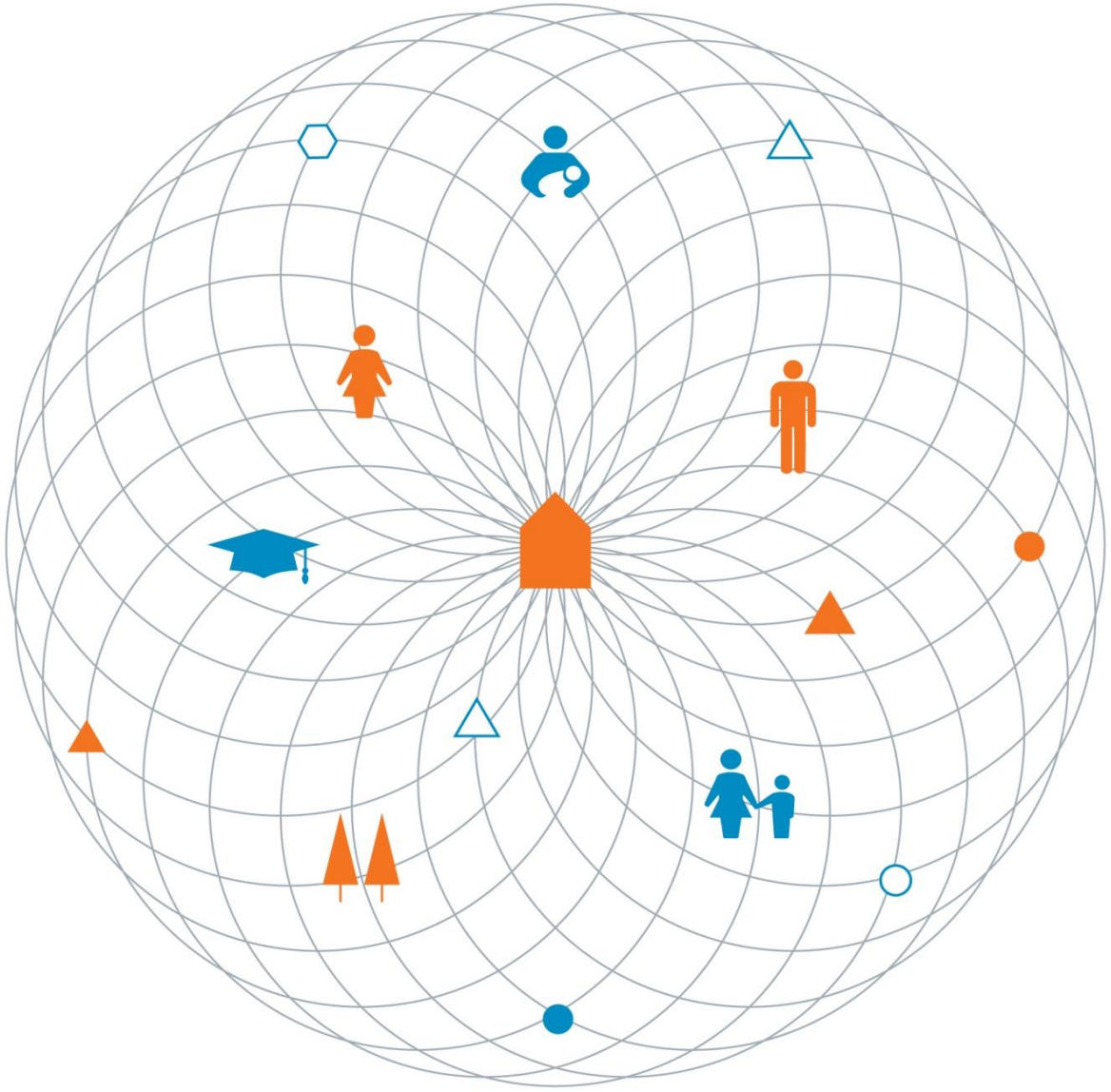
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Support to Anti-Corruption in Sierra Leone.

Political Economy Analysis.



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UK Department for International Development

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This document has been approved for submission by Coffey's Project Director, based on a review of satisfactory adherence to our policies on:

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This report has been co-authored by Coffey International Development, Osman Gbla and Simon Foot.

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Abbreviations and Acronyms

ACC	Anti-Corruption Commission
APC	All People's Congress
APRM	African Peer Review Mechanism
ASA	Academic Staff Association
CAS	Country Assistance Strategy
CEDSA	Centre for Development and Security Analysis
CGG	Campaign for Good Governance
CMDA	Conflict Management and Development Associates
CSAE	Centre for the Studies of African Economies
DFID	United Kingdom Department for International Development
GRS	Governance Reform Secretariat
GoSL	Government of Sierra Leone
IRCSL	Inter – Religious Council of Sierra Leone
ICG	International Crisis Group
JLSC	Judicial and Legal Service Commission
MDA	Ministries, Departments and Agencies
NACS	National Anti-Corruption Strategy
NGO	Non-Governmental Organisation
PEA	Political Economy Analysis
PNB	Pay No Bribe
SLBA	Sierra Leone Bar Association
SLAJ	Sierra Leone Association of Journalists
SLPP	Sierra Leone People's Party
SLTU	Sierra Leone Teachers Union
SO	Standing Order
TRC	Truth and Reconciliation Commission

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Introduction

Coffey International Development is implementing the Anti-Corruption Support to Sierra Leone programme on behalf of the UK Department for International Development (DFID). As part of programme's activity, Coffey has designed the Pay No Bribe (PNB) reporting System, an anonymous reporting tool that allows users to log incidents of corruption. This data will be used for the purpose of evidence-based decision making by the Government of Sierra Leone (GoSL) when designing national anti-corruption policies and to support Ministries, Departments and Agencies (MDAs) in taking action against corruption.

This Political Economy Analysis (PEA) focuses on areas that will inform successful implementation of PNB and provides a risk analysis of the design, including options for successful implementation.

Specifically, it presents an overview of Sierra Leone's political situation; background to the social, political and economic context of corruption. It includes an analysis of the political and ethnic dimensions of formal and informal socio-political networks; and analyses national anti-corruption efforts. It places the PNB design, challenges, risks and mitigation strategies within the context of this situational analysis.

Background

Overview

Sierra Leone is a small West African country with a total land mass of 71, 620 sq. km and an estimated population of approximately seven million people.[1] It has abundant arable land, rich mineral resources including diamonds, gold, rutile, iron ore and bauxite. Agriculture and mining are key sectors for national economic development.

- Agriculture accounts for around half of the growth domestic product (GDP). The mining sector accounted for less than six per cent of GDP from 2001 to 2011 but increased to 12 per cent in 2012. This is mainly due to the 2011 discovery, and subsequent mining, of iron ore in the North.[2]
- The 2011 Sierra Leone Integrated Household Survey estimated that 52.9 per cent of the population is poor compared to 66.4 per cent in 2003. Sierra Leone's UNDP Human Development Index (HDI) was 0.413 in 2014 ranking the country 181 out of 188 countries.[3]
- Overall literacy rates in Sierra Leone are 36 per cent for women and 54 per cent for men. Literacy rates are higher for younger women and men compared with the older population. Women and men in urban areas are more likely than rural residents to be literate. Literacy rates for men in urban and rural areas are 78 per cent and 39 per cent respectively.[4]
- Sierra Leone has 18 ethnic groups. The two largest of these groups are the Mendes of the South and East (30.9 per cent) and the Temnes of the North (29.8 per cent).[5] Other minority groups include the Limbas, Konos and Creoles.

Sierra Leone gained its independence from Britain on the 27 April 1961 and was declared a Republic in 1971. At independence, the country inherited a parliamentary governance system modelled on the Westminster model of government but with a unicameral legislature. Under colonial rule which lasted for much of the nineteenth and twentieth centuries, the British administration created two administrations within Sierra Leone, a colony and a protectorate, with separate administrations. English Common law was adopted for the colony, and a three-tier court system for the hinterland. Direct rule was introduced in the colony in 1808 and indirect rule in the protectorate in 1896. The latter system utilised traditional political structures of chiefs and customary law in running the affairs of the hinterland. The main objective was to maintain law and order and to promote trade.[6] The colonial period saw the development of a relatively strong and effective civil service, systems of justice, education, law and order. It was characterised, in a limited way, by political pluralism and economic development with efficient state institutions including the civil service, judiciary and security forces. The country was noted at the time for a relatively effective

[1] Provisional Results of the 2015 Census of Sierra Leone
[2] Sierra Leone Demographic and Health Survey 2013p.2
[3] UNDP Human Development Report 2015 p.31
[4] Sierra Leone Demographic and Health Survey 2013, ibidp.37
[5] Makannah T.J., 1996, Handbook of the Population of Sierra Leone(Freetown: Toma Enterprises Limited)p.XVII
[6] John R. Cartwright, 1970, Politics in Sierra Leone 1947-67 (University of Toronto) p.27.

judiciary in terms of dispensing fair and transparent justice and non-political interference.[7] The political parties that existed, though tribally and regionally aligned, contested in free and fair elections. In the 1962 elections for example, the opposition All People's Congress (APC) won 16 out of their 32 contested parliamentary seats.[8] The country's fairly robust multiparty system set a record in 1967 as the first country in post-colonial Africa to change government through the ballot box.

The relatively peaceful and democratic era of Sir Milton came to an end in 1964. His successor, Sir Albert Margai of the SLPP, was incapable of sustaining the democratic and peaceful political order. His premiership saw the introduction of patronage and calculated attempts to undermine democratic principles such as effective political opposition. He appointed many of his Mende tribesmen into prominent positions in the civil service and the security forces. He first introduced the idea of one party rule in 1965, a proposal that was resisted by civic groups and the opposition APC party.

Single party rule was consolidated during the APC government of Siaka Stevens (1978 to 1992). Rule under Stevens, and continued under Joseph Saidu Momoh, represents a watershed in the political economy of Sierra Leone. The one-party system implemented by Stevens after the 1978 referendum gave the ruling party complete monopoly in the exercise of political authority and placed unlimited powers in the hands of the president regarding appointment and retirement of public officials.

During the years since independence, Sierra Leone has experienced periods of multi-party democracy, one-party rule and a military coup. These various systems have influenced the dynamics and nature of corruption in diverse ways, as well as mitigation efforts.

The current political system is based on a multiparty government with an executive president elected for up to two, five-year terms.

The Role of Chiefs

Chieftaincies are an important feature in maintaining the social and economic fabric of society in Sierra Leone, and played a critical role in advancing the goals of the colonial administration. They were the designated officials for the collection of a five shillings hut tax for the colonial administration. Chiefs were often co-opted to support the administration in the maintenance of law and order, while at the same time continuing to rule their people based on traditional political norms and values. This situation brought the chiefs very close to the money economy of the country and also created the impression that any financial demands made would be backed by the administration. Although there was abuse of the hut tax collection by Chiefs, the colonial administration turned a blind eye to such misdemeanours and nothing substantive was done to curb abuse. In sum, there was loose supervision over the native administration which left some chiefs free to exploit their office for personal economic advantage. [9]

The practice of politically manipulating chiefs resurfaced in the post-independence administration under both the APC and SLPP. Chiefs have continued to play a significant political role in the post-colonial period, as supporters of either one of the two main parties.[10] The implication is that many of these chiefs are important conduits for gaining political support in rural chiefdoms. For example, the SLPP has for a long time remained fiercely protective of chief interests.[11] There were allegations during the 2007 elections that the SLPP used chiefs in Kailahun District to prevent the APC from campaigning. Similar allegations were also made against the APC for using chiefs to prevent SLPP political campaigns in the north.

Assured of political patronage and protection, some chiefs abused their authority for personal gain during both APC and SLPP rule. This problem was particularly prevalent in the early post-war era when returning chiefs tried to reassert their local authority in the distribution of relief items. Chiefs were accused of trying to divert relief distributions towards their families and supporters, brokering deals with private businessmen to exploit local resources, and imposing extra-legal levies to meet the costs of entertaining leading government figures.[12]

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[7] Sierra Leone : A Country Review of Crime and Criminal Justice, 2008 (Pretoria: Institute for Security Studies (ISS)p.60
[8] Hayward, Fred, M, 1987, Elections in Independent Black Africa (London and Boulder: Westview Press) p.29
[9] Ibid.p.30.
[10] Paul Jackson, 2006, Reshuffling an Old Deck of Cards? The Politics of Local Government Reform in Sierra Leone, African Affairs, 106/422, p.101.
[11] Mohamed Gibril Sesay, et, al 2009, Paramount Chieftaincy in Sierra Leone: The Case for Reform, Draft Report, February 2009,p.24.
[12] Ibid.p.26

Corruption in the Mining Industry

Sierra Leone has abundant mineral, marine and forest resources which are the main sources of foreign exchange and income for the country. The colonial administration gave foreign mining companies an advantage in the sector especially in diamond mining. The Sierra Leone Selection Trust (SLST) was, for example, given a 99 year lease with exclusive mining and prospecting rights over the entire country. The SLST was only required to give the government five per cent of their net profits and were allowed to import plant machinery from Britain duty free. [13]

On assuming power in 1968, Stevens moved swiftly not only to politicise mining but also to introduce a free-for all diamond trading to replace corporate exploration and trading. This was surprising considering that in the 1950s Stevens, then the Minister of Mines, strongly advocated corporate exploration of diamonds.[14] This approach laid the foundation for the upsurge of illicit mining activities in the Kono District and criminality in the looting of diamond resources.

In 1971, Stevens took the step to establish the National Diamond Mining Company (NDMC) with a view to nationalising and politicising the diamond industry. The new arrangement gave 51 per cent of the SLST shares to the government whilst the SLST retained 49 per cent. In order to further give GoSL an edge in the arrangement, a Board of Directors of 11 people was established with six of the members nominated by the government. Stevens further positioned his associate, Jamil Sahid Mohamed, to take over 12 per cent of Government shares. One commentator, Jimmy Kandeh captures this situation in remarking[15] that Stevens handed over the entire diamond and fishing industries to his crony and business partner. This gave tremendous political power and economic influence to Jamil including access to Cabinet meetings whilst side-stepping foreign exchange regulations.

This set the scene for government misuse of diamond resources in connivance with private business men. It also paved the way for the smuggling of diamond resources whilst depriving the government of state revenue.

Corruption in the Rule of Law Sector

In order to gain full control over the state security forces, successive governments have interfered with the selection of state security officials. For example, the SLPP government of Albert Margai appointed Brigadier Lansana, a close relative, as head of the army. Stevens introduced a recruitment policy based on a card system with preference for political party members and individuals from the north. Prominent party members were given quotas for recruitment of relatives and other close associates in both the military and police. In 1974, the heads of both the military and police were made members of Parliament.[16] These forces were given a rice quota and their books were not properly audited. The politicisation of these forces created incentives for corruption and undermined professionalism and competence.

Lack of access to justice disproportionately affects the poorest and vulnerable groups of the country particularly young and older people, and women. The majority of these tend to have little bargaining power in the customary informal justice system; little knowledge of their legal rights and insufficient wealth to meet the high financial costs of the formal legal system. Interventions to improve access to informal and formal justice are therefore likely to have a pro-poor impact.

The customary justice system reserves many discretionary powers for the chiefs and customary courts. Customary law is often interpreted through the lens of traditions characterised by ageism and patriarchy. Youth and women are often marginalised. Paramount Chiefs and other lesser chiefs sometimes impose heavy fines that are not commensurate to the crimes committed; compel young people to provide free labour and also adjudicate on matters over which they have no jurisdiction, such as criminal offences.

This context leaves great room for corruption and bribery in both the formal and customary justice system of the country. A 2010 survey carried out by the Centre for the Studies of African Economies (CSAE) indicated that 62 per cent of those in police detention in 18 sampled sites across the country had to pay a bribe to the police ranging from Le.2,000 (USD 0.50) to Le.6000,000 (1,500 USD). This is probably an underestimated figure due to fear of

[13] Joe, A.D. Alie, 2007, Sierra Leone Since Independence : History of a Post-Colonial State (Freetown: Africa Future Publishers). P.17
[14] Davies, Victor, A.B,2000, Sierra Leone : Ironic Tragedy , journal of African Economies, Volume 9, Number 3, p.354
[15] Kandeh, Jimmy,D, 1999, Ransoming the State: Elite Subaltern Terror in Sierra Leone, Review of African Political Economy (ROAPE), No.81 p.351.
[16] Gbla, Osman, 2013, Security Sector Governance and Conflict in Sierra Leone (1991-2007) in Abdul Raufu Mustapha, ed, 2013, Conflict and Security Governance in West Africa (Lagos:Malthouse Press Limited) p.201

reporting corruption. These bribes were paid for a number of reasons including taking favourable statements, food, contacting family members, securing bail or release.[17]

Corruption in Politics and Public Services

The distribution of power in Sierra Leone has been mainly based on loyalty to the party, a common political strategy of patrimony. Political elites, use public goods to reward supporters and withhold these goods from opponents. This undermines the provision of public goods.[18] The system of patrimony gives the leader a prominent role in the exercise of power and the distribution of resources. This situation enables the leader to build and support a network of loyalists who are provided with jobs and resources based on their loyalty rather than merit which can damage the integrity and quality of public service.

The political contest for power between the two main political parties, the APC and the SLPP, also reveals how patronage operates in Sierra Leone. Both parties have a tendency to secure votes in their stronghold ethnic and regional areas. Political competition in the country reflects the interest of these two regions. The APC usually draws its main support base from the North and the West whilst the SLPP gets its main support from the South and East. Both parties have local elites typically consisting of chiefs, land owning families, members of farming cooperatives and educated elites. These support bases are used to build election-winning coalitions. Supporters usually expect compensation for their efforts through the offer of jobs and other opportunities after securing electoral victories.[19]

The tribally and regionally-based party support gives politics a type of polarized structure in the sense of Bangura's bi-polar polity.[20] The 2007 elections results suggest that ethnic and regional identities still influence the country's electoral voting dynamics. The SLPP only won three out of the 39 parliamentary seats in the traditional APC North whilst the APC won two of the 53 parliamentary seats in the SLPP stronghold of the South and East. [21]

This regional based voting pattern reduces the scope for political competition and increases the ability of politicians to extract rents to reward political supporters. Additionally, with people vote on ethnic grounds, politicians can become complacent about providing public services as well as in making public appointments.

However, politicians target policies at people who may be persuaded to change their votes; so called swing votes. In general, swing voters are more educated and informed. In the Sierra Leone case, they tend to be in the urban areas, primarily Freetown. The APC's focus in 2007 on reforms received strong support in urban areas where increasing interest in voluntary associations is gradually challenging the efficacy of the old system of extended families and elite patronage networks.[22] This presents a dilemma to Sierra Leonean politicians under pressure to reward the party faithful with jobs whilst at the same time trying to translate campaign slogans into practical policies and present a reform agenda designed to attract swing voters.

A number of studies and major national policy documents have identified the politicisation and corruption of public services in Sierra Leone. These studies shed light on issues of politicisation of the public sector and the culpability of civil servants in corrupt practices. Two classic cases of corruption were the reported payment of salaries to 236 names on the senior civil service list, whilst a head count revealed only 125 were in post[23] and the allocation of the position of Head of the Civil Service to the Secretary to the President[24] contrary to the provisions of the 1991 Constitution, Act.No.6 of Sierra Leone. The also highlighted the prevalence of corruption in both the private and public sectors.

What is clear from these studies is that corruption in the public sector is pervasive, as public servants use various corruption techniques. These include receiving kick-backs from business for the award of contracts and making payments to fictitious individuals. There is also the issue of politicisation of the civil service that adversely affects the delivery of public services. This intensifies corruption by creating incentives for individuals to offer bribes to secure public services for themselves. It also damages revenue collection, leading to the degradation of public services. Whilst a number of measures have been taken to combat corruption, including systems reviews, service

[17] Christopher Clapham,2008, Liberia and Sierra Leone: An Essay in Comparative Politics (Cambridge : Cambridge University Press) p.506
[18] James A. Robinson, 2008, Governance and Political Economy Constraints to World Bank Country Assistance Strategy (CAS) Priorities in Sierra Leone (Cambridge: Cambridge University Press) p.5
[19] International Crisis Group (ICG) Report Sierra Leone: A new Era of Reform? Africa Report No.143- 31 July 2008p.6
[20] Bangura, Yusuf, (2012).
[21] James A. Robinson,2008 ibid p.15
[22] International Crisis Group (ICG) Report, Sierra Leone 2008 p.1
[23] Brown, et, al,Sierra Leone Drivers of Change Studies 2005
[24] International Crisis Group (ICG) Report, ibid p.10

charters and integrity awards, it is still rampant. There are a number of explanations for the failure of these initiatives: a lack of political support for them, ineffective internal control measures, lack of leadership discipline and impunity and general cultural and social expectations of civil servants to provide assistance to extended family members and close friends.

Corruption in Civil Society

Group	Overview
The Media and Civil Society Organisations.	The media has an important role in fighting bribery and corruption by promoting transparency and accountability and in exposing and challenging corrupt practices how effective they are in discharging these functions, however, remains a major challenge in a country like Sierra Leone. Sierra Leone has various civil society groups including professional associations. These are mostly urban organisations such as the Sierra Leone Bar Association (SLBA), the Sierra Leone Teachers Union (SLTU) and the Academic Staff Associations of the University of Sierra Leone (ASA's). Other groups have recently emerged to promote transparency and accountability issues such as the Campaign for Good Governance (CGG), Budget Advocacy Group, and the Centre for Development and Security Analysis (CEDSA). Others include religious and faith-based organizations like the Inter-Religious Council of Sierra Leone (IRCSL), youth and women's groups like the 50/50 women's group and traditional locally organized community groups like the farming and credit associations. The majority of these groups have over the years become politically co-opted with implications for their involvement in corruption. They have been targeted not only for the purpose of gaining political support but also to make them less critical of government activities. Group leaders have been offered senior appointments and other political and economic opportunities. Assured of their political connections coupled with a lack of effective transparency and accountability mechanisms in the organisations, they also engage in corrupt practices through the misuse of funds provided for the provision of public services. Civil society groups like the CGG, 50/50 Women's and Budget Advocacy Consortium have been vocal in their demand for accountability and transparency. Their work was facilitated by the opening access to the Audit Service Sierra Leone (ASSL) and particularly the timely release to the public of the Auditor General's Report due to the relaxing of Parliamentary Standing Order (SO75). The Government Budgeting Accounting Act (GBBA 2005) also made provision for the involvement of CSO's in the budgetary process particularly to formalize the roles and functions of the District Budget Oversight Committees.[25] Against this background, it was not surprising that the media reported on the Ebola funds audit and other corruption issues. Despite this positive role, the majority of civil society groups including the media are highly constrained and some of their representatives have also been accused of being politically co-opted. This point was reiterated by the Truth and Reconciliation Report (TRC) when it confirmed that institutions that were meant to uphold human rights, such as courts and civil society, were co-opted. [26] Civil society is also stymied by weak institutional capacity. This is noticeable in the areas of data gathering, dissemination and in the ability to engage on equal terms with the state and private sector on public policy issues. The media in particular has been criticised for sensational journalism, lack of professionalism and investigative research capacity and resource constraints.
Ethnic and Faith-Based Groups.	During the APC era of Joseph Saidu Momoh, the Ekutay, a group of Limbas from Binkolo, home town of the President in Bombali District of northern Sierra Leone, was a very powerful network for political patronage. This group was very influential in the filling political appointments and awarding of government contracts. They lobbied fiercely for their Limba members when it came to making political appointments.
Secret Societies.	Like the Poro and Bondo were also infiltrated by political party members. Over the years they have been targeted because their membership constitutes a viable support base for politicians. Additionally, since these societies feature a cross section of society - from the public service, private sector and civil society, they offer effective machinery for political communication, mobilisation and recruitment. Often membership in these societies offers political protection. For the Bondo society, women's wing members of both parties

[25] Independent Evaluation of Budget Support to Sierra Leone 2002-2015, Final Report Volume 1, December 2016 p.48
[26] Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission (TRC) Vol 2, p.27

	are used to mobilise political supporters. The same strategy is used by members of both parties to infiltrate faith –based groups like the Inter-Religious Council of Sierra Leone. Like all-based groups, they lobby for positions for their members in return for providing political support to the parties.

Post-War National Anti-Corruption Efforts

In 2002, following the end of the decade long civil conflict which devastated the country's social and economic development. It was widely believed that corruption and mismanagement was one of the underlying causes of the conflict. Consequently, President Ahmad Tejan Kabbah and in close collaboration with donors and development partners, GoSL began to take a number of steps to tackle corruption. Citizens and development partners demanded urgent steps to be taken against corruption particularly in light of citizen submissions by to the TRC and findings from governance and corruption studies.[27]

An Anti-Corruption Commission (ACC) was established in 2002 through the ACC ACT 2000. The Act focussed on sensitisation, research and building community relations. It also provided for punitive measures to be taken against corruption. However, the level of GoSL commitment to fighting corruption and strengthening the institutional capacity of the ACC has been undermined by the apparent failure to decisively deal with corrupt public officials. A case in point was that of a Deputy Minister of Finance who was accused of corrupt practices but was not prosecuted. The ACC was also given no prosecutorial powers and blighted by insufficient funding and low internal capacity.

The revised ACC Act 2008 strengthened the ACC by vesting it with independent prosecutorial powers without recourse to the Attorney General and Minister of Justice; broadened the scope of corruption offences from 12 to 29; provision of protection for whistle blowers and introduced a mandatory asset declaration for all public servants. The revised Act also broadened the responsibilities of the ACC, mandating it to coordinate the preparation of the National Anti-Corruption Strategy (NACS). These revisions brought national ACC legislation into line with the United Nations Convention against Corruption (UNCAC) which was ratified by Sierra Leone in 2004.[28]

Effective implementation is now challenged by a number of factors including a continued lack of political commitment, impunity and low internal capacity especially with regard to asset recovery.

The Revised 2008 ACC Act and the NACS emphasised a three-pronged approach for ACC work involving investigation and prosecution, prevention of corrupt practices and public education for attitudinal change. This view recognises that fact that endemic corruption cannot be tackled by a single intervention. A multi-pronged approach is needed with emphasis on increasing transparency and accountability, lowering impunity and reducing the space in which larger acts of corruption can take place.

A number of specific measures have been undertaken by the ACC to apply a multi-pronged approach to fighting corruption. This includes:

- Appointment of ACC District Coordinators to make the presence of the commission felt in every district of the country.
- Establishment of working partnerships through MoU's with the Parliamentary Committee on Transparency and Accountability, Audit Service Sierra Leone and the Sierra Leone Association of Journalists (SLAJ)
- Establishment of Integrity Management Committees in Ministry's, Departments and Agencies (MDAs) to develop anti-corruption plans and to monitor performance against these plans. By 2013 , over 95per cent of MDA's had established these committees
- ACC systems and process reviews were undertaken in 35 MDA's between 2008 and 2015, examining the practices and procedures of public bodies with a view to ensuring compliance to best practices and eliminating corruption opportunities.

These measures helped to raise the profile of the ACC as well as awareness on the dangers of corruption and the need for citizens to participate in its fight. A Civil society Focus Group confirmed the perception that since 2010,

[2727]See Witness to Truth : Report of the Truth and Reconciliation Commission (TRC), Vol.3A p.37 and Final Report,, Governance and Corruption Study, 2002 p.1

[28] Centre for Development and Security Analysis (CEDSA) National Corruption Perception Survey 2013 (Freetown: CEDSA) p.1

there has been an increased awareness among Sierra Leoneans on the dangers of corruption. They cited the increased number of reports on corruption by civil society and the media, the reporting of the Ebola audit being the most recent of these.[29] However, successful efforts to fight corruption in the country should put premium on both state structures (supply side) and the citizens (demand side). This is the case because both public and private sector officials are culpable in corrupt practices.

During the first two years the ACC brought seven cases to court. One of these resulted in a guilty verdict, with the sentence a small fine. The Judge concerned was later jailed for receiving bribes.[30] In addition:

- No high profile cases were brought to the courts under the SLPP government, 2002 to 2007.
- Following DFID withdrawal of funding in 2007 and claims that the ACC had insufficient powers, the APC passed legislation giving ACC direct arrest and prosecution powers. This 2008 legislation also made it a requirement that all government officials publish their assets, though it is suggested that in practice this does not always happen.[31]
- During the three years that followed, two cabinet ministers, as well as the APC Mayor of Freetown, were prosecuted.
- In 2013, 29 top health department officials were indicted. Around the same time, the Attitudinal and Behavioural Change Secretariat Executive Director was convicted of corruption.
- According to the 2010 US State Department country profile, investigations between 2008 and 2010 led to "the removal" of 13 senior officials (including the three aforementioned).[32]
- It was reported in November 2015 that in the previous year, the ACC had brought all its cases to successful conviction.[33]
- The ACC's own website shows a list of 95 successful prosecutions since inception in 2001, up until 2014.

However, in the recent 2015 Afro Barometer survey, 58 per cent of respondents believe that corruption had increased a lot over the preceding 12 months – which is thought to be partly a result of corruption surrounding the distribution of Ebola aid. Transparency International and World Bank economic reports also continue to list corruption in its variety of forms as continuing to constitute a major problem which, despite the ACC's apparent efforts, refuses to go away.

Implications for Present Day Sierra Leone

The Behaviour of Citizens

Corruption and bribery are events that require 'two to tango'. Grand corruption, for example, may require a business to pay for a contract; people wanting a job or land may have to pay the administrator who has the power to divulge the good(s); and citizens requiring a service may have pay the dispenser of that service if coerced. These actions are commonly required to obtain whatever is desired, but there is always (in principle at least) the option to refrain from entering into these informal contracts.

By way of illustration, a study has recently been completed on the interaction experiences between Okada (bike taxi) drivers and the Police.[34] Some of the most revealing conclusions from the study were:

- Nearly three in five drivers stated they pay bribes to the traffic police.
- Government and Non-Governmental Organisations (NGO) drivers were least likely to pay, while Okada, Poda Poda[35] and taxi drivers are most likely to pay.

[29] A Focus Group assembled for the Budget Support Study Team cited from Independent Evaluation of Budget Support to Sierra Leone 2002-2015, Final Report Volume One, December 2015 p.74

[30] Harris,p130.

[31] U4 Expert Answer Report No. 256, Transparency International, overview of corruption and anti-corruption in Sierra Leone, September 2010

[32] US Department of State, 2010, Sierra Leone country profile, http://www.state.gov/r/pa/ei/bgn/5475.htm

[33] See Awoko, 16th November 2015, "Significance of the International Anti-Corruption Day" http://awoko.org/2015/11/26/sierra-leone-news-significance-of-the-international-anti-corruption-day/

[34] Corruption stops with us; Critical Perspectives of Governance; Volume 6; January 2016.

- The most common traffic offences are licensed-related. A total of 31 per cent of drivers reported that they have been stopped for expired licenses, no licences or for conducting commercial work without having a commercial license.
- If those stopped refused to pay on the spot, and were taken to court, 98 per cent of cases resulted in a guilty verdict. 90 per cent of respondents also stated that if they pleaded not guilty there was a good chance they could be put on remand (in custody); and
- Taxi and Poda Poda drivers admitted asking passengers to double or triple regulatory or official fares for distances in order to make up for revenue lost to bribery.

The study therefore confirms the extent of bribery activity in this sector (the Transparency International Barometer survey in 2015 placed the police at the top of the list of corrupt organisations), and identifies poor local taxi drivers as a major group of victims.

However, some questions about the nature of the bribery relationship are raised by some of these findings. In particular, what is the incentive for taxi drivers of various sorts to refuse bribes? The findings indicate that most neglect to ensure that their operator's licence is up-to-date or appropriate for their business (though this may be because a bribe needs to be paid in order to obtain one of these). Instead the drivers opt to pass the cost of their bribes on to customers in higher fares, while if they do resist bribery they run the risk of much more expensive conviction and possible incarceration. Under these circumstances it may be expecting a lot of individuals to take action in resisting the current system. In fact, they have learned to compensate for the police actions. This is illustrative of the kind of built-in barriers to change that can discourage citizens in poor environments from resisting the system.

In some cases it becomes difficult to distinguish between bribery and socially accepted informal payments. If allegiance to an awarding traditional authority is the socially expected norm, then the only thing that makes it bribery is the fact that it is not encapsulated in the written 'civic' law. The contradiction is that this 'custom' of paying (probably originally in kind) for access to a service has been translated also into the delivery of public 'civic' services, such as education and health care.

From this perspective, while we may on the one hand expect citizens to fight or protest for their rights not to make extraneous payments for public goods, it may be expecting rather a lot from them to protest against what has become a socially accepted informal institution. (We consider this in relation to the risks of success surrounding the proposed PNB system below).

The Role of the Media

The Sierra Leone Constitution guarantees freedom of speech and freedom of the Press. Despite this the media in Sierra Leone was ranked low on the country rankings of press freedom throughout the early 2000s – 126 in 2005 and 115 in 2010, and never below 103 during that period.[36] (Rankings were better before 2005, which may imply that Kabbah's government clamped down as the 2007 election approached.) Since then however there have been appreciable improvements. In 2015 the ranking was 79 out of 180 countries, and in 2013 it was 61 out of 179.

These ranking scores are, for a country such as Sierra Leone, actually very good, and they seem to reflect something of a tradition for press freedom. Commercial radio stations in Sierra Leone are privately owned (though in this PEA we are not able to assess the political allegiances of those that own them or for that matter the print media). Though there have been cases of arrests, harassment and even killings in the past, this is not part of the pattern of behaviour at present.

Afro-Barometer results are moderately encouraging. The following sheds light on public attitudes to the media:

- Radio is by far the most used source of information. TV, internet and even newspapers are hardly used.
- 64 per cent said they would contact the media if they had the chance, to complain about government performance or corruption (though 15 per cent would never do this).
- 71 per cent felt the media should investigate government mistakes and corruption; and

[35] A Poda Poda is a public minibus.
[36] Reporters Without Borders, World Press Freedom Index, http://index.rsf.org/#!/

- 41 per cent think the press is effective or very effective at reporting on corruption (28 per cent did not know).

A somewhat contradictory result however was:

- around half of respondents feel Government should have the right to restrict press freedom.

Nevertheless, these results seem to suggest that efforts to improve press reporting on corruption may not meet with a great deal of political resistance, and could be supported by the public in general. (A focus on radio seems sensible.) What they do not help us understand is quite how targeted the press may be in cases that target powerfully positioned individuals and companies, nor indeed whether better reporting of corruption in the press might be expected to have a positive impact on reducing corruption.

Implications for the Pay No Bribe System

Design and Implementation of Pay No Bribe in Sierra Leone

The PNB is an innovative reporting mechanism for citizens to anonymously report incidents of petty corruption and bribery by calling a hotline or accessing a website:

- It is designed for citizens to safely and anonymously report and challenge incidents of bribery and petty corruption in service delivery without fear of reprisals.
- It is designed to collect real time evidence on bribery and corruption in five key service sectors, Education, Electricity, Health, Police, Water and Sanitation.
- Provides a useful database on petty corruption and bribery trends to support the work of the ACC.
- In keeping with the government's commitment to tackle petty corruption and bribery in key service areas, the ACC will share data on corruption trends with relevant MDAs which they in turn will use to address corruption at source, through administrative or systems reforms.
- The ACC will regularly publish data on citizen reports of bribery and petty corruption and actions taken by MDAs. Members of the public, media organisations, CSOs and other interested parties can access data on reports and actions taken via the PNB website, newspapers, radio and ACC education and publicity campaigns.

The PNB system is being designed and implemented by the ACC with support from DFID and a specialised service provider.

Analysis on the Soundness of Pay No Bribe Design

The PNB is a timely and very important anti-corruption campaign strategy. It provides a safe reporting system for citizen's involvement in challenging and reporting bribery and corruption. Its anonymous reporting helps to overcome the culture of silence and fear of reporting especially in a socio-cultural context where there is an extreme fear and respect for elders and people in authority, coupled with low level understanding of rights. In such situations, it would be very difficult to directly challenge bribery and corruption among people in authority and the elderly. In most cases, these people in authority and the elders are providing required assistance to most of the people and it would therefore be very difficult to report such people for fear of withdrawal of assistance and possible reprisal. The anonymous nature of the PNB therefore offers protection to citizens in such a context. Accordingly, reporting under the PNB is a huge cultural shift that could challenge deeply entrenched norms and practices and it provides an empowering mechanism for many people.

It is however instructive to know that although the system is anonymous and entails no fear of reprisal and prosecution , there is still a good number of people in Sierra Leone that do not know their rights and are still unwilling to report bribery and corruption. There is therefore need to step up education and sensitization exercises on rights and on the need for citizen's involvement in tackling petty corruption and bribery.

By seeking to provide a useful database on petty corruption and bribery trends, the PNB design responds to an urgent gap in efforts to fight petty corruption in Sierra Leone - the dearth of information. The available information will enable service users to realize the deleterious effects of petty corruption on their lives and the need for their involvement in its eradication. The proposed database will give prominence to petty corruption and thus will profile it better. The database will also help the work of the ACC especially in promoting its national anti-corruption

prevention campaign. The PNB database will also provide information that could be used by development partners including DFID in influencing dialogue with the government over systemic public service reform. A challenge that will however be faced here is the difficulty of effecting change in a situation where public servants are complicit and where internal control measures are usually undermined.

The five selected sectors for the PNB: Education, Health, Electricity, Police, Water and Sanitation are appropriate. These are all key poverty reduction sectors that are routinely prone to bribery and corruption and whose service delivery disproportionately affects the poorest. The focus of the PNB on these services will help in enlightening citizens that the provision of these services is free and should be made available. This will help to undermine the importance of the patronage system that usually drives the perception that the provision of these public goods is not free.

The involvement of relevant MDA's is an innovative feature of the PNB. This recognises the crucial role of state structures in bribery and corruption as well as the need to involve them in its fight through their participation in sharing information and in taking concrete administrative steps. There is risk that some MDA officials may not be committed to using PNB information to address corruption through administrative action and reform measures.

Risk Analysis

The following table provides a preliminary risk analysis, against the log frame, based upon the evidence and interpretation provided in the preceding sections of this report.

The risk analyses presented here are, of course, preliminary. However, a summary of the contribution to the risk analysis made by the current PEA study are that:

- There is no particular PEA-driven reason to doubt the ability of the programme to achieve purely output-level technical results, such as installing a working PNB, and increasing knowledge of corruption issues amongst citizens;
- However, there is a series of questions concerning whether these capacity improvements could lead to a great willingness to identify and prosecute cases of bribery and corruption, because it is not evident that the major cause is behavioural. Instead the major causes, according to the current study, are structural, and the programme design is not set up to influence these causes.

This means that although the outcome of a more capable Government and citizenry does flow from the outputs, the flow on up to the impact of decreased levels of bribery and corruption is not guaranteed, as it alone does not address the structural issues. It provides a tool to shine a light on the issues, but it does not address them directly. From this perspective the PNB system alone can only be one component of a wider approach needed to achieve the desired impact.

Outcome or Output Statement	Risk assessment
Output 1: Research and information on instances of bribery and corruption in Health, Education and WASH made available in the public domain	The level of corruption, and especially the power of forces encouraging it, should be expected to vary between sectors. These sectors were chosen because they are understood to be particularly prone to corruption and therefore are high priorities to address. However there is a risk that there could be too many vested interests in preserving corruption in these sectors. An alternative approach to consider during the pilot is whether there are other sectors, with extant but less entrenched corruption, that could offer quicker wins. The open, transparent nature of the PNB website does however offer a tool for building external demand for action that could challenge vested interests favouring inaction. There is also an assumption here that better availability of such information will contribute to achievement of the outcome – better capacity to address corruption. As discussed above, this may not be the case if elements of this corruption are viewed by government and citizens alike as being part of the traditional/acceptable means of administering public life. Afro-barometer results do not dispel this possibility. The analysis above implies that in many instances of petty corruption, this is likely, and such a conclusion is borne out by some of the results of the Okada drivers study.
Output 2: Bribery and corruption	The core of this output is the setting up of the PNB reporting system and getting it run

reporting systems operational and accessible for reporting bribery and corruption in health, education, WASH and NPA services.	effectively by staff of the ACC. There is little reason why the operation of such systems should not be achieved. Resistance from implementing staff might be variable between sectors, depending upon the degree of corruption present in each, or according to the political vested interest there.
Output 3: Citizens are more knowledgeable about legitimate service charges and their rights not to pay bribes.	The core of this output relates to communications and getting citizens to engage with the PNB, and to use it. Although increasing sensitisation and communications may not present much of a challenge, the question of whether raising such knowledge levels will have an impact on citizen's attitudes and actions must be doubtful. There are examples where paying a bribe has become an accepted norm. There are also examples of citizens not understanding which services are intended to be free. There are likely to be differences within and between sectors to be explored during the pilot.
Output 4: ACC prosecutions capacity increased.	Delivering training to improve capacity should not present a challenge. The risk here is low. However, using this to achieve more prosecutions implies that lack of ACC capacity is the major cause of the current low level of prosecutions (in comparison with the amount of corruption that goes on). Given the way we believe the political system is run, its deep-seated structural causes, and the fact that ACC capacity is only one part of the full end-to-end rule of law process, there is a high level of risk that increasing ACC capacity alone will not deliver a greater number of prosecutions.
Output 5: The media is better prepared to engage with citizens and government at national and district level to pursue news stories on corruption.	Evidence presented above implies that the media is not that seriously controlled, and has reported on corruption, so from this perspective the challenge may not seem that great. Questions must be raised about whether the media experiences pressure to censure certain specific stories, for example touching on businesses known to be close to the government, or indeed to the owners of the media themselves. The picture may be highly selective. Further investigation is required here.
Outcome: Government and citizens are more capable of addressing smaller and larger scale bribery and corruption in key service delivery sectors in Sierra Leone.	Although this outcome of a more capable Government and citizenry does flow from the outputs, the risk here is that capability is not the issue. There is considerable evidence that the system of political competition rests on patronage, fed by informal means of procurement and distribution of jobs and land (corruption). This is historically generated, and strongly sustained, by structural features of Sierra Leonean society, and the pattern of development over recent decades has done little to alter these structures. The assumption being challenged here is that better capability in government and citizens will lead to the impact – bribery and corruption is reduced. The PNB can help provide information and shine a light on the issues, but if the causes of corruption are largely structural rather than behavioural, then impact may not be achieved without placing PNB into a wider approach to tackling corruption and bribery.

Wider Recommendations for the Future of Pay No Bribe

Reflecting on the analysis of the political economy context of bribery and corruption in Sierra Leone as well as on the discussion of the risks, the following recommendations will be helpful once the pilot testing of PNB has begun, in order to shape future decisions on the rollout of PNB and other anti-corruption initiatives in Sierra Leone.

Although there is merit in focusing on public sector institutions considering the systemic and bureaucratic nature of corruption in the country, one needs also to consider the role of the private sector. The various proposed capacity building interventions of the PNB should not forget the private sector. It will also be helpful for the PNB intervention to target children and students right from the home, the schools and the university in its civic education programmes. Issues of integrity and moral values have not been adequately addressed in the country in spite of

their important role in nation-building particularly with regard to accountability, transparency, self-respect and esteem.

There is a general public perception in Sierra Leone that corruption is at all levels of the judiciary, with confidence in the subordinate courts particularly low. The low confidence threatens the judicial system's institutional legitimacy and further undermines the rule of law. Furthermore, there is a general consensus that the problem of corruption is acute at the judiciary where money has to be paid at virtually every step of the judicial process in order to make it move forward or halt the process altogether.[37] It is therefore a high risk sector that should be included in the PNB in the future, and more broadly should be considered in the future design of the programme.

Considering the nature and dynamics of society in the country, the PNB could be further improved if informal means of engaging the citizens could be utilized including the networks of Okada, buses and taxi drivers, street cinemas, community voluntary youth and women's groups and community theatre groups. This will add more value if employed side by side with formal channels like the media. In Tanzania five similar networks were identified by the NGO Twaweza including the mass media, religious institutions, community theatres, teachers unions and fast moving consumer goods.

Capacity building schemes of training in bribery and corruption should also involve village, tribal and town chiefs as majority of these interpret laws from the lens of traditions and customs essentially based on ageism and patriarchy. Most often women and youths are marginalized.

Conclusion

This paper provides an overview of the context of Sierra Leone's political economy of bribery and corruption. It discusses the historical and current background to bribery and corruption, national efforts to fight the scourge, comments on the PNB design, challenges and risks of the PNB and the strategies to mitigate these risks and challenges.

A major conclusion of the paper is that there is a connection between the political economy context of Sierra Leone and bribery and corruption. Successive post-colonial governments created opportunities and incentives for bribery and corruption as political elites and their cronies used state resources to keep themselves in power. Corruption is systemic and pervasive involving members of both the public and private sectors.

Accordingly, the PNB, whilst a useful tool for providing information and shining a light on corruption issues, is not a panacea in itself. Increasing the access of citizens to safe, anonymous reporting mechanisms, and thus providing MDAs with greater insight into citizen experiences, will help. The open and transparent nature of the website will also help to build external demand for action to be taken. These factors alone will not ensure success as there are interdependencies with factors outside of the current scope of the programme, which need to be accounted for as part of the overall NACS and as part of future decision-making for the programme.

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