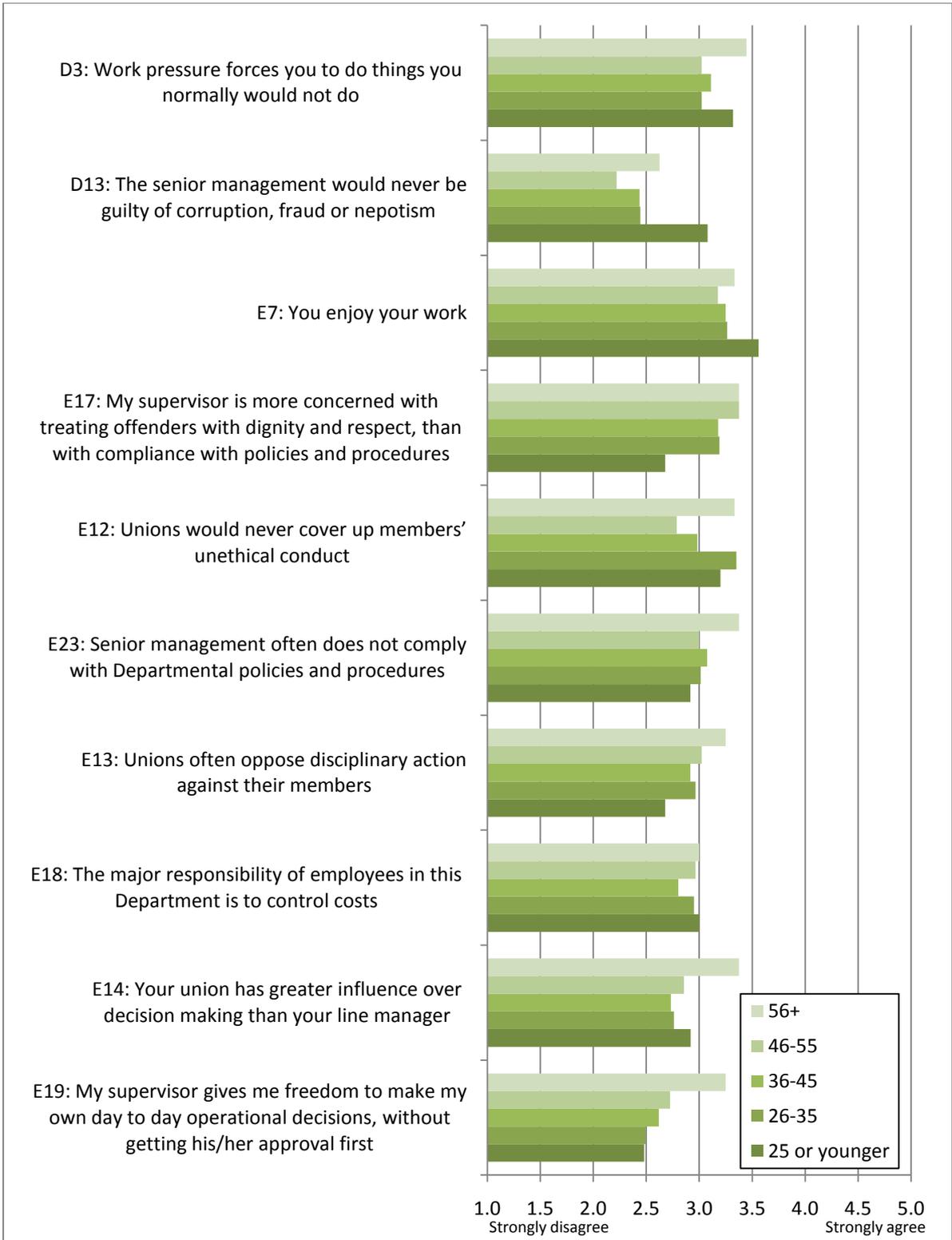


Figure 7.3.1 Section D and E: Item Mean Scores by Age Group

7.3.2 Item Mean Scores by Race Group

The ANOVA, Chi-square and Eta-square tests reveals significant differences across race groups in table 7.3.2 (Section C). On item C8, respondents were asked whether they believe that colleagues who act unethically often get away without being punished; in other words whether a culture of impunity exists in the Department. Whereas white respondents (m = 3,91) agreed with this statement, black respondents (m = 2,95) provided a neutral response. A similar response was obtained on item C4 where respondents were asked whether they believe the imposed sanctions for misconduct were appropriate. White respondents (m = 3,71) indicated that punishment for misconduct is not harsh enough and black respondents (m = 2,91) again provided a neutral answer.

In respect of item C16, respondents were asked whether adequate control measures exist to detect malfeasance. White respondents (m = 2,56) disagreed with this statement and black respondents (m = 3,09) provided a neutral response. On item C19, respondents were asked whether they fear to report misconduct to the authorities. White respondents (m = 3,26) agreed with this statement and black respondents (m = 2,77) disagreed with this statement.

As mentioned above, item C9 contains a measure of ambiguity. Both white respondents (m = 2,26) and black respondents (m = 2,82) disagreed with this statement and indicated that integrity is not the only criteria to be considered for promotion purposes. In respect of item C10, black respondents (m = 2,64) indicated that their supervisors are willing to discipline misconduct. White respondents (m = 3,06) provided a neutral response.

In response to item C18, both black respondents (m = 3,43) and white respondents (m = 3,17) indicated that they are encouraged to report misconduct. However, white respondents seem to be less convinced that this is what their supervisors expect of them. In respect of item C14, black respondents (m = 3,43) believe that adequate awareness of the potential effect of misconduct in the Department exists. White respondents (m = 3,17) seem to be more cautious in their belief of this awareness.

In table 7.3.2 (Section D and E), white respondents (m = 2,58) indicated that they expect unions to cover up member's unethical conduct (item E12). Black respondents (m = 3,20) perceive unions different and do not expect them to cover up member's unethical conduct. On

item E19, black respondents (m = 2,52) indicated that they are not allowed to take day-to-day operational decision without getting supervisor approval. On this item white respondents (m = 3,00) provided a neutral response. On item E18, white respondents (m = 2,51) indicated that controlling costs is not their main responsibility in the Department, while black respondents (m = 2,94) provided a neutral response.

In respect of item E23, white respondents (m = 3,38) indicated that senior management often does not comply with Departmental policies and procedures. Black respondents (m = 2,99) provided a neutral response. According to black respondents (m = 3,22), treating offenders with dignity and respect seems to be a more significant objective for supervisors than complying with Departmental policies and procedures (item E17). White respondents (m = 2,98) provided a neutral response. On item D13, both white respondents (m = 2,12) and black respondents (m = 2,47) expressed their scepticism in respect of the ethical behaviour of the Department's senior management. However, white respondents seem significantly more negative in their expectations of senior management. In respect of item D3, both white respondents (m = 2,95) and black respondents (m = 3,09) provided a neutral response. Excessive work pressure seems not to be a reason which officials could use to justify committing unethical conduct and gain an unjust benefit.

On most of the items white respondents provided different responses from their black counterparts. White respondents perceive a culture of impunity to exist; do not believe punishment for malfeasance to be adequate; perceive adequate control measures to be absent; and are sceptical of the role of unions in ethics management. However, both black and white respondents expressed their scepticism of the integrity and honesty of senior management.

Table 7.3.2 Section C: Item Mean Scores by Race Group

Race	White	Black	Chi-Sq Sig	ANOVA Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	4.06	3.89	0.127	0.115	0.004
C15: Management is aware of the type of unethical conduct that occurs	3.73	3.62	0.861	0.365	0.001
C18: You supervisor encourages you to report misconduct	3.17	3.43	0.051	0.036	0.006
C14: There is adequate awareness of the potential effect of unethical conduct	3.06	3.31	0.065	0.036	0.007
C8: Colleagues who act unethically often get away without being punished	3.91	2.95	0.000	0.000	0.067
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.40	2.99	0.002	0.004	0.012
C4: Employees who are guilty of misconduct are not punished harshly enough	3.71	2.91	0.000	0.000	0.047
C16: Adequate checks are carried out to detect unethical conduct	2.56	3.09	0.001	0.000	0.024
C19: You are afraid to report corruption to the authorities	3.26	2.77	0.001	0.000	0.018
C9: Only people with integrity are considered for promotion	2.26	2.82	0.004	0.000	0.021
C10: Your supervisor is often unwilling to discipline misconduct	3.06	2.64	0.002	0.001	0.016

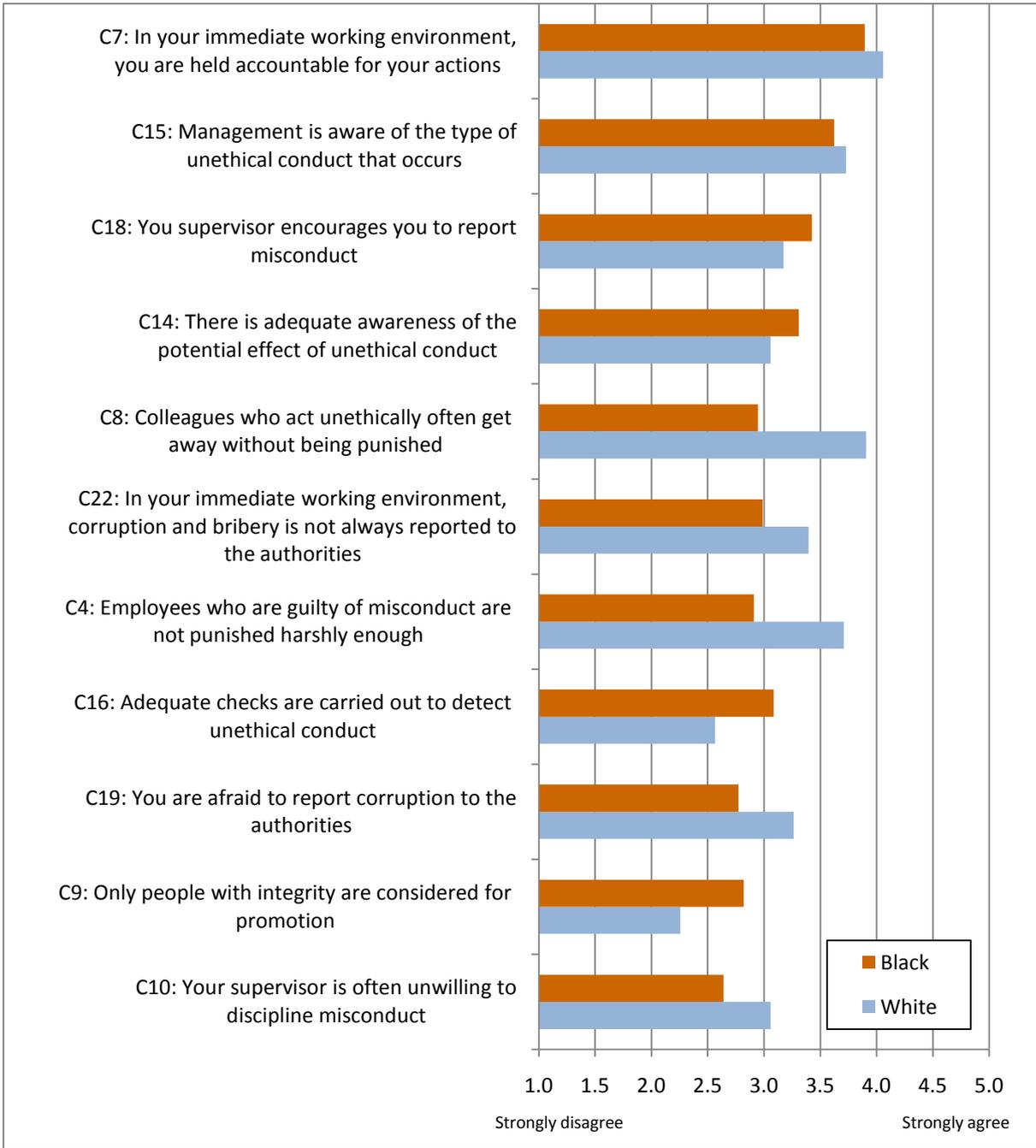


Figure 7.3.2 Section C: Item Mean Scores by Race Group

Table 7.3.2 Section D and E: Item Mean Scores by Race Group

	White	Black	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	2.95	3.09	0.041	0.316	0.001
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.12	2.47	0.105	0.017	0.008
E7: You enjoy your work	3.17	3.27	0.541	0.513	0.001
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	2.98	3.22	0.004	0.060	0.005
E12: Unions would never cover up members' unethical conduct	2.58	3.20	0.000	0.000	0.032
E23: Senior management often does not comply with Departmental policies and procedures	3.38	2.99	0.002	0.006	0.011
E13: Unions often oppose disciplinary action against their members	3.13	2.91	0.399	0.094	0.004
E18: The major responsibility of employees in this Department is to control costs	2.51	2.94	0.002	0.001	0.017
E14: Your union has greater influence over decision-making than your line manager	2.86	2.76	0.513	0.425	0.001
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	3.00	2.52	0.000	0.000	0.019

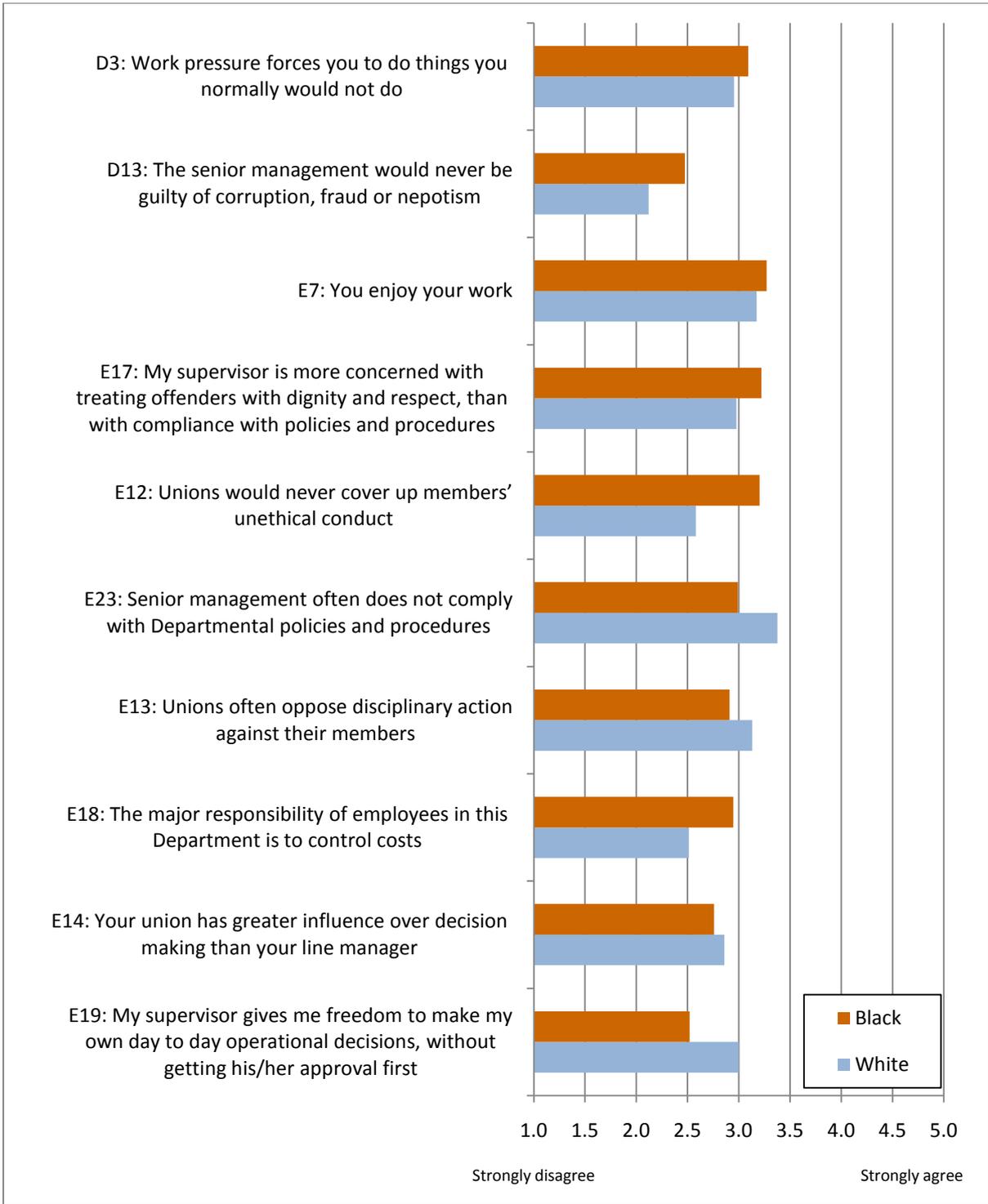


Figure 7.3.2 Section D and E: Item Mean Scores by Race Group

7.3.3 Item Mean Scores by Gender

No significant variance across gender groups on items in section C were found with the Chi-square, ANOVA and Eta-square tests. As gender has no influence on items in Table 7.3.3 (Section C), the null hypothesis is accepted.

In Table 7.3.3 (Section D and E), significant variance across gender groups were found in respect of items in section D and E. On item E7, female respondents ($m = 3,46$) indicated that they enjoy their work. Male respondents obtained a lower mean of 3,13. Employees are more likely to engage in unethical conduct when they are unmotivated and dissatisfied (cf. section 5.5.1). In terms of this finding it could be argued that male respondents are more likely to engage in unethical conduct. Male respondents ($m = 2,68$) perceive the authority of line managers to be intact with unions not imposing undue influence. Female respondents provided a neutral response ($m = 2,91$) in respect of item E14.

In terms of item E19, male respondents ($m = 2,64$) seem to enjoy greater decision-making authority than their female counterparts; albeit to a rather limited extent. Although both groups of respondents admitted that they could not take operational decisions themselves and should get supervisor approval, female respondents obtained the lowest mean ($m = 2,44$). On item E18, female respondents ($m = 2,78$) disagreed with the statement that controlling costs is their major responsibility. For this item, male respondents ($m = 2,97$) provided a neutral response.

On item E13, both male respondents ($m = 2,92$) and female respondents ($m = 2,99$) provided neutral responses. Respondents did not agree nor disagree with the statement that unions are willing to protect their unscrupulous members against disciplinary action.

Table 7.3.3 Section C: Item Mean Scores by Gender

Gender	Male	Female	Chi-Sq Sig	ANOVA Sig	Eta²
C7: In your immediate working environment, you are held accountable for your actions	3.93	3.90	0.218	0.704	0.000
C15: Management is aware of the type of unethical conduct that occurs	3.66	3.60	0.811	0.451	0.001
C18: Your supervisor encourages you to report misconduct	3.41	3.36	0.819	0.527	0.001
C14: There is adequate awareness of the potential effect of unethical conduct	3.30	3.26	0.490	0.603	0.000
C8: Colleagues who act unethically often get away without being punished	3.12	2.98	0.609	0.160	0.003
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.04	3.03	0.965	0.891	0.000
C4: Employees who are guilty of misconduct are not punished harshly enough	3.00	3.04	0.490	0.695	0.000
C16: Adequate checks are carried out to detect unethical conduct	3.00	3.07	0.759	0.405	0.001
C19: You are afraid to report corruption to the authorities	2.77	2.95	0.106	0.055	0.005
C9: Only people with integrity are considered for promotion	2.75	2.74	0.505	0.948	0.000
C10: Your supervisor is often unwilling to discipline misconduct	2.65	2.75	0.098	0.231	0.002

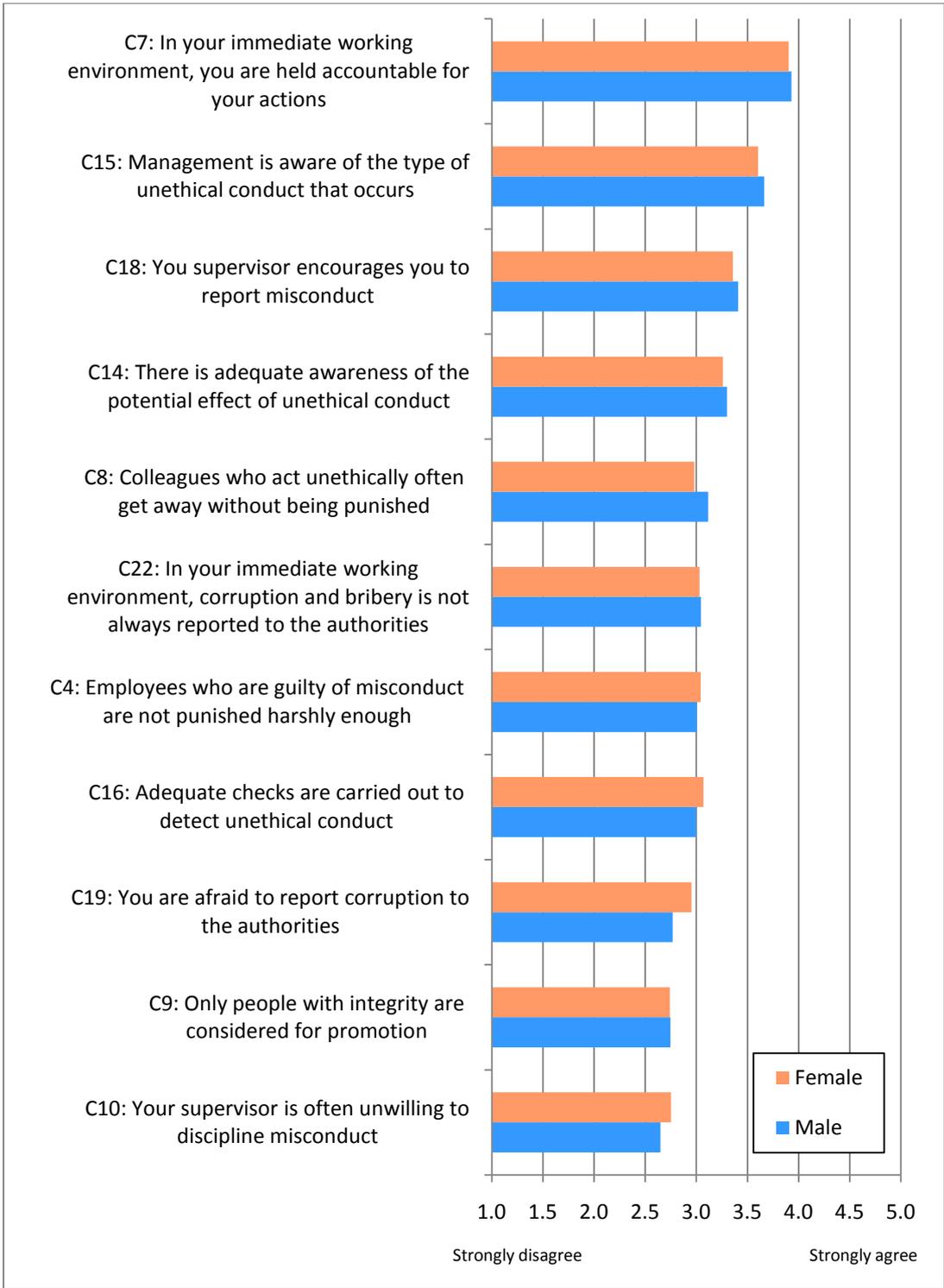


Figure 7.3.3 Section C: Item Mean Scores by Gender

Table 7.3.3 Section D and E: Item Mean Scores by Gender

Gender	Male	Female	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.07	3.09	0.910	0.834	0.000
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.42	2.47	0.462	0.612	0.000
E7: You enjoy your work	3.13	3.46	0.001	0.001	0.016
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.24	3.12	0.159	0.167	0.003
E12: Unions would never cover up members' unethical conduct	3.09	3.13	0.672	0.673	0.000
E23: Senior management often does not comply with Departmental policies and procedures	3.11	2.95	0.412	0.092	0.004
E13: Unions often oppose disciplinary action against their members	2.92	2.99	0.038	0.477	0.001
E18: The major responsibility of employees in this Department is to control costs	2.97	2.78	0.030	0.023	0.008
E14: Your union has greater influence over decision-making than your line manager	2.68	2.91	0.009	0.008	0.010
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.64	2.44	0.016	0.024	0.007

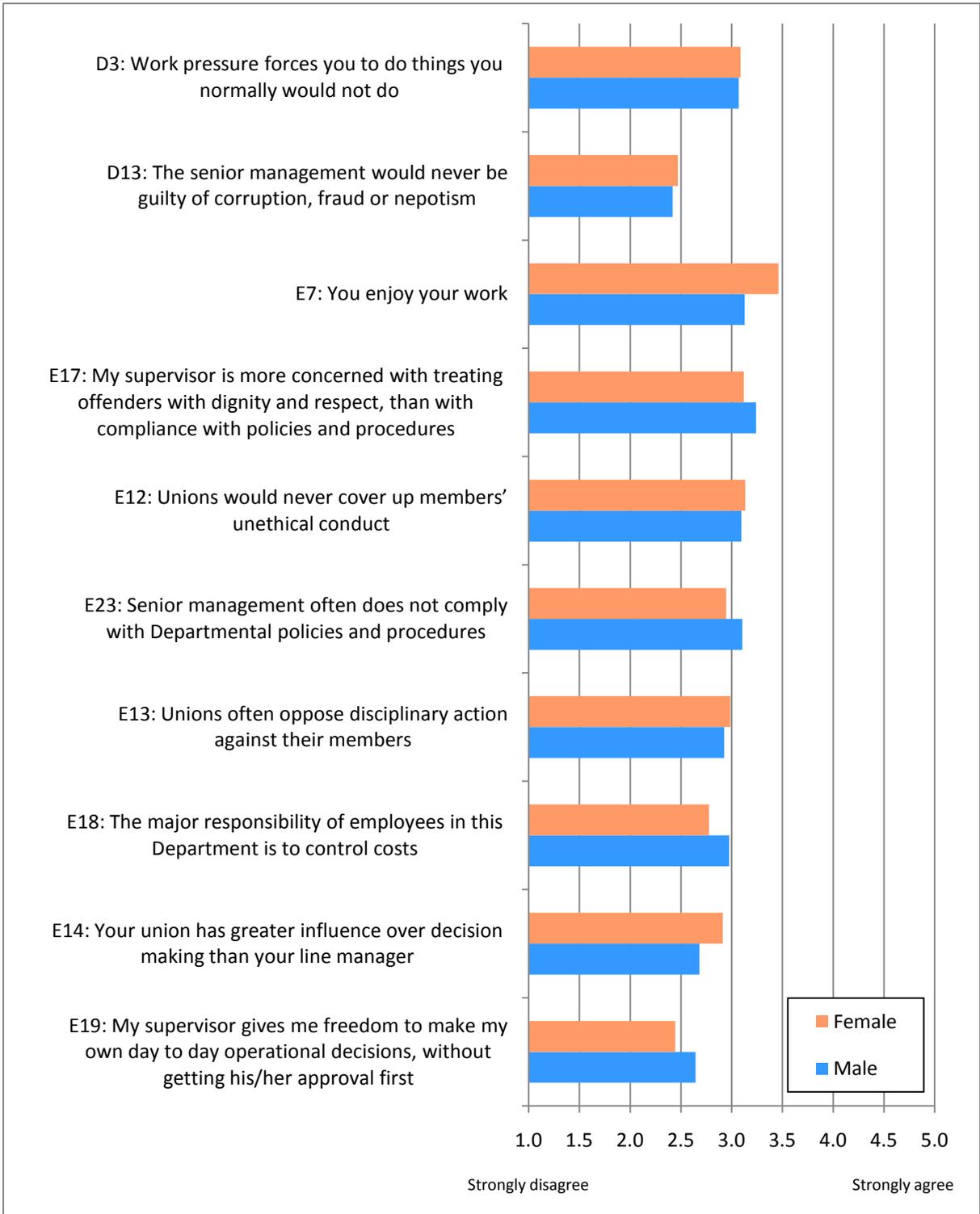


Figure 7.3.3 Section D and E: Item Mean Scores by Gender

7.3.4 Item Mean Scores by Qualification

In table 7.3.4 (Section C), significant differences across levels of qualification were identified. In respect of item C9, respondents with a post-matric qualification disagreed with the statement that integrity is the only significant consideration for promotion purposes. Respondents with grade 12 ($m = 2,90$) provided a neutral response on this item. Notwithstanding the ambiguity identified in this item, it could be concluded that higher qualified respondents could have reasoned that other considerations are also important and consequently have disagreed with the statement.

In respect of item C10, higher qualified respondents perceive their supervisors to be willing to discipline misconduct. Lower qualified respondents do not necessarily share this view. Respondents with grade 12 obtained a mean of 2,67 whereas respondents with a post-matric qualification obtained a mean of 2,72. Respondents with grade 10 or 11 provided a neutral response ($m = 3,10$). In respect of item C22, respondents with a post-matric qualification ($m = 2,96$) provided a neutral response on the statement that bribery and corruption is not always reported to the authorities. Respondents with grade 10 and 11 ($m = 3,29$) agreed that malfeasance is not always reported to the authorities. In respect of both items C10 and C22, it could be argued that the responses of higher qualified respondents are a more valid reflection of the handling of unethical behaviour in the department. Lower qualified respondents may not fully understand the meaning of 'corruption', 'bribery', and 'misconduct' and have considered 'similar' experiences, e.g. a disagreement with a colleague that was not reported, nor resolved by their supervisors, in their responses.

In table 7.3.4 (Section D and E), no significant differences across levels of qualification were identified. Level of qualification has no significant influence on the items and the null hypothesis is accepted.

Table 7.3.4 Section C: Item Mean Scores by Qualification

Qualification	Grade 10 or 11	Grade 12	Post matric	Chi-Sq Sig	ANOVA Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	4.04	3.89	3.96	0.660	0.294	0.002
C15: Management is aware of the type of unethical conduct that occurs	3.65	3.64	3.62	0.817	0.773	0.000
C18: You supervisor encourages you to report misconduct	3.48	3.44	3.30	0.326	0.084	0.004
C14: There is adequate awareness of the potential effect of unethical conduct	3.10	3.32	3.21	0.269	0.145	0.003
C8: Colleagues who act unethically often get away without being punished	3.33	3.08	3.04	0.422	0.617	0.000
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.29	3.09	2.96	0.046	0.144	0.003
C4: Employees who are guilty of misconduct are not punished harshly enough	3.17	3.04	2.97	0.590	0.414	0.001
C16: Adequate checks are carried out to detect unethical conduct	2.82	3.05	2.99	0.660	0.451	0.001
C19: You are afraid to report corruption to the authorities	2.86	2.83	2.85	0.079	0.852	0.000
C9: Only people with integrity are considered for promotion	2.56	2.90	2.50	0.004	0.000	0.023
C10: Your supervisor is often unwilling to discipline misconduct	3.10	2.67	2.72	0.045	0.579	0.000

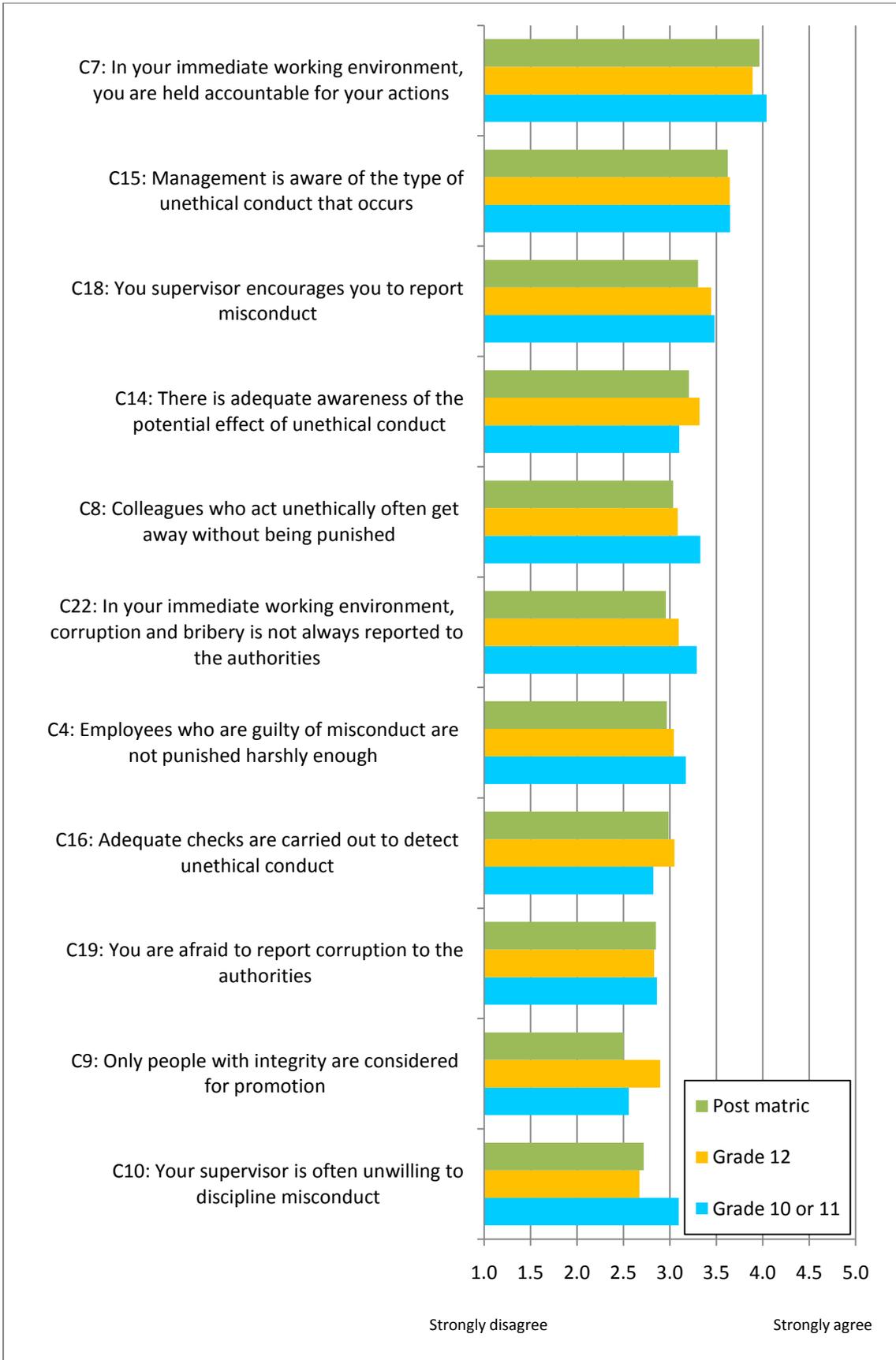


Figure 7.3.4 Section C: Item Mean Scores by Qualification

Table 7.3.4 Section D and E: Item Mean Scores by Qualification

	Grade 10 or 11	Grade 12	Post matric	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.28	3.08	3.07	0.710	0.923	0.000
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.20	2.47	2.38	0.517	0.394	0.001
E7: You enjoy your work	3.21	3.28	3.21	0.238	0.469	0.001
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.19	3.21	3.16	0.662	0.549	0.001
E12: Unions would never cover up members' unethical conduct	2.63	3.18	3.02	0.076	0.075	0.005
E23: Senior management often does not comply with Departmental policies and procedures	3.04	3.00	3.09	0.429	0.336	0.001
E13: Unions often oppose disciplinary action against their members	2.92	2.91	3.00	0.364	0.318	0.001
E18: The major responsibility of employees in this Department is to control costs	3.08	2.91	2.88	0.274	0.697	0.000
E14: Your union has greater influence over decision-making than your line manager	2.88	2.75	2.81	0.469	0.440	0.001
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.69	2.56	2.61	0.158	0.521	0.001

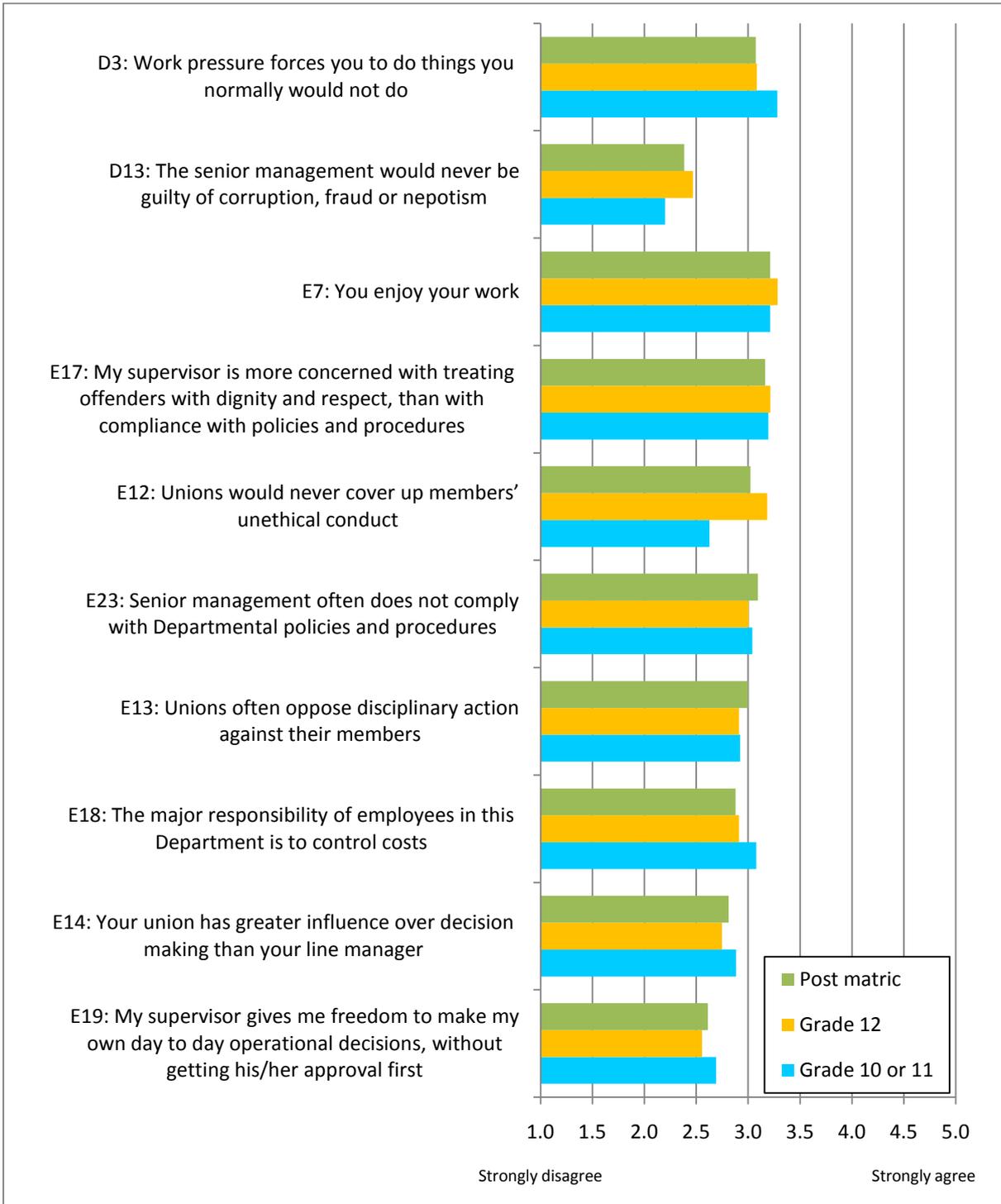


Figure 7.3.4 Section D and E: Item Mean Scores by Qualification

7.3.5 Item Mean Scores by Years of Service

In table 7.3.5 (Section C), significant differences among groups have been identified in respect of item C9. Respondents with between 20,01 and 30 years obtained a mean of 2,43 whereas respondents with between 2,01 and 4 years obtained a mean of 2,95. As years of service increase respondents seem to disagree with the statement that integrity is the only significant consideration for promotion. These respondents most probably view other considerations such as teamwork, and problem solving skills as equally important (cf. section 7.3 for interpretation of item C9).

In respect of item C8, more years of service seems to coincide with perceptions that a culture of impunity exist. Respondents with between 20,01 and 30 years of service ($m = 3,40$) agreed that unscrupulous officials often get away without being punished. Respondents with less than 2 years of service ($m = 2,71$) disagreed with the statement. This directional hypothesis seems to be confirmed when respondents with between 20,01 and 30 years of service ($m = 3,32$) agreed with item C4 and indicated that officials are not punished harshly enough as compared with respondents with less than 2 years of service ($m = 2,66$).

On item C19, respondents disagreed with the statement that they are afraid to report corruption to the authorities. However, respondents with less years of service seem to be less afraid to report corruption than more experienced respondents. The more experienced respondents might be wary to report corruption due to the perceived occupational risks associated with it. Respondents with between 20,01 and 30 years of service obtained a mean of 2,92 and respondents with less than 2 years obtained a mean score of 2,48. On item C18, respondents with less than 2 years of service ($m = 3,68$) are most in agreement that their supervisors encourage them to report corruption. As years of service increase, this conviction subsides with respondents with between 2,01 and 4 years of service that obtained a mean of 3,29. As respondents' years of service increase at the Department, they seem to be more convinced that management is aware of the type of unethical conduct that occurs. Respondents with 2 or less years of service obtained a mean of 3,56 whereas respondents with between 20,01 and 30 years of service obtained a mean of 3,76 in respect of item C15.

Differences across groups are identified in Table 7.3.5 (Section D and E). On item E12 respondents with between 2,01 and 4 years of service obtained a mean of 3,48 whereas respondents with between 20,01 and 30 years of service obtained a mean of 2,72. Respondents with less years of service are more positive about the role of unions in promoting ethical conduct, and believe that unions would never cover up member's unethical conduct. Whereas both senior and junior members of staff enjoy they work, junior members of staff seem to enjoy it more and would therefore be less inclined to engage in misconduct. In respect of item E7, respondents with between 10,01 and 20 years of service obtained a mean of 3,14 and respondents with 2 years or less years of service obtained a mean score of 3,66.

Although all groupings believe senior management to be capable of engaging in misconduct, senior respondents are more convinced that senior management could make them guilty of such misconduct. In respect of item D13, respondents with between 20,01 and 30 years of service obtained a mean score of 2,08 and respondents with 2 years or less obtained a mean score of 2,60. Most groupings believe that unions do not have greater influence over decision-making than line managers. On item E14, respondents with between 20,01 and 30 years of service provided a neutral response and obtained a mean of 3,00 whereas respondents with 2 years or less were more positive about the decision-making authority of line managers *vis-a-vis* union influence and obtained a mean of 2,76.

All groupings stated that they do not have freedom to take day-to-day operational decisions without obtaining supervisor approval. Decision-making authority seems to be more limited among respondents with less years of service. On item E19, respondents with between 20,01 and 30 years obtained a mean score of 2,87 and respondents with 2 years or less obtained a mean of 2,29. Controlling costs is not the major responsibility for employees in the Department. In this respect (item E18) respondents with between 10,01 and 20 years of service obtained a mean of 2,74 and respondents with between 2,01 and 4 years of service obtained a mean of 3,09.

Respondents with more years of service believe that work pressure forces them to do things they normally would not do. On item D3, respondents with between 20,01 and 30 years of service obtained a mean of 3,21 and respondents with 2 years or less obtained a mean of 2,89. If this item is interpreted with item E7 above (an item initially included to measure supportability as a factor of ethical culture), a strong case is made that misconduct is significantly more likely among longer serving officials.

Across all groups treating offenders with dignity and respect is a more significant consideration than compliance with departmental policies and procedures. Longer serving respondents feel even stronger about this imperative than their shorter serving respondents. On item E17, respondents with between 20,01 and 30 years of service obtained a mean of 3,36 and respondents with between 2,01 and 4 years of service obtained a mean of 3,12.

From the above findings it could be concluded that longer serving officials could easily rationalise their participation in malfeasance. This could be due to their perceptions of malfeasance among senior management; their perceived culture of impunity in the Department; their perceived work pressure; and the level of enjoyment of their work (cf. section 5.5.1).

Table 7.3.5 Section C: Item Mean Scores by Years of Service

Years of service	2 yrs or less	2.01 - 4.00 yrs	4.01 - 10.00 yrs	10.01 - 20.00 yrs	20.01 - 30.00 yrs	More than 30 yrs	Chi-Sq Sig	ANOVA Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.78	3.94	3.90	3.99	3.97	4.00	0.576	0.541	0.006
C15: Management is aware of the type of unethical conduct that occurs	3.56	3.83	3.55	3.59	3.76	3.64	0.443	0.170	0.011
C18: You supervisor encourages you to report misconduct	3.68	3.29	3.31	3.34	3.42	3.47	0.192	0.053	0.016
C14: There is adequate awareness of the potential effect of unethical conduct	3.23	3.26	3.40	3.25	3.22	3.29	0.395	0.709	0.004
C8: Colleagues who act unethically often get away without being punished	2.71	2.89	2.94	3.32	3.40	3.14	0.002	0.000	0.041
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	2.95	3.03	3.01	3.09	3.12	2.86	0.072	0.898	0.002
C4: Employees who are guilty of misconduct are not punished harshly enough	2.66	2.84	3.13	3.06	3.32	3.50	0.024	0.001	0.030
C16: Adequate checks are carried out to detect unethical conduct	3.18	3.13	3.05	2.91	2.94	3.00	0.466	0.280	0.009
C19: You are afraid to report corruption to the authorities	2.48	2.88	2.88	2.94	2.92	3.00	0.191	0.050	0.016
C9: Only people with integrity are considered for promotion	3.17	2.95	2.64	2.62	2.43	2.57	0.000	0.000	0.034
C10: Your supervisor is often unwilling to discipline misconduct	2.54	2.62	2.73	2.69	2.86	2.64	0.503	0.439	0.007

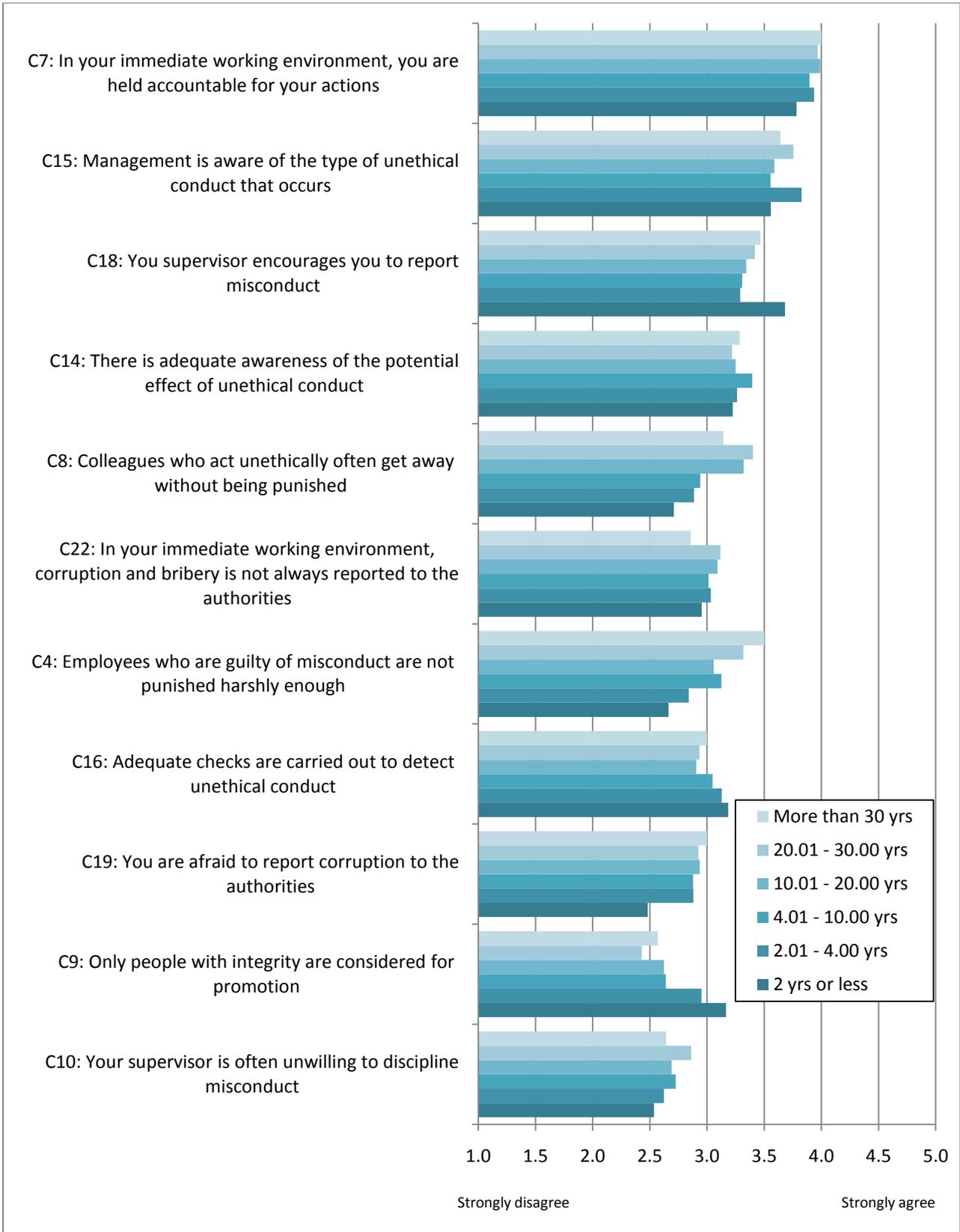


Figure 7.3.5 Section C: Item Mean Scores by Years of Service

Table 7.3.5 Section D and E: Item Mean Scores by Years of Service

	2 yrs or less	2.01 - 4.0 yrs	4.01 - 10.0 yrs	10.01 - 20.0 yrs	20.01 - 30.0 yrs	More than 30 yrs	Chi-Sq Sig	ANOV A Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	2.89	3.24	3.02	3.12	3.21	2.60	0.166	0.100	0.013
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.60	2.58	2.43	2.41	2.08	2.71	0.019	0.048	0.016
E7: You enjoy your work	3.66	3.36	3.08	3.14	3.17	3.27	0.004	0.005	0.024
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.21	3.12	3.28	3.10	3.36	2.62	0.459	0.138	0.012
E12: Unions would never cover up members' unethical conduct	3.18	3.48	3.36	2.88	2.72	2.60	0.000	0.000	0.061
E23: Senior management often does not comply with Departmental policies and procedures	2.92	3.04	2.96	3.15	3.14	2.86	0.143	0.506	0.006
E13: Unions often oppose disciplinary action against their members	2.81	2.93	2.90	2.99	3.02	3.36	0.479	0.512	0.006
E18: The major responsibility of employees in this Department is to control costs	3.04	3.09	2.90	2.74	2.89	2.43	0.660	0.040	0.017
E14: Your union has greater influence over decision-making than your line manager	2.76	2.80	2.76	2.63	3.00	3.00	0.030	0.152	0.012
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.29	2.55	2.60	2.57	2.87	2.79	0.308	0.020	0.019

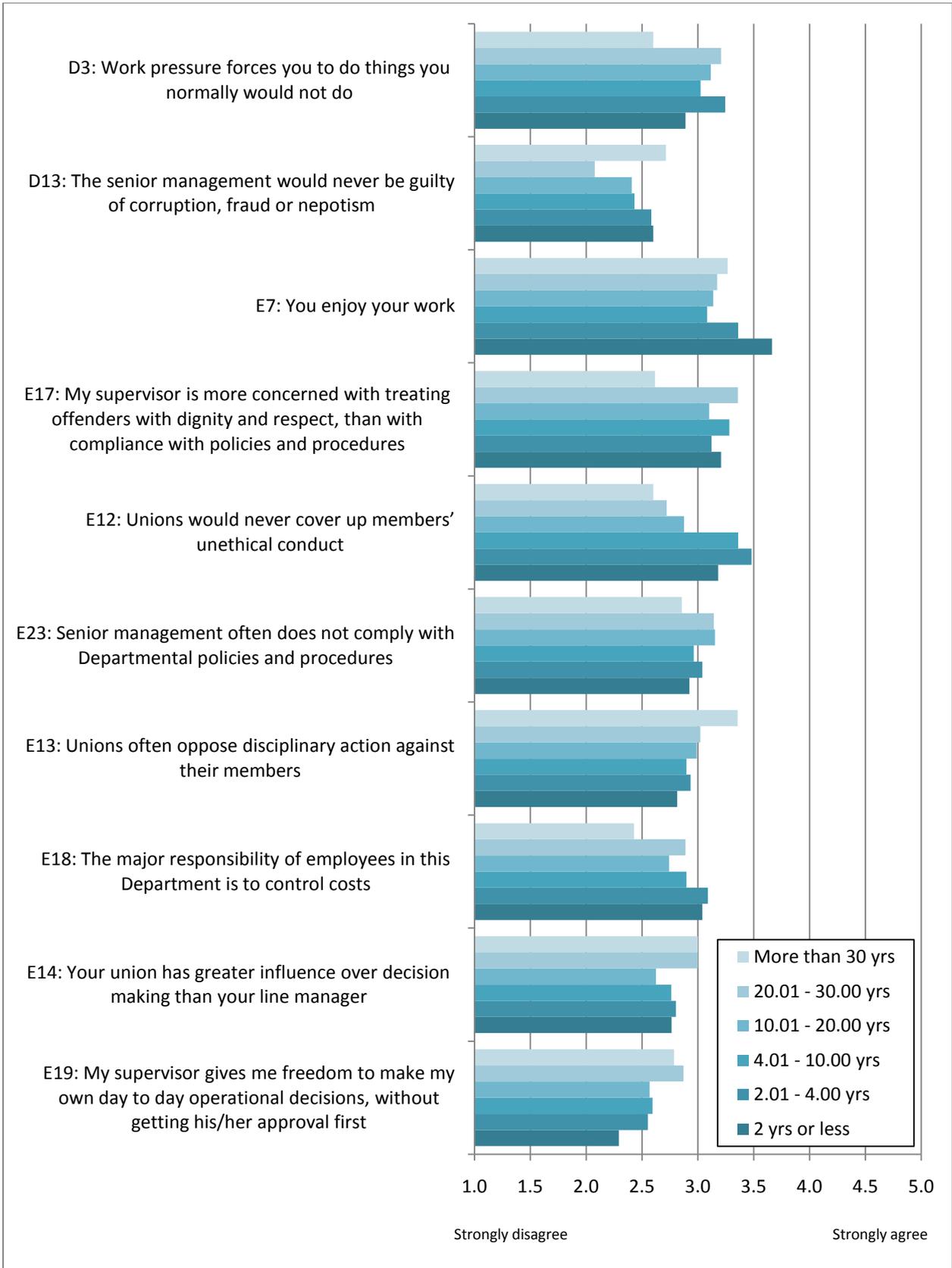


Figure 7.3.5 Section D and E: Item Mean Scores by Years of Service

7.3.6 Item Mean Scores by Post Level

In Table 7.3.6 (Section C), significant differences among post level groups are identified. In respect of item C8, respondents on post levels 8 – 10 ($m = 3,39$) indicated that colleagues who act unethically often get away without being punished whereas more junior respondents on post level 5 ($m=2,76$) disagreed that this is the case. As respondents gain in seniority, the more likely he/she is to believe that there is a culture of impunity in the department. In respect of item C9, most groupings indicated that integrity is not the only consideration for promotion. Respondents on post levels 13 – 16 provided the strongest indication of this perception and obtained a mean of 2,31 whereas respondents on post level 6 obtained a mean of 2,64.

On item C4, respondents on post levels 11 to 12 ($m = 3,31$) indicated that the penalties for misconduct are not severe enough. More junior respondents on post level 5 ($m = 2,75$) disagreed with this statement. When items C4 and C8 are interpreted together, it could be deduced that there are weaknesses in the Department's disciplinary system at middle management level. In respect of item C7, all respondent groupings indicated that they are held accountable for their actions. Respondents on post levels 11 to 12 ($m = 4,19$) strongly agreed with this statement, while respondents on post level 5 agreed with a mean of 3,77.

In respect of item C19, respondents on post level 5 ($m = 2,67$) indicated that they are not afraid to report corruption to the authorities. More senior respondents on post level 7 ($m = 3,13$) provided a more neutral response and seem to be more cautious as they most probably perceive such action as detrimental to their career prospects. On item C16, junior respondents on post level 5 ($m = 3,12$) indicated that adequate checks are carried out to detect unethical conduct. Respondents on post level 11 – 12 ($m = 2,76$) disagreed with this statement. However, no specific trend could be identified as respondents on post level 13-16 provided a neutral response ($m=2.94$).

In Table 7.3.6 (Section D and E), junior respondents seem to be more comfortable with the integrity of union conduct than senior respondents (item E12). Respondents on level 5 ($m = 3,34$) agreed that unions would never cover up a member's unethical conduct. Respondents on level 8 – 10 ($m = 2,60$) do not share the same positive perceptions of union conduct. All groupings were of the view that senior management are likely to engage in unethical conduct

such as corruption, fraud and nepotism. This conviction seems to increase as respondent's seniority increases. Respondents on post level 13 – 16 obtained a mean of 1,94 and respondents on post level 5 obtained a mean of 2,65 on item D13. In respect of item E14, respondents on post levels 11 to 12 indicated that unions do not have greater influence over decision-making than their line managers. Respondents on post level 8 to 10 provided a neutral response to this item.

Most groups indicated that they could not make day-to-day operational decisions without prior approval from their supervisors (item E19). This view is strongest among respondents on post level 6 (m = 2,46) and weakest among respondents on post levels 11 to 12 (m = 2,96). This could have been expected as respondents on post levels 11 to 12 occupy positions of greater seniority with a commensurate measure of decision-making authority. In respect of item E23, most respondent groupings provided neutral responses in respect of whether senior management complies with departmental policies and procedures with the exception of respondents on post level 7 (m = 3,27) and post levels 13 to 16 (m = 3,13). These groupings of respondents believe that senior management often does not comply with policy requirements.

As the seniority of respondents increase, so do perceptions that there is a culture of impunity and penalties for misconduct are not severe enough. Senior respondents also do not share the positive perceptions of younger respondents in respect of the role of unions in managing ethical conduct. However, both junior and senior respondents perceive that senior management is likely to engage in malfeasance.

Table 7.3.6 Section C: Item Mean Scores by Post Level

Post level	COIII Level 5	COII Level 6	COI Level 7	SCO 8 AD 9- 10	DD Level 11-12	D+ Levels 13-16	Chi- Sq Sig	Anova Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.77	3.93	3.99	4.07	4.19	3.50	0.008	0.015	0.023
C15: Management is aware of the type of unethical conduct that occurs	3.61	3.67	3.59	3.64	3.54	3.38	0.830	0.889	0.003
C18: You supervisor encourages you to report misconduct	3.29	3.45	3.37	3.38	3.00	3.33	0.259	0.442	0.008
C14: There is adequate awareness of the potential effect of unethical conduct	3.24	3.31	3.22	3.32	3.08	3.07	0.670	0.802	0.004
C8: Colleagues who act unethically often get away without being punished	2.76	2.99	3.38	3.39	3.08	3.13	0.001	0.000	0.042
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	2.92	3.01	3.14	2.96	2.96	3.38	0.970	0.498	0.007
C4: Employees who are guilty of misconduct are not punished harshly enough	2.75	2.98	3.22	3.14	3.31	3.63	0.036	0.002	0.030
C16: Adequate checks are carried out to detect unethical conduct	3.12	3.07	2.79	3.10	2.76	2.94	0.001	0.058	0.017
C19: You are afraid to report corruption to the authorities	2.67	2.80	3.13	3.02	2.76	2.73	0.039	0.021	0.021
C9: Only people with integrity are considered for promotion	3.06	2.64	2.64	2.32	2.48	2.31	0.029	0.000	0.035
C10: Your supervisor is often unwilling to discipline misconduct	2.75	2.65	2.77	2.61	2.62	2.69	0.800	0.860	0.003

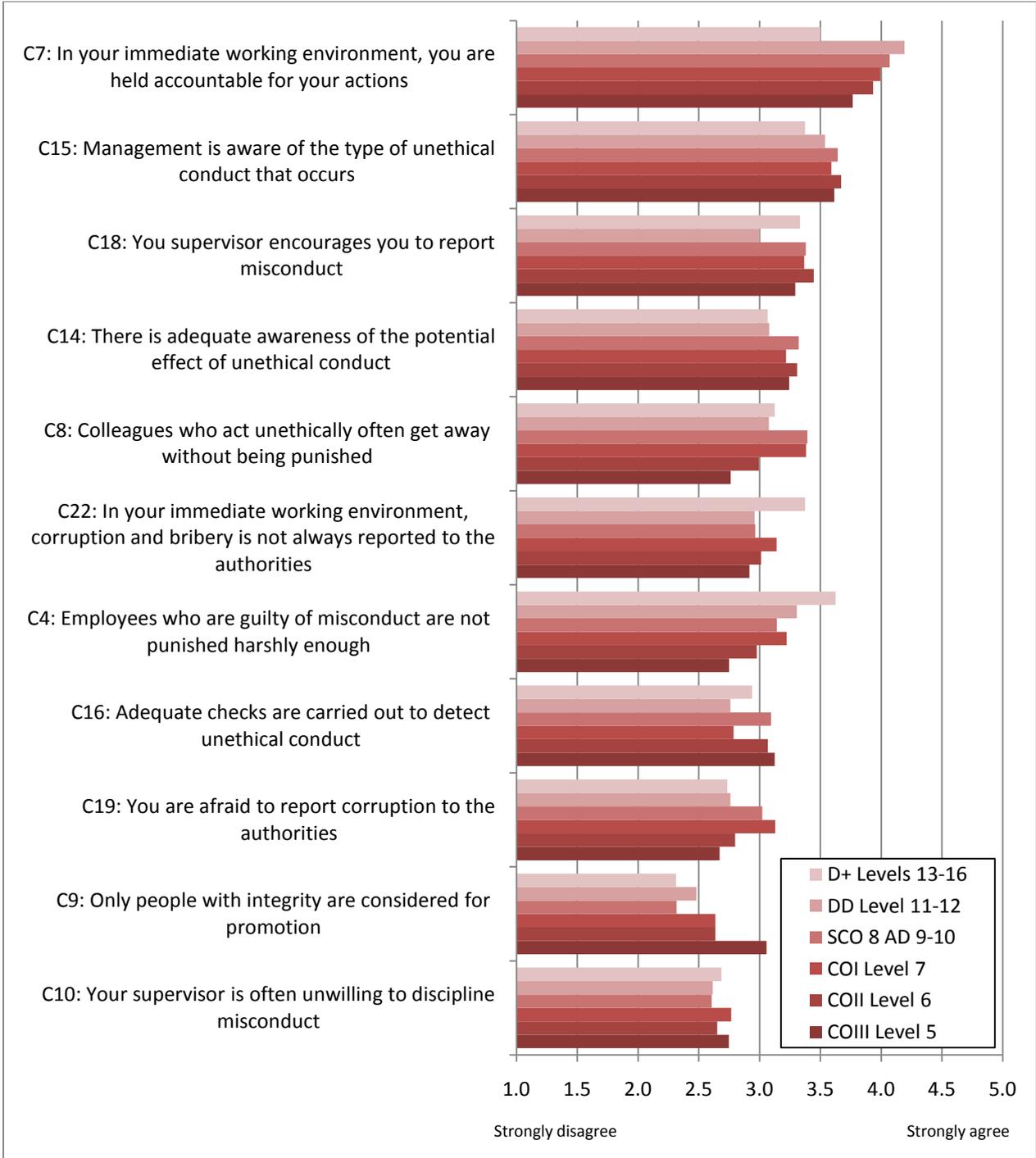


Figure 7.3.6 Section C: Item Mean Scores by Post Level

Table 7.3.6 Section D and E: Item Mean Scores by Post Level

Post level	COIII Level 5	COII Level 6	COI Level 7	SCO 8 AD 9- 10	DD Level 11-12	D+ Levels 13-16	Chi- Sq Sig	Anova Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.03	3.13	3.05	3.29	2.84	3.13	0.264	0.527	0.007
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.65	2.45	2.33	2.21	2.38	1.94	0.006	0.064	0.017
E7: You enjoy your work	3.25	3.17	3.05	3.33	3.41	3.38	0.936	0.485	0.007
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.12	3.18	3.32	3.08	3.35	3.00	0.550	0.488	0.007
E12: Unions would never cover up members' unethical conduct	3.34	3.25	2.99	2.60	3.00	2.60	0.000	0.000	0.047
E23: Senior management often does not comply with Departmental policies and procedures	2.94	3.01	3.27	3.00	3.08	3.13	0.068	0.237	0.011
E13: Unions often oppose disciplinary action against their members	2.91	2.96	2.89	3.09	3.09	2.93	0.628	0.823	0.004
E18: The major responsibility of employees in this Department is to control costs	2.97	2.79	2.86	2.98	2.88	2.73	0.667	0.670	0.005
E14: Your union has greater influence over decision-making than your line manager	2.75	2.68	2.73	2.95	2.61	2.80	0.018	0.593	0.006
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.53	2.45	2.72	2.75	2.96	2.53	0.168	0.090	0.015

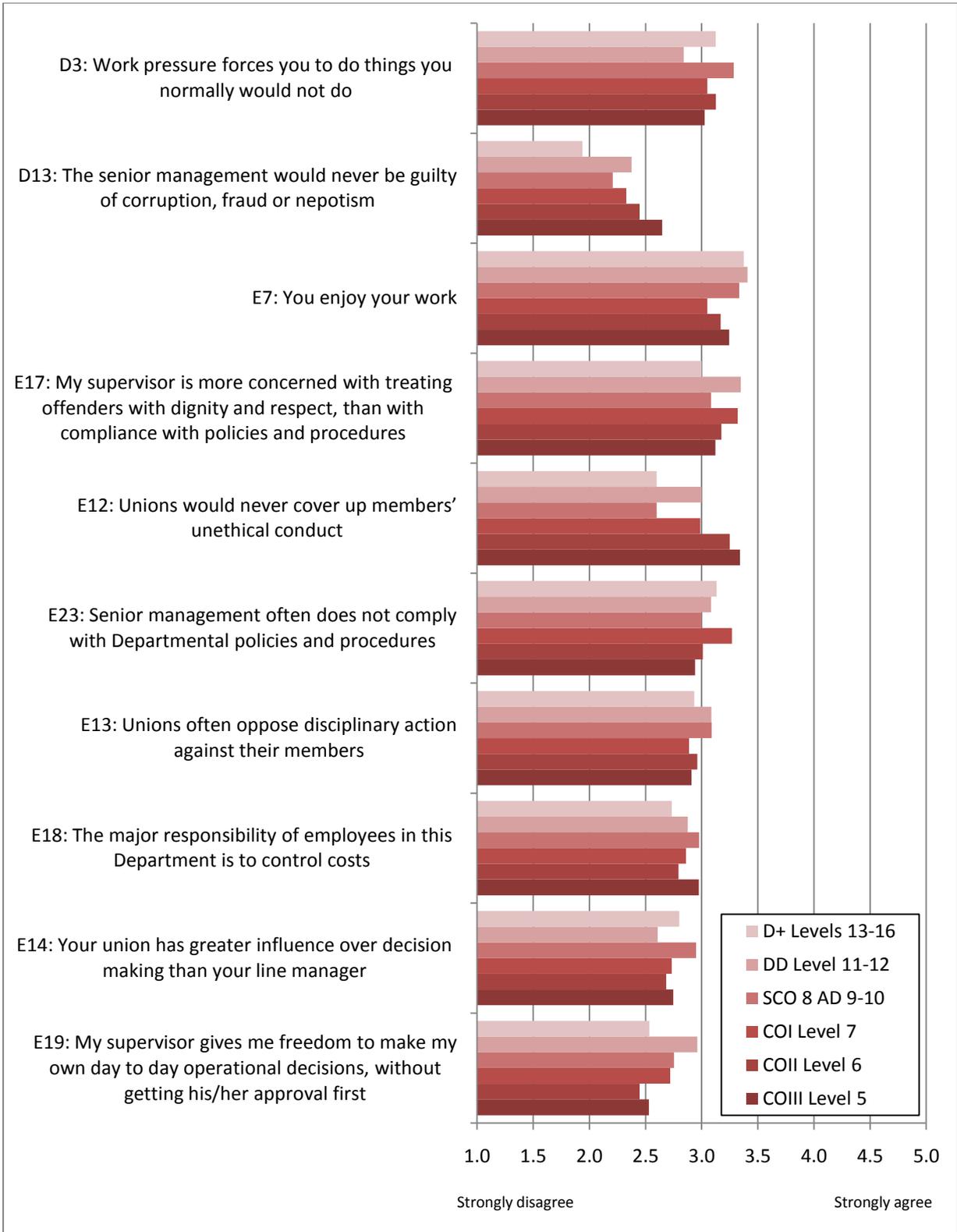


Figure 7.3.6 Section D and E: Item Mean Scores by Post Level

7.3.7 Item Mean Scores by Place of Employment

In Table 7.3.7 (Section C), significant differences among groups have been identified. In terms of item C18, supervisors based at correctional centres (m = 3,44) encourage respondents the most to report misconduct while respondents at the regional commissioner's offices (m = 2,98) are least encouraged. Although this finding is positive for correctional centres, it does imply that more serious forms of misconduct at other offices of the Department could go unreported. Consequently, petty misconduct involving giving an offender more privileges in exchange for small financial amounts could be detected and more serious forms of misconduct at the regional commissioner's offices such as corruption with the award of tenders involving substantial financial resources would be left unnoticed.

In respect of item C9, all groupings disagreed that integrity is not the only consideration for promotion purposes. Respondents based at the regional commissioner's offices (m = 2,54) disagreed most and respondents at community corrections (m = 2,92) disagreed least. In respect of item C22, respondents based at the correctional centres (m = 3,11) agreed, albeit not convincingly, that misconduct is not always reported to the authorities. Respondents based at the management areas (m = 2,75) disagreed and are of the opinion that misconduct is always reported. This finding could be attributed to the fact that respondents at correctional centres are significantly more exposed to misconduct as they are in daily contact with offenders with an incentive to bribe officials.

In Table 7.3.7 (Section D and E), significant differences among groups have been identified. In respect of item E12, respondents based at correctional centres seem to be more comfortable with the role of unions in promoting ethical conduct (m = 3,16) than respondents based at the management area (m = 2,83). Respondents at correctional centres agree that unions will never cover up member's unethical conduct. It could be assumed that unions have a closer liaison with officials at correctional centres as compared to officials at the management area. All respondent groupings agreed that they could not take decisions without obtaining prior supervisor approval. However, respondents based at the area commissioner's offices (m = 2,80) seem to enjoy greater decision-making authority than respondents at the

regional commissioner's office (m = 2,54). This finding could be attributed to the fact that officials at the management areas are in closer contact with offenders and are required to take significantly more day-to-day operational decisions.

Table 7.3.7 Section C: Item Mean Score by Place of Employment

Employed within	A correc-tional centre	Com-munity correc-tions	Area com-mission	Re-gional commis-sion	Chi-Sq Sig	Anova Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.91	3.69	4.05	3.86	0.440	0.418	0.004
C15: Management is aware of the type of unethical conduct that occurs	3.66	3.77	3.48	3.48	0.846	0.313	0.006
C18: You supervisor encourages you to report misconduct	3.44	3.38	3.40	2.98	0.172	0.037	0.013
C14: There is adequate awareness of the potential effect of unethical conduct	3.33	3.46	3.22	3.00	0.230	0.134	0.009
C8: Colleagues who act unethically often get away without being punished	3.02	3.31	3.15	3.27	0.320	0.393	0.005
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.11	2.69	2.75	3.04	0.396	0.063	0.011
C4: Employees who are guilty of misconduct are not punished harshly enough	2.96	3.38	3.10	3.06	0.903	0.468	0.004
C16: Adequate checks are carried out to detect unethical conduct	3.07	3.17	2.98	2.73	0.172	0.185	0.008
C19: You are afraid to report corruption to the authorities	2.86	2.54	2.66	3.12	0.195	0.163	0.008
C9: Only people with integrity are considered for promotion	2.82	2.92	2.48	2.54	0.035	0.077	0.010
C10: Your supervisor is often unwilling to discipline misconduct	2.69	2.62	2.60	2.76	0.924	0.872	0.001

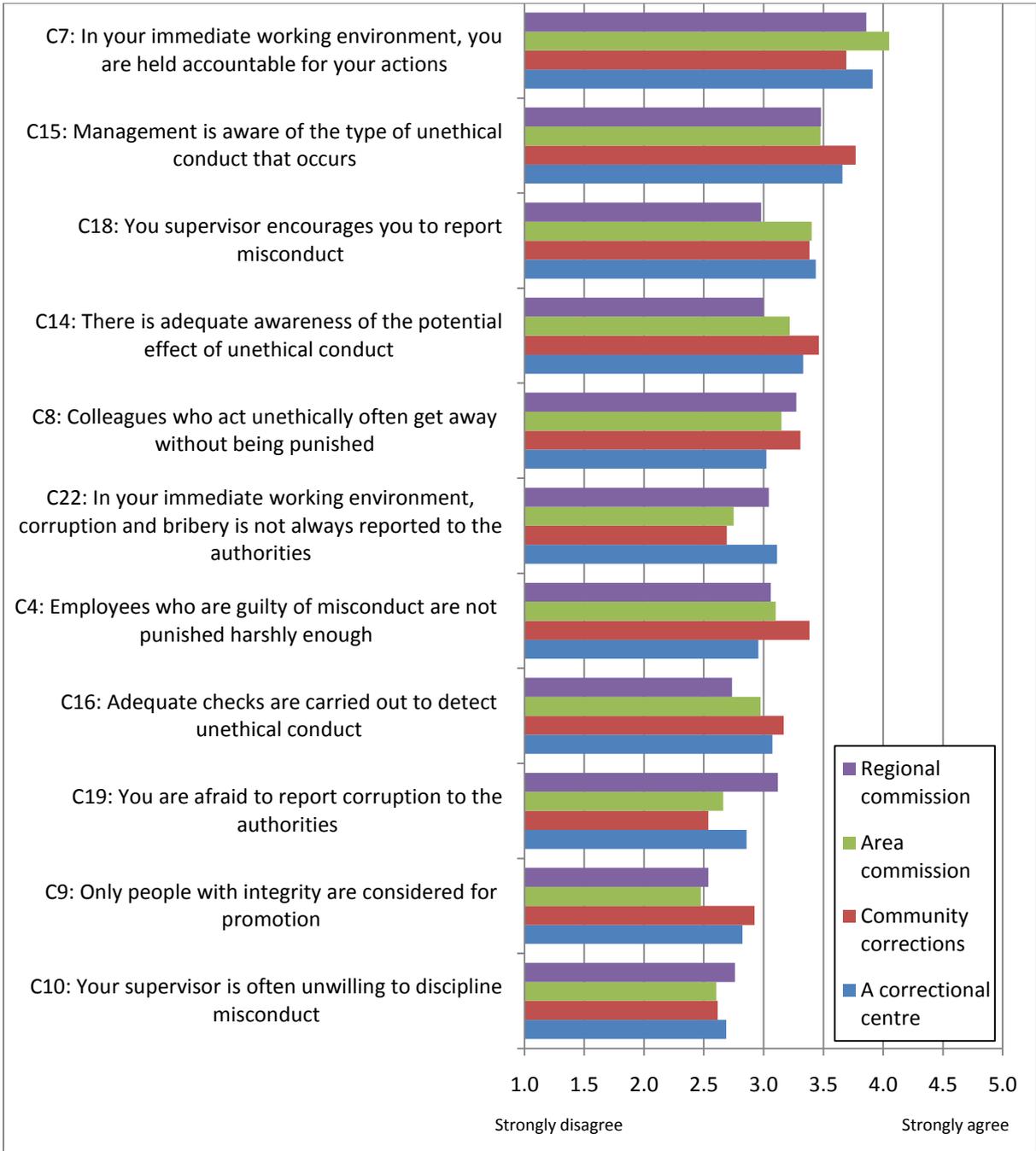


Figure 7.3.7 Section C: Item Mean Score by Place of Employment

Table 7.3.7 Section D and E: Item Mean Score by Place of Employment

Employed within	A correctional centre	Community corrections	Area commission	Regional commission	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.11	2.85	2.84	3.04	0.088	0.269	0.006
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.49	2.23	2.32	2.08	0.151	0.144	0.008
E7: You enjoy your work	3.27	3.08	3.13	3.31	0.429	0.760	0.002
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.23	3.08	3.04	3.16	0.110	0.512	0.004
E12: Unions would never cover up members' unethical conduct	3.16	3.69	2.83	2.96	0.073	0.018	0.016
E23: Senior management often does not comply with Departmental policies and procedures	3.00	3.08	3.11	3.10	0.482	0.854	0.001
E13: Unions often oppose disciplinary action against their members	2.94	2.54	2.84	3.18	0.461	0.233	0.007
E18: The major responsibility of employees in this Department is to control costs	2.92	2.92	2.86	2.96	0.899	0.969	0.000
E14: Your union has greater influence over decision-making than your line manager	2.79	2.77	2.64	2.84	0.731	0.684	0.002
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.58	2.00	2.80	2.54	0.761	0.099	0.010



Figure 7.3.7 Section D and E: Item Mean Score by Place of Employment

7.3.8 Item Mean Scores by Region

In table 7.3.8 (Section C), significant differences among groups are identified. In respect of item C16, Gauteng based respondents ($m = 2,86$) disagreed with the statement that adequate internal controls exist to detect unethical conduct. LMN respondents provided a neutral response and obtained a mean of 3,09. A culture of impunity seems to exist in the Gauteng region as respondents obtained a mean of 3,17 in respect of item C8. This seems not to be the case with respondents in the LMN region ($m = 3,04$). Given the ambiguity in respect of item C9, both respondents in Gauteng ($m = 2,59$) and LMN ($m = 2,80$) disagreed with the statement that integrity is the only consideration for promotion.

In table 7.3.8 (Section D and E), significant differences among groups are identified. In respect of item E18, respondents in both regions believe that controlling costs is not their major responsibility. However, respondents in the LMN region ($m = 2,92$) seem to be more concerned with controlling costs than their Gauteng counterparts ($m = 2,79$). Respondents in the LMN region ($m = 3,31$) seem to enjoy their work to a greater extent than respondents in Gauteng ($m = 3,11$). In terms of item E7, enjoyment of work is negatively correlated with the likelihood that officials would engage in misconduct. Greater enjoyment of work would coincide with fewer incidents of malfeasance.

These findings confirm the interpretation of the ethical culture measurement of the regions in section 6.5.8.

Table 7.3.8 Section C: Item Mean Scores by Region

Region	Gauteng	Limpopo, Mpumalanga, North West	Chi-Sq Sig	ANOVA Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.91	3.93	0.068	0.747	0.000
C15: Management is aware of the type of unethical conduct that occurs	3.67	3.62	0.053	0.540	0.001
C18: You supervisor encourages you to report misconduct	3.32	3.42	0.080	0.259	0.002
C14: There is adequate awareness of the potential effect of unethical conduct	3.30	3.24	0.719	0.470	0.001
C8: Colleagues who act unethically often get away without being punished	3.17	3.04	0.010	0.184	0.003
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.03	3.04	0.788	0.922	0.000
C4: Employees who are guilty of misconduct are not punished harshly enough	3.10	3.00	0.400	0.333	0.001
C16: Adequate checks are carried out to detect unethical conduct	2.86	3.09	0.002	0.009	0.010
C19: You are afraid to report corruption to the authorities	2.86	2.83	0.655	0.799	0.000
C9: Only people with integrity are considered for promotion	2.59	2.80	0.013	0.046	0.006
C10: Your supervisor is often unwilling to discipline misconduct	2.73	2.68	0.306	0.565	0.001

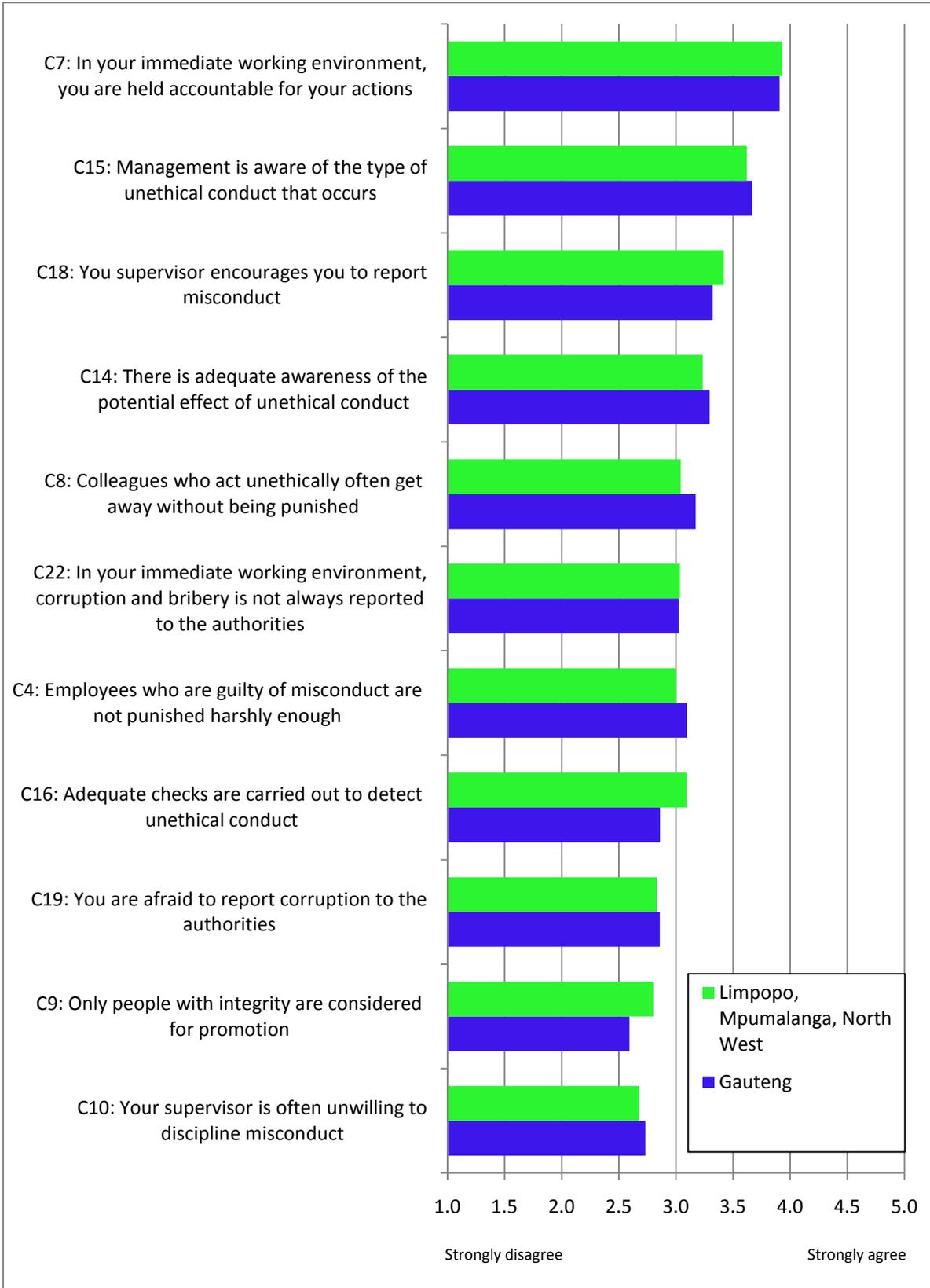


Figure 7.3.8 Section C: Item Mean Scores by Region

Table 7.3.8 Section D and E: Item Mean Scores by Region

Region	Gauteng	Limpopo, Mpumalanga, North West	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.00	3.12	0.451	0.209	0.002
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.28	2.47	0.187	0.068	0.005
E7: You enjoy your work	3.11	3.31	0.162	0.049	0.006
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.13	3.21	0.090	0.369	0.001
E12: Unions would never cover up members' unethical conduct	3.18	3.07	0.575	0.241	0.002
E23: Senior management often does not comply with Departmental policies and procedures	3.16	2.98	0.138	0.069	0.005
E13: Unions often oppose disciplinary action against their members	2.90	2.97	0.586	0.438	0.001
E18: The major responsibility of employees in this Department is to control costs	2.79	2.92	0.007	0.153	0.003
E14: Your union has greater influence over decision-making than your line manager	2.75	2.78	0.593	0.728	0.000
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.50	2.62	0.157	0.204	0.002

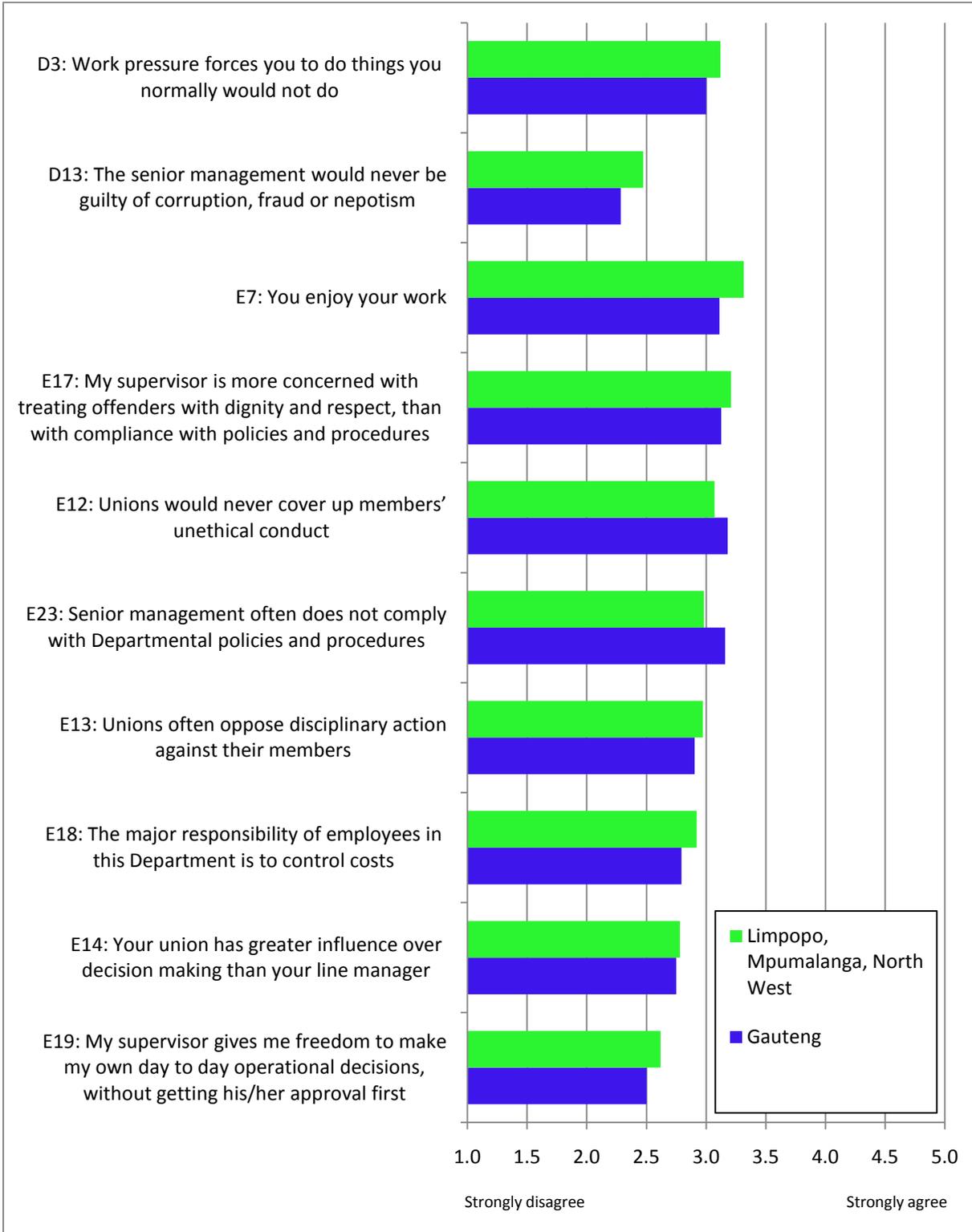


Figure 7.3.8 Section D and E: Item Mean Scores by Region

7.3.9 Item Mean Scores by Union Membership

No significant difference across groups was identified in Table 7.3.9 (Section C) and Table 7.3.9 (Section D and E). The null hypothesis seems to be the most appropriate explanation in respect of the items in section C, D and E. Union membership had no influence on respondents' responses to the items.

Table 7.3.9 Section C: Item Mean Scores by Union Membership

Union membership	Yes	No	Chi-Sq Sig	ANOVA Significance	Eta Squared
C7: In your immediate working environment, you are held accountable for your actions	3.93	3.82	0.564	0.569	0.001
C15: Management is aware of the type of unethical conduct that occurs	3.64	3.43	0.310	0.352	0.001
C18: You supervisor encourages you to report misconduct	3.41	3.09	0.555	0.166	0.003
C14: There is adequate awareness of the potential effect of unethical conduct	3.30	3.05	0.699	0.260	0.002
C8: Colleagues who act unethically often get away without being punished	3.08	3.27	0.972	0.461	0.001
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.04	3.24	0.844	0.455	0.001
C4: Employees who are guilty of misconduct are not punished harshly enough	3.02	3.32	0.150	0.260	0.002
C16: Adequate checks are carried out to detect unethical conduct	3.02	3.14	0.891	0.601	0.000
C19: You are afraid to report corruption to the authorities	2.85	2.86	0.305	0.972	0.000
C9: Only people with integrity are considered for promotion	2.73	2.86	0.812	0.641	0.000
C10: Your supervisor is often unwilling to discipline misconduct	2.69	2.57	0.894	0.624	0.000

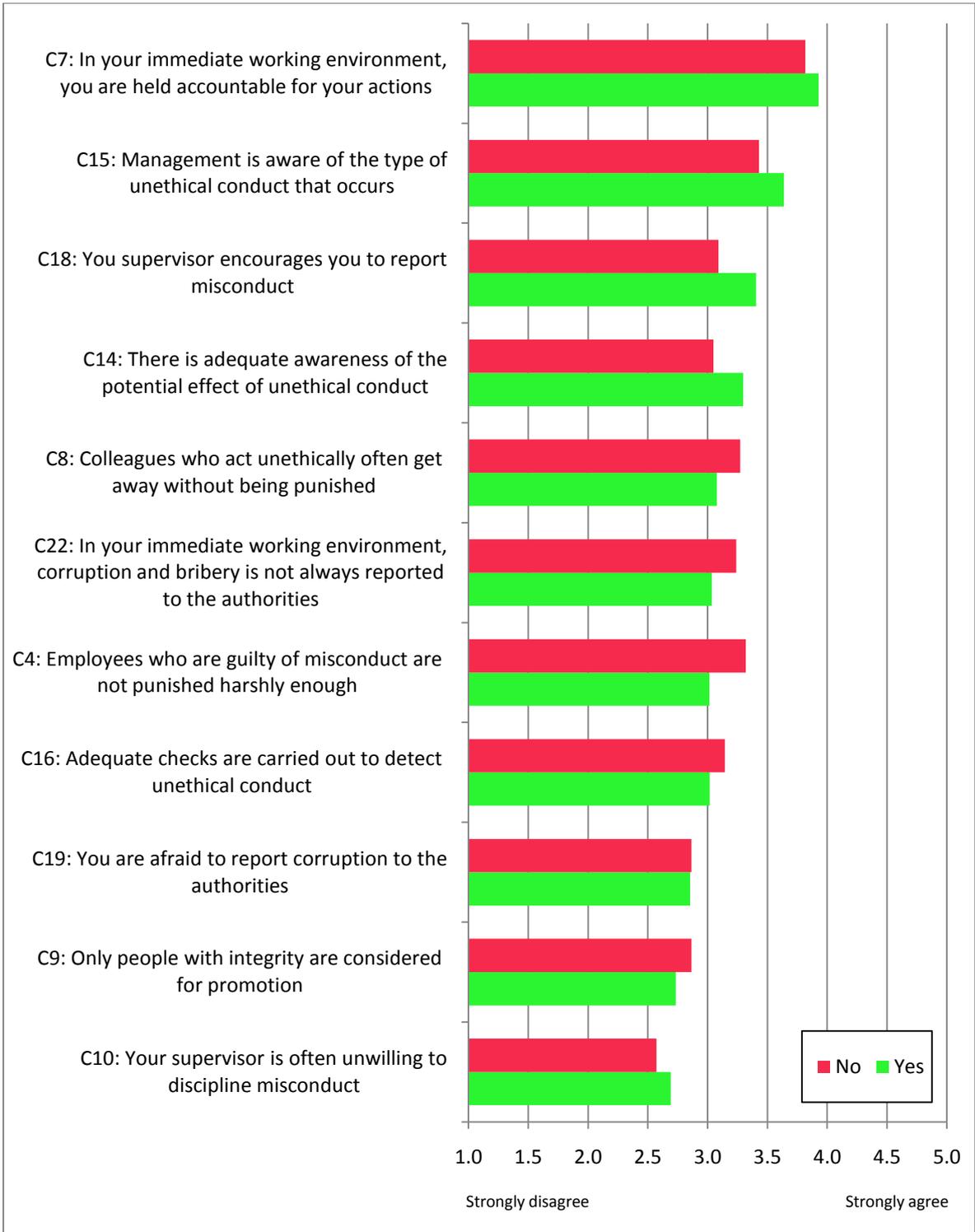


Figure 7.3.9 Section C: Item Mean Scores by Union Membership

Table 7.3.9 Section D and E: Item Mean Scores by Union Membership

Union membership	Yes	No	Chi-Sq Sig	ANOVA Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	3.07	2.95	0.586	0.661	0.000
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.44	2.24	0.532	0.487	0.001
E7: You enjoy your work	3.27	3.71	0.257	0.117	0.004
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	3.19	2.89	0.072	0.257	0.002
E12: Unions would never cover up members' unethical conduct	3.13	3.06	0.814	0.794	0.000
E23: Senior management often does not comply with Departmental policies and procedures	3.06	3.10	0.344	0.887	0.000
E13: Unions often oppose disciplinary action against their members	2.95	2.71	0.733	0.381	0.001
E18: The major responsibility of employees in this Department is to control costs	2.87	3.24	0.234	0.129	0.004
E14: Your union has greater influence over decision-making than your line manager	2.79	2.53	0.051	0.343	0.001
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.57	2.14	0.562	0.092	0.004

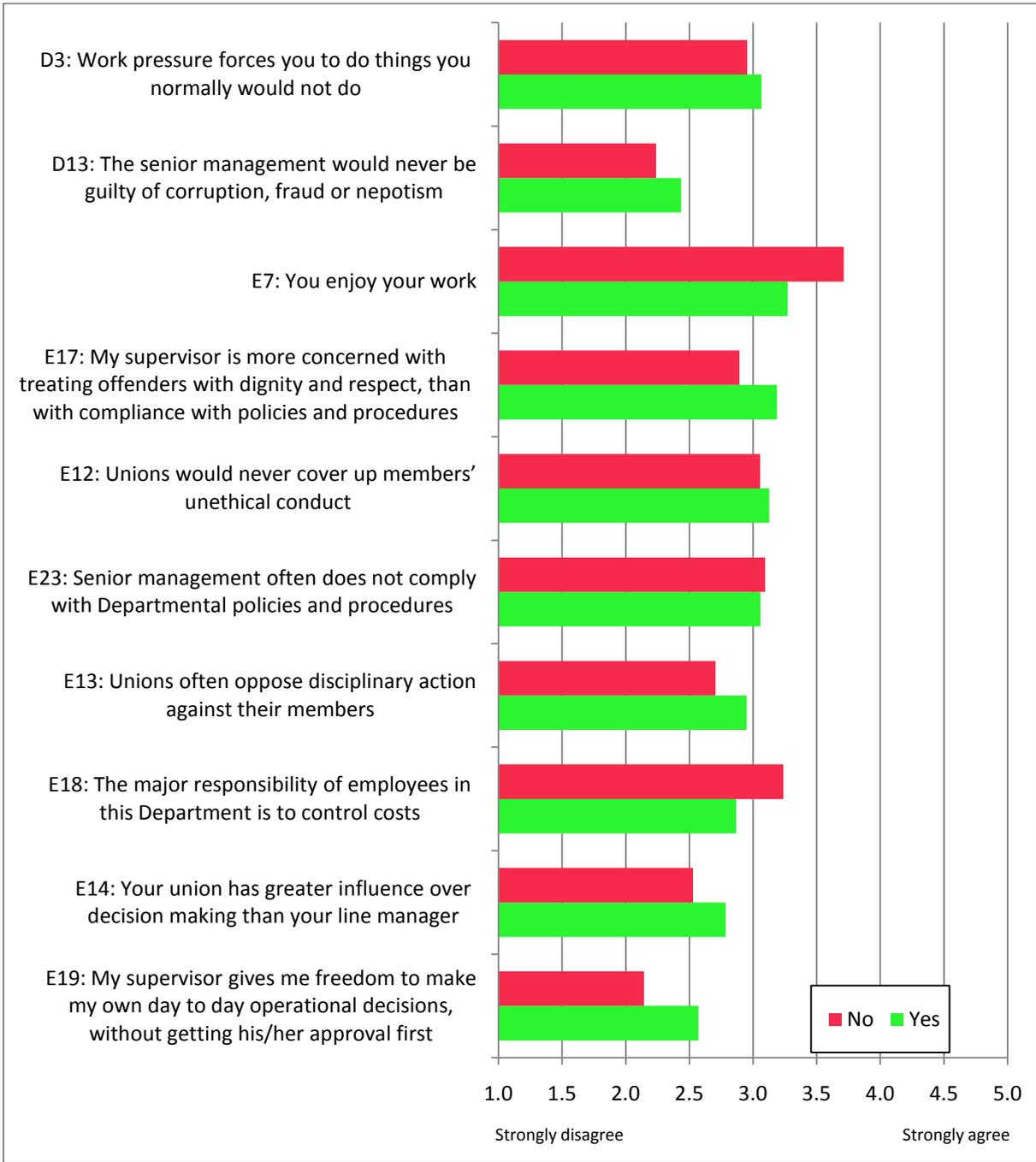


Figure 7.3.9 Section D and E: Item Mean Scores by Union Membership

7.3.10 Item Mean Scores by Management Area

Significant differences across groups by management area are identified in Table 7.3.10 (Section C). The findings in this section on management areas do not provide the same measure of consistency and clarity that emerged from the findings in section 6.5.10. In section 6.5.10, the Thohoyandou Management Area consistently obtained the best values in terms of the factors of ethical culture. In this section the findings appear rather disjointed with no specific management area performing the best in terms of the individual items in section C, D and E. In fact, in respect of various items the Thohoyandou Management Area obtained negative responses.

On item C8, respondents at the Baviaanspoort Management Area ($m = 2,72$) are of the opinion that colleagues who act unethically do not go unpunished. In comparison, however, respondents at the Boksburg Management Area ($m = 3,56$) seem to believe that a culture of impunity exists. In respect of item C18, respondents at the Bethal Management Area ($m = 3,75$) are most encouraged by supervisors to report misconduct whereas respondents at the Barberton Management Area ($m = 2,93$) are least encouraged to report misconduct.

In respect of item C4, respondents at the Thohoyandou Management Area ($m = 3,37$) believe that the sanctions for misconduct are not severe enough, while respondents at the Bethal Management Area ($m = 2,68$) perceive the sanctions to be appropriate. When officials perceive sanctions to be severe, they are less likely to consider malfeasance as the cost of misconduct outweighs the illegal gains to be obtained. On item C16, respondents at Thohoyandou Management Area ($m = 2,72$) indicated that adequate checks to detect malfeasance are not carried out. This contention was not supported by respondents at the Bethal Management Area ($m = 3,42$). In respect of item C19, respondents at the Thohoyandou Management Area ($m = 3,05$) provided a neutral response on whether they are afraid to report corruption to the authorities. Conversely, respondents at the Baviaanspoort Management Area ($m = 2,61$) disagreed with this statement and indicated that they are not afraid to report corruption.

In respect of item C7, all groupings by management area provided a strong indication that they are held accountable for their actions. Respondents at the Bethal Management Area (m = 4,29) provided the strongest indication of accountability and respondents at the Boksburg Management Area, albeit still significant, the weakest indication (m = 3,67). In respect of item C22, respondents at the Bethal and Boksburg Management Areas (both m = 2,78) indicated that malfeasance is reported in their immediate working environment. Respondents at the Thohoyandou Management Area (m = 3,21) indicated that misconduct is not always reported to the authorities.

In respect of item C14, respondents at the Boksburg Management Area (m = 3,81) believe that there is adequate awareness of the potential effect of unethical conduct. Respondents at the Barberton Management Area (m = 3,00) provided the weakest indication that adequate awareness of the potential effect of misconduct exists. Despite the ambiguity on item C9, respondents at the Baviaanspoort Management Area (m = 2,61) believe that integrity is not the only consideration for promotion. Respondents at the Boksburg Management Area (m = 3,02) provided a neutral response on this item.

All groupings by management area indicated that management was aware of the type of unethical conduct that occurs in the Department (item C15). Respondents at the Thohoyandou Management Area (m = 3,79) provided the strongest indication of this awareness whereas respondents at the Leeuwkop Management Area (m = 3,52) provided the weakest indication. In respect of item C10, respondents at the Baviaanspoort Management Area (m = 2,57) indicated that their supervisors are willing to discipline misconduct. Respondents at the Thohoyandou Management Area (m = 2,96) provided a neutral response on this item and seem to be unsure whether their supervisors would act against misconduct.

The findings on items C4, C16, C19, C22, and C10 in Table 7.3.10 (Section C) for the Thohoyandou Management Area contradict the findings in section 6.5.10. In addition, the Thohoyandou Management Area obtained a mean of 3,48 on item C8 and respondents seem to believe that a culture of impunity exists. The findings seem to suggest that the Thohoyandou Management Area should pay attention to the matters addressed above.

Significant differences across groups by management area are identified in Table 7.3.10 (Section D and E). Respondents at the Boksburg Management Area (m = 3,33) indicated that senior management often does not comply with departmental policies and procedures (item E23). Senior management are required to set the example in terms of ethical conduct. Any behaviour that is perceived as unethical conduct, such as non-compliance with policies and procedures, could weaken the success of a corruption prevention strategy. Respondents at the Bethal Management Area (m = 2,76) were more positive on their evaluation of senior management compliance. For item E19, all respondent groupings disagreed with the statement that they could take day-to-day operational decisions without supervisor approval. This finding is an indication that decision-making authority is not delegated to lower hierarchical levels. Respondents at the Thohoyandou Management Area (m = 2,91) obtained the highest mean, and consequently seem to experience the greatest measure of decentralisation of authority, with respondents at the Boksburg Management Area (m = 2,36) the lowest mean.

In respect of item D13, senior management is perceived as least ethical by respondents at the Barberton Management Area (m = 1,93). Respondents at the Bethal Management Area obtained the highest mean of 2,58; with senior management still negatively perceived as capable of being guilty of corruption, fraud and nepotism. For item E12, respondents at the Boksburg Management Area (m = 3,26) perceive unions to be ethical and that they would never cover up a member's misconduct. Conversely, respondents at the Bethal Management Area (m = 2,71) believe that unions are capable of protecting unscrupulous members.

Treating offender with dignity and respect is more important than compliance with policies and procedures at the Thohoyandou Management Area (m = 3,42). Respondents at the Boksburg Management Area (m = 2,95) provided a neutral response on this item E17. On item E7, respondents at the Leeuwkop Management Area (m = 3,45) seem to enjoy their work most, while respondents at the Boksburg Management Area (m = 2,95) seem to enjoy their work least. As indicated earlier, officials that do not enjoy their work are more likely to engage in unethical conduct.

Respondents at the Barberton Management Area (m = 3,46) obtained the highest mean on item D3 and seem to experience the most work pressure, while respondents at the Leeuwkop Management Area (m = 2,93) obtained the lowest mean. When officials experience excessive work pressure, they could justify abusing the system to gain illicit benefits. For none of the groupings by management area is controlling costs a major responsibility of officials. In respect of item E18, respondents at the Leeuwkop Management Area provided a neutral response and obtained a mean of 3,04. Respondents at the Baviaanspoort Management Area obtained the lowest mean of 2,79. At no management area does the union have greater influence over decision-making than line managers (item E14). Unions seem to have least influence over decision-making at the Baviaanspoort Management Area (m = 2,65). Respondents at the Boksburg Management Area provided a neutral response (m = 2,98).

In Table 7.3.11 and Table 7.3.12, a summary of the Chi-square and ANOVA findings are provided. In the tables it is reported that variance across groups is most significant in respect of race, years of service, post level, and management area. In Table 7.3.13 and Table 7.3.14 the Eta-square tests identified similar findings to the ANOVA and Chi-square tests. The strength of association between the items in section C, D and E and race (average $\eta^2 = 0,015$); years of service (average $\eta^2 = 0,017$); post level (average $\eta^2 = 0,015$); and management area (average $\eta^2 = 0,022$) is significant.

Table 7.3.10 Section C: Item Mean Scores by Management Area

Management area	Baviaans- poort	RC: Mpum / N-W / Limpopo	Barber- ton	Bet- hal	Leeuw- kop	RC: Gau- teng	Boks- burg	Thoho- yandou	Chi-Sq Sig	Anova Sig	Eta ²
C7: In your immediate working environment, you are held accountable for your actions	3.87	3.95	3.79	4.29	3.84	3.91	3.67	3.97	0.002	0.006	0.030
C15: Management is aware of the type of unethical conduct that occurs	3.59	3.28	3.76	3.69	3.52	3.74	3.72	3.79	0.021	0.261	0.014
C18: You supervisor encourages you to report misconduct	3.28	3.05	2.93	3.75	3.50	3.22	3.63	3.33	0.000	0.000	0.040
C14: There is adequate awareness of the potential effect of unethical conduct	3.34	3.21	3.00	3.26	3.34	3.21	3.81	3.05	0.008	0.007	0.030
C8: Colleagues who act unethically often get away without being punished	2.72	3.10	3.21	2.73	3.05	3.11	3.56	3.48	0.000	0.000	0.046
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	3.01	3.19	3.03	2.78	2.91	3.36	2.78	3.21	0.002	0.007	0.030
C4: Employees who are guilty of misconduct are not punished harshly enough	2.88	3.10	3.32	2.68	3.07	3.02	3.17	3.37	0.040	0.021	0.025
C16: Adequate checks are carried out to detect unethical conduct	3.06	2.61	2.93	3.42	3.12	2.96	2.95	2.72	0.000	0.004	0.032
C19: You are afraid to report corruption to the authorities	2.61	3.37	2.72	2.64	2.70	3.13	2.98	3.05	0.002	0.002	0.034
C9: Only people with integrity are considered for promotion	2.46	2.60	2.55	2.95	2.82	2.75	3.02	2.53	0.008	0.091	0.019
C10: Your supervisor is often unwilling to discipline misconduct	2.57	2.72	2.79	2.60	2.63	2.72	2.75	2.96	0.051	0.422	0.011

Table 7.3.10 Section D and E: Item Mean Scores by Management Area

Management area	Baviaanspoort	RC: Mpum / N-W / Limpopo	Barberton	Bethal	Leeuwkop	RC: Gauteng	Boksburg	Thohoyandou	Chi-Sq Sig	Anova Sig	Eta ²
D3: Work pressure forces you to do things you normally would not do	2.98	2.95	3.46	3.27	2.93	3.13	3.19	3.17	0.079	0.184	0.015
D13: The senior management would never be guilty of corruption, fraud or nepotism	2.52	2.35	1.93	2.58	2.52	2.54	2.29	2.12	0.002	0.082	0.019
E7: You enjoy your work	3.02	3.50	3.28	3.35	3.45	3.22	2.95	3.37	0.325	0.110	0.018
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	2.99	2.94	3.14	3.20	3.26	3.17	2.95	3.42	0.011	0.199	0.015
E12: Unions would never cover up members' unethical conduct	3.22	2.81	3.14	2.71	3.12	3.25	3.26	3.11	0.007	0.039	0.023
E23: Senior management often does not comply with Departmental policies and procedures	3.03	3.21	3.15	2.76	2.95	3.10	3.33	3.24	0.000	0.138	0.017
E13: Unions often oppose disciplinary action against their members	2.97	3.00	3.04	3.05	2.98	2.93	2.62	2.84	0.842	0.614	0.008
E18: The major responsibility of employees in this Department is to control costs	2.79	2.74	3.00	2.99	3.04	2.73	2.83	2.84	0.064	0.281	0.013
E14: Your union has greater influence over decision-making than your line manager	2.65	2.71	2.70	2.90	2.84	2.64	2.98	2.80	0.600	0.465	0.010
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	2.37	2.26	2.75	2.49	2.69	2.60	2.36	2.91	0.002	0.033	0.023

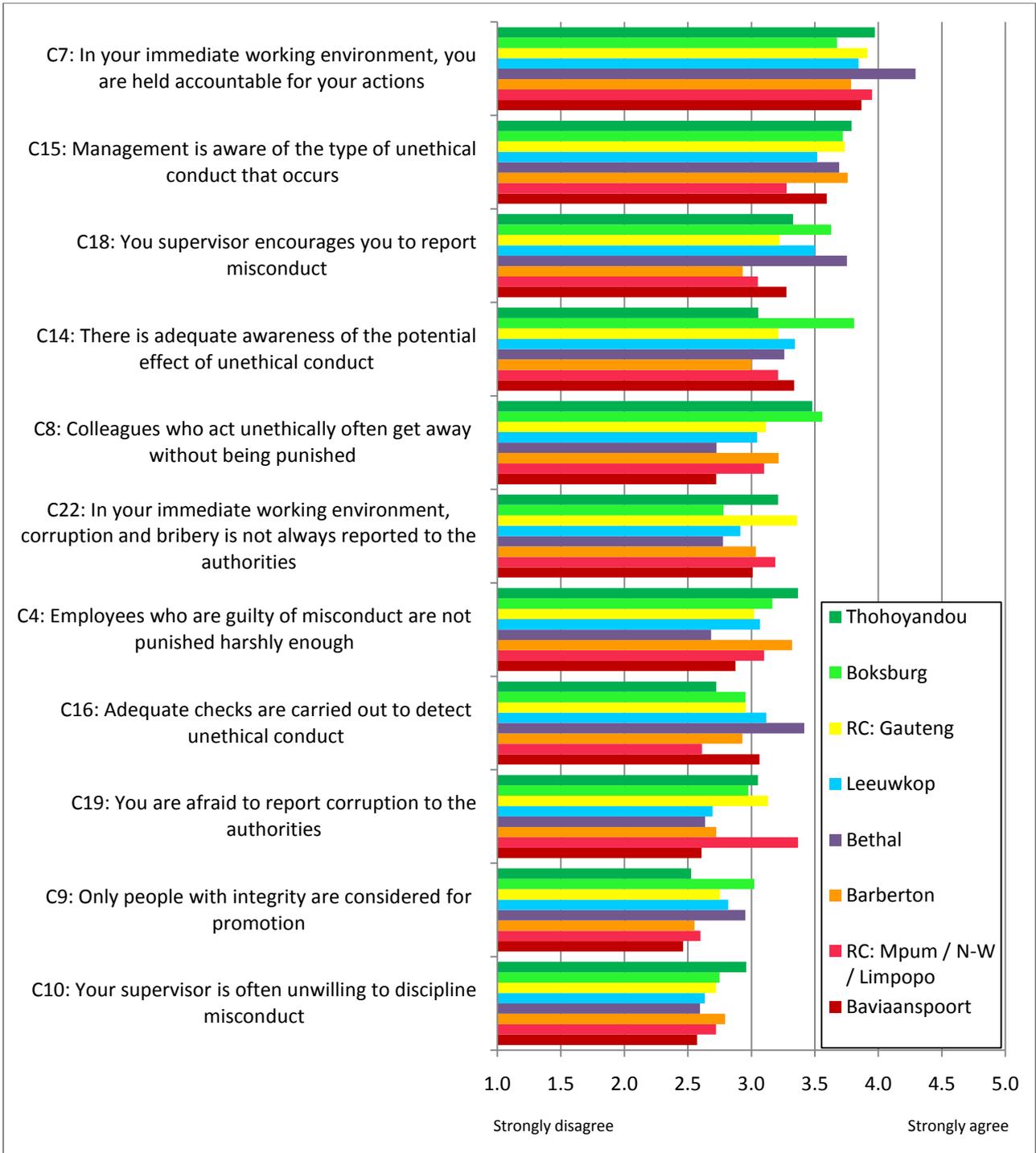


Figure 7.3.10 Section C: Item Mean Scores by Management Area

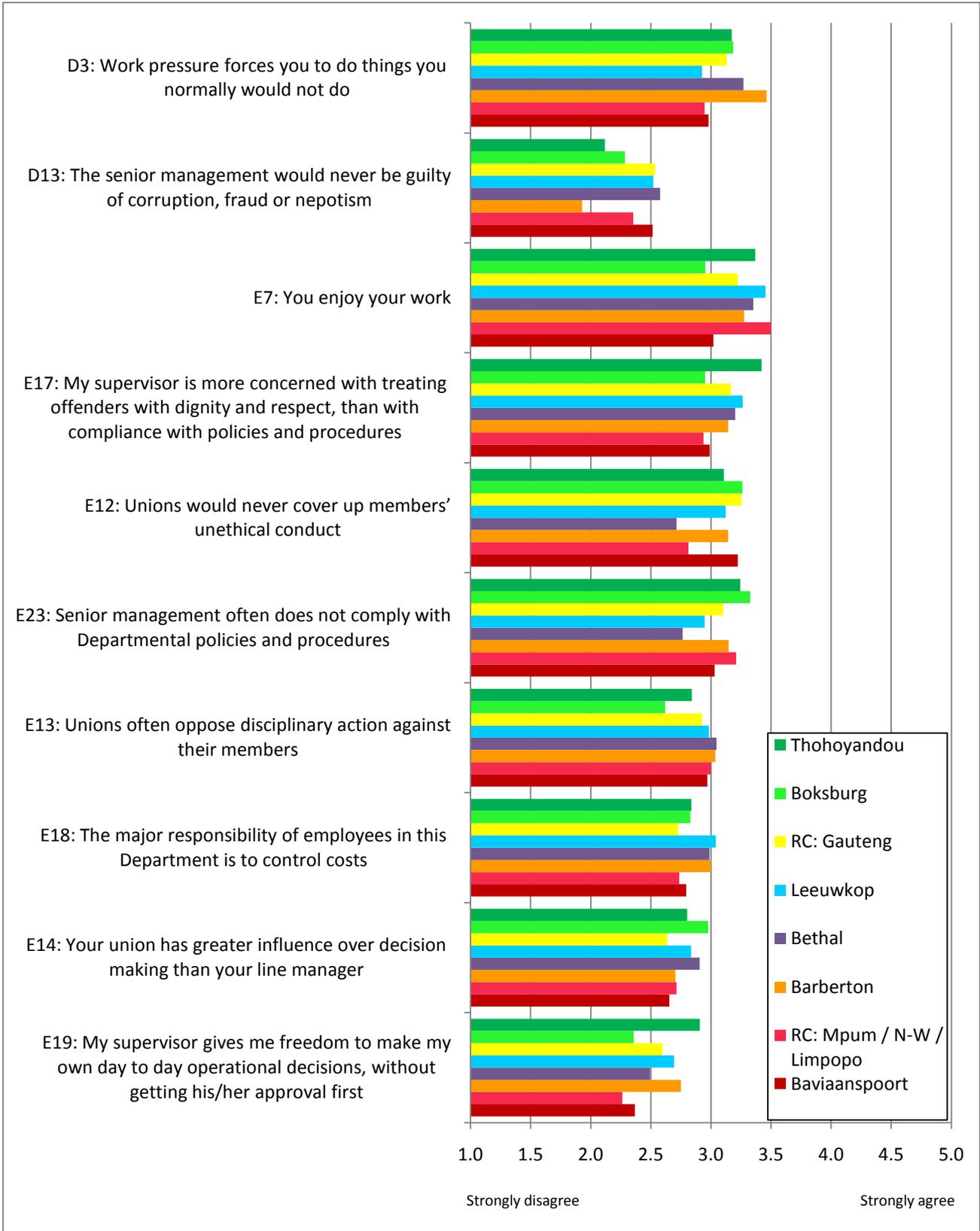


Figure 7.3.10 Section D and E: Item Mean Scores by Management Area

Table 7.3.11: Significance of Chi-Square Test

	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area
C4: Employees who are guilty of misconduct are not punished harshly enough	0.316	0.000	0.490	0.590	0.024	0.036	0.903	0.400	0.150	0.040
C7: In your immediate working environment, you are held accountable for your actions	0.357	0.127	0.218	0.660	0.576	0.008	0.440	0.068	0.564	0.002
C8: Colleagues who act unethically often get away without being punished	0.394	0.000	0.609	0.422	0.002	0.001	0.320	0.010	0.972	0.000
C9: Only people with integrity are considered for promotion	0.018	0.004	0.505	0.004	0.000	0.029	0.035	0.013	0.812	0.008
C10: Your supervisor is often unwilling to discipline misconduct	0.088	0.002	0.098	0.045	0.503	0.800	0.924	0.306	0.894	0.051
C14: There is adequate awareness of the potential effect of unethical conduct	0.794	0.065	0.490	0.269	0.395	0.670	0.230	0.719	0.699	0.008
C15: Management is aware of the type of unethical conduct that occurs	0.174	0.861	0.811	0.817	0.443	0.830	0.846	0.053	0.310	0.021
C16: Adequate checks are carried out to detect unethical conduct	0.795	0.001	0.759	0.660	0.466	0.001	0.172	0.002	0.891	0.000
C18: You supervisor encourages you to report misconduct	0.383	0.051	0.819	0.326	0.192	0.259	0.172	0.080	0.555	0.000
C19: You are afraid to report corruption to the authorities	0.528	0.001	0.106	0.079	0.191	0.039	0.195	0.655	0.305	0.002
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	0.143	0.002	0.965	0.046	0.072	0.970	0.396	0.788	0.844	0.002
D3: Work pressure forces you to do things you normally would not do	0.994	0.041	0.910	0.710	0.166	0.264	0.088	0.451	0.586	0.079
D13: The senior management would never be guilty of corruption, fraud or nepotism	0.029	0.105	0.462	0.517	0.019	0.006	0.151	0.187	0.532	0.002
E7: You enjoy your work	0.802	0.541	0.001	0.238	0.004	0.936	0.429	0.162	0.257	0.325
E12: Unions would never cover up members' unethical conduct	0.000	0.000	0.672	0.076	0.000	0.000	0.073	0.575	0.814	0.007
E13: Unions often oppose disciplinary action against their members	0.224	0.399	0.038	0.364	0.479	0.628	0.461	0.586	0.733	0.842
E14: Your union has greater influence over decision-making than your line manager	0.003	0.513	0.009	0.469	0.030	0.018	0.731	0.593	0.051	0.600
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	0.051	0.004	0.159	0.662	0.459	0.550	0.110	0.090	0.072	0.011
E18: The major responsibility of employees in this Department is to control costs	0.175	0.002	0.030	0.274	0.660	0.667	0.899	0.007	0.234	0.064
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	0.036	0.000	0.016	0.158	0.308	0.168	0.761	0.157	0.562	0.002
E23: Senior management often does not comply with Departmental policies and procedures	0.506	0.002	0.412	0.429	0.143	0.068	0.482	0.138	0.344	0.000

Table 7.3.12: Significance of Anova Test

	Age group	Race group	Gender	Qualification	Years of service	Post level	Deployed	Region	Union membership	Management area
C4: Employees who are guilty of misconduct are not punished harshly enough	0.032	0.000	0.695	0.414	0.001	0.002	0.468	0.333	0.260	0.021
C7: In your immediate working environment, you are held accountable for your actions	0.809	0.115	0.704	0.294	0.541	0.015	0.418	0.747	0.569	0.006
C8: Colleagues who act unethically often get away without being punished	0.049	0.000	0.160	0.617	0.000	0.000	0.393	0.184	0.461	0.000
C9: Only people with integrity are considered for promotion	0.020	0.000	0.948	0.000	0.000	0.000	0.077	0.046	0.641	0.091
C10: Your supervisor is often unwilling to discipline misconduct	0.100	0.001	0.231	0.579	0.439	0.860	0.872	0.565	0.624	0.422
C14: There is adequate awareness of the potential effect of unethical conduct	0.735	0.036	0.603	0.145	0.709	0.802	0.134	0.470	0.260	0.007
C15: Management is aware of the type of unethical conduct that occurs	0.135	0.365	0.451	0.773	0.170	0.889	0.313	0.540	0.352	0.261
C16: Adequate checks are carried out to detect unethical conduct	0.268	0.000	0.405	0.451	0.280	0.058	0.185	0.009	0.601	0.004
C18: You supervisor encourages you to report misconduct	0.211	0.036	0.527	0.084	0.053	0.442	0.037	0.259	0.166	0.000
C19: You are afraid to report corruption to the authorities	0.702	0.000	0.055	0.852	0.050	0.021	0.163	0.799	0.972	0.002
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	0.825	0.004	0.891	0.144	0.898	0.498	0.063	0.922	0.455	0.007
D3: Work pressure forces you to do things you normally would not do	0.579	0.316	0.834	0.923	0.100	0.527	0.269	0.209	0.661	0.184
D13: The senior management would never be guilty of corruption, fraud or nepotism	0.065	0.017	0.612	0.394	0.048	0.064	0.144	0.068	0.487	0.082
E7: You enjoy your work	0.770	0.513	0.001	0.469	0.005	0.485	0.760	0.049	0.117	0.110
E12: Unions would never cover up members' unethical conduct	0.000	0.000	0.673	0.075	0.000	0.000	0.018	0.241	0.794	0.039
E13: Unions often oppose disciplinary action against their members	0.621	0.094	0.477	0.318	0.512	0.823	0.233	0.438	0.381	0.614
E14: Your union has greater influence over decision-making than your line manager	0.434	0.425	0.008	0.440	0.152	0.593	0.684	0.728	0.343	0.465
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	0.095	0.060	0.167	0.549	0.138	0.488	0.512	0.369	0.257	0.199
E18: The major responsibility of employees in this Department is to control costs	0.504	0.001	0.023	0.697	0.040	0.670	0.969	0.153	0.129	0.281
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	0.177	0.000	0.024	0.521	0.020	0.090	0.099	0.204	0.092	0.033
E23: Senior management often does not comply with Departmental policies and procedures	0.855	0.006	0.092	0.336	0.506	0.237	0.854	0.069	0.887	0.138

Table 7.3.13: Eta Squared of Item Scores in one-way Anova Analysis

	Age group	Race group	Gender	Qualification	Years of service	Post level	De-ployed	Region	Union member-ship	Management area
C4: Employees who are guilty of misconduct are not punished harshly enough	0.015	0.047	0.000	0.001	0.030	0.030	0.004	0.001	0.002	0.025
C7: In your immediate working environment, you are held accountable for your actions	0.002	0.004	0.000	0.002	0.006	0.023	0.004	0.000	0.001	0.030
C8: Colleagues who act unethically often get away without being punished	0.014	0.067	0.003	0.000	0.041	0.042	0.005	0.003	0.001	0.046
C9: Only people with integrity are considered for promotion	0.017	0.021	0.000	0.023	0.034	0.035	0.010	0.006	0.000	0.019
C10: Your supervisor is often unwilling to discipline misconduct	0.011	0.016	0.002	0.000	0.007	0.003	0.001	0.001	0.000	0.011
C14: There is adequate awareness of the potential effect of unethical conduct	0.003	0.007	0.000	0.003	0.004	0.004	0.009	0.001	0.002	0.030
C15: Management is aware of the type of unethical conduct that occurs	0.010	0.001	0.001	0.000	0.011	0.003	0.006	0.001	0.001	0.014
C16: Adequate checks are carried out to detect unethical conduct	0.008	0.024	0.001	0.001	0.009	0.017	0.008	0.010	0.000	0.032
C18: You supervisor encourages you to report misconduct	0.008	0.006	0.001	0.004	0.016	0.008	0.013	0.002	0.003	0.040
C19: You are afraid to report corruption to the authorities	0.003	0.018	0.005	0.000	0.016	0.021	0.008	0.000	0.000	0.034
C22: In your immediate working environment, corruption and bribery is not always reported to the authorities	0.002	0.012	0.000	0.003	0.002	0.007	0.011	0.000	0.001	0.030

Table 7.3.14: Eta Squared of Item Scores in one-way Anova Analysis

	Age group	Race group	Gender	Qualification	Years of service	Post level	De-ployed	Region	Union member-ship	Management area
D3: Work pressure forces you to do things you normally would not do	0.004	0.001	0.000	0.000	0.013	0.007	0.006	0.002	0.000	0.015
D13: The senior management would never be guilty of corruption, fraud or nepotism	0.013	0.008	0.000	0.001	0.016	0.017	0.008	0.005	0.001	0.019
E7: You enjoy your work	0.003	0.001	0.016	0.001	0.024	0.007	0.002	0.006	0.004	0.018
E12: Unions would never cover up members' unethical conduct	0.034	0.032	0.000	0.005	0.061	0.047	0.016	0.002	0.000	0.023
E13: Unions often oppose disciplinary action against their members	0.004	0.004	0.001	0.001	0.006	0.004	0.007	0.001	0.001	0.008
E14: Your union has greater influence over decision-making than your line manager	0.006	0.001	0.010	0.001	0.012	0.006	0.002	0.000	0.001	0.010
E17: My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	0.011	0.005	0.003	0.001	0.012	0.007	0.004	0.001	0.002	0.015
E18: The major responsibility of employees in this Department is to control costs	0.005	0.017	0.008	0.000	0.017	0.005	0.000	0.003	0.004	0.013
E19: My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	0.009	0.019	0.007	0.001	0.019	0.015	0.010	0.002	0.004	0.023
E23: Senior management often does not comply with Departmental policies and procedures	0.002	0.011	0.004	0.001	0.006	0.011	0.001	0.005	0.000	0.017

7.4 Responses to Items in Section F

Section F of the questionnaire was included with the purpose to determine whether respondents are knowledgeable of the penalties that could be imposed when convicted for malfeasance. It is assumed that officials would avoid malfeasance, or even the appearance thereof, if they have sufficient knowledge of such penalties. The questionnaire items originate from the *Disciplinary Code and Procedure for the Department of Correctional Services, Resolution 1 of 2006*. In Table 4.1, the response frequencies are provided. In respect of item F1, 37,8% of respondents provided the correct answer. In respect of item F2, 70,4% of respondents provided the correct answer. While 51,5% of respondents provided the correct answer for item F3, the corresponding figure item F4 is 74,3%.

Table 7.4 Responses to items in section F

		Yes	No	Don't know	Total
F1: A final writing warning is valid for three months	Frequency	272	294	211	777
	%	35.0	37.8	27.2	100.0
F2: You may be demoted if you are found guilty for misconduct	Frequency	553	116	116	785
	%	70.4	14.8	14.8	100.0
F3: A final writing warning must be kept on your personal file until you resign/retire	Frequency	240	402	138	780
	%	30.8	51.5	17.7	100.0
F4: You may be dismissed if you are absent from work for a period of more than 30 days without permission or notifying the Department	Frequency	581	107	94	782
	%	74.3	13.7	12.0	100.0

7.5 Summary of Empirical Findings

Various findings in section A and B of chapter 7 are significant and are summarised.

Respondents provided a strong indication that they perceive corruption to be a problem in the Department. As very few respondents personally observed misconduct in their immediate working environment involving either external service providers (FB2 = 2.04) or offenders (FB1 = 1.71) (cf. section 6.4.1; section 7.2), this finding could be a reflection of respondents' negative view of senior management's commitment to honesty and integrity. An alternative explanation could be that respondents considered a different type of malfeasance, e.g. late coming at work, or the use of Departmental vehicles for personal use, that does not require collaboration with a second party.

Respondents generally disagreed with the statement that they are adequately remunerated. This could pose a problem as poor salaries in the public service are perceived to contribute to malfeasance (cf. section 3.7.2). Respondents believe that their remuneration compares poorly with people with similar experience and skills. This could also serve as a justification by officials to act unethically.

Race influence perceptions of misconduct: the phenomenon of cultural relativity. Cultural relativity refers to differing beliefs, opinions, and views of what constitutes unethical conduct (Hinde, 2002: 30-33; Gildenhuis, 2004: 22; Kurer, 2005: 222-239). White respondents provided a stronger indication than black respondents that nepotism is unacceptable in their culture. Also, black respondents seem to have observed fraud and nepotism to a lesser extent than their white counterparts. Although differences in findings emerged, they appear to be insignificant (cf. section 2.5.4).

From the findings it could be concluded that longer serving official could be more inclined to rationalise malfeasance. This could be due to their perceptions of malfeasance among senior

management; their perceived culture of impunity in the Department; their perceived work pressure; and the level of enjoyment of their work (cf. Kaptein, 2008: 923-947). Additionally, as the years of service increase, respondents believe themselves to be poorly remunerated. These factors might contribute to individuals being more susceptible to engage in malfeasance (cf. section 7.2.5; section 7.3.5).

Inadequate remuneration on senior levels of the Department could pose a significant problem in the Department's ethical endeavours (cf. section 3.7.2). Poor pay combined with increased decision-making authority that usually accompanies the posts of senior officials could contribute to increased malfeasance. Furthermore, as the seniority of respondents increase so does their perceptions that a culture of impunity exists and that penalties for misconduct are not severe enough. Senior respondents also do not share the positive perceptions of more junior respondents in respect of the role of unions in managing ethical conduct (cf. section 7.2.6; section 7.3.6).

The Gauteng region could be more prone to corruption than the LMN region. Various reasons could be provided for this belief. Respondents in the LMN region seem to enjoy their work to a greater extent than respondents in Gauteng. Respondents in Gauteng perceive themselves to be inadequately remunerated and are of the view that their remuneration does not compare favourably to people with similar experience and skills. The values obtained for the LMN Region are comparably better (cf. section 7.2.8).

Various findings in this section C, D and E of chapter 7 are significant and are summarised. The commitment by senior managers at the Department of Correctional Services seems to be lacking. Respondents at all management areas reported that senior management is likely to make themselves guilty of corruption, fraud and nepotism (cf. section 7.3; items D13 and E23). It has also been indicated by respondents that senior management often does not comply with departmental policies and procedures; particularly respondents on post level 7, and 13 to 16 (cf. section 7.3.6; item E23). Senior management commitment to integrity is vital to the promotion of ethical conduct (Kaptein, 2008: 923-947; CBPE and SAMDI, 2006: 73-84).

A general perception exist that whistle blowers fear that they will be subject to victimisation when they report illicit conduct (Holtzhausen, 2007: 180; Naidoo, 2007: 5). The findings suggest that this perception is untrue. Respondents indicated that they are not afraid to report corruption. Respondents (across all groups) obtained a mean of 2.85 on item C19 (cf. section 7.3). Respondents on post level 6 obtained a mean score of 2.80 while respondents on post levels 11 to 12 obtained a mean score of 2.76 (cf. section 7.3.6).

Reporting misconduct seems to be more encouraged at correctional centres than at regional commissioner's offices (cf. section 7.3.7). This could pose a problem as the Department's corruption prevention practices focus on misdemeanours and serious forms of misconduct are not detected. At correctional centres misdemeanours are likely to be found such as an offender offering a bribe in exchange for longer visiting hours. Greater opportunities for malfeasance would be found at the regional commissioner's offices such as the awarding of tenders and nepotism.

A culture of impunity seems to exist at the Department (cf. section 7.3; items C8 and C4). This is most prevalent at the Boksburg- and Thohoyandou Management Areas (cf. section 7.3.10). The LMN region performed slightly better than the Gauteng region (cf. section 7.3.8). Furthermore, respondents at post levels 8 to 10 ($m = 3.39$) and post levels 13 to 16 ($m = 3.63$) seem to be most convinced that this culture exist in the Department (cf. Section 7.3.6).

An important mechanism to manage ethics is the implementation of adequate internal control measures (cf. section 3.6). Respondents at post level 11 and 12 indicated that adequate checks to detect unethical behaviour are not carried out in the department (cf. section 7.3.6; item C16). However, no specific trend could be detected here as respondents on post levels 13-16 provided a neutral response. Respondents at the Thohoyandou Management Area ($m = 2.72$) obtained the lowest mean indicating the absence of adequate checks to detect malfeasance (cf. section 7.3.10).

This finding appears to contradict the positive values that the Thohoyandou Management Area obtained in respect of its ethical culture (cf. section 6.5.10). The Thohoyandou Management Area also obtained negative findings in respect of item C8, C22, C4, C19 and C10 (cf. Table 7.3.10 (Section C)).

On most of the items in section C, D and E, white respondents provided different responses from their black counterparts (cf. section 7.2.2; section 7.3.2). White respondents perceive a culture of impunity to exist; do not believe punishment for malfeasance to be adequate; perceive adequate control measures to be absent; and are sceptical of the role of unions in ethics management. However, both black and white respondents expressed their scepticism of the integrity and honesty of senior management.

The findings on the role of unions in ethics management are significant. The Jali-Commission pointed to the prominent and often destabilising role of unions in the management of the Department (cf. section 4.2.2). This survey revealed that unions do not have greater influence over the decision-making than line managers. This finding confirms that line managers are in control over the policy, financial and human resource matters of the Department and unions do not have undue influence over these processes. Unions seem to be trusted more by respondents at lower levels in the hierarchy and shorter serving respondents (cf. section 7.3.5; and section 7.3.6; specifically items E12 and E13). This could be due to the fact that longer serving and senior officials have had negative experiences when the Department was subject to greater union influence as was identified by the Jali-Commission.

The extent of management reform at the Department was another area of investigation for this survey. The main tenets of public management reform include controlling outputs and outcomes, rather than inputs and processes; delegating decision-making authority to appropriate levels in the hierarchy; and reducing expenditure while simultaneously improving on quality (cf. section 3.5). In this respect the findings pointed to mixed results: both positive and negative findings. Respondents attached prominence to treating offenders with dignity and respect. Respondents

rated this responsibility even more significant than compliance with policies and procedures (cf. section 7.3).

The delegation of authority to lower levels in the hierarchy seems to be weak. The finding of the survey pointed to the fact that respondents do not have freedom to make operational day-to-day decisions without obtaining prior approval. This finding was reflected by respondents across all post levels and across all management areas that were sampled in the Department (cf. section 7.3; item E19). Notwithstanding this finding, management areas seem to enjoy greater decision-making authority than the regional commissioner's offices (cf. section 7.3.7). This could be due to the fact that management areas are in closer contact with offenders and are required to take significantly more day-to-day operational decisions. Senior officials also appear to hold greater decision-making authority as compared to officials on lower post levels (cf. section 7.3.6).

7.6 Conclusion

Various findings in this chapter could contribute to the enhanced implementation of the PSACS within departments (cf. section 4.5.1). The findings indicate that a culture of impunity exist in the Department, specifically at the Boksborg- and Thohoyandou Management Areas ; employees at correctional centres are more encouraged to report corruption as compared to regional commissioner's offices; perceptions of poor remuneration among respondents could be a contributory factor to malfeasance; senior management appear to lack commitment in improving integrity; and senior officials could be more inclined to rationalise participation in corrupt dealings as compared to junior officials. The findings also indicate that the implementation of the PSACS could be enhanced by *inter alia* holding senior officials accountable for managing ethics (cf. section 4.5.1), and directing corruption prevention measures on forms of corruption that do not require the collaboration of a second party e.g. arriving late at work, or using the departmental vehicle for personal use.

In the next chapter, the findings in chapter 6 and 7 are considered to provide an answer to the main research question of this study (cf. section 1.5). In international and South African publications, various corruption prevention methods have been published. Little research has been completed on whether these methods are in fact effective within the South African context. In fact, the South African public service has rather bluntly implemented corruption prevention methods developed, and possibly tested elsewhere, without determining whether such measures would be appropriate in this country. This study has provided some interesting findings and indications as to the suitability of such measures.

CHAPTER 8

FINDINGS, RECOMMENDATIONS AND CONCLUSIONS

8.1 Introduction

This research project was prompted in 2003 by the publication of a *Pretoria News* article entitled *Jail 'smuggling' not seen as corruption* (Keyser, 2003). This report covered the proceedings of the investigation of the Jali-Commission into incidents of corruption, maladministration, violence and intimidation in the Department of Correctional Services (DCS). The mandate of the Commission included the Department's head office and nine management areas including the St Albans- ; Pretoria- ; Ncome- ; Pietermaritzburg- ; Durban Westville- ; Johannesburg- ; Pollsmoor- ; Leeuwkop- ; and Bloemfontein Management Areas. The findings contained in the *Executive Summary* of the Jali-Commission include an institutional culture of corruption and maladministration; refusal to comply with rules and regulations; undue union influence over departmental activities; a weak disciplinary system; and a culture of impunity (cf. section 4.2.2).

Corruption has remained a significant issue on the South African Government's agenda. In the period since 2003, this researcher has collected more than 124 newspaper articles on ethics and corruption in both the public and the private sectors. In 2002, the South African Government responded with the *Public Service Anti-Corruption Strategy (PSACS)* which outlined nine goals and various objectives and sub-objectives it believed would reduce the incidence of corruption in the public service. The PSACS provided a policy framework for the formulation and implementation of a range of ethics measures within the public service. In this respect, the dissertation by Balia (2005) served as a useful reference to the policy-making process leading up to the PSACS (cf. section 2.5.1). Throughout this study it was necessary to take note of the work done by other role players in the promotion of ethics and integrity in the public service. Whereas the Department of Public Service and Administration has taken the responsibility for initiating

and designing ethics policies, the Public Service Commission has fulfilled a significant role in monitoring and evaluating the implementation of these policies.

The main guiding research question for this study was: How can the implementation of the *Public Service Anti-Corruption Strategy* be enhanced? It was soon realised that it was not the formulation of ethics policies that posed a significant problem, but rather its implementation. Furthermore, the publication by Gilman identified the paucity of empirical research in ethics management as an additional challenge (cf. section 2.5.3.1). Lawton and Doig pointed to the multitude and easily accessible practitioner led research publications and empirical material, but the absence of academic attention to research on corruption and fraud (cf. section 5.2).

A number of variables have an influence on the implementation of public policy including commitment amongst personnel, capacity in the form of adequate tangible and intangible resources, appropriate policy content, and an appropriate organisational culture. For the purpose of this study, it was proposed that an appropriate ethical culture could significantly enhance the implementation of the PSACS. The conceptual framework proposed by Kaptein (cf. section 2.5.5.1; section 5.5.1) on ethical culture was useful in this regard and served as a basis for the development of questionnaire items for the purpose of the survey.

8.2 *Research Objective One: To determine what has been published internationally and in South Africa on public service corruption and its prevention (Chapter 2)*

From the outset it should be said that any literature review has limitations. This researcher read as many publications as possible, but time and resource constraints will always remain an obstacle in the pursuance of the epistemic imperative. The literature review served a number of purposes. It provided a broad perspective on what has been published on corruption and ethics in international and local publications. Publications on corruption and ethics have increased in

frequency and gained significant research prominence in international literature, especially during two periods in our recent history: the first period during the decolonisation and independence of many African states during the 1960's, and the second period after the end of the Cold War, communism and the disintegration of the Union of Soviet Socialist Republics (USSR) in the late 1980's and early 1990's (cf. section 2.5.3.2; Williams, 2000: ix-xvi). In terms of the latter period, the many research projects undertaken by the World Bank should be noted; specifically its work on the National Integrity Systems (cf. section 2.5.3.2).

Publications on ethics and corruption in South Africa have been less frequent and seem to lack academic depth. Many of these publications are normative and theoretical in nature focusing on the importance of a code of conduct, statutory and policy prescriptions, and developing models for understanding the phenomenon of corruption. Very few, if any, publications are based on empirical research into malfeasance in the public service. This paucity of research into malfeasance was identified by this researcher as a void in the literature. This dissertation is intended to fill this void. Notwithstanding this research project, significant avenues for further empirical research work remains.

The literature review served a second purpose. At face value it could be argued that corruption in the public service is an implementation problem; a topic within the domain of the subject Public Administration. However, this researcher found that the study of corruption and ethics does not belong to the exclusive domain of Public Administration. Rather, disciplines such as Administrative Law, Philosophy, Politics, Economics, and Business Management have a similar interest to undertake research in this field. In this regard, this researcher recalls how some delegates at the *Global Dialogue: Governing Good and Governing Well* Conference in Amsterdam (2009) were slightly disappointed with the paper delivered by renowned economist Professor Susan Rose-Ackerman on administrative law and public service corruption. Her approach to corruption and its prevention originates from an economist's perspective; slightly different from that of scholars in Public Administration. Although her work may be foreign to

the untrained economist, it provides insight into the motivations of greedy and self-maximising individuals in the public service.

8.3 *Research Objective Two: To understand corruption and its manifestation in the public service and describe the conceptual instruments by which corruption is prevented and combated (Chapter 3)*

Chapter 3 describes the manifestation and functionality of public service corruption. Various perspectives on the prevention of corruption are discussed, including the introduction of competition in the provision of monopoly services, the elimination of public programmes, rewards and penalties, the promotion of professionalism, greater emphasis on internal control measures, improved remuneration, ethical codes, the bureaucratic hierarchy, the recruitment and appointment of virtuous public officials, and the promulgation of statutory mechanisms.

Corruption prevention mechanisms should not be studied in isolation from the broader context of public management reform and governance initiatives that have occurred during the past three decades. Ironically, these reforms may in many ways have increased the opportunities for malfeasance. Management reform and governance initiatives have led to a shift from controlling inputs and processes, to controlling outputs and outcomes. These initiatives have aimed to bring about greater decision-making authority for public managers. Furthermore, when the public service is staffed by individuals more inclined to the bottom line than an interest in the common good the propensity for corruption increases. In defence of management reform, Hughes (2003: 218-235) identified the poor implementation of these reforms in developing states as a problem. In the South African public service these reforms coincided with the appointment of inexperienced public servants (cf. section 4.5.2) which led to weaknesses in internal control systems.

Given the international tendency of moving away from Weberian styles of management to more human, entrepreneurial, and indirect styles of management, it seems reasonable to suggest that the prevention of corruption should not only depend on the reintroduction of internal control systems. Policy makers should consider - as a point of departure - the various generic measures that are available for the prevention of public service corruption (cf. Klitgaard, 1991: 74-97). Recent developments in the management of ethics indicate that a compliance-based approach should be supplemented by a value-based approach (cf. section 1.4). Policy measures for corruption prevention should be supplemented with a focus on the less distinct measure of promoting an ethical culture. An ethical culture requires the appointment of virtuous public officials. The solution to malfeasance in the public service could be to recruit and appoint individuals that find themselves on Kohlberg's conventional and post-conventional stages of moral development. Such officials are not egocentric and concerned with their own interest, but rather aim to maintain the social order, conform to authority, and at a higher stage of development develop a sense of moral autonomy (cf. section 2.5.4).

8.4 *Research Objective Three: To describe the policy framework and instruments for the prevention and combating of corruption in the South African Public Service (Chapter 4)*

Policy makers have drafted a myriad of transversal policies to promote ethics and integrity in the public service. The more general policies include the *Public Finance Management Act*, 1999 (Act 1 of 1999), *Treasury Regulations*, 2002, *Public Service Proclamation*, 1994 (Proclamation 103 of 1994), and the *Public Service Regulations*, 2001. More ethics-specific policies include the *Prevention and Combating of Corruption Act*, 2004 (Act 12 of 2004), *Protected Disclosures Act*, 2000 (Act 26 of 2000), *Promotion of Access to Information Act*, 2000 (Act 2 of 2000), *Promotion of Administrative Justice Act*, 2000 (Act 3 of 2000), and the *Executive Members' Ethics Act*, 1998 (Act 82 of 1998). These policy instruments have been supplemented by the *Public Service Anti Corruption Strategy* (2002), and the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* (2006).

To give effect to the above policy requirements, the DCS drafted various institution-specific ethics policies including the *Whistle-blowing Policy*, *Fraud Prevention Policy*, *Anti-Corruption Strategy*, *Anti-Corruption Procedures*, *Vetting Policy* and *Code of Conduct*. (cf. section 4.6). In an effort to establish anti corruption capacity, the Department has established the Departmental Investigation Unit (DIU) and the Code Enforcement Unit (CEU). The Department has also received training developed by the former South African Management Development Institute (SAMDI) and the Centre for Business and Professional Ethics (CBPE) entitled *Ethics Management and Anti-Corruption Training for the Department of Correctional Services* (2006) (cf. section 4.2.2).

From the findings it is evident that a myriad of corruption prevention policy measures and initiatives have been established. However, the perception exists that policy implementation is hampered by a culture of non-compliance (Vollgraaff, 2009: 1). An evaluation of the corruption prevention policy measures indicates an emphasis on the establishment of formal structures in public service departments e.g. the formulation of policy and the establishment of units to detect and investigate malfeasance. Whereas the PSACS identifies various goals, objectives and sub-objectives to prevent corruption, it is the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service* that identifies implementation measures for the PSACS. One such measure is the promotion of an ethical culture as a prevention strategy. A number of related (and subsidiary) policy interventions also refer to the promotion of ethical culture including the Guide for Accounting Officers Public Finance Management Act; DCS Whistle-Blowing Policy; DCS Anti-Corruption Strategy; and the *White Paper for Corrections in South Africa*, 2005.

Considering the limitations of a compliance-based approach to the promotion of ethical conduct, as well as the need to supplement such an approach with a value-based approach, this researcher suggested that an emphasis on ethical culture could enhance the implementation of the PSACS (cf. Jacobs & Anechiarico, 1995: 143 – 175; Hoekstra, Belling & Van der Heide, 2008: 143-158;

Rossouw, 2008: 130-142). In the next section, the most appropriate research approach to investigate how ethical culture could enhance the implementation of the PSACS will be discussed in more detail.

8.5 *Research Objective Four: To determine the most appropriate research approach to investigate the implementation of the Public Service Anti-Corruption Strategy in the South African Public Service (Chapter 5)*

The paucity of empirical research in ethics is discussed in chapter 2 of this study. South African research into ethics in the public service compares poorly to international efforts. The few local publications seem to rely mostly on interpreting secondary data; data emanating from government reports and some research institutions. It could be assumed that Government research would not be too critical of their own efforts to prevent and combat corruption. Research institutions, on the other hand, undertake commissioned research which implies that their work is not always motivated by the epistemic imperative. Academics should then be careful to use their reports. This served as a motivation for this researcher to spend time in the field and make use of primary data.

At the level of meta-theory, this researcher considered the attributes of both the qualitative and quantitative methodological paradigms. The guiding research question, as well as the study population identified from the outset of this research project, informed the choice of methodological paradigm and data collection methods. The main research question was to determine how the implementation of the *Public Service Anti-Corruption Strategy* (specifically those provisions that apply to public service departments) could be enhanced? For this purpose, the DCS was identified as a case study and the unit of analysis. For the collection of data, this researcher made use of both products of human behaviour and characteristics, and human behaviour, orientation, and characteristics as units of observation. The first unit of observation included DCS reports on disciplinary hearings; DCS annual reports with data on the frequency

and types of misconduct; Auditor-General's reports for DCS; and the various DCS corruption prevention policies. The second unit of observation constituted the perceptions and experiences of employees of the DCS. Although various data collection methods were used, it was believed that a survey questionnaire would be the most appropriate for this study.

To obtain an insider understanding of the DCS, this author visited two management areas: Pollsmoor- and Malmesbury Management Areas where individual open-ended interviews were conducted as well as semi-structured group interviews. Individual and group interviews were conducted with officials at the Department's head office in Pretoria. Among those interviewed include the Directors of the DIU and the CEU, as well as a group interview with officials from the work study division at the Department. An individual interview was also conducted with the Area Coordinator: Corporate Services from the Pretoria Management Area. Various other meetings with officials in the Department proved useful to gain an understanding of the Department's human resource matters, data on correctional centres, data on offender figures, and research protocol.

An ethics management questionnaire was designed based on data emanating from these interviews, literature on ethics and corruption, as well as previous questionnaires on ethical conduct. Questionnaire items were developed based on *inter alia* Kaptein's (2008) conceptual framework on ethical culture. The ethics and integrity work of Akaah (1992), the Dutch Office of Local Government Ethics/ Bureau Integriteit Nederlandse Gemeenten, Vrije Universiteit Amsterdam/ Research Group Integrity of Governance, Van Tankeren (2007), and Kolthoff (2008) also proved useful for the development of the questionnaire (cf. section 5.5.1). These questionnaire items were adapted to the work environment of the DCS. A pilot questionnaire was administered to officials from the CEU. A final questionnaire with 100 items (excluding the biographical data) was drafted to be administered to a sample of respondents. The sample of respondents was identified using both purposive and random sampling methods. It was believed that the sample should represent respondents from correctional centres in both urban and rural communities. Two regions were identified: the Gauteng region in an urban area and the

Limpopo, Mpumalanga, and North West (LMN) region in a rural area. Random sampling was used to identify six management areas. This researcher visited all six management areas sampled and distributed the questionnaire to all personnel working during that specific visit. On completion of the fieldwork, the data was captured by Datanet Bureau Services. The data results were forwarded to a statistics consultant who provided analysed results. This researcher interpreted the analysed data and the findings will be discussed in the next section.

8.6 *Research Objective Five: To describe the research findings in respect of ethical culture as a measure to enhance the implementation of the PSACS (Chapter 6 and 7)*

The responses to the ethics management questionnaire were interpreted and the findings are reported below. The questionnaire responses are conceptually divided into three sections: the level of observed corruption; the factors of ethical culture; and the influence of union involvement and management reform on ethical behaviour and its management (cf. section 8.6.2). These three sections are discussed below.

8.6.1 Biographical Data

A total of 818 respondents from the sample of 14 528 officials completed the questionnaire: a response rate of 5,63%. The majority of respondents (87,1%) are appointed on operational post levels 5 to 8 with 10,3% of respondents appointed on post levels 9 to 12 representing the Middle Management Service (MMS) and 1,88% of respondents appointed on post levels 13 to 16 representing the Senior Management Service (SMS). A total of 72,1% of respondents are based at a correctional centre, 15,6% respondents are based at the Area Commissioner's Office, and 1,9% of respondents at the Regional Commissioner's Office. A total of 64% of respondents are based in the predominantly rural region of LMN with the remaining 36% of respondents based in the urban region of Gauteng. A total of 38,85% of the respondents served for less than 5 years at

the DCS with the remaining 61,15% of respondents for more than 5 years. In terms of racial distribution of the sample 81% of respondents were black, 13% of respondents White, 5% of respondents Coloured, and 1% of respondents Indian. In terms of gender distribution, 63% of respondents were male and 37% female.

8.6.2 Exploratory Factor Analysis

The data was subjected to exploratory factors analysis to summarise and reduce the data. This makes it unnecessary for the researcher to interpret each of the responses on the 100 individual questionnaire items. The exploratory factors analysis identified 16 factors. These factors could be divided into three conceptual sections. The first section aims to evaluate the manifestation of malfeasance in the institution and consist of two factors: External Service Providers' Role in Corruption, and the Offenders' Role in Corruption. The second section aims to measure the ethical culture in the institution and consist of 11 factors: Sanctions: Rewards and Punishment for Misconduct; Transparency: Immediate Working Environment; Discussability: Opinions and Discussions; Discussability: External Working Environment; Discussability: Internal Working Environment; Congruence of Senior Managers; Congruence of Supervisors; Feasibility; Clarity: Ethics Policies; Clarity: Operational Policies; and Supportability. The final section aims to determine the effect of unions and management reform on ethical behaviour and consist of three factors: Unions and Ethical conduct; Management Reform: Delegation of Authority; and Management Reform: Internal Control. The mean score findings of the 16 factors across all groups are reported below (cf. section 8.6.3; section 8.6.4; section 8.6.5). Those questionnaire items that were not included in the 16 factors were interpreted individually (cf. chapter 7).

8.6.3 Manifestation of Corruption

The *first section of factors* aims to evaluate the manifestation of malfeasance in the institution, i.e. FB1: External Service Providers' Role in Corruption, and FB2: Offenders' Role in Corruption. Despite the common perception that corruption is systemic in the public service, the findings suggest that the observed level of corruption in respondents' immediate working environment is fairly low. In fact, most respondents disagreed with the statement that they personally experienced malfeasance or that they observed malfeasance in their immediate working environment (cf. section 6.4.1). This finding applies to malfeasance committed in concert with external service providers and offenders.

These findings of the survey could be used as baseline data for longitudinal studies. Considering the fact that most respondents are found on a post level 5 to 8 it is not surprising that offenders are a greater source of corruption than external service providers. A sample composed mainly of senior management respondents could reveal external service providers as a greater source of corruption.

8.6.4 Ethical Culture

The *second section of factors* aims to measure the ethical culture of the institution. A number of findings appear to be significant. In respect of FC4: Discussability: External Working Environment, respondents indicated that they would report misconduct of their colleagues or supervisors to institutions external to their immediate working environment (cf. section 6.4.1). Reporting malfeasance to an external institution has limitations. Although the National Anti Corruption Hotline has been an effective instrument for reporting corruption to an external institution, departments appear to lack the capacity to investigate cases of misconduct (cf. section 4.5.11).

An important factor of ethical culture is FC3: Discussability: Opinions and Discussions. The survey indicated that respondents appear not to be willing to discuss malfeasance, or express their personal opinions on malfeasance in their immediate working environment. The Department should actively promote open discussions and create opportunities for officials to discuss unethical conduct among them. As indicated above, merely reporting the violation of a code of conduct to external institutions may not contribute to reduced malfeasance.

In respect of FD4: Clarity: Ethics policies and FD5: Clarity: Operational Policies, respondents indicated that they have considerably less certainty and clarity of the institution's ethics policies and what is expected of them in terms of these policies, as compared to the institution's operational policies. Ethics policies remain the basis for the promotion of ethical conduct. These policies (cf. section 4.5; section 4.6) including the Department's Code of Conduct, Fraud Prevention Policy, Whistle-Blowing Policy, Anti-Corruption Strategy, and Anti-Corruption Procedures should be understood, accepted and implemented to obtain the greatest measure of effectiveness.

In respect of FD2: Congruence of Supervisors, respondents indicated that they hold a fairly positive view of their immediate supervisors. Supervisors are seen as honest and reliable, acts ethically and with integrity, often communicate the importance of ethical conduct, and would never approve misconduct. In respect of FD1: Congruence of Senior Management, respondents indicated that they do not hold the same positive view of senior management (cf. section 6.4.1). Similar findings were reflected in a survey conducted by the CBPE and SAMDI (2006: 65-99) which indicated that the Department's senior personnel does not appear to be committed to pursuing integrity. Given the prominent role of senior management in corruption prevention programmes (cf. sections 3.7.5; section 4.5.2), it is argued that these negative views could create an ethical culture that is conducive to malfeasance.

The literature indicates that when employees are dissatisfied and unmotivated they are more likely to behave unethically (cf. section 5.5.1). On factor FE1: Supportability, respondents indicated that they experience a lack of respect and mutual trust, absence of commitment to the values and norms of the Department, and a lack of fairness and equality. Respondents also hold negative views on whether employees have the best interest of the Department at heart (cf. section 6.4.1).

8.6.5 Union Involvement and Management Reform

The *third section of factors* aims to determine the effect of unions and management reform on ethical behaviour and its management. The proposition that ethics management practices could be influenced by unions is relatively new and further research is required. The literature suggests that coalitions often influence the implementation of policies (cf. section 2.5.5). Unions appear to play a positive role in promoting integrity and ethical conduct. The survey provided the following findings: union leaders act with honesty and integrity; unions often remind officials of their obligations in terms of Resolution 1 of 2006 (cf. section 4.6.4); and unions often encourage members to act with integrity and honesty, and to report fraud and corruption.

The effect of management reform on ethical conduct in institutions is also a relatively new area of research. Literature points to the possible negative influence of management reform on opportunities for malfeasance (cf. section 3.6). In Kolthoff's (2007: 109-117) investigation of the effect of management reform on integrity violations in the Dutch regional police service, it was found that not all dimensions of management reform have a negative impact of ethical conduct. For example, the dimensions of performance measurement, decentralisation, and businesslike management had a positive effect on ethical conduct, while downsizing and entrepreneurship has a negative impact of ethical conduct. However, these findings should be interpreted with caution as the findings are relevant in a developed state context. Developing states are confronted with various difficulties in implementing public management reforms (cf. section 3.6).

This researcher used the survey method to investigate this phenomenon. Management reform initiatives advocate *inter alia* a move away from controlling inputs to controlling outputs and outcomes, as well as the delegation of authority to lower levels in the institution. If not properly applied, this could result in the breakdown of internal control measures and unchecked decision-making discretion for public officials. Survey findings point to a significant emphasis on internal control measures in the Department. Internal control measures appear to be in place and do not pose a problem for the management of ethics (cf. section 6.4.1). The delegation of decision-making authority in the DCS appears not to be decentralised significantly. Variance between different management areas exists (cf. section 6.5.10). This could cause uncertainty among public officials and create opportunities for malfeasance.

8.6.6 Analysis of Variance and Eta-square tests for Factors

To compare the differences between groups of respondents, the Analysis of Variance and Eta-square tests were performed (cf. section 6.5). With these statistical tests the effect, if any, of various independent variables including age, race, gender, level of qualification, years of service, post level, place of employment, region, union membership, and management area on the above 16 factors as dependent variables are determined. Post level, years of service, race, region, and management area as independent variables provided for the greatest measure of variance.

Post level

Post level significantly influences perceptions of ethical culture (cf. section 6.5.6). Respondents at lower post levels provided more positive responses on the factors of ethical culture as compared to respondents on a more senior post level. For example, senior respondents seem to be less certain of the effectiveness of disciplinary and reward mechanisms than more junior respondents. Senior respondents also obtained low mean scores on their knowledge and understanding of ethics policies. These findings are significant as these respondents should not only have a clear understanding of the institution's ethics policies (as these policies also apply to

them), but are also responsible to apply the necessary measures of reward and punishment to ensure ethical conduct by subordinates.

A similar trend appears in respect of respondent's perceptions of their supervisors and senior management. Respondents at lower post levels appear to hold more favourable views of the commitment of their supervisors to ethical conduct and integrity than respondents at higher post levels. This could be due to *inter alia* the lack of compliance by senior management with the ethics policy framework (cf. section 4.5; section 4.6). Ethics policies generally place the responsibility to promote integrity and ethical conduct on senior officials. Senior officials should show commitment to acting with honesty and integrity (cf. section 4.5).

Years of service

Years of service of respondents provided for note-worthy findings (cf. section 6.5.5). Shorter serving officials hold more positive views of the Departmental mechanisms that exist to promote ethical conduct. As officials increase their years of service the novelty of a new working environment seems to wear off with official less convinced of the effectiveness of these policy measures. Longer-serving respondents indicated that they do not have the opportunity to freely discuss their views on malfeasance; have inadequate time, authority and resources to complete their tasks, and mutual trust and respect, as well as having the Department's interest at heart seems to be lacking. These negative views are not shared by respondents with fewer years of service. New recruits seem to hold more positive perceptions of the ethical culture of the institution which gradually fades with continuing exposure the Department's policies and practices.

Race

The racial grouping to which respondents belong significantly influences perceptions on ethical culture (cf. section 6.5.2). White respondents are significantly less convinced about the existence

of adequate control measures within the Department, the role of unions in promoting honesty and acting with integrity, the Department's commitment to impose sanctions and offer rewards to prevent misconduct, and ethical leadership of the Department's senior management. White respondents were also less positive about the existence of mutual trust, respect, fairness, and the equal distribution of work.

Region

Significant differences between the predominantly urban and predominantly rural regions were identified (cf. section 6.5.8). Respondents in the LMN region experience the ethical culture of the institution differently as compared to respondents in the Gauteng region. For example, respondents in the LMN region have a stronger expectation than respondents in the Gauteng region that when an employee commits misconduct, he/she will be punished for the offence. The ethical performance of duties is also more likely to be rewarded in the LMN region. Also, respondents based in the Gauteng region do not seem to share the same level of mutual trust and respect, commitment to shared values and norms, and perception that they are treated fairly than respondents in the LMN region.

Management area

Significant differences in ethical culture perceptions between the six management areas were identified (cf. section 6.5.10). The ANOVA and Eta-squared tests identified the Thohoyandou Management Area that obtained the highest mean in respect of eight of the 11 ethical culture factors. Bethal -, Boksburg -, and Leeuwkop Management Areas obtained the highest mean in respect of the transparency factor, clarity of operational policies factor, and whistle blowing factor respectively. Despite the fact that the Thohoyandou Management Area has a personnel complement of 461 and an offender total of 5 434; the highest ratio of all management areas at 11.78 offenders per official, the data findings indicate that this Management Area scored the highest mean in respect of the feasibility factor.

Conversely, the Leeuwkop Management Area obtained the lowest mean in respect of various factors of ethical culture including the sanctions-; transparency-; feasibility-; supportability-; clarity of ethics policies; and the discussion and opinion factors. Remedial action could include a greater awareness and understanding of the DCS code of conduct through workshops and training to establish a greater measure of clarity; open and free discussions of ethical dilemmas by supervisors in the management area; the imposition and publication of appropriate penalties for malfeasance after the conclusion of disciplinary processes; or the establishment and/ or maintenance of internal control measures (cf. sections 3.7; section 4.5; section 4.6; section 5.5.1).

8.6.7 Pearson's Correlation Coefficient

The Pearson's Correlation Coefficient (r) serves to identify not only the strength of the relationship between variables, but also its positive or negative direction. The Pearson's Correlation Coefficient for the 16 factors - identified with the exploratory factor analysis above - was determined (cf. table 6.6.1). This examination served a significant purpose: to evaluate, validate (or refute), and develop this author's conceptual understanding of the subject matter of malfeasance and its prevention.

Validating the questionnaire

The findings served to validate the measurement instrument: the survey questionnaire with its conceptual components. Consequently, conceptual framework within which the author sought to evaluate the implementation of corruption prevention policies appears to be sound and logical. In the following sections, these findings will be discussed.

Manifestation of corruption

Two factors served to evaluate the manifestation of corruption: FB1: External Service Providers' Role in Corruption and FB2: Offenders' Role in Corruption (cf. section 8.6.3). These factors obtained a positive and moderate degree of correlation with each other which implies that a rise in malfeasance involving offenders in a management area would most probably coincide with a rise in malfeasance involving external service providers.

Furthermore, the factors FB1: External Service Providers' Role in Corruption and FB2: Offenders' Role in Corruption obtained a negative and low degree of correlation with some of the factors of ethical culture. This implies that when greater clarity of operational and ethics policies is obtained, or an increase occurs in both the severity and frequency of penalties for malfeasance, or officials gain greater access to resources and time to execute their responsibilities, the level of observed malfeasance is likely to be reduced. Consequently, a rise in ethical culture measurement coincides with a decrease in level of observed malfeasance.

This negative and low degree of correlation between ethical culture and level of observed malfeasance is confirmed when the mean scores of factors between regions and management areas are examined. For example, the LMN region obtained better results on various factors of ethical culture than the Gauteng region. The level of observed malfeasance in the LMN region also appears to be slightly lower. Similarly, the Thohoyandou Management Area obtained better mean scores on most factors of ethical culture with the lowest level of observed malfeasance. The Leeuwkop Management Area obtained the poorest mean scores on most ethical culture factors with a relatively high level of observed malfeasance (cf. table 6.5.8; section 6.5.10).

Ethical culture

Eleven factors served to evaluate the ethical culture of the institution: FC1: Sanctions: Rewards and Punishment for Misconduct; FC2: Transparency: Immediate Working Environment; FC3:

Discussability: Opinions and Discussions; FC3: Discussability: External Working Environment; FC3: Discussability: Internal Working Environment; FD1: Congruence of Senior Managers; FD2: Congruence of Supervisors; FD3: Feasibility; FD4: Clarity: Ethics Policies; FD5: Clarity: Operational policies; and FE1: Supportability (cf. section 8.6.4). Most of these factors of ethical culture obtained a positive and moderate degree of correlation with each other. For example, it could be expected that the application of institutional disciplinary measures and rewards systems would coincide with the free expression and discussion of opinions among officials; a senior management that emphasises the importance of acting with integrity and honesty; supervisors that are committed to acting ethically; an appropriate allocation of time, resources, and authority to carry out duties; a clear understanding and knowledge of ethics policies; and a clear understanding and knowledge of operational responsibilities. Only three factors seemed to be at odds with the others and this is discussed further below.

The findings serve to provide new insight and understanding in the subject matter of corruption prevention. It is generally believed that various corruption prevention measures should be applied in unison (Stapenhurst & Langseth, 1997: 318; Klitgaard, 1991: 195; Rose-Ackerman, 1999: 87). However, the factors FC4: Discussability: External environment; FC5: Discussability: Internal working Environment; and FC2: Transparency: Immediate Working Environment obtained a significantly low degree of correlation with the other factors of ethical culture. While the low degree of correlation between FC2: Transparency: Immediate Working Environment and the factors of ethical culture could be ascribed to secretive nature of the prison environment, the same could not be assumed of the other two factors. FC4: Discussability: External environment and FC5: Discussability: Internal working Environment conceptually represents the practice of whistle-blowing in the workplace.

Consequently, the promotion of factors of ethical culture does not coincide with a greater willingness of employees to report misconduct externally or to colleagues and/ or supervisors in their immediate working environment. For example, increased senior management and supervisor commitment to acting ethically and with integrity, adequate penalties for misconduct

and rewards for ethical conduct, or the promotion of ethical behaviour through the publication of a code of conduct and/or a code of ethics would not coincide with a greater willingness by officials to report misconduct internally or to an external institution. It could be assumed that the same would apply when efforts to establish and maintain internal or external reporting mechanisms for whistle-blowing purposes would not coincide with an increase in ethical culture.

It could be argued that efforts to reduce malfeasance by promoting an ethical culture and the establishment and maintenance of an external reporting mechanism for whistle-blowing purposes represent two rather distinct measures for preventing and combating malfeasance. Based on the finding that the promotion of ethical culture coincides with a reduced level of malfeasance (cf. section 6.6; section 6.8), it could be argued that efforts to promote ethical culture could be more significant in preventing malfeasance than to establish mechanisms for whistle-blowing purposes. Furthermore, the evidence suggests that whistle-blowing measures are not effective as departments often lack the capacity to investigate malfeasance (cf. section 4.5.11).

Role of unions

Findings also pointed to the role that unions could play in the promotion of scrupulous conduct. When unions advocate ethical behaviour it is likely to coincide with increased trust and mutual respect, and employees being treated fairly. Union involvement is also likely to coincide with the reward of integrity and punishment of misconduct, scrupulous behaviour by senior management, greater resources, time and authority for employees to carry out their responsibilities, and greater clarity of ethical and operational policies. Union involvement could make an important contribution to promoting ethical culture. The ANOVA and Eta square tests indicated that unions play a significant role in increasing the understanding and knowledge of ethics policies and operational activities (cf. table 6.5.9).

A closer examination of the mean scores of factors for management areas indicates that the relationship between union involvement and ethics is not necessarily a conclusive one. For

example, the data indicates that unions appear to be most involved at the Baviaanspoort Management Area. Although this management area obtained the lowest level of observed malfeasance for external service providers – and confirmed the hypothesis that union involvement coincides with scrupulous behaviour, it obtained significantly poorer results for malfeasance for offenders. Similarly, the Leeuwkop Management Area obtained the lowest mean score for union involvement. Although this management area obtained the highest level of observed malfeasance among offenders, this was not the case with external service providers (cf. section 6.5.10).

Management reform

Findings indicate that a positively moderate and high correlation exists between eight factors of ethical culture and the two management reform factors: the delegation of authority and the maintenance of internal control measures (cf. section 6.8). The delegation of decision-making authority to lower levels in the institution seems to coincide with an improved ethical culture. This finding confirms Kolthoff's findings referred to earlier (cf. section 8.6.5). A similar finding applies to the second management reform factor. The emphasis of internal control measures and the compliance with departmental policies and procedures has a positively high and moderate degree of correlation eight factors of ethical culture. Consequently, when institutions maintain an internal control framework, it is likely to coincide with an improved measure of ethical culture.

The mean scores obtained by the Thohoyandou Management Area confirm this proposition. This management area obtained the highest mean score on the factors of management reform: delegation of decision-making authority and emphasis on internal control, and consequently also the lowest level of observed malfeasance. However, if the mean scores of the Leeuwkop and Baviaanspoort Management Areas are examined it could be concluded that the maintenance of internal control measures is a more significant indicator of the level of malfeasance than the delegation of decision-making authority. The Baviaanspoort Management Area obtained the poorest mean score on the delegation of decision-making authority but did not obtain highest mean score on observed malfeasance. In fact, the Leeuwkop Management Area on average

obtained the highest mean score on observed malfeasance and the lowest mean score on the emphasis on internal control measures (cf. table 6.5.10).

8.6.8 Analysis of Variance, Eta-square, and Chi-square tests for Individual Questionnaire Items

A total of 34 questionnaire items were not included in any one of the sixteen factors provided by the exploratory factors analysis. These items reduced the internal consistency of factors below the value of 0.60 and were discussed in chapter 7. These items were examined according to the same independent variables, and subjected to Chi-square, ANOVA and Eta-square tests to determine the variation between and within groups and to determine the strength of association between variables. Response to items in sections A, B, C, D, and E of the questionnaire are interpreted in sections 7.2 and 7.3. Chi-square, ANOVA and Eta-square results of section A and B are reported respectively in Tables 7.2.11; 7.2.12; and 7.2.13. The same results of section C, D, and E are reported respectively in Tables 7.3.11; 7.3.12; 7.3.13; and 7.3.14.

Despite the exclusion of these items from the factors, the findings remain useful for this study. These findings could serve to enhance the implementation of the PSACS at the DCS. Individual questionnaire items in section A and B were included with the intention to evaluate the perception of respondents in respect of the manifestation of corruption, as well as the level of malfeasance in the institution. In this respect, the independent variables of race, years of service, post level, region, and management area were responsible for the greatest variance in responses (cf. table 7.2.11; table 7.2.12; table 7.2.13). The following findings in this section A and B appear significant.

Perceptions of corruption

Respondents (across all groups) provided a strong indication that they perceive corruption to be a problem in the Department (cf. section 7.2). This finding does not necessarily invalidate earlier findings that indicated corruption involving offenders and external service providers are relatively low (cf. section 6.4.1). It could be argued that respondents considered their negative perceptions of the commitment of the Department's senior management to promote ethical conduct in their responses. An alternative explanation could be that respondents perceive internal corruption that does not involve a second party to be a problem e.g. arriving late at work, or using vehicles of DCS for personal use (cf. section 3.3). Nepotism in the Department seems to be an exception to this finding as respondents provided a neutral response on whether they have personally observed this form of malfeasance (cf. section 7.2).

Public policies such as the *Public Service Proclamation*, 1994 (Proclamation 103 of 1994), *Public Service Regulations*, 2001, *Public Finance Management Act*, 1999 (Act 1 of 1999), and *Prevention and Combating of Corruption Act*, 2004 (Act 12 of 2004) (cf. section 4.5) only provide for a policy framework to prevent corruption. These forms of corruption should be addressed with a combination of appropriate corruption prevention measures including a code of conduct, implementation of disciplinary processes with commensurate penalties, greater professionalism and an emphasis on merit in appointments and promotions, and the maintenance of appropriate internal control measures, as well as measures to promote the ethical culture at DCS (cf. section 3.7; section 4.5; section 8.8).

Remuneration

Respondents (across all groups) perceive themselves to be poorly remunerated. This could pose a problem as poor salaries in the public service are perceived to contribute to malfeasance (cf. section 3.7.2). Respondents believe that their remuneration compares poorly with people with similar experience and skills (cf. section 7.2). This could also serve as a justification by officials to act unethically.

Race

Cultural relativity refers to the maintenance of different ethical codes by different cultural communities (cf. Hinde, 2002: 30-33). In this survey race as an independent variable influenced perceptions of misconduct. White respondents provided a stronger indication than black respondents that nepotism is unacceptable in their culture. Also, black respondents appear to have observed fraud and nepotism to a lesser extent than their white counterparts. These differences appear to be less significant (cf. section 7.2.2).

Years of service

From the findings it could be concluded that longer serving officials seem more likely to rationalise their participation in misconduct. This could be due to their perceptions of malfeasance among senior management; their perceived culture of impunity in the Department; their perceived work pressure; and the dislike of their work. Additionally, as the years of service increase, respondents believe themselves to be poorly remunerated. These factors may contribute to officials being more susceptible to engage in malfeasance (cf. section 7.2.5; section 7.3.5).

Post levels

Inadequate remuneration on senior levels of the Department could pose a significant problem in the Department's ethical endeavours. Poor pay combined with increased decision-making authority which usually accompanies the posts of senior officials could contribute to increased malfeasance. Furthermore, as the seniority of respondents increase so do their perceptions that a culture of impunity exist; that penalties for misconduct are not severe enough; and that internal control measures are absent. Senior respondents also do not share the positive perceptions of younger respondents in respect of the role of unions in managing ethical conduct. Furthermore, as respondents' seniority in post levels increase, so do the expectation that senior management could be found guilty of malfeasance (cf. section 7.2.6; section 7.3.6).

Region

The Gauteng region may be more prone to corruption than the LMN region. Various reasons could be provided for this interpretation of the data. Respondents in the LMN Region seem to enjoy their work to a greater extent than respondents in Gauteng. Respondents in Gauteng perceive themselves to be inadequately remunerated and are of the view that their remuneration does not compare favourably to people with similar experience and skills. The values obtained for the LMN region are comparably better. Furthermore, respondents in the Gauteng region provided a negative response on the adequacy of internal controls to prevent malfeasance (cf. section 7.2.8; section 7.3.8).

Management area

Findings on some individual items in section A and B suggests that the Thohoyandou Management Area, in comparison with the other management areas sampled, experiences the lowest level of malfeasance involving offenders, and are least unhappy with their remuneration. Respondents at the Thohoyandou Management Area are least likely to observe offenders with illegal substances; appear to be least aggrieved about their remuneration; and are least likely to have been offered a bribe by offenders (cf. section 7.2.10).

Individual questionnaire items in section C, D, and E were initially included in the survey with the intention of measuring the ethical culture of the institution. Perceptions of the role of unions and of management reform measures were also solicited in section E. However, these items were interpreted individually as they reduced the internal consistency of the factors (cf. section 6.3). The independent variables of race, management area, years of service, and post level were responsible for the greatest variance in responses (cf. Table 7.3.11; Table 7.3.12; Table 7.3.13; Table 7.3.14).

Race

White respondents provided different responses from their black counterparts on items in section C, D, and E. White respondents perceive a culture of impunity to exist; do not believe

punishment for malfeasance to be adequate; perceive adequate control measures to be absent; and are sceptical of the role of unions in ethics management. Both black and white respondents doubt the integrity of senior management. They not only disagreed with the statement that senior management would never act unscrupulously, but also agreed with the statement that senior management often does not comply with policies and procedures. White respondents appear to hold even more negative views of senior management (cf. section 7.3.2).

Management areas

Respondents (across all groups) provided a neutral response on whether penalties are severe enough for those guilty of malfeasance, and on whether a culture of impunity exists at the Department (cf. section 7.3). However, when the data was interpreted according to management area, it was evident that the Boksburg- and Thohoyandou Management Areas appear to have the most problems in respect of imposing sanctions for misconduct (cf. section 7.3.10). The imposition of sanctions through disciplinary processes on those guilty of malfeasance serves as an effective deterrent; also for those considering unscrupulous behaviour (cf. section 3.7.5).

Various other observations were made with the interpretation of individual questionnaire items. In the following sections these observations will be discussed.

Senior management's commitment to promote ethical conduct

A commitment to integrity and ethical conduct by senior managers at the DCS seems to be lacking. Respondents (across all groups) reported that senior management is likely to make themselves guilty of corruption, fraud and nepotism. Respondents also provided a neutral response on whether senior management complies with departmental policies and procedures (cf. section 7.3; items D13 and E23). Respondents particularly on post level 7, and 13 to 16 indicated that senior management often does not comply with departmental policies and procedures (cf. section 7.3.6).

Adequate checks to detect malfeasance

It is a matter of concern that respondents (across all groups) provided a neutral response on whether adequate checks are carried out to detect malfeasance. This finding may appear to contradict the positive finding obtained for FE4: Management Reform: Internal Control (cf. section 6.4.1), but it could be argued that a distinction should be made between checks to detect malfeasance and generic internal control measures. Checks to detect malfeasance could include instruments such as vetting practices and integrity tests. In fact, respondents at post levels 7, 11, and 12 indicated that adequate checks to detect malfeasance do not exist in the department (cf. section 7.3.6). Furthermore, respondents at the Thohoyandou Management Area indicated the absence of adequate checks to detect malfeasance (cf. section 7.3.10).

Fear to report misconduct

A general perception exist that whistle-blowers fear that they will be subject to victimisation when they report illicit conduct (cf. section 7.5). The findings suggest that this perception is untrue. Respondents (across all groups) obtained a mean of 2.85 on item C19 (cf. section 7.3). Respondents on post levels 6 obtained a mean score of 2.80 while respondents on post levels 11 to 12 obtained a mean score of 2.76 (cf. section 7.3.6) indicating that respondents do not fear to report misconduct.

Place of employment

This independent variable did not lead to significant variance between and within groups for questionnaire items; except for item C18. Reporting misconduct seems to be encouraged more at correctional centres than at regional commissioner's offices (cf. section 7.3.7). When the Department allocates its resources to promote ethical conduct and integrity at correctional centres, the focus remains on misdemeanours. For example, more serious forms of malfeasance that is perpetrated at the regional commissioner's offices, such as awarding tenders and appointing personnel without following policy requirements, would not be subject to surveillance.

Influence of unions

The findings on the influence of unions on ethics and integrity are significant. The Jali Commission pointed to the prominent and often destabilising role of unions in the management of the Department (cf. section 4.2.2). This survey revealed that unions do not have greater influence over decision-making than line managers. This finding confirms that line managers are in control over the policy, financial and human resource matters of the Department and unions do not have undue influence over these processes (cf. section 7.3). However, unions seem to be trusted more by respondents at lower levels in the hierarchy and shorter serving respondents (cf. sections 7.3.5; section 7.3.6). This could be due to the fact that longer serving and senior officials have had negative experiences when the Department was subject to greater union influence as was identified by the Jali Commission.

Management reform

The extent of management reform at the Department was another area of investigation for this survey. The main tenets of management reform include controlling outputs and outcomes, rather than inputs and processes; delegating decision-making authority to appropriate levels in the hierarchy; and reducing expenditure while simultaneously improving on quality (cf. section 3.5). On item E19 respondents (across all groups) indicated that they do not have the freedom to make operational decisions without getting approval first. This is an indication that decision-making authority is not delegated to lower levels in the institution. Nonetheless, management areas appear to have slightly more decision-making discretion than the regional commissioner's offices (cf. section 7.3.7). This could be due to the fact that management areas are in closer contact with offenders and are required to take significantly more day-to-day operational decisions. On controlling outputs and outcomes, rather than inputs and processes, the institution appears to attach slightly more prominence to treating offenders with dignity and respect than compliance with policies and procedures.

8.7 Research Objective Six: To make a contribution, if any, to the theory of Ethics management in Public Administration

Scholars could attempt to make various contributions to the 'body of knowledge' of a subject. These could include contributions to theories, models, concepts, definitions, findings, data, and questionnaires. (Mouton, 2008: 140.) Some contributions of this research project to the 'body of knowledge' of ethics management in Public Administration are described below.

8.7.1 Measurement Instrument

This study is based, in part, on the many empirical studies of ethics and integrity that preceded it. In drafting this ethics management questionnaire, this author drew on the conceptual work and experiences of other international scholars. In this sense it is not new. The questionnaire was developed with the objective to evaluate *inter alia* the ethical culture at the DCS. The questionnaire initially contained five conceptually distinct sections to evaluate personal motives and opinions; the manifestation of corruption; virtues of ethical culture; the influence of clients and coalitions; and management reform (excluding the biographical section, and the section respondent knowledge of the Disciplinary Code). Two sections of the questionnaire have been validated with the analysis and interpretation of data and could form the basis for further surveys. The first section aims to evaluate the manifestation of corruption, and the second section aims to evaluate the ethical culture of an institution.

Manifestation of corruption

The first section of the questionnaire consists of two factors each consisting of a separate set of questionnaire items: FB1: External Service Providers' Role and FB2: Offenders Role in Corruption. These factors aim to measure the regularity with which acts of malfeasance are observed within the Department and could be used in longitudinal studies. Both factors obtained

a negative and low degree of correlation with different factors of ethical culture. This implies that the increase in misconduct coincides with a decrease in the ethical culture measurement of the Department.

Ethical culture

The second section of the questionnaire consists of 11 factors each consisting of a separate set of questionnaire items. These factors aim to measure the ethical culture of an institution. In Kaptein's original conceptual framework eight factors were provided: sanctions, transparency, discussability, congruence of senior managers, congruence of supervisors, feasibility, clarity, and supportability. As a result of an exploratory factor analysis, six of the original eight factors were retained with the exception of two factors i.e. Clarity and Discussability. These factors were subdivided into five new ethical culture factors. The original factor Clarity was divided into FD4: Clarity: Operational policies, and FD5: Clarity: Ethics policies. The factor Discussability was divided into FC3: Discussability: Opinions and discussion; FC4: Discussability: External working environment; and FC5: Discussability: Internal working environment. Of the 11 factors of ethical culture, a positive correlation between eight factors were identified which served to validate the conceptual framework of ethical culture.

8.7.2 Improved Understanding and Insight into Corruption Prevention Measures

Three factors obtained a positive but lower degree of correlation with the other factors of ethical culture i.e. FC2: Transparency: Immediate working environment; FC5: Discussability: Internal working environment, and FC4: Discussability: External working environment. While the positive and low degree of correlation for the first factor could be ascribed to the secretive nature of a prison environment, the same could not be assumed of the other two factors. FC4: Discussability: External environment and FC5: Discussability: Internal working Environment conceptually represents the practice of whistle-blowing in the workplace.

It could be argued that efforts to reduce malfeasance by promoting an ethical culture and the establishment and maintenance of an external reporting mechanism for whistle blowing purposes represent two distinct measures for preventing and combating malfeasance (cf. section 8.6.7). Based on the finding that the promotion of ethical culture coincides with a reduced level of malfeasance (cf. section 6.6; section 6.8), it could be argued that efforts to promote ethical culture could be more significant in preventing malfeasance than to establish mechanisms for whistle-blowing purposes (cf. sections 4.5.11; section 8.6.4).

8.8 *Main Research Objective: To determine how the implementation of the Public Service Anti-Corruption Strategy could be enhanced*

This study was guided by the main research objective: to determine how the implementation of the Public Service Anti-Corruption Strategy could be enhanced. At the systemic level, the PSACS (2002: 12-21) intends to *inter alia* review and consolidate the legislative framework for combating and preventing corruption; prohibit corrupt businesses from doing business with the public service; and improve the functioning of various institutions established to prevent and combat corruption. At the departmental level, the PSACS identified various objectives *inter alia* to increase institutional capacity of departmental institutions; to improve the employment practices in the public service; to encourage the management of risk; and the management of discipline in the public service. These objectives are refined to include various sub-objectives *inter alia* to conduct risk assessment; to formulate fraud prevention and anti-corruption policies; to receive and to manage allegations of corruption through whistle blowing or other measures; to investigate allegations of corruption and detected risks at a preliminary level; to identify early signs of a lack of discipline; to improve the accountability and capacity of managers to manage discipline; and to encourage managers to act against transgression. With the findings of this study, a number of achievements were identified.

Policy Achievements

At systemic level significant progress has been made. A comprehensive legislative framework exists to prevent malfeasance. For example, the *Public Service Regulations*, 2001 requires senior public servants to declare their business interests. The *Prevention and Combating of Corruption Act*, 2004 (Act 12 of 2004) established a statutory framework for prosecuting public servants who may have made themselves guilty of malfeasance. Policy measures have also been established to prohibit dealing with corrupt individuals and businesses. In terms of the *Prevention and Combating of Corruption Act*, 2004 (Act 12 of 2004), a Register for Tender Defaulters is established to prohibit the public service from doing business with convicted businesses (cf. section 4.5.9).

Progress has also been made on increasing the institutional capacity of state departments. In this respect the *Anti-Corruption Capacity Requirements: Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service*, drafted in support of the implementation of the PSACS, has been significant. Empirical research in the DCS pointed to the functions of the DIU and CEU as part of Legal and Special Operations established with the purpose of investigating malfeasance and instituting disciplinary action against alleged misconduct. The DCS has a range of administrative policies aimed at promoting integrity including the Whistle-blowing Policy for the Department of Correctional Services, the Department of Correctional Services Anti-Corruption Strategy, Fraud Prevention Policy, Anti-Corruption Policy, Anti-Corruption Procedures, Vetting Policy as well as the DCS Code of Conduct. Furthermore, in terms of Departmental practices all new appointments to senior and high risk positions are vetted in terms of previous employment, qualifications, citizenship, and criminal record (cf. section 4.6).

Measures to enhance the implementation of the PSACS

Ultimately, the evaluation of policy should not only be concerned with policy outputs, but also policy outcomes (Cloete, 2006: 259-260). Various authors have identified the limitations of a

compliance based approach to corruption prevention: an emphasis on the formulation of policies and the establishment of structures to prevent and combat malfeasance. In the study by Anechiarico and Jacobs (1995: 143-175) of corruption in New York City contracting processes, it was found that corruption prevention policies and structures not only reduce public service efficiency and effectiveness, but also create more opportunities for corruption. In Frederickson's (1997: 169-174) view, anti-corruption measures/ethics controls such as conflict of interest and whistle blowing policies have not only brought about a reduction in corruption, but also lead to a reduction in administrative discretion; increased democratic controls; the inhibition of workflow, creativity and responsiveness; and the reduction of the effectiveness of public administration. Procedural controls introduced to reduce corruption have caused government to become slow, non-risk taking, bureaucratic and unresponsive.

In the Dutch public service, Hoekstra, Belling & Van der Heide (2008: 143-158) found little success with the compliance based approach with its emphasis on external controls and the imposition of rules, procedures and prohibitions on employees. These authors argue that a compliance based approach should be supplemented by a value based approach with an emphasis on the development of internal self-control of individuals, the promotion of trust among employees, and the promotion of a culture of responsibility (cf. Rossouw, 2008: 130-142).

Guy Peters (2000: 35-47) distinguishes between two broad approaches in public administration: direct and Weberian styles of management and indirect, human and entrepreneurial styles of management. The promotion of an ethical culture is an approach to corruption prevention that is less concerned with the compliance of rules and policies and more focused on the human factor. This author suggests that an acknowledgement of ethical culture could significantly enhance the implementation of the PSACS (cf. section 2.5.5.1).

The conceptual framework of ethical culture introduces more methods in preventing corruption in public institutions. Senior managers need not only be concerned with compliance with the

ethics policy framework, but could also pay attention to creating a culture of discussion in the institution. Such a culture requires colleagues and supervisors to openly discuss ethical dilemmas. Another focus could be to promote a culture of mutual trust and respect between colleagues in the institution. These approaches to corruption prevention invariably bring to mind the importance of employing virtuous individuals in the public service. Such individuals have progressed further than Kohlberg's first stage of moral development where individuals are egocentric and mainly concerned with their own interests. Public officials should ideally find themselves at the second and third stages of moral development where a concern exist not only for conforming to authority and maintaining the social order, but attaining a sense of moral autonomy and a concern for the public interest.

8.9 Suggestions for Further Research

This research project was implemented in the DCS as a case study. The findings are applicable only to this Department; in particular the sample identified. Various avenues for future research exist and these are explained below.

Malfeasance at senior levels

Only 1,88% of the sample for this study reflected the perceptions of senior management of the Department of Correctional Services. Different findings might have emerged if more senior official were included as respondents. Senior officials occupy positions with a greater measure of decision-making authority which is accompanied by more opportunities for malfeasance in the form of grand or criminal corruption. Malfeasance at this level could be the focus of another study on corruption prevention.

Malfeasance in other institutional contexts

The DCS has a unique institutional context. These findings are only applicable to this institution. A further research endeavour could include undertaking the same research project at the private prisons which have been established by the DCS. A comparison could be made of the differences and similarities of the ethical culture in the public and private sectors.

Longitudinal study

The findings of this study will serve as baseline data for future research in the same department. If this research project is repeated in the next five years with the same sample, it would be possible to determine developments of ethical culture at the DCS. Various initiatives could be undertaken by the senior management to change the ethical culture at the DCS. For example, a concerted effort by senior management to promote ethical conduct and integrity could lead to a greater openness to discuss ethical dilemmas in the work place. Or, the introduction of facilitation workshops on the code of conduct could lead to greater understanding of ethical policies in the institution. Policy interventions to promote ethical conduct could impact on different factors of ethical culture (cf. section 5.5.1). Furthermore, a comparison could be made of the level of malfeasance with the baseline findings in this study; that is the increase or decrease of malfeasance.

Role of the unions

The findings suggest that unions could play a significant role in promoting an ethical culture within the Department. Unions could play a significant role in increasing the understanding and knowledge of ethics and operational policies. These findings should be considered as tentative and more research should be done to confirm or refute the propositions.

Improved management reform

Both management reform factors have a positively high and moderate degree of correlation with eight ethical culture factors. The delegation of decision-making authority and an emphasis on internal control coincides with an improved measure of ethical culture within a public institution (cf. Kolthoff, 2007). However, considering the data findings, the maintenance of internal control measures appears to be an even more significant determinant of the level of malfeasance (cf. section 8.6.7). Management reform is a multi-faceted phenomenon. To capture the nature of the phenomenon in one section of a questionnaire dealing mainly with ethical culture was, in retrospect, a difficult task. At most, the findings on management reform should be considered as tentative.

8.10 Summary

The objective of this final chapter was to provide a summary of the research questions that guided this researcher for the past 7 years. Answers to these research questions were provided with varying degrees of success. Many new research questions in the field of ethics management will arise that will serve to initiate further research projects in the future (cf. Section 8.9).

In this researcher's view, a focus on the ethical culture in an effort to promote integrity and the ethical behaviour of officials provides the public service with various intervention strategies. The one dimensional compliance based approach of drafting ethics policies and the imposition of penalties - if such policies are not complied with - could be supplemented by a focus on *inter alia* making available resources for officials to perform their work; cultivating a culture of dialogue, openness, and discussion; and establishing respect and mutual trust among officials. Finally, this study ends with a measurement instrument that could be adapted and used in many institutional contexts. This instrument could be used to identify weaknesses in an institution's ethical culture framework.

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Annexure 1

Annexure 2

Annexure 3

Annexure 4

Annexure 5

Annexure 6

Annexure 7

Annexure 8



DEPARTMENT OF CORRECTIONAL SERVICES

RESEARCH IN THE DEPARTMENT OF CORRECTIONAL SERVICES

INSTRUCTIONS:

1. This form caters for research carried out by a team or an individual
2. Please complete in PRINT-Using blank ink
3. * Mark with an X where applicable
4. Please attach the following documents to your application: (i) A detailed research proposal and proposed method
(ii) Certified copies of your ID Book(s)/ Passport(s)
(iii) Current proof of registration from the institution where you are studying (Students only)

A. PERSONAL INFORMATION

A1: For research conducted by an individual (Note: If it is a research by a team of individuals details of the team leader should also be included here)

1) Title MR. 2) Surname WEBB 3) Initials WN
 4) Full Name(s) WERNER NICHOLAAS 5) ID Number 7205105053084
 6) Country of Origin RSA
 If not a S.A. Citizen: Passport No

A2: For research conducted by a team of individuals

7) Details of team members must be completed in the table below (If more than five include others on the separate sheet)

	Surname	Initials	ID/ Passport Number	Highest Qualification Obtained
1.	<u>n/a</u>			
2.				
3.				
4.				
5.				

8) Postal Address: <u>Box 36687</u> <u>MEVLO PARK</u> Code: <u>0102</u>	12) Residential Address: <u>SAN MORE 76</u> <u>HESKETH AVENUE</u> <u>MORELETA PARK</u> PTA Code: <u>011</u>
9) [H] Telephone No: Area Code: Number: <u>011</u>	13) [W] Telephone No: Area Code: Number: <u>4892447</u>
10) Fax Number: Area Code: Number: <u>4893038</u>	14) Cellular Phone Number: <u>0827764994</u>
11) E-Mail Address: <u>WernerW@uj.ac.za</u>	

15) Academic Qualifications

Diploma / Degree/Certificate	Institution	Date obtained
BA (POLITICAL SCIENCE)	UNIVERSITY OF PRETORIA (U.P.)	1993
BA (POLITICAL SCIENCE & PUBLIC ADMINISTRATION)	U.P.	1995
MA (PUBLIC ADMINISTRATION)	U.P.	1999

16) Present Employer UNIVERSITY OF JOHANNESBURG.17) Position Occupied LECTURER18) If you are a member of the Department of Correctional Services: Persal Number

19) Station _____

B. INDIVIDUAL/GROUP'S PREVIOUS RESEARCH AND/OR PUBLICATIONS

20) Title	21) Publisher	22) Magazine	23) Date
1) ORGANISATIONAL STRUCTURED PUBLIC POLICY MAKING - THE CASE AT VISTA UNIVERSITY.		ADMINISTRATIO PUBLICA	DECEMBER 2000.
2) APPLYING THE PUBLIC SERVICE ANTI-CORRUPTION STRATEGY IN PURSUIT OF ACCOUNTABLE SA PUBLIC ADMINISTRATION		JOURNAL OF PUBLIC ADMINISTRATION	JUNE 2005

C. PLANNED RESEARCH

24) Title THE EFFECTIVENESS OF THE PUBLIC SERVICE ANTI-CORRUPTION STRATEGY25) Is your planned research required to obtain a qualification? * Yes NoIf yes, specify DLITT ET PHIL (PUBLIC ADMINISTRATION)

If no, stipulate purpose of research _____

26) Does your planned research have any connection with your present field of work? * Yes No27) Subject to the conditions that may be set in this regard, do you intend to publish or orally present the findings of your research/ dissertation/ thesis or parts thereof during lectures/ seminars? * Yes NoIf yes, in which way, and at what stage? I INTEND READING A PAPER AT A SUBJECT CONFERENCE.

28) At which Area(s) of Command/ Prison(s) do you plan to do your research?

- 1) JOHANNESBURG MANAGEMENT AREA
- 2) DURBAN WESTVILLE MANAGEMENT AREA
- 3) BLOEMFONTEIN MANAGEMENT AREA
- 4) POLLSMOOR MANAGEMENT AREA
- 5) ONE JOINT VENTURE PRISON (TO BE DETERMINED IN CONSULTATION WITH DCS).

29) Which of the following will be involved in your research?

	Yes	No	Specify
Prisoners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only if required at later stage of research, initially unnecessary
Personnel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	During interviews
Official documents of the Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As required.
Interviews	<input checked="" type="checkbox"/>	<input type="checkbox"/>	With ACM, prison management and officials.
Questionnaires	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Questionnaire A, B ₁ and B ₂ (P.4-6 of Res application)
Observations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General observations
Psychometric tests	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
Technological Devices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TAPE RECORDER
	Yes	No	Specify
Medical Tests including: • Physical Assessment • Laboratory tests (blood, sperm, urine) • X-ray examination • Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A

D. SUPPLEMENTARY INFORMATION

30) For which tertiary institution/ Organisation/ Company are you conducting the research? UNIVERSITY OF SOUTH AFRICA Department/ Division/ Section/ Component/ Unit DEPARTMENT OF PUBLIC ADMINISTRATION Project or Group Leader/ Promoter/ Lecturer: Title PROF.

31) Surname WESSELS Initials JS

32) What value is your planned research to the Department of Correctional Services? THE PROJECT SEEMS TO ESTABLISH AN IMPLEMENTATION GUIDELINE FOR OFFICIALS IN IMPLEMENTING ANTI-CORRUPTION POLICIES. THIS WILL ENABLE DCS TO REACH THE OBJECTIVES AS OUTLINED IN THE WHITE PAPER (2005) AND THE RSA CONSTITUTION (1996).

33) Do you receive any financial assistance for your planned study in the form of a Scholarship / Loan/ Bursary/ Sponsor? Yes No

If yes, do your sponsor/ loaner/ funder have any copyrights to the study?

If yes specify UNISA HOLDS COPYRIGHT OF THE THIS THESIS AND ANY PUBLICATION RESULTING FROM SUCH THESIS.

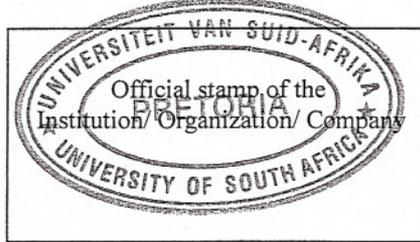
E. COMMENTS/ RECOMMENDATIONS OF THE CHAIR PERSON OF THE INSTITUTION'S RESEARCH COMMITTEE WITH REGARD TO THE APPLICATION

The research proposal has been evaluated and approved by the Senior Degrees Committee. Mr. Webb work under the supervision of two senior staff members, Prof JS Jessels and Prof J.C. Pauw.

34) Title Prof 35) Surname Jessels 36) Initials JS

[Handwritten Signature]
Signature

26 October 2006
Date



F. DECLARATION STATEMENT BY APPLICANTS:

I/We confirm that:

1. the particulars mentioned above are true, and
2. if this application is favourably considered, I/ We will comply with the conditions which may be set with regard to the application.

Note: If it is a research carried by a team, the Team Leader's signature must appear on the space provided below together with the signatures of two other members of the team as witnesses.

[Handwritten Signature]
Applicant/Team Leader's Signature
26/10/2006.
Date

Witness's Signature

Date

Witness's Signature

Date

FOR OFFICE USE BY HEAD OFFICE ONLY

*In case of Bursary Holders of the Department of Public Service and Administration please refer to the Director:
Policy and External Training*

Referred by _____

Date _____

Application

*

APPROVED	AMENDED	NOT APPROVED
----------	---------	--------------

Chairperson: Research Ethics Committee

Date

AGREEMENT REGARDING CONDITIONS APPLICABLE TO RESEARCH DONE IN
INSTITUTIONS WHICH ARE UNDER THE AUTHORITY OF THE COMMISSIONER OF
CORRECTIONAL SERVICES

1. I WERNER WEBB (name & surname) wish to
conduct research titled THE EFFECTIVENESS OF THE PUBLIC
SERVICE ANTI-CORRUPTION STRATEGY

in/at institutions which falls under the authority of the SA Commissioner of Correctional Services. I undertake to use the information that I acquire in a balanced and responsible manner, taking in account the perspectives and practical realities of the Department of Correctional Services (hereafter referred to as "the Department") in my report/treatise. I furthermore take not of and agree to adhere to the following conditions:

1.1 INTERNAL GUIDE

The researcher accepts that an Internal Guide, appointed by the Department of Correctional Services will provide guidance on a continual basis, during the research.

His/her duties will be:

- 1.1.1 To help with the interpretation of policy guidelines. He/she will therefore have to ensure that the researcher is conversant with the policy regarding functional areas of the research.
- 1.1.2 To help with the interpreting of information/statistics and terminology of the Department which the researcher is unfamiliar with.
- 1.1.3 To identify issues which could cause embarrassment to the Department, and to make recommendations regarding the utilization and treatment of such information.
- 1.1.4 To advise Correctional Management regarding the possible implementation of the recommendations made by the researcher.

With regard to the abovementioned the research remains the researchers own work and the internal guide may therefore not be prescriptive. His/her task is assistance and not to dictate a specific train of thought to the researcher.

1.2 GENERAL CONDITIONS WHEN DOING RESEARCH IN PRISONS

- 1.2.1 All external researchers; before conducting research must familiarize themselves with guidelines for the practical execution of research in prisons as contained in the handbook (see par.11 of Policy).
- 1.2.2 Participation in the research by members/prisoners must be voluntary, and such willingness must be indicated in writing.
- 1.2.3 Prisoners may not be identified, or be able to be identified in any way.

- 1.2.4 Research Instrument such as questionnaires/schedules for interviews must be submitted to the Department (Internal Guide) for consideration before they may be used.
- 1.2.5 The Department (Internal Guide) must be kept informed of progress and the expected completion dates of the various phases of the research and progress reports/copies of completed chapters furnished for consideration to the Department should this be requested by the Department. The Research Ethics Committee must be provided with an unbound copy of the researcher's report at least two months prior to presentation and publication for evaluation (see par.9 of Policy).
- 1.2.6 Research findings or any other information gained during the research may not be published or made known in any other manner without the written permission of the Commissioner of Correctional Services.
- 1.2.7 A copy of the final report/essay/treatise/thesis must be submitted to the Department for further use.
- 1.2.8 Research will have to be done in the researchers own time and at his own cost unless explicitly stated otherwise at the initial approval of the research.

1.3 CONDUCT IN PRISON

- 1.3.1 Arrangements to visit a prison (s) for research purposes must be made with the Area Manager of that particular prison. Care should be taken that the research be done with the least possible disruption of prison routine.
- 1.3.2 Office space for the conducting of tests and interviews must be determined in consultation with the Area Manager of that particular Prison.
- 1.3.3 Research instruments/interviews must be used/done within view and hearing distance of a member (s) of the South African Correctional Services, otherwise only within view of a member (s) of the Department.
- 1.3.4 Documentation may not be removed from files or reproduced without the prior approval of the Commissioner of Correctional Services.
- 1.3.5 Any problem experienced during the research must be discussed with the relevant Head of the Prison without delay.
- 1.3.6 Identification documents must be produced at the prison upon request and must be worn on the person during the visit.
- 1.3.7 Weapons or other unauthorized articles may not be taken into the prison.

- 1.3.8 Money and other necessary articles that are worn on the researcher's person are taken into the prison at his own risk. Nothing may be handed over to the prisoners except that which is required for the process of research; e.g. manuals, questionnaires, stationery, etc.
- 1.3.9 The research must be done in such a manner that prisoners/members cannot subsequently use it to embarrass the Department of Correctional Services.
- 1.3.10 Researchers must be circumspect when approaching prisoners with regard to their appearance and behavior, and researchers must be careful of manipulation by prisoners. The decision of the Head of Prison in this regard is final.
- 1.3.11 No prisoner may be given the impression that his/her co-operation could be advantageous to him/her personality.

2. INDEMNITY

The researcher waives any claim which he may have against the Department of Correctional Services and indemnifies the Department against any claims, including legal fees at an attorney and client scale which may be initiated against the latter by any other person, including a prisoner.

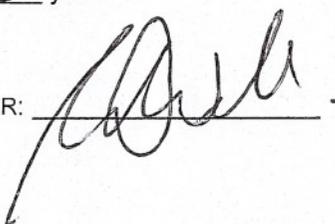
3. CANCELLATION

The Commissioner of Correctional Services retains the right to withdraw and cancel authorization or research at any time, should the above conditions not be adhered to or the researcher not keep to stated objectives. In such an event or in event of the researcher deciding to discontinue the research, all information and data from the liaison with the Department must be returned to the Department and such information and data may in no way be published in any other publication without the permission of the Commissioner of Correctional Services. The Commissioner of Correctional Services also retains the right to allocate the research to another researcher.

4. SUGGESTIONS

The researcher acknowledges that no other suggestions except those contained in this agreement; were made which had led him/her to the entering into this agreement.

Signed at PRETORIA on the 26th day of OCTOBER month
2006 year.

RESEARCHER: 

WITNESSES

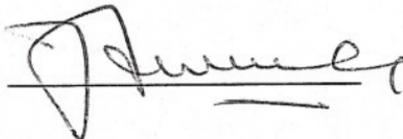
Abovementioned researcher signed this Agreement in my presents.

Name & Surname: _____

Date: _____

ENDORSEMENT BY PROMOTER OR EMPLOYER OF THE RESEARCHER WHERE APPLICABLE

I have taken cognizance of the contents of this agreement and do not have any problem with the conditions/have the following reservations about the conditions of this agreement.

Signature:  _____



DEPARTMENT: CORRECTIONAL SERVICES

REPUBLIC OF SOUTH AFRICA

Private Bag X136, Pretoria, 0001. Tel 012 - 307 2359 Facsimile 012 - 328 5111
124 Church Street West, Deynton Building West Block, Pretoria

Reference: 8/7/1
Enquiries: Ms M. Shilubana
Date: March 2007

Dear **Mr.WN Webb**

Fax: 0114893038

The effectiveness of the public service anti-corruption strategy: the case of the department of Correctional services

It is with pleasure that I wish to inform you that your request to conduct research in the Department of Correctional Services on the above topic has been approved. You are, however, not being granted permission to use the 2 Private Prison as the REC does not have the authority to do so.

Your attention is drawn to the terminology used in the White Paper on Corrections in South Africa (February 2005).

Director: DIU, Mr. Malatsi has been appointed as your internal guide. You are requested to contact him at telephone number 0123072385/2319 before the commencement of your research project.

The relevant Area and Regional Commissioners will be informed of your pending research project. It is your responsibility to make arrangements for your visiting times. It is recommended that your identity document and this approval letter be in your possession when visiting the center.

Should you have any enquiries regarding this process, please contact the Directorate Research for assistance at telephone number 012-305 8628/305 8619/307 2359

Thank you for your application and interest to conduct research in the Department of Correctional Services.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tj Motseki'.

CHIEF DEPUTY COMMISSIONER: CENTRAL SERVICES
TJ MOTSEKI (Mr.)

January 28, 2009

Dear Dr Bengu,

At our meeting earlier in January 2009, we discussed my research project which was approved by the Department of Correctional Services in March 2007.

This discussion dealt with the following matters:

1. My intention to visit 6 management areas in two regions: Gauteng and North West/ Mpumalanga/ Limpopo.
2. My intention to send a web-based questionnaire via e-mail to all senior managers of the Department of Correctional Services.

In respect of point 1, shortly the following:

In my approved research proposal to the Department, I provisionally indicated that I would visit, amongst others, Johannesburg-, Durban-Westville-, and Pollsmoor Management Areas. Initially, I did not foresee the need to use the random sampling method. Random sampling alleviates any researcher bias that could exist. Subsequently, I would like to ADD the following randomly selected management areas: Barberton-, Thohoyandou-, and Bethal Management Areas (North West/ Mpumalanga/ Limpopo Region), and Leeukop-, Boksburg-, and Baviaanspoort Management Areas (Gauteng Region).

As soon as I receive your approval for these additional management areas, I will forward a detailed visiting schedule for you to make the necessary visiting arrangements with the Area Commissioners.

In respect of point 2 above, shortly the following:

In a letter from Dr Strasheim, my research consultant, she provides for an internet link to the web-based questionnaire. At our meeting, I indicated to you that I would like to send an e-mail with this 'internet link' to the top management of the Department. When they click on this link, the questionnaire would open, and they would be able to complete it. In the event that they are unable or just too busy to complete the questionnaire, they

could simply ignore the e-mail, or even delete it. Please provide this link to your IT department for their approval.

You also indicated that you would like to discuss this matter with your supervisor, as well as peruse my research proposal. In this proposal, I referred to my intention to interview supervisors in the Department with 'open ended questions'. The web-based questionnaire, however, is much more efficient and time effective. This method does not require me to meet with top management personally, and thereby possibly intrude on their busy schedules. The web-based questionnaire does not fundamentally deviate from my approved research proposal.

If you like, you could even 'test run' the questionnaire yourself. Simply click on the link and complete it. The estimated completion time is no more than 15 minutes.

I attach the approved research proposal and the letter from Dr Strasheim for your information.

Best wishes

Werner Webb

Lecturer
Department of Public Governance
Faculty of Humanities
University of Johannesburg
PO Box 524
Auckland Park
2006
REPUBLIC OF SOUTH AFRICA

Cell +27 82 776 4994
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Fax +27 86 627 1516

correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

Private Bag X136, PRETORIA, 0001 Poyntons Building, C/O Church and Schubart Street, PRETORIA
Tel (012) 307 2000, Fax (012) 328-5111

25 February 2009

Mr. W.N Webb
P.O Box 36687
Menlo Park
0102

Dear Mr. Webb

RE: FEEDBACK ON THE APPLICATION TO EXTEND THE SAMPLE

We acknowledge receipt of your application to extend the sample size of your research.

The DC: Policy Co-ordination & Research has approved your application to extend the sample size. The relevant Area and Regional Commissioners where the research will be conducted has been informed of your proposed research project.

Thank you for your application and interest to conduct research in the Department of Correctional Services.

Yours sincerely



DR. S. BENGU

DIRECTOR: RESEARCH

DATE: 26/2/2009

ETHICS MANAGEMENT

Department of Correctional Services

Dear Sir/Madam

The Chief Deputy Commissioner: Central Services, Mr C J Motseki, has given Departmental approval for a doctoral study evaluating the effectiveness of the Public Service Anti-Corruption Strategy (PSACS).

This study is intended to assist the Department of Correctional Services to identify weaknesses in its ethics management practices and processes and to provide a basis for measuring improvements in them.

The research has been accepted by the University of South Africa for a Doctorate in Public Administration. The questionnaire is adapted from those developed by Kaptein (2008), Akaah (1992) and the Vrije Universiteit Amsterdam/Research Group Integrity of Governance: www.fsw.vu.nl/integriteit.

You are requested to assist in this research by completing the following questionnaire. Please note that the survey is confidential and your responses will remain anonymous.

Mr Werner Webb

wernerw@uj.ac.za

082 776 4994

086 627 1516 (fax)

For office use only

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1-4

Instructions

In this questionnaire you are requested to answer a number of questions with regard to your experiences and perceptions in the Department of Correctional Services over the past year. Your answers should not reflect what you believe should be the correct answer, but rather an honest reflection of your actual experiences. When the question does not apply to you, no answer is required. This questionnaire is anonymous and your answers will be treated with absolute confidentiality.

A: The following section deals with your personal views and opinions. Please indicate how strongly you agree or disagree with each statement. Please <u>circle</u> the number that best reflects your choice.		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
PERSONAL MOTIVES							
1.	You believe you are adequately remunerated for your employment	1	2	3	4	5	5
2.	You engage in additional forms of work after hours to ensure a decent standard of living	1	2	3	4	5	6
3.	Your remuneration compares favourably to that earned by other people with similar experience and skills	1	2	3	4	5	7
PERSONAL OPINIONS							
4.	You perceive corruption to be a problem in the Department of Correctional Services	1	2	3	4	5	8
5.	Nepotism (appointing of family and friends) is acceptable in my culture and should be allowed in certain cases	1	2	3	4	5	9
6.	Accepting bribes in exchange for a favour should be permitted	1	2	3	4	5	10
7.	Fraud is unacceptable and should be punished by the department	1	2	3	4	5	11
8.	Using the work telephone during office hours for private purposes is unacceptable and should be punished	1	2	3	4	5	12
9.	It is acceptable to assist offenders to obtain illegal substances	1	2	3	4	5	13
B: Your own observations, experiences and perceptions of unethical conduct in your immediate working environment. Please <u>circle</u> the number that best reflects your choice.		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
OFFENDERS' ROLE IN CORRUPTION							
1.	You have observed <i>an offender</i> offer a bribe to a colleague in exchange for a favour	1	2	3	4	5	14
2.	You have observed a colleague extort money from <i>an offender</i>	1	2	3	4	5	15
3.	You often observe <i>offenders</i> with illegal substances in the correctional centre	1	2	3	4	5	16
4.	You have been offered a bribe by <i>an offender</i> in exchange for a personal favour	1	2	3	4	5	17
EXTERNAL SERVICE PROVIDERS' ROLE IN CORRUPTION							
5.	You have been offered a bribe by <i>an external service provider</i> in exchange for a personal favour	1	2	3	4	5	18
6.	You have observed <i>an external service provider</i> offer a bribe to a colleague in exchange for a favour	1	2	3	4	5	19
7.	You have observed a colleague extort money from <i>an external service provider</i>	1	2	3	4	5	20
GENERAL CORRUPTION							
8.	You have observed fraud, for example submission of false expense claims for reimbursement.	1	2	3	4	5	21
9.	You have observed nepotism, such as the appointment of family/ friends to posts within the department	1	2	3	4	5	22

Your own observations, experiences and perceptions of the organizational culture in your immediate working environment. Please circle the number that best reflects your choice.		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
SANCTIONS							
1.	Misconduct will always be punished after an internal disciplinary inquiry	1	2	3	4	5	23
2.	Your manager will also be disciplined if he/ she behaves unethically	1	2	3	4	5	24
3.	Employees who act with honesty and integrity stand a better chance of receiving a positive performance appraisal	1	2	3	4	5	25
4.	Employees who are guilty of misconduct are not punished harshly enough	1	2	3	4	5	26
5.	When you report misconduct it will always be investigated	1	2	3	4	5	27
6.	Your supervisor often acknowledges you for ethical conduct (honesty, integrity, reliability, and so on)	1	2	3	4	5	28
7.	In your immediate working environment, you are held accountable for your actions	1	2	3	4	5	29
8.	Colleagues who act unethically often get away without being punished	1	2	3	4	5	30
9.	Only people with integrity are considered for promotion	1	2	3	4	5	31
10.	Your supervisor is often unwilling to discipline misconduct	1	2	3	4	5	32
TRANSPARENCY							
11.	When a colleague acts unethically, you or another colleague will find out about it	1	2	3	4	5	33
12.	When my manager acts unethically, the institution will find out about it	1	2	3	4	5	34
13.	When a colleague acts unethically, my supervisor will find out about it	1	2	3	4	5	35
14.	There is adequate awareness of the potential effect of unethical conduct	1	2	3	4	5	36
15.	Management is aware of the type of unethical conduct that occurs	1	2	3	4	5	37
16.	Adequate checks are carried out to detect unethical conduct	1	2	3	4	5	38
DISCUSSABILITY							
17.	When you report misconduct, you will be protected from victimization	1	2	3	4	5	39
18.	You supervisor encourages you to report misconduct	1	2	3	4	5	40
19.	You are afraid to report corruption to the authorities	1	2	3	4	5	41
20.	You will report your supervisor if he/ she engages in misconduct	1	2	3	4	5	42
21.	You will report your colleague if he/she engages in misconduct	1	2	3	4	5	43
22.	In your immediate working environment, corruption and bribery is not always reported to the authorities	1	2	3	4	5	44
23.	You would rather report unethical conduct to the anonymous National Anti-Corruption Hotline	1	2	3	4	5	45
24.	You would rather report misconduct to the Departmental Investigating Unit at Head Office	1	2	3	4	5	46
25.	You would rather report misconduct to the investigating officer based at your correctional centre/ management area	1	2	3	4	5	47
26.	You would rather report misconduct to your supervisor	1	2	3	4	5	48
27.	In your working environment, there is adequate scope to discuss unethical conduct	1	2	3	4	5	49
28.	You would rather report misconduct to an external institution like the Special Investigating Unit	1	2	3	4	5	50
29.	In your immediate working environment, personal opinions are expressed freely	1	2	3	4	5	51

D: Your own observations, experiences and perceptions of the organizational culture <u>in your immediate working environment.</u>		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Please <u>circle</u> the number that best reflects your choice.							
FEASIBILITY							
1.	You have adequate time to execute your responsibilities properly	1	2	3	4	5	52
2.	You have adequate resources to carry out your responsibilities properly	1	2	3	4	5	53
3.	Work pressure forces you to do things you normally would not do	1	2	3	4	5	54
4.	You have adequate authority to carry out your duties responsibly	1	2	3	4	5	55
CONGRUENCE OF SUPERVISORS							
5.	Your supervisor is committed to acting ethically and with integrity	1	2	3	4	5	56
6.	Your supervisor often communicates the importance of ethical conduct	1	2	3	4	5	57
7.	Your supervisor would never approve or support unethical conduct	1	2	3	4	5	58
8.	Your supervisor is honest and reliable	1	2	3	4	5	59
CONGRUENCE OF SENIOR MANAGERS							
9.	The senior management of the Department sets a good example in terms of ethical conduct	1	2	3	4	5	60
10.	The conduct of senior management always reflects the principles of honesty and integrity as contained in the Code of Conduct	1	2	3	4	5	61
11.	The senior management always communicates the importance of ethical conduct	1	2	3	4	5	62
12.	The senior management would never allow unethical conduct	1	2	3	4	5	63
13.	The senior management would never be guilty of corruption, fraud or nepotism	1	2	3	4	5	64
CLARITY							
14.	The Department makes it sufficiently clear to you how you should conduct yourself towards offenders	1	2	3	4	5	65
15.	The Department makes it sufficiently clear how you should behave while on duty (e.g. not to operate a money lending scheme, not to sleep, not to breach security measures)	1	2	3	4	5	66
16.	You know what is expected in terms of the Department's code of conduct	1	2	3	4	5	67
17.	The Department makes it sufficiently clear what conduct constitutes fraud, corruption and/or theft	1	2	3	4	5	68
18.	The Department makes it sufficiently clear how you should apply for normal leave and sick leave and the conditions attached thereto	1	2	3	4	5	69
19.	The Department makes it sufficiently clear what penalties will be imposed for various forms of unethical conduct	1	2	3	4	5	70
20.	The Department makes it sufficiently clear when, how and to whom you should report cases of misconduct	1	2	3	4	5	71
21.	The Department makes it sufficiently clear what conduct constitutes nepotism	1	2	3	4	5	72
22.	The Department makes it sufficiently clear how you should conduct yourself towards external service providers	1	2	3	4	5	73
23.	The Department has made it sufficiently clear what the Vetting policy stipulates	1	2	3	4	5	74
24.	The Department has made it sufficiently clear what the Disclosure of Financial Interest, as contained in the Public Service Regulations of 2001, requires	1	2	3	4	5	75

Your own observations, experiences and perceptions of the organizational culture in your immediate working environment.		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
E: Please circle the number that best reflects your choice.							
SUPPORTABILITY							
1.	Everyone is committed to the values and norms of the Department	1	2	3	4	5	76
2.	An atmosphere of respect and mutual trust exists	1	2	3	4	5	77
3.	Everyone has the best interests of the Department at heart	1	2	3	4	5	78
4.	Mutual trust exists between the employees and management	1	2	3	4	5	79
5.	You are treated fairly	1	2	3	4	5	80
6.	Work is distributed equally	1	2	3	4	5	81
7.	You enjoy your work	1	2	3	4	5	82
CLIENTS & COALITIONS							
8.	Your union often encourages you to conduct yourselves with integrity and to act ethically	1	2	3	4	5	83
9.	Your union often reminds you of your obligations in terms of Resolution 1 of 2006	1	2	3	4	5	84
10.	Your union encourages you to report fraud and corruption to the authorities	1	2	3	4	5	85
11.	Union leaders are always honest and act with integrity	1	2	3	4	5	86
12.	Unions would never cover up members' unethical conduct	1	2	3	4	5	87
13.	Unions often oppose disciplinary action against their members	1	2	3	4	5	88
14.	Your union has greater influence over decision making than your line manager	1	2	3	4	5	89
MANAGEMENT REFORM							
15.	There are adequate controls to ensure that you comply with Departmental policies and procedures	1	2	3	4	5	90
16.	Senior management often emphasises the importance of complying with Departmental policies and procedures	1	2	3	4	5	91
17.	My supervisor is more concerned with treating offenders with dignity and respect, than with compliance with policies and procedures	1	2	3	4	5	92
18.	The major responsibility of employees in this Department is to control costs	1	2	3	4	5	93
19.	My supervisor gives me freedom to make my own day to day operational decisions, without getting his/her approval first	1	2	3	4	5	94
20.	My supervisor compares my performance with key performance indicators at least every six months	1	2	3	4	5	95
21.	I have been given a growing measure of decision making authority when making financial decisions	1	2	3	4	5	96
22.	My supervisor regularly checks my work performance	1	2	3	4	5	97
23.	Senior management often does not comply with Departmental policies and procedures	1	2	3	4	5	98
24.	My supervisor often emphasises the importance of complying with Departmental policies and procedures	1	2	3	4	5	99
25.	You have been given a growing measure of decision making authority when making human resource decisions	1	2	3	4	5	100

F: THE FOLLOWING SECTION DEALS WITH THE DEPARTMENT'S DISCIPLINARY CODE Please circle the number that best reflects your choice.		YES	NO	Don't know	
1.	A final writing warning is valid for three months	1	2	3	101
2.	You may be demoted if you are found guilty for misconduct	1	2	3	102
3.	A final writing warning must be kept on your personal file until you resign/ retire	1	2	3	103
4.	You may be dismissed if you are absent from work for a period of more than 30 days without permission or notifying the Department	1	2	3	104

G: BIOGRAPHIC INFORMATION

Please state your

1. Age

18 or younger	1	36 – 45	4	66 – 75	7	105
19 – 25	2	45 – 55	5	75 or older	8	
26 – 35	3	55 – 65	6		9	

2. Race

White	1	106
Black	2	
Indian	3	
Coloured	4	
Asian	5	
Other	6	
Please specify		

3. Gender

Male	1	Female	2	107
------	---	--------	---	-----

4. Highest Qualification

No formal schooling	1	Grade 9 / Standard 7 / Form II	4	Grade 12 / Standard 10 / Form V	7	108
Primary school	2	Grade 10 / Standard 8 / Form III	5	Post-matric technical qualification	8	
Grade 8 / Standard 6 / Form I	3	Grade 11 / Standard 9 / Form IV	6	Degree / Diploma	9	

5. Years of service in the Department of Correctional services

Years		Months		
				109-112

6. Post Level

	Level	Coding
COIII	5	1
COII	6	2
COI	7	3
SCO	8	4
AD	9-10	5
DD	11-12	6
D	13	7
DC	14	8
CDC	15	9
C	16	10

113-114

Other: Please specify _____

7. In WHICH DIVISION are you currently employed?

Correctional Centre: Operational Support	1
Correctional Centre: Corrections	2
Correctional Centre: Staff Support	3
Area Coordinator: Finance: Financial and Management Accounting	4
Area Coordinator: Finance: Supply Chain Management	5
Area Coordinator: Corporate Services	6
Area Coordinator: Development and Care	7
Area Coordinator: Corrections	8
Community Corrections	9
Correctional Supervision and Parole Board	10
Regional Coordinator: Finance	11
Regional Coordinator: Corporate Services	12
Regional Coordinator: Development and Care	13
Regional Coordinator: Corrections	14
Head Office: Finance	15
Head Office: Corporate Services	16
Head Office: Corrections	17
Head Office: Development and Care	18
Head Office: Central Services	19
Head Office: Operations Management and Support	20

115-116

Other: Please specify _____

8. Please indicate WHERE you are currently employed.

A Correctional Centre	1
Community Corrections	2
An Area Commissioner's Office	3
A Regional Commissioner's Office	4
The Head Office in Pretoria	5

117

Other: Please specify _____

9. Region

Eastern Cape	1	118
Western Cape	2	
Northern Cape & Free State	3	
Gauteng	4	
Limpopo, Mpumalanga & North West	5	
Kwa-Zulu Natal	6	
Head Office	7	

10. Are you a member of a union?

Yes	1	No	2	119
-----	---	----	---	-----

11. Management Area

Allandale Management Area	1	Malmesbury Management Area	29	120-121
Barberton Management Area	2	Middledrift Management Area	30	
Baviaanspoort Management Area	3	Modderbee Management Area	31	
Bethal Management Area	4	Ncome(Kandasput) Management Area	32	
Boksburg Management Area	5	Oudtshoorn Management Area	33	
Brandvlei Management Area	6	Pietermaritzburg Management Area	34	
Colesberg Management Area	7	Pollsmoor Management Area	35	
Cradock Management Area	8	Polokwane Management Area	36	
Drakenstein Management Area	9	Pretoria Management Area	37	
Durban Management Area	10	Rooigrond Management Area	38	
East London Management Area	11	Rustenburg Management Area	39	
Empangeni Management Area	12	Sada Management Area	40	
Glencoe Management Area	13	St Albans Management Area	41	
Goedemoed Management Area	14	Thohoyandou Management Area	42	
Goodwood Management Area	15	Umtata Management Area	43	
Groenpunt Management Area	16	Upington Management Area	44	
Grootvlei Management Area	17	Voorberg Management Area	45	
Head Office (Pretoria)	18	Waterval Management Area	46	
Helderstroom Management Area	19	Witbank Management Area	47	
Johannesburg Management Area	20	Worcester Management Area	48	
Kimberley Management Area	21	Zonderwater Management Area	49	
Kirkwood Management Area	22	Regional Commissioner: Eastern Cape	50	
Klerksdorp Management Area	23	Regional Commissioner: Free State & Northern Cape	51	
Kokstad Management Area	24	Regional Commissioner: Gauteng	52	
Kroonstad Management Area	25	Regional Commissioner: Kwa Zulu Natal	53	
Krugersdorp Management Area	26	Regional Commissioner: Mpumalanga/ North West/ Limpopo	54	
Leeuwkop Management Area	27	Regional Commissioner: Western Cape	55	
Lusikisiki Management Area	28			

Thank you very much for your time and for participating in this survey!

DIU STRUCTURE

**DIRECTOR DEPARTMENTAL
INVESTIGATION UNIT**

Secretary

**COORDINATOR
INVESTIGATIONS**

1 DD (SL:12)

**Investigators
12 x ASD (SL: 10)**

**Admin Support 2 x CO
(SL: 04 – 07)**

**ANALYTICAL &
PREVENTION DESK**

1 s DD (SL: 12)

**Investigators
3 x ASD (SL10)**

**Admin Support
1 x CO I – III
(SL: 04 – 07)**

INTEGRITY UNIT

1 DD (SL: 12)

**Integrity 6 x ASD
only 3 post financed
(SL: 10)**

**Admin Support
1 x CO I – III
(SL: 04 – 07)**

STRUCTURE DC LEGAL AND SPECIAL OPERATIONS

**DEPUTY COMMISSIONER
LEGAL AND SPECIAL OPERATIONS
ADV. MM MALEBYE**

**RECEPTIONIST CO
POST VACANT**

**ADMINISTRATIVE SECRETARY: ASD
NC GEDEDJA**

**DIRECTOR
DEPARTMENTAL INVESTIGATION UNIT
ME MALATSI**

**DIRECTOR
CODE ENFORCEMENT
CH PAXTON**

**DIRECTOR
LEGAL SERVICES
DR RJ MBULI**



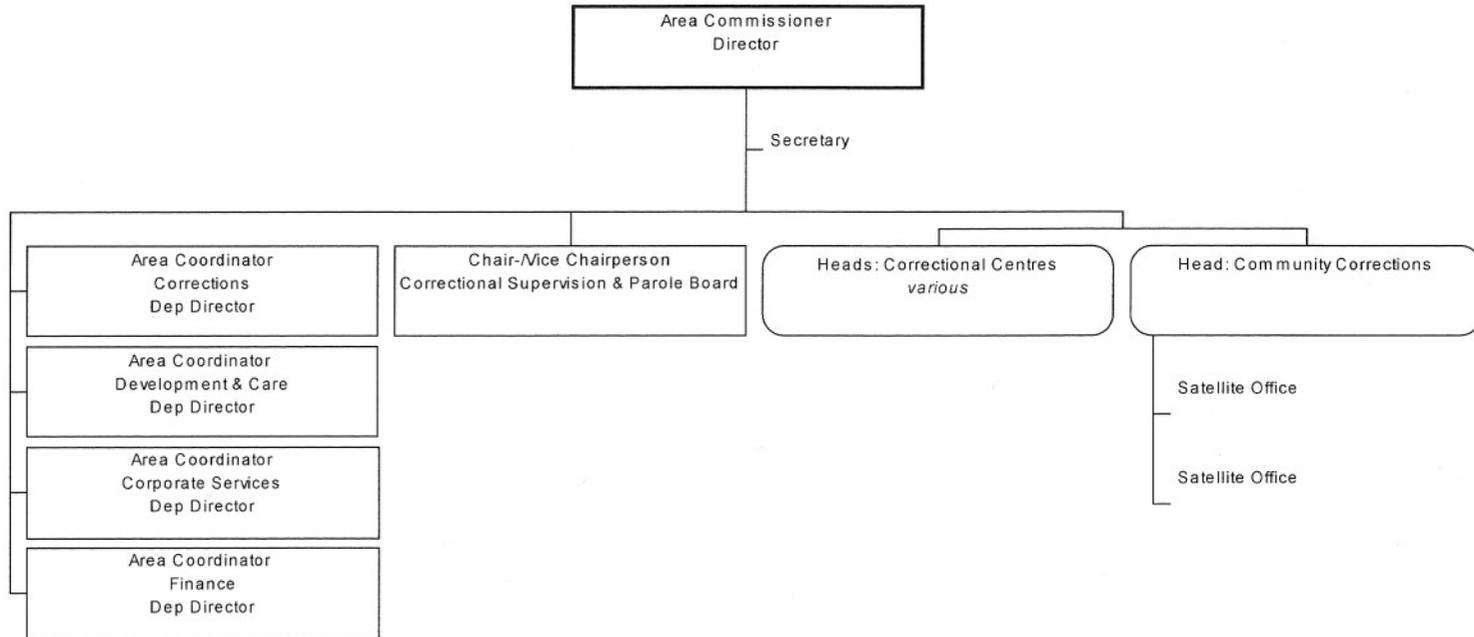
DEPARTMENT OF CORRECTIONAL SERVICES
ORGANIZATION STRUCTURE
VOLUME 8
MANAGEMENT AREAS
1 October 2003



ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Areas
Area Commissioner \ Overall
1 October 2003



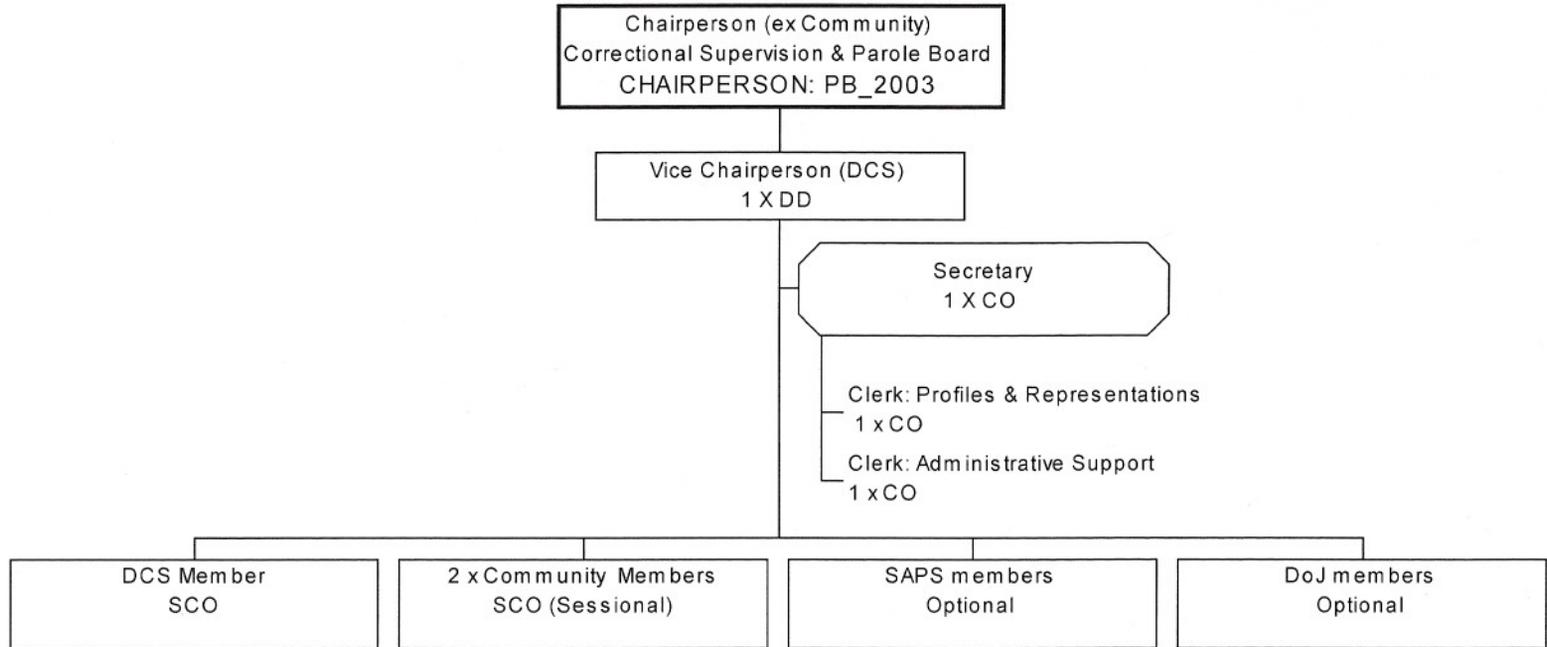
WS & JE project pending on rank levels



ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Areas
Correctional Supervision & Parole Board
1 October 2003



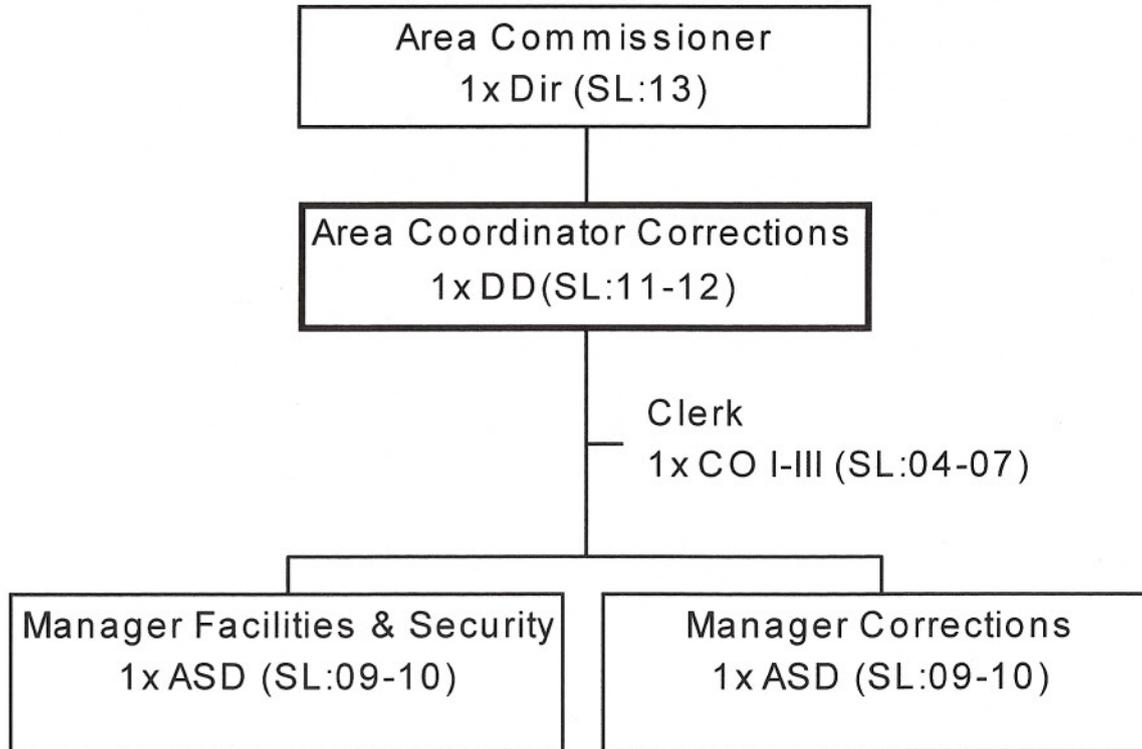
ORGANISATION STRUCTURE



DEPARTMENT OF
CORRECTIONAL SERVICES

LEVEL
COMPONENT
DATE

Management Areas
Area Commissioner \ Corrections
1 October 2003

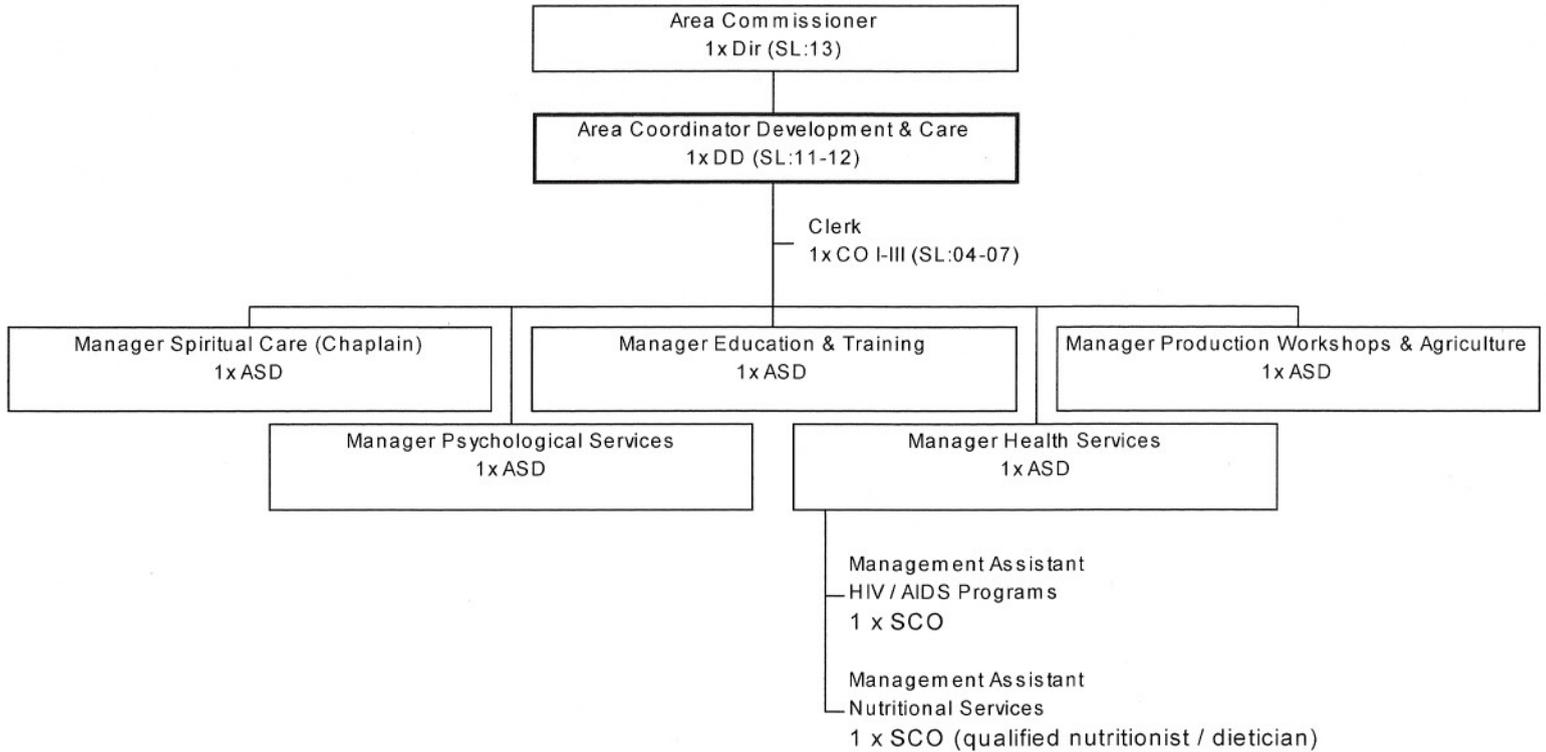




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Areas
Area Commissioner \ Development & Care \ Overall
1 October 2003

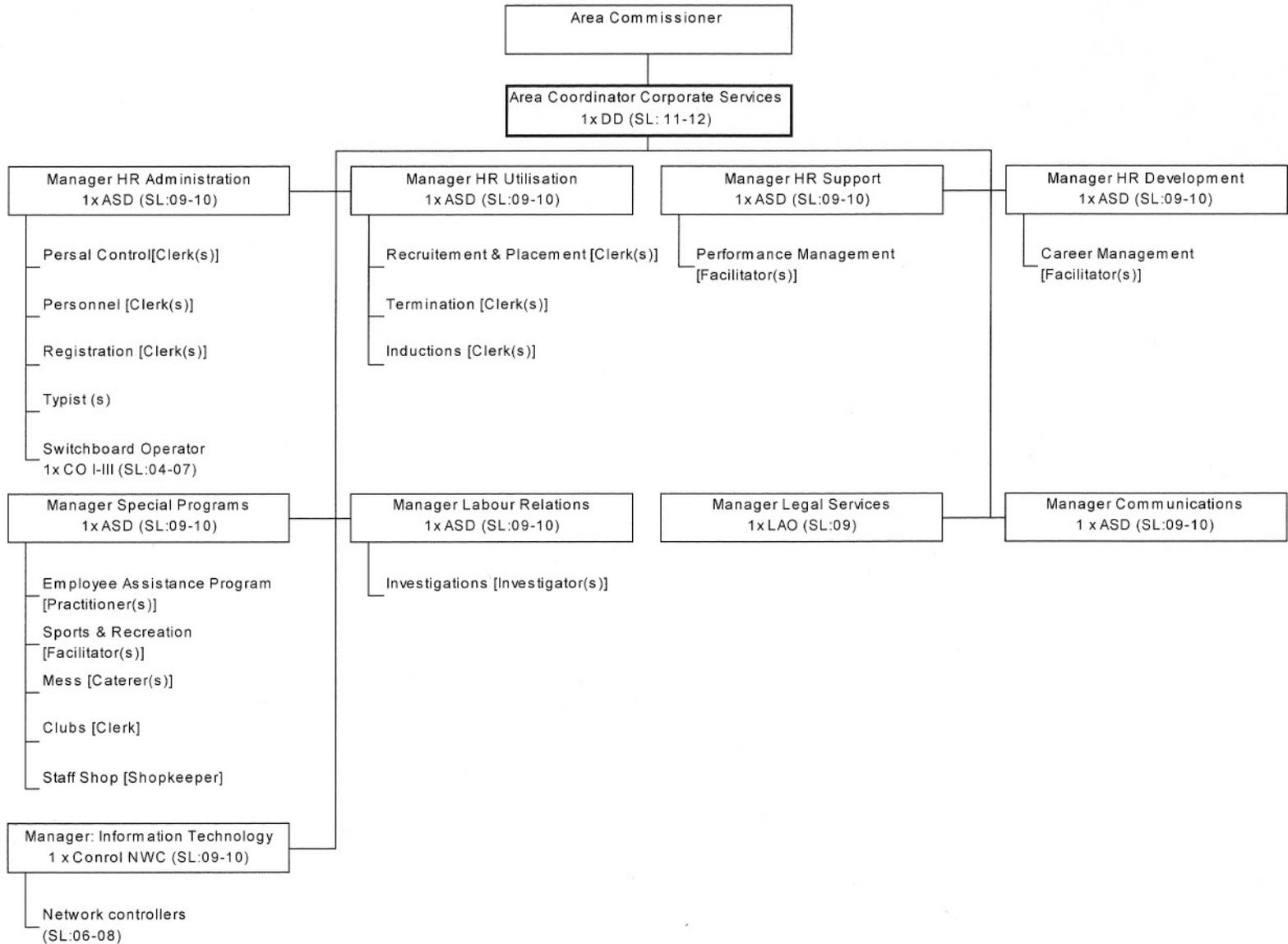




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Area Commissioner \ Corporate Services \ Overall
1 October 2003



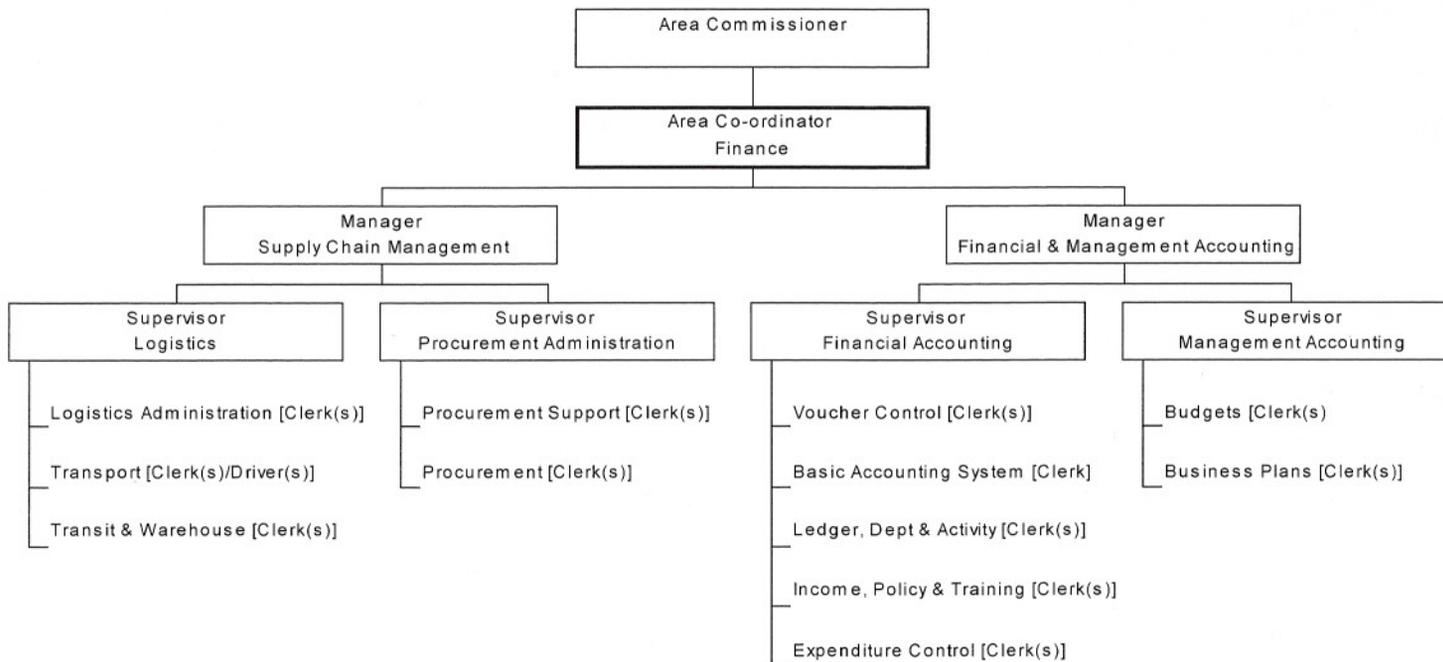
ORGANISATION STRUCTURE



DEPARTMENT OF
CORRECTIONAL SERVICES

LEVEL
COMPONENT
DATE

Management Area
Area Commissioner \ Finance
1 October 2003

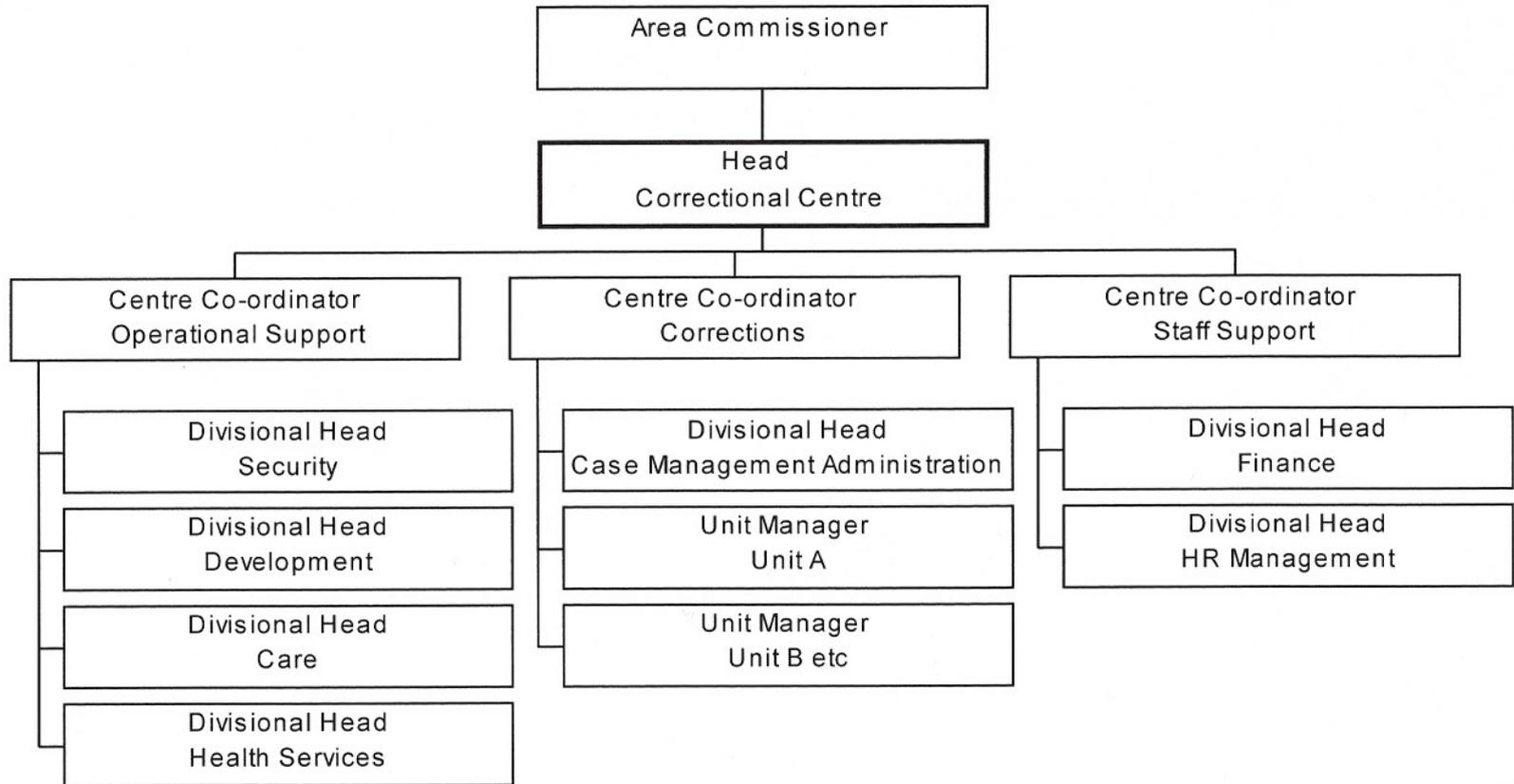




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Area Commissioner \ Head of Correctional Centre
1 October 2003

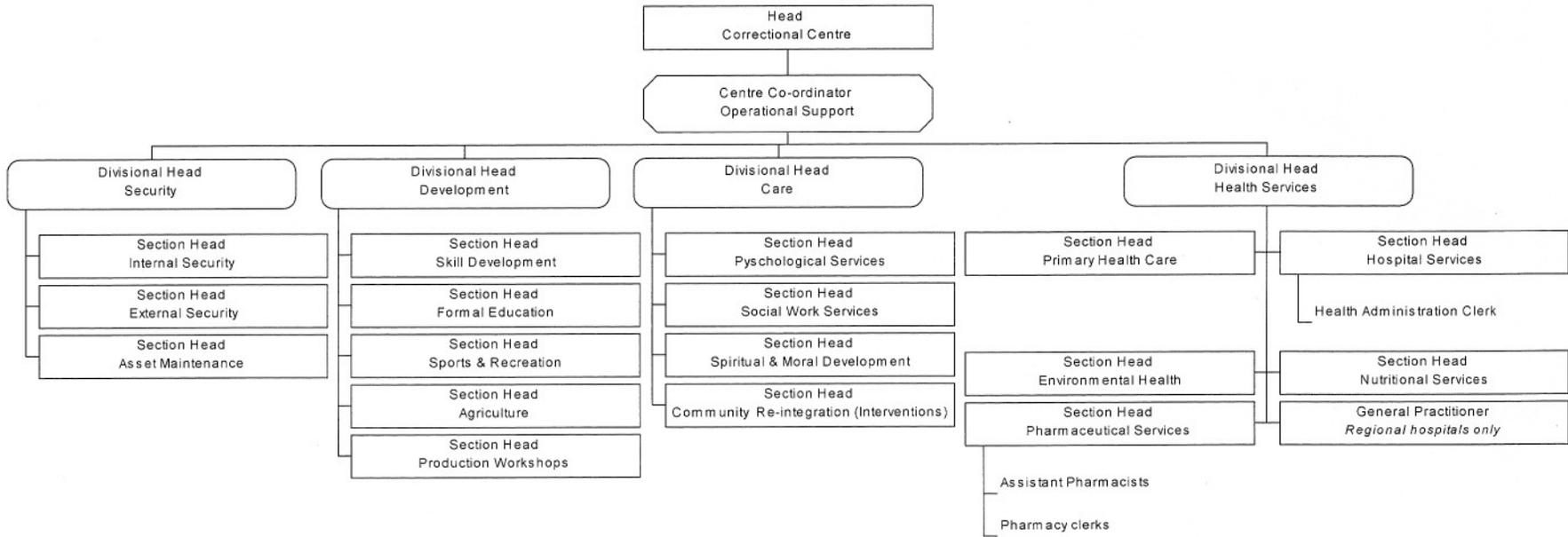




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Head of Correctional Centre \ Operational Support
1 October 2003

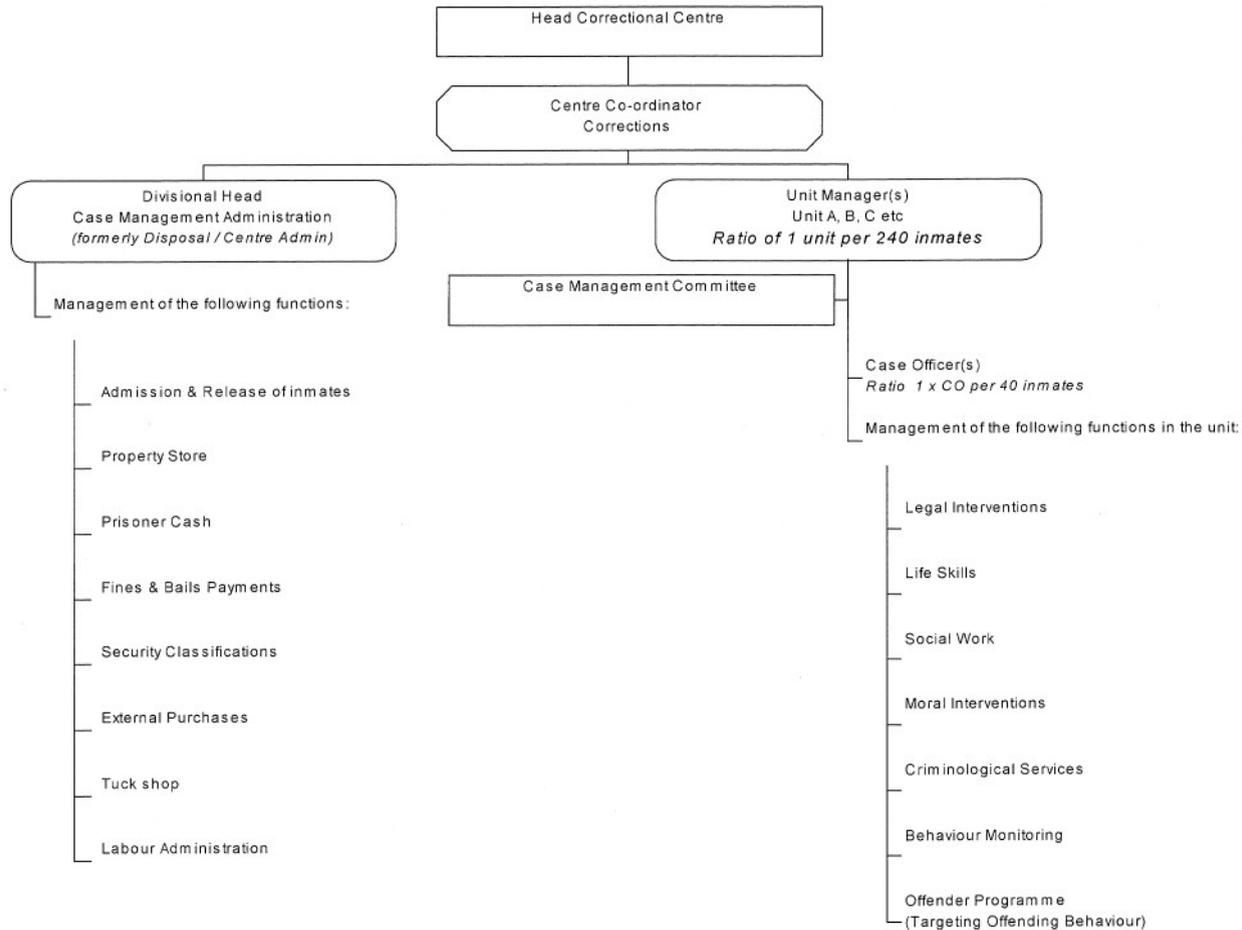




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Head of Correctional Centre \ Corrections
1 October 2003

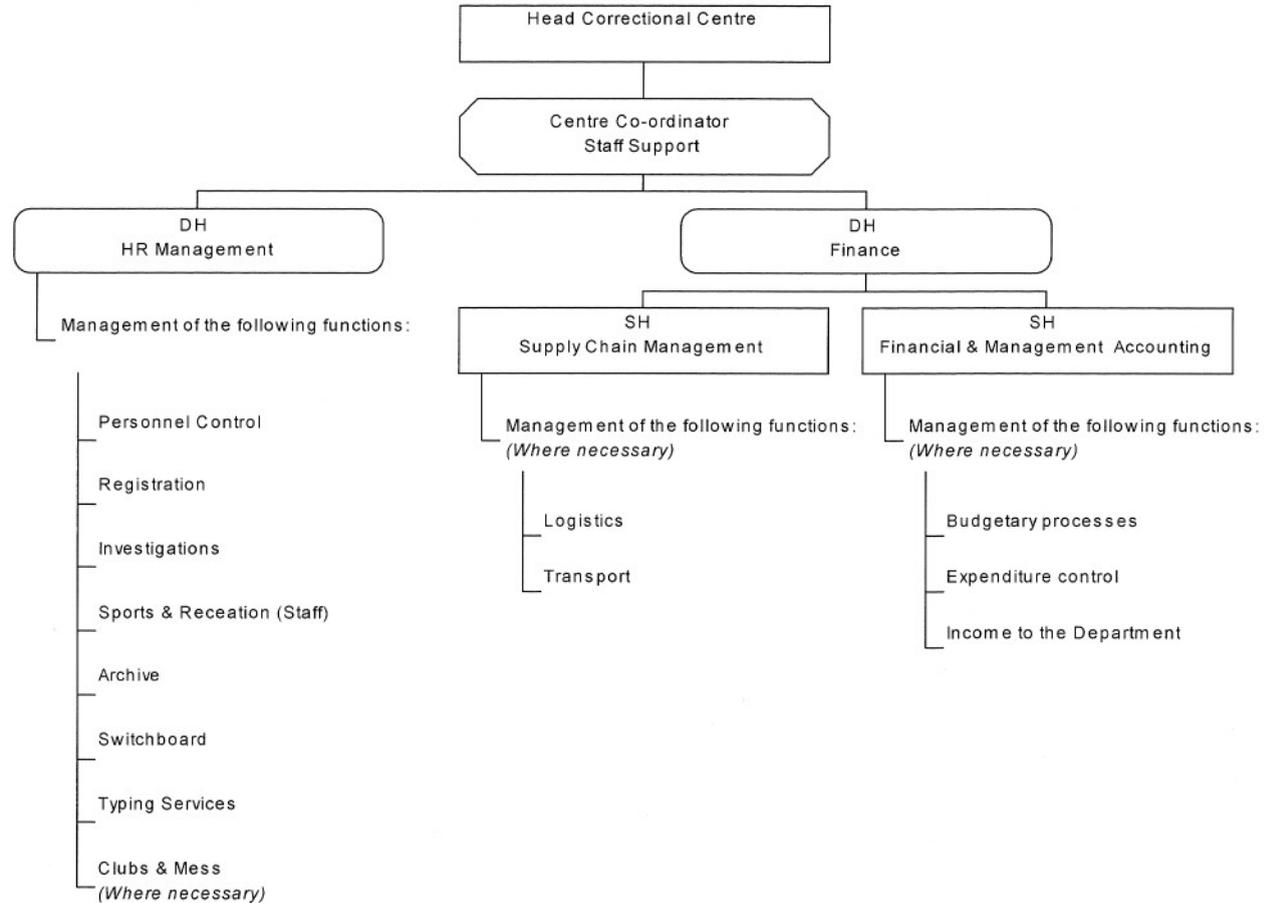




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Head of Correctional Center \ Staff Support
1 October 2003

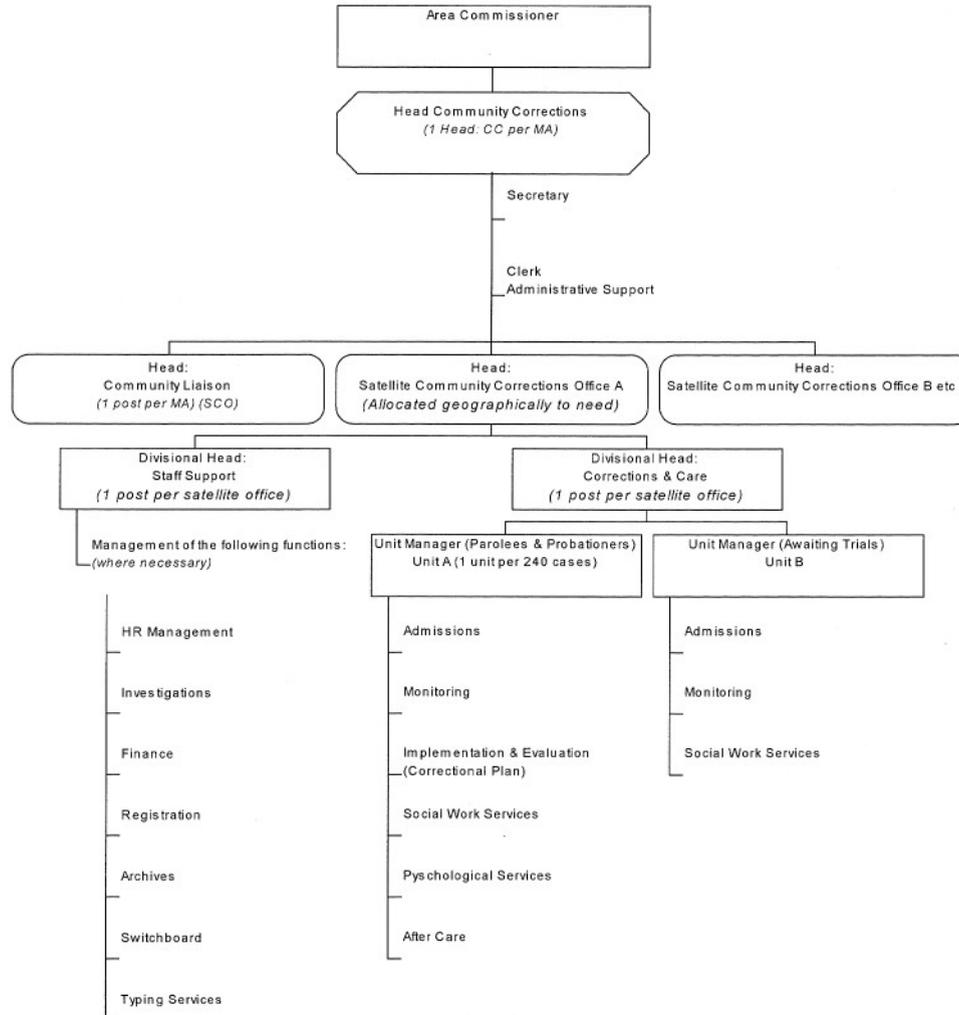




ORGANISATION STRUCTURE

LEVEL
COMPONENT
DATE

Management Area
Area Commissioner \ Community Corrections
1 October 2003



Namelist of Correctional Centres by Region and Management							
Distr	Region	Distr	Management Area	Distr	Correctional Centre		
861	EASTERN CAPE REGION	7230	CRADOCK AREA	7218	BURGERSDORP CORRCENT		
				7202	CRADOCK CORRCENT		
				6014	DORDRECHT CORRCENT		
				7215	GRAAFF-REINET CORRCENT		
				7216	MIDDELBURG CORRCENT (E-C)		
				7211	SOMERSET EAST CORRCENT		
				6033	EAST LONDON AREA	6006	EAST LONDON MED. A CORRCENT
						6007	EAST LONDON MED. B CORRCENT
						6009	EAST LONDON MED. C CORRCENT
						9711	MDANTSANE CORRCENT
						7205	JANSEVILLE CORRCENT
						7207	KIRKWOOD CORRCENT
		7233	KIRKWOOD AREA	9501	BIZANA CORRCENT		
				9510	LUSIKISIKI CORRCENT		
				9512	MOUNT AYLIFF CORRCENT		
				9513	MOUNT FLETCHER CORRCENT		
				9508	MOUNT FRERE CORRCENT		
				9519	TABANKULU CORRCENT		
				9731	MIDDLEDRIFT AREA	6003	FORT BEAUFORT CORRCENT
						7203	GRAHAMSTOWN CORRCENT
						6005	KING WILLIAMS TOWN CORRCENT
						9710	MIDDLEDRIFT CORRCENT
		6011	STUTTERHEIM CORRCENT				
		6012	BARKLY EAST CORRCENT				
		9506	BUTTERWORTH CORRCENT				
		9524	ELLIOTDALE CORRCENT				
		9507	IDUTYWA CORRCENT				
		9502	LADY FRERE CORRCENT				
		9733	SADA AREA	6010	QUEENSTOWN CORRCENT		
				9712	SADA CORRCENT		
				9518	STERKSPRUIT CORRCENT		
				9505	WILLOWVALE CORRCENT		
				7208	PATENSIE CORRCENT		
				7209	PORT ELIZABETH CORRCENT		
				7213	ST. ALBANS MAX. CORRCENT		
				7214	ST. ALBANS MED. A CORRCENT		
				7212	ST. ALBANS MED. B CORRCENT		
				9522	UMTATA MAX. CORRCENT		
		7237	ST. ALBANS AREA	9521	UMTATA MED. CORRCENT		
				903	BAVIAANSPOORT MAX. CORRCENT		
				904	BAVIAANSPOORT MED. CORRCENT		
				980	EMTHONJENI JUVENILE CORRCENT (BAVIAANSPOORT)		
				5708	BOKSBURG CORRCENT		
				5722	BOKSBURG JUVENILE CORRCENT		
				5705	HEIDELBERG CORRCENT		
				3303	JOHANNESBURG FEMALE CORRCENT		
				3305	JOHANNESBURG MED. A CORRCENT		
				3304	JOHANNESBURG MED. B CORRCENT		
		3330	JOHANNESBURG AREA	3302	JOHANNESBURG MED. C CORRCENT		
				3331	KRUGERSDORP CORRCENT		
				5106	LEEUEWKOP JUVENILE CORRCENT		
				5103	LEEUEWKOP MAX. CORRCENT		
5130	LEEUEWKOP AREA	5105	LEEUEWKOP MED. A CORRCENT				
		5104	LEEUEWKOP MED. C CORRCENT				
		3401	DEVON CORRCENT				
		5706	MODDERBEE CORRCENT				
5731	MODDERBEE AREA	5707	NIGEL MALE CORRCENT				
		7513	ATTERIDGEVILLE CORRCENT				
		9815	ODI CORRCENT				
		7508	PRETORIA CENTRAL CORRCENT				
		7505	PRETORIA FEMALE CORRCENT				
		7509	PRETORIA LOCAL CORRCENT				
7532	PRETORIA AREA	7507	PRETORIA MAX. CORRCENT				
		9605	ZONDERWATER MED. A CORRCENT				
		9606	ZONDERWATER MED. B CORRCENT				
		2104	DURBAN FEMALE CORRCENT				
		2103	DURBAN JUVENILE CORRCENT				
		2118	DURBAN MED. A CORRCENT				
2136	DURBAN AREA	2117	DURBAN MED. B CORRCENT				
		2116	DURBAN MED. C CORRCENT				
		6319	UMZINTO CORRCENT				
		8714	EMPANGENI CORRCENT				
		8715	ESHOWE CORRCENT				
		3613	INGWAVUMA CORRCENT				
		3614	MAPUMULO CORRCENT				
		8717	MELMOTH CORRCENT				
863	GAUTENG REGION	9630	ZONDERWATER AREA	2104	DURBAN FEMALE CORRCENT		
				2103	DURBAN JUVENILE CORRCENT		
				2118	DURBAN MED. A CORRCENT		
				2117	DURBAN MED. B CORRCENT		
				2116	DURBAN MED. C CORRCENT		
				6319	UMZINTO CORRCENT		
				8714	EMPANGENI CORRCENT		
				8715	ESHOWE CORRCENT		
				3613	INGWAVUMA CORRCENT		
				3614	MAPUMULO CORRCENT		
8717	MELMOTH CORRCENT						

			8718	MTUNZINI CORRCENT
			3616	NKANDLA CORRCENT
			8701	QALAKABUSHA CORRCENT (EMPANGENI)
	8742	EMPANGENI AREA	2112	STANGER CORRCENT
			6302	BERGVILLE CORRCENT
			8702	DUNDEE CORRCENT
			6313	ESTCOURT CORRCENT
			8708	GLENCOE CORRCENT
			6315	KRANSKOP CORRCENT
			8713	LADYSMITH CORRCENT
	8738	GLENCOE AREA	8722	POMEROY CORRCENT
			6364	EBONGWENI MAX. CORRCENT (KOKSTAD)
			6363	KOKSTAD MED. CORRCENT
			6306	MATATIELE CORRCENT
			6318	PORT SHEPSTONE CORRCENT
	6334	KOKSTAD AREA	9523	UMZIMKULU CORRCENT
			3607	NCOME MED. A CORRCENT
			3608	NCOME MED. B CORRCENT
			3617	NONGOMA CORRCENT
	3630	NCOME AREA	1224	VRYHEID CORRCENT
			6304	IXOPO CORRCENT
			6307	NEW HANOVER CORRCENT
			6309	PIETERMARITZBURG CORRCENT
			6310	PIETERMARITZBURG MED B
	6336	PIETERMARITZBURG AREA	6312	SEVONTEIN CORRCENT
			1271	EKUSENI YOUTH DEV. CENTRE
			1222	NEWCASTLE CORRCENT
			1223	UTRECHT CORRCENT
			1226	WATERVAL MED. A CORRCENT
	1242	WATERVAL AREA	1225	WATERVAL MED. B CORRCENT
			706	BARBERTON FARM MAX. CORRCENT
			705	BARBERTON FARM MED. A CORRCENT
			703	BARBERTON FARM MED. B CORRCENT
			707	BARBERTON TOWN CORRCENT
			710	LYDENBURG CORRCENT
	731	BARBERTON AREA	714	NELSPRUIT CORRCENT
			1203	BETHAL CORRCENT
			1207	ERMELO CORRCENT
			1209	GELUK CORRCENT
			1220	PIET RETIEF CORRCENT
			1212	STANDERTON MED. A CORRCENT
			1218	STANDERTON MED. B CORRCENT
	1230	BETHAL AREA	1221	VOLKSRUST CORRCENT
			3904	CHRISTIANA CORRCENT
			4204	KLERKSDORP CORRCENT
	4231	KLERKSDORP AREA	4208	POTCHEFSTROOM CORRCENT
			4211	WOLMARANSSTAD CORRCENT
			914	MODIMOLLE CORRCENT
			916	POLOKWANE CORRCENT
	933	POLOKWANE AREA	918	TZANEEN CORRCENT
			4206	LICHTENBURG CORRCENT
			9811	MAFIKENG CORRCENT
			9821	ROOIGROND MED. A CORRCENT
			9823	ROOIGROND MED. B CORRCENT
	9830	ROOIGROND AREA	4212	ZEEERUST CORRCENT
			7503	BRITS CORRCENT
			7504	LOSPERFONTEIN CORRCENT
			9813	MOGWASE CORRCENT
			4214	RUSTENBURG CORRCENT
	4238	RUSTENBURG AREA	4227	RUSTENBURG JUVENILE CORRCENT
			938	KUTAMA-SINTHUMULE CORRCENT (APOPS)
			912	MAKHADO CORRCENT
			9717	THOHOYANDOU FEMALE CORRCENT
			9716	THOHOYANDOU MED. A CORRCENT
	9730	THOHOYANDOU AREA	9715	THOHOYANDOU MED. B CORRCENT
			9203	BELFAST CORRCENT
			9205	CAROLINA CORRCENT
			9208	MIDDELBURG CORRCENT (MP)
	858	LIMPOPO, MPUMALANGA & NORTH WEST REGION	9214	WITBANK CORRCENT
			3914	COLESBERG CORRCENT
			3913	DE AAR CORRCENT
			3907	HOPETOWN CORRCENT
			3915	RICHMOND CORRCENT
	3939	COLESBERG AREA	2415	VICTORIA WEST CORRCENT
			2704	BETHULIE CORRCENT
			1506	EDENBURG CORRCENT
			1507	FAURESMITH CORRCENT
			2707	GOEDEMOED MED. A CORRCENT
			2708	GOEDEMOED MED. B CORRCENT

859	NORTHERN CAPE & FREE STATE REGION	2734	GOEDEMOED AREA	2709	ZASTRON CORRCENT
				4520	FRANKFORT CORRCENT
				3006	GROENPUNT JUVENILE CORRCENT
				3004	GROENPUNT MAX. CORRCENT
				3005	GROENPUNT MED. CORRCENT
				4519	HEILBRON CORRCENT
				4521	PARYS CORRCENT
				3009	SASOLBURG CORRCENT
		3031	GROENPUNT AREA	3010	VEREENIGING CORRCENT
				1513	BOSHOF CORRCENT
				1505	BRANDFORT CORRCENT
				1511	GROOTVLEI MAX. CORRCENT
				1509	GROOTVLEI MED. CORRCENT
				1510	LADYBRAND CORRCENT
				1538	MANGAUNG CORRCENT (APOPS)
				1512	WEPENER CORRCENT
		1535	GROOTVLEI AREA	1515	WINBURG CORRCENT
				3902	BARKLY WEST CORRCENT
				3905	DOUGLAS CORRCENT
		3935	KIMBERLEY AREA	3908	KIMBERLEY CORRCENT
				4503	BETHLEHEM CORRCENT
				1508	FICKSBURG CORRCENT
				4518	HARRISMITH CORRCENT
				4506	HENNENMAN CORRCENT
				4203	HOOPSTAD CORRCENT
				4509	KROONSTAD MED. A CORRCENT
				4508	KROONSTAD MED. B CORRCENT
				4507	KROONSTAD MED. C CORRCENT
				4562	KROONSTAD YOUTH CORRCENT
				4510	LINDLEY CORRCENT
				4511	ODENDAALSRUS CORRCENT
				4513	SENEKAL CORRCENT
				4514	VENTERSBURG CORRCENT
		4532	KROONSTAD AREA	4515	VIRGINIA CORRCENT
				3910	KURUMAN CORRCENT
				612	SPRINGBOK CORRCENT
				3911	UPINGTON CORRCENT
				603	ALLANDALE CORRCENT
				604	HAWEQUA CORRCENT
				9306	OBIQUA CORRCENT
		630	ALLANDALE AREA	609	STAART VAN PAARDEBERG CORRCENT
				1804	BRANDVLEI JUVENILE CORRCENT
		1830	BRANDVLEI AREA	1803	BRANDVLEI MAX. CORRCENT
				1805	BRANDVLEI MED. CORRCENT
		8407	DRAKENSTEIN MAX. CORRCENT		
		8409	DRAKENSTEIN MED. A CORRCENT		
		8408	DRAKENSTEIN MED. B JUVENILE CORRCENT		
8434	DRAKENSTEIN AREA	8406	STELLENBOSCH CORRCENT		
		2403	BEAUFORT WEST CORRCENT		
		2404	GEORGE CORRCENT		
		2406	KNYSNA CORRCENT		
		2408	LADISMITH CORRCENT		
		2409	MOSSSELBAAI CORRCENT		
		2427	OUDTSHOORN MED. A CORRCENT		
		2411	OUDTSHOORN MED. B CORRCENT		
		2412	PRINCE ALBERT CORRCENT		
2431	GEORGE AREA	2414	UNIONDALE CORRCENT		
6830	GOODWOOD AREA	6801	GOODWOOD CORRCENT		
		9303	BUFFELJAGSRIVIER CORRCENT		
		1806	CALEDON CORRCENT		
		1809	HELDERSTROOM MAX. CORRCENT		
1832	HELDERSTROOM AREA	1808	HELDERSTROOM MED. CORRCENT		
		625	MALMESBURY MED. A CORRCENT		
		606	MALMESBURY MED. B CORRCENT		
635	MALMESBURY AREA	608	RIEBEECK WEST CORRCENT		
		6908	POLLSMOOR FEMALE CORRCENT		
		6905	POLLSMOOR MAX. CORRCENT		
		6906	POLLSMOOR MED. A CORRCENT		
		6907	POLLSMOOR MED. B CORRCENT		
6930	POLLSMOOR AREA	6912	POLLSMOOR MED. C CORRCENT		
		611	CALVINIA CORRCENT		
		8411	VANRHYNSDORP CORRCENT		
		610	VOORBERG MED. A CORRCENT		
637	VOORBERG AREA	624	VOORBERG MED. B CORRCENT		
		9305	DWARSRIVIER CORRCENT		
		9308	ROBERTSON CORRCENT		
		9312	WARMBOKVELD CORRCENT		
		9314	WORCESTER FEMALE CORRCENT		
862	WESTERN CAPE REGION	9340	WORCESTER AREA	9313	WORCESTER MALE CORRCENT