

By Charlie J. Hughes*

In his presidential inauguration speech in September 2007, Ernest Koroma pledged “zero tolerance” toward corruption in Sierra Leone. President Koroma’s appointment of a relatively young, unblemished international career lawyer as the new boss of the Anti-Corruption Commission (ACC) was largely welcomed as a fine start.

While leading the All People’s Congress (APC) party in opposition, Koroma used every opportunity to lambaste corruption in the then-ruling Sierra Leone People’s Party (SLPP) government. Whether it has been perceived or real, corruption has been one recurrent explanation as to why the SLPP lost the 2007 general elections. (The United Kingdom’s Department for International Development had discontinued support to the ACC at the end of 2006, saying that the SLPP-led government was not serious about fighting corruption.)

Since the new government took power, certain things have indeed changed in the fight against corruption. One of the first acts of the ACC has been to secure stronger powers for itself. In a new anti-corruption law enacted in 2008, the ACC now shares powers with the attorney general and minister of justice to directly prosecute corruption cases.

Several times the media suggested that the attorney general and minister of justice sometimes misused their powers to prosecute by selectively refusing to prosecute certain corruption cases for political reasons. The Act has also increased the number of corrupt offences from nine to 29 and has given more powers to the ACC to initiate criminal investigations of corruption cases. A local newspaper says, “No one accuses the Anti-Corruption Commission of being a toothless bulldog any longer.”

The National Anti-Corruption Strategy

In the new National Anti-Corruption Strategy campaign, the ACC is seeking to reinforce procedures in government offices in order to eliminate loopholes that facilitate corruption. In addition, all employees in the public service sector are now required to annually declare their assets. Before now, only the president, cabinet ministers, heads of public corporations and other categories of high-ranking officials were required to declare assets and only at the time they took office. Blowing the whistle on corruption is nowadays considered to be more than simply a patriotic act (as the ACC used to implore Sierra Leoneans). The ACC now declares that whistle-blowers will be rewarded

with 10 percent of the proceeds that are recovered from corruption cases that they report.

In an interview for this article, the press secretary to the president says that results in stopping corruption by using these new approaches have already become evident in the prosecutions of some “big fish.” For example, in February 2009, the ACC announced the prosecution of a former establishment secretary, a former permanent secretary, and a magistrate on charges of misappropriation of public funds. A month later, the chief clerk of immigration was found guilty on two counts of soliciting and accepting the sum of 347,700 Sierra Leones (US\$100) to help a woman secure a Sierra Leone passport. Among the high-profile cases have been the conviction of both the head and the accountant of the government-owned Sierra Leone Broadcasting Service (SLBS). Both were found guilty by the High Court of misappropriating the sum of 77,189,400 SLL (US\$22,200), money that was paid by the British Broadcasting Service for the rent of facilities that are owned by the SLBS.

Perhaps two of the biggest corruption stories have been the arrest of a judge of the High Court in his chambers and the conviction of Sierra Leone’s first ombudsman in June 2009. The judge was arrested in his chambers while allegedly accepting a bribe from a litigant in a matter before him. The 65-year-old former ombudsman was found guilty of 164 out of 168 counts of misappropriation of public funds while he was serving in office (2000 to 2007).

In discussing the conviction of these officials, the deputy leader of the opposition SLPP says that these cases are not extraordinary. “Ministers, judges, and civil servants were all prosecuted by the ACC during our time in office,” she said. Civil society leaders largely agree with the assessment that the most extraordinary events are yet to happen. “These offices and the crimes are quite familiar to Sierra Leoneans,” Valnora Edwin of the Campaign for Good Governance says. “Corruption as we have known it for the past years is still here,” adds the head of the National Accountability Group.

Paying for “Free” Services

In Sierra Leonean courtrooms there are posters that remind people that bail is free. Nevertheless, human rights groups continue to draw attention to the fact that people still pay illegal fees every day to court officials to secure bail. I myself learned recently that it is a common practice in the Magistrates Court for clerks and police prosecutors

to encourage a defendant in minor cases to plead guilty at the start of their trial.

One lawyer told me that the defendant can then negotiate and secure a lighter punishment by illegally paying a fee to the court officials. In cases of corruption at government hospitals, nurses' handbags are used as illegal pharmacies from where prescription drugs are sold to patients. An extra payment to officials at relevant government departments will lead to faster processing of an application for various services including passports, drivers' licenses, property title registrations or utilities.

People have little option but to pay incentives to public officials in order to secure faster processing of an application for most public services. This is because there is no functioning complaint and redress mechanism to discourage officials from delaying or refusing to process an application for a public service without being paid a bribe.

As we wait to see how the new government attacks corruption, there may be some reduction of incidents of public officials cheating the ordinary man. The World Bank's Doing Business Report 2009 has showed progress regarding drastic cuts in the time and costs that are required for starting a business in Sierra Leone. This news strongly indicates that such obstacles as having to bribe officials when starting a business also have been seriously reduced.

Small Victories, but Big Problems Remain

Sadly, the reduction of illegal payments that people have to make when they start a business is only a small portion of the corruption that the new government has to fight. A young man to whom I provided financial help with his studies reminded me of the magnitude of the problems that confront Sierra Leoneans. Although he is now looking for a job, when he hears about an advertisement for an opening that matches his credentials, he refuses to take it seriously.

As he said recently, "When did you last get a job in this country by responding to a job advertisement in a newspaper?" I realized then how right he was. The truth is that even I have never taken seriously any advertisements for jobs that match my own credentials! Sierra Leoneans seem to be resigned to the fact that media advertisements for job openings exist only to meet official audit requirements. The reality is that the jobs have already been awarded long before the advertisements even appear in public.

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