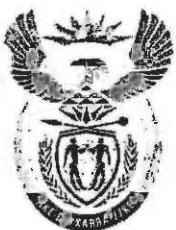


•Anti-Corruption Policy



correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

ANTI-CORRUPTION POLICY

1. Executive summary

This policy intends to set down zero tolerance as the stance of the DCS to corruption and related practices. However, given the dynamics of any correctional system, the Department acknowledges that corruption is inherent in every criminal justice system internationally. This in itself motivates the Department's desire to root out and prevent corrupt practices within its ranks. The White Paper on Corrections in SA introduces a paradigm shift to view corrections as a societal responsibility and provides for an organizational culture wherein officials can uphold high moral behaviour and disassociate themselves from all forms of corruption.

Through this policy, the Department seeks to ensure the implementation of the three-pronged anti-corruption strategy based on prevention and investigation of corruption, and a system of sanction involving both internal steps and referral to outside agencies, where appropriate.

This policy, which has the eradication and prevention of corruption as its objective, presents an opportunity for society to partner with the Department to deliver with regard to the correction and development of offenders. An environment riddled with corrupt practices would render corrections of offending behaviour very difficult.

It is through this policy that the Department braces itself to deal with corrupt practices in a befitting manner, within the ambit of the law and to provide the platform for ethical behaviour to flourish.

2. Definitions

- 2.1 Corruption means the giving or accepting of any gratification in order for someone to act improperly in the exercise or performance of a power or duty, and any person committing such an act is guilty of the offence of corruption.
- 2.2 Gratification refers to any valuable consideration or benefit of any kind, including money, property, office, employment, service or favour.

3. Background

In 1996, the DCS established the Anti-Corruption Unit, with the objective of combating corrupt activities occurring within the Department. The anti-corruption function was located as a sub-directorate within the Service Evaluation Section. During January 2002, the Cabinet approved the Public Service Anti-Corruption Strategy. This strategy requires that minimum anti-corruption capacity be established in each Department in the public service.

With the restructuring of the Department in 2006, a specialised internal minimum anti-corruption capacity was established. This capacity was operational as from 1 July 2003, with the mandate to deal with corruption, fraud, serious maladministration and other dishonest practices.

4. Policy mandate

The mandate of this policy is derived from the following:

- 4.1 The Correctional Services Act, 1998 (Act No. 111 of 1998) (section 95(2) (f)).

- 4.2 The White Paper on Corrections (chapters 8 and 14).
- 4.3 The Prevention and Combating of the Corrupt Activities Act, 2004 (Act No. 12 of 2004).
- 4.4 The Public Finance Management Act, 1999 (Act No. 1 of 1999) (section 85).
- 4.5 The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

All these prescripts empower the Department to put in place mechanisms to combat and prevent corruption in all its forms. This policy applies to all the employees/officials involved in the administration of corrections in the RSA, consultants, suppliers, contractors and other providers of goods or services of the Department, and to inmates.

5. Policy statement

The government of the RSA made a commitment to fight corruption in all its forms to the bitter end within state and private institutions for effective service delivery and the betterment of the lives of all its people. The Department has adopted a zero tolerance stance towards corruption and has committed itself to participate fully in a government wide anti-corruption framework aimed at the eradication of corruption in state institutions.

6. Policy objectives

The objectives of this policy are:

- 6.1 To create an enabling environment for the prevention and combating of corruption within the Department and among its stakeholders.
- 6.2 To present an opportunity for the creation of an organizational culture conducive to ethical behaviour and integrity.
- 6.3 To promote clean governance in the administration of corrections.

7. Policy principles

- 7.1 Any corruption committed by an employee of the Department will be pursued by thorough investigation and to the full extent of the law, including:
 - 7.1.1 Taking disciplinary action within a reasonable period of time after the incident.
 - 7.1.2 Instituting civil action.
 - 7.1.3 Initiating criminal prosecution by reporting the matter to the SAPS or any other relevant law enforcement agency.
- 7.2 The Department will establish a specialised internal minimum anti-corruption capacity to handle matters pertinent thereto and to support line functions.
- 7.3 It is the responsibility of all employees and stakeholders to report corruption, fraud and serious maladministration.
- 7.4 All managers are responsible for the detection, prevention and investigation of all corruption, fraud, theft and serious maladministration. The specialised internal minimum anti-corruption capacity established by the Department must be called upon to provide the necessary support.

- 7.5 The efficient application of the prescribed controls is one of the most important duties to be applied by every employee in the execution of their daily tasks.
- 7.6 Identification of corruption risks and mitigation plans remain an integral part of the risk management process of the Department.
- 7.7 All employees of the Department as well as its stakeholders shall abide by the Department's Code of Ethics and Business Conduct, which describes the Department's core values and provides a framework for identifying conduct that is ethical and acceptable for the officials/employees of the Department, who effectively act as its agents at all levels.

8. Policy implementation

The implementation plan for this policy is annexed hereto.

9. Monitoring and evaluation

The effectiveness of this policy will be evaluated through generation of monthly reports.

10. Policy review

The policy will be reviewed annually if the need arise.

11. Legal implications

There are no adverse legal implications that may arise from the implementation of this policy.

12. Financial implications

There are no adverse financial implications that may arise from the implementation of this policy.

THIS IS TO CERTIFY
THAT THE MINISTER OF
CORRECTIONAL SER-
VICES HAS APPROVED
THE POLICY.

MINISTER: CORRECTIONAL SERVICES
BMN BALFOUR (MP)

Date:

