ASSESSMENT OF THE EFFECTIVENESS OF ANTI-CORRUPTION INSTITUTIONS IN THE FEDERAL PUBLIC SERVICE OF NIGERIA

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DECLARATION

I declare that this dissertation titled Assessment of the Effectiveness of Anti-Corruption Institutions in the Federal Public Service of Nigeria has been performed by me in the Department of Public Administration under the supervision of Drs. Omar Massoud, A.B. Akpan and S.B Abdulkarim. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this dissertation was previously presented for another degree or diploma at any university.

Idris, Musa	_____	_____
Name of Student	Signature	Date

CERTIFICATION

This dissertation titled Assessment of the Effectiveness of Anti-Corruption Institutions in the Federal Public Service of Nigeria meets the regulations governing the award of the Degree of Doctor of Philosophy of Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

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ABSTRACT

One of the major challenges of governance in Nigeria is corruption especially in the public realm. In response to this challenge, the Federal Government established the Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and Other Related Offences Commission (ICPC) and Code of Conduct Bureau (CCB) to combat corruption and promote transparency and accountability. Over the years however, the fight against corruption seems not to have achieved the desired result in view of the rising incidence of corruption as indicated by Transparency and International's Corruption Perceptions Index for the country among others. The major objective of the study was to assess the effectiveness of the anti-corruption institutions in combating corruption in the Federal Public Service of Nigeria for the period 1999 – 2009. Specifically, the study intended to; determine the degree of autonomy of the anti-corruption institutions, ascertain the level of effectiveness of corruption reporting system in the public service and determine the level of enforcement of punishments for corruption offences and how each of these variables have affected the effectiveness of the anti-corruption institutions. Both primary and secondary data were sourced. These were presented and analysed using both descriptive and inferential statistical methods. The study revealed inter alia that; the activities of the institutions were severely constrained by undue political interference, especially the EFCC. Both the ICPC and CCB were not adequately funded and that they all lacked financial autonomy. The study also discovered that the trial of suspects for corruption offences have been slow, while punishments for corruption offences were mild. The corruption reporting system in the federal public service was also found to be ineffective. The anti-corruption institutions were found to be ineffective in fighting corruption in the Federal Public Service. The study concludes that the degree of autonomy of the anti-corruption institutions, level of effectiveness of corruption reporting in the Public Service and the level of enforcement of punishments for corruption offences have all affected the effectiveness of the anti-corruption institutions in combating corruption in the Federal Public Service. The study recommended among others for exercise of greater political will to free the anti-corruption institutions from political interference, adequate funding of the ICPC and CCB, greater financial autonomy to all the institutions and the timely passage of the freedom of Information Bill into an Act to facilitate detecting and reporting of corruption offences. Others include legal reform, compulsory Public declaration of assets and liabilities of Public Servants, and severe punishments for corruption offences in the Federal Public Service.

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LIST OF ABBREVIATIONS

ACTUs	-	Anti-Corruption and Transparency Monitoring Units
ADB	-	African Development Bank
CCB	-	Code of Conduct Bureau
CPI	-	Corruption Perceptions Index
CSOs	-	Civil Society Organisations
EFCC	-	Economic and Financial Crimes Commission
FIU	-	Financial Investigation Unit
ICPC	-	Independent Corrupt Practices and Other Related Offences Commission
MDAs	-	Ministries, Departments and Institutions
SDD	-	Special Duties Department
SIT	-	Special Investigation Team
TI	-	Transparency International

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

One of the major challenges to governance particularly in the twilight of the twentieth and dawn of the twenty-first centuries is corruption. The dimension of the vice has over the years attracted the attention of global, continental and national governments. This has placed the fight against corruption as a priority on their reform agenda. The significance of corruption as a factor that adversely affects the quality of governance has been universally recognised (Vitta, 2000). It is for this reason that of recent, the focus and tenor of the fight against corruption has attracted renewed interest and come under fresh scrutiny as part of a broader good governance agenda. This is partly due to the rise in the incidence of corruption with impunity and mounting evidence of its multi-dimensional impact (African Development Bank (ADB) 2006).

Recent approaches to the issue of corruption have emerged from a new policy climate which has developed in the 1990s. This is a reflection of both a change in global order and a development agenda within which dealing with corruption has become a core duty in the reinvigoration of the state's institutional capacity in ensuring citizen trust in their leadership and in protecting the fabric of public life (Doig and Mclvor, 1999).

Development scholars and institutions (Bello-Imam, 2005; ADB, 2006; Aduda, 2007; Njoku, 2007 and TI, 2008) are agreed on the fact that, corruption is

antithetical to good governance. It is believed to be a decimating factor to socio-economic and political development. The World Bank labelled it as the 'AIDS' of democracy and good governance which spreads relentlessly from official to official and agency to agency until it successfully undermines the vital institutions of the state and until the political system they represent collapses (Bello – Imam, 2005).

Corruption is a global malaise which has not been known to spare any country of the world. However, its alarming pervasiveness in Nigeria in general and her public service in particular have been militating against the country's quest for accelerated socio-economic and political development, thus becoming a matter of public concern. The Independent Corrupt Practices and Other Related Offences Commission (ICPC, 2008) posits that, corruption has severely eroded and degraded socio-economic and political bases of the country and have almost rendered her helpless and hopeless. In Nigeria, corruption has undermined our nascent democracy and legitimacy of government by subverting formal processes of governance. This has reduced peoples trust and confidence in their institutions and leaders, corruption in elections and in electoral bodies has reduced accountability and representation in policy making. In public administration, it has resulted to ineffective service delivery (African Diaspora Initiative, 2007).

Corruption is manifested in different dimensions in the Federal Public Service. These include inter-alia electoral malpractices, poor service delivery, contract inflations, bribery scandals, money laundering, ghost workers syndrome, and outright looting of the public treasury. For instance, while the country has

been in darkness due to epileptic electric power supply over the years, political office holders in connivance with career civil servants were alleged to have diverted the sum of N5.2 billion meant for Rural Electrification Agency in a Contract Scam (Tell Magazine, June and July, 2009). As the country's railway system has been moribund, the Federal Government awarded contract for the modernisation of the railway at $8.2 billion to China Civil Engineering Construction Company (CCEC). However, the company website put the cost of the controversial four years rehabilitation at $750 million (Tell Magazine; June; 2009). Others include the Siemens 1.3 billion euro and Wibrow International's 10 million euro bribery scandals involving Federal Public Servants and the Foreign Firms between 2006 and 2007 (Akinrujomu, 2009 and Financial Standard 2007). Costa (2008), the United Nations Executive Director for Drugs, Narcotics and Money Laundering estimates that corrupt leaders in Nigeria embezzled close to $400 billion within 1960 – 1999. In a Governance and Corruption Survey Study by FRN (2003), corruption in the Federal Public Sector has been identified as one of the major problems of development in Nigeria.

The Fundamental Objectives and Directive Principles of State Policy, section 15(5) of the Constitution of Federal Republic of Nigeria, 1999, provides that, "the state shall abolish all corrupt practices and abuse of power." Prior to the Fourth Republic, successive administration in Nigeria established either permanent or ad hoc institutional mechanisms for fighting corruption. These include inter-alia; The Criminal Justice (Miscellaneous Provisions) Decree of 1966 which was succeeded

by the Corrupt Practices Decree of 1975; the establishment of the Code of Conduct Bureau in the Second Republic, the War Against Indiscipline (WAI) of 1983, and the War Against Indiscipline and Corruption (Bello – Imam, 2005).

The Federal Public Service also has self-regulating provisions for checking corruption. These include; the Civil Service Rules and Financial Regulations. Others are the Civil Service Hierarchy, the Legislature; the Judiciary; the Public Complaints Commission, the Auditor-Generals Report and the Public Accounts Committee Report among others (Adamolekun, 2006). However, since corruption in the Federal Public Service has become systemic and endemic, these conventional mechanisms have proven to be ineffective in fighting corruption.

Sequel to the return to democratic governance in 1999 and the untiring peoples quest to fighting corruption in the Federal Public Service, the government established an impressive array of institutions such as the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Economic and Financial Crimes Commission (EFCC) established in 2000 and 2002 respectively. Others were the Public Procurement Act 2007, the Fiscal Responsibility Act 2007, and the Nigerian Extractive Industry Transparency Initiative Act 2007. This is in addition to earlier existing institutions such as the Code of Conduct Bureau and its Tribunal.

The ICPC was established vide the ICPC Act of 13 June, 2000 with the major objective of prohibiting and prescribing punishments for corrupt practices and other related offences. Specifically, the agency is to banish impunity for

corrupt practices and other related offences through system study, education, public enlightenment and mobilisation. The EFCC was established in 2002 by an Act of National Assembly and Amended in 2004 vide the EFCC Act, 2004. The agency was establish with the objective of sanitising the national economic environment by enforcing all economic and financial crime laws. The CCB was established through Decree No. 1 of 1989 and enshrined in section 153 of the Constitution of the Federal Republic of Nigeria, 1999, as one of the Federal Executive Agencies. The CCB was established to establish and maintain a high standard of morality in the conduct of government business and to ensure that the actions and behaviours of public officers conform with the highest standard of public morality and accountability.

1.2 Statement of the Problem

Most regime changes especially by the military were ostensibly necessitated by the need to combating corruption in the Federal public service. Inspite of these regime changes, it does not seem that much success has ever been recorded in any of the attempts at fighting corruption in the Federal Public Service (Njoku, 2007). The return to democratic governance to Nigeria in 1999 more than ever before aroused the citizen's quest to combating corruption and instituting accountability and transparency in governance. Pursuant to this, the ICPC and EFCC were established among other institutions through enabling laws. This is in addition to already existing institutions such as the Code of Conduct Bureau (CCB)

and its Tribunal. In spite of all these, as Ali (2007) reiterating the view of Mier (2000) observes, corruption still remains the fastest way of getting anything done in Nigeria.

The anti-corruption institutions established seemed to be suffering from political intervention and inadequate autonomy. The former Chairman of the EFCC, Nuhu Ribadu was removed from office before the end of his second five-year term contrary to the provisions of the law establishing the agency. Laws establishing the anticorruption institutions could not be upheld due to institutional weaknesses (Aduda, 2007). Corrupt public officials seemed to be immune from the activities of the anti-corruption institutions as long as the presidents wished while perceived non-loyalist are hunted such as in the case of the former Delta State Governor, James Ibori (Shettima, 2010).

There seemed to be excessive secrecy in the business of government. Little is known about public servants and the business of governance. There seemed to be asymmetrical information and a lack of transparency leading to sub-optimal performance by anti-corruption institutions due to weak corruption reporting systems (FRN; 2003; Aduda, 2007). Most public servants seemed to be unwilling to declare their assets and prefer to run the affairs of the public in secrecy.

The effectiveness of the institutional mechanisms also comes to question if the provisions of the laws establishing them cannot be enforced. For instance, according to Ribadu as enunciated by Buhari in Zero Tolerance (2007), thirty one out of the thirty-six former state chief executives between 1999 – 2007 were

alleged to be corrupt. However, only the former Bayelsa State Governor (DSP Alamieyesiegha) was convicted on 26 July, 2006 but freed in 2008. Corruption charges against high profile persons drag on for years. The Chairmen of the EFCC and the ICPC have become disgusted with the way the judiciary handles corruption cases that they have called for special anti-corruption courts to be set up (Akinyemi, 2010). Nigerians do not believe that enough sanctions exist to deter people from corruption (FRN; 2003). In an empirical study, Aduda (2007) observes that majority (83%) of the respondents perceived the level of corruption in the public sector to be very high. Transparency International's (TIs) Corruption Perceptions Index (CPI) for Nigeria staggers between the lowest of 1.0 in 2001 to the highest of 2.7 in 2008 only to slip back to 2.5 in 2009. Why is the rate of corruption still high in the Federal Public Service in spite of the impressive array of institutions established to fight the vice?

1.3 Research Questions

The questions arising from the research problem in 1.2 above were;

(i) How effective are the anti-corruption institutions for combating corruption in the Federal Public Service?

(ii) How autonomous are the Anti-Corruption Institutions in the discharge of their responsibilities and how has that affected their level of effectiveness?

(iii) How effective is the corruption reporting system in the Federal Public Service and how has that affected the effectiveness of anti-corruption institutions?

(iv) What is the level of enforcement of punishments for corruption offences in the Federal public service and how has that affected the effectiveness of anti-corruption institutions in the Federal Public Service?

(v) What are the problems associated with the effective functioning of these institutions?

(vi) What can be done to make the institutions more effective?

1.4 Objectives of the Study

The major objective of this study is to assess the effectiveness or otherwise of the institutional mechanisms for combating corruption in the Federal Public Service between 1999 and 2009.

The specific objectives of the study were to;

(i) Determine the degree of autonomy of the anti-corruption institutions and its effect on their level of effectiveness;

(ii) Ascertain the level of effectiveness of corruption reporting system in the Federal Public Service and its effect on the effectiveness of anti-corruption institutions in the Public Service;

(iii) Examine the level of enforcement of punishments for corruption offences in the Federal Public Service and its effect on the effectiveness of anti-corruption institutions.

(iv) Identify problems facing the anti-corruption institutions in fighting corruption in the Federal Public Service; and

(v) Make suggestions on how to make the EFCC, ICPC and CCB more effective institutions for fighting corruption in the Federal Public Service.

1.5 Statement of Hypotheses

Three hypotheses were postulated for the study. These were presented in the Null and Alternate. The choice of this pattern of hypotheses was to avoid bias.

Hypothesis I

H_0: The degree of autonomy of anti-corruption institutions has not affected their level of effectiveness in combating corruption in the Federal Public Service.

H_1: The degree of autonomy of anti-corruption institutions has affected their level of effectiveness in combating corruption in the Federal Public Service.

Hypotheses II

H_0: The level of effectiveness of corruption reporting system in the Federal Public Service has not affected the level of effectiveness of anti-corruption institutions in the Public Service.

H_1: The level of effectiveness of corruption reporting system in the Federal Public Service has affected the level of effectiveness of anti-corruption institutions in the Public Service.

Hypothesis III

H_0: The level of enforcement of punishments for corrupt offences has not affected the effectiveness of anti-corruption institutions in the Public Service.

H_1: The level of enforcement of punishments for corrupt offences has affected the effectiveness of anti-corruption institutions in the Public Service.

1.6 Significance of the Study

The importance of this study to researchers, policy makers, practitioners and the civil society cannot be overemphasised. In fact it will be a road map for change and a wake-up call to policy makers, investors and even aid donors as well as Civil Society Organisations (CSOs) in Nigeria and around the globe.

Previous studies on corruption by Aduda (2007) centred on how to combat corruption in provision of infrastructure while Ekumankama (2002) concerns himself with the legal aspect of corruption. Gregory (2007) only emphasised on the need for accountability in governance. None of these scholars assessed how effective the anti-corruption institutions have been in the discharge of their statutorily assigned responsibilities. This study intends to cover this gap.

The literature is largely recent. The data generated will certainly provide useful information to researchers. The findings of the study will likely challenge earlier researches and thus, provoke further research on how to make the anti-corruption institutions more effective.

Furthermore, policy makers will tremendously gain from the study as it will enable them identify present policy lapses and loop holes in the existing mechanisms with a view to fine-tuning them.

To the staff of these anti-corruption institutions and other administrators, the findings of this study will provide them with more insight on the challenges of these institutions with a view to readjusting their skills and methods of operation. CSOs will also find the findings of the study useful as it will enable them ascertain specific country performance for possible intervention.

Finally though not exhaustively, the citizenry who are often the victims of corrupt practices in the Federal Public Service and who are most desirous of fighting against the vice to ensure transparency and accountability entrenched in the Federal Public Service will equally find this study interesting as it will provide them with more information and enlightenment about the workings of the anti-corruption institutions. This will place them in a better position of making contribution because, the fight against corruption is a fight for all. These stakeholders can access the study on internet, libraries and possibly have copies from the researcher as he is likely to relate and create a rapour with some staff of the ministries and institutions in the course of the study.

1.7 Scope and Limitations of the Study

Corruption occurs in both private and public sectors. However, this study concerns itself with corruption in the Federal Public Service. This should not however, under estimate the occurrence of the vice in the private sector. The choice of corruption in the Public Sector can be justified on the ground of being of greater concern to governmental studies. After all, a government which cannot influence the incentives of its own officials is unlikely to be able to reduce private sector incentives to engage in corruption (Huther and Shah 2000). The study is also limited to the Federal Public Service in Nigeria bearing in mind that corruption also takes place in the state and local government services. The choice of Federal Public Service can be justified on the ground of its national spread and in order to give the study more focus and depth.

Although, there are many anti-corruption institutions in the Federal Public Service, this study focuses on the operation of the CCB, the ICPC, and the EFCC. This is aimed at giving focus to the study as a wider coverage could have resulted to generalisation. The study is also limited to the effectiveness of the anti-corruption institutions in the Federal Public Service bearing in mind that their mandate extends to the state and local government services.

The time frame for this study is for the period 1999 – 2009. The choice of this period can be justified on the basis of being a period of return to a sustained democratic rule in Nigeria. Principles of transparency and accountability are

enshrined in democratic governance than is required of military regimes. Not only that, almost all the institutional mechanisms in this study were established between 1999 – 2009. The test of their effectiveness so far is therefore, worth while. This is because, the anti-corruption institutions could have proved their effectiveness or otherwise within this period.

This study no doubt is bound to have some limitations. For instance, the primary data collected has as its target population, the staff of CCB, EFCC, ICPC and representatives of some civil society organisations and Advocacy Groups. It also include the staff of the Federal Ministries of Finance and Justice as well as the Auditor-General's Office. Others include the Mass Media (Federal Radio Corporation of Nigeria, Kaduna), and the academia (Academic Staff of Ahmadu Bello University, Zaria). These federal institutions represents only a fraction of the Federal Public Service. This is however, not enough to invalidate the findings of the study.

1.8 Definition of Concepts

1.8.1 Corruption

Although, corruption is a very common term, it defies a precise definition. Many organisations and scholars advanced different definitions of the concept. Ladipo (2000) defines corruption as the misuse of office for unofficial ends. He adds that, the act is not limited to bribery, but also include extortion, influence peddling, nepotism, fraud, the use of "speed up" (money paid to government

officials to speed up their consideration of a business matter falling within their jurisdiction), and embezzlement.

TI (1999) and the World Bank (1997) defines corruption as the use of public office for private gain. This definition is concerned with corruption in public realm to the exclusion of the private sector. Our concern in this study is corruption in the Federal Public Service. It is also important to note that the act is not always committed for personal gain. It could be for the benefit of a third party.

Corruption as used in this study is the abuse of public office, trust, or authority by conferring undue benefits (economic, political, administrative and social) on oneself or a third party contrary to statutory provisions and code of ethics for public servants such as offering and or collecting bribes, inflation of contract sum, over invoicing of supplies, tampering with payment vouchers, nepotism, unofficial use of public assets, electoral malpractices etc.

1.8.2 Corruption Reporting System

The concept of corruption has been discussed in 1.8.1 above. Effective corruption reporting refers to the extent to which public servants are able to identify or note the occurrence of corruption, have knowledge of the processes to follow in reporting corruption, and the protection of corruption reporters from potential harassment. Effective corruption reporting system can be facilitated by transparency in the public service (World Bank 1996).

1.8.3 Effectiveness

The Operations Evaluation Department (OED) (2000) of the World Bank as reiterated by Huther and Shah (2000) defines effectiveness as the extent to which a project's or institution's objectives are achieved, or expected to be achieved, taking into account their relative importance. This requires measurement of the effect of a given set of anti-corruption activities on levels of corruption or corruption activities. Of interest is the measurement of changes in levels of corruption as well as the degree to which observed changes can be credibly attributed to the anti-corruption interventions by the institutions. In essence, effectiveness is the degree of achievement of the goals and objectives for which an organisation is established. The effectiveness of anti-corruption institutions therefore, is the rate of their achievement in terms of reducing the level of corruption in the Federal Public Service through, prevention, detection, investigation and prosecution for corrupt offences. This is determined by comparing the rate of corruption in the Federal public service before and after the anti-corruption interventions.

1.8.4 Enforcement

The Black's Law Dictionary (1990; 528) defines enforcement as 'the act of putting something such as a law into effect, the execution of a law; the carrying out of a mandate or command." As used in this study, the enforcement of punishments for corruption offences is the ability of the relevant authorities to

ensure that the sanctions for corruption offences are imposed on public servants who have been proven to be corrupt in a timely manner.

1.8.5 Institutional Autonomy

This refers to the statutory powers given to and exercised by an organisation that enables it to operate effectively without interference from any other organisation or individual. It enables the organisation exercise control over its staff, finance, and other resources as well as operate without interference. It does not mean self-sufficiency or detachment. It is also not absolute but relative (Seth; 2008) Thus, we are referring to relative autonomy of the EFCC, CCB and ICPC in terms of their ability to exercise control over their staff, finance and other resources with minimal interference in their operations.

1.8.6 Anti-Corruption Institutions

Thoenig (2007) defines institutions as organisations that handle public affairs. Institutions as espoused by Thoenig (2007) may not necessarily be governmental. However, in this study, anti-corruption institutions refers to the CCB, EFCC and ICPC.

1.8.7 Public Service

The Public Service is the totality of administrative institutions and structures within which the work of government is carried out (Adamolekun; 2002). It is the entire machinery of government for formulating and implementing policies and programmes. It comprises of the institutional structure and personnel involved in carrying out the business of government. In this study, the public service consists

of career and appointed/elected public officials, whether civil or military at the federal level of government.

1.8.8 Punishment

Hoffman and Graham (2009; 146) defines punishment as the infliction of "hard treatment by an authorised authority where the suffering is in some way connected to the actual or potential violation of a law," thus, punishment is both a preventive and deterrent measure. It is aimed at preventing potential corrupt public servants from engaging in the act and imposing sanctions on those who commit it. For punishment to be effective, it has to be commensurate to offence committed and must be enforced. Punishment as used in this study refers to the sanctions imposed on the public servants for corruption offences as provided by the acts establishing the anti-corruption institutions and by the courts.

1.8.9 Transparency

The United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) (2010), defines transparency three fold; that the decisions taken and their enforcement are done in a manner that follows rules and regulations. It is means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. Lastly, it means enough information is provided in easily understandable forms and media. As used in this study, transparency in the Federal public Service means citizens access to information on the activities of the government. It also include citizens access to the revenue and expenditure profile, public procurement, employment

process, electoral processes and service delivery among others. The essence of transparency is to enable citizens report incidences of corruption in the public service to the anti-corruption institutions.

CHAPTER TWO

LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

2.1 Introduction

This chapter reviews the literature on the variables and concepts relevant to the study. These include the concept and types of corruption, the perceived causes of corruption, the institutions perceived to be corrupt, the perceived effects of corruption in the Federal Public Service, strategies for combating corruption and the concepts of Public/Civil Service. Others include; institutional autonomy; transparency in Federal Public Service, corruption-reporting system, enforcement of punishments for corruption offences, societal value orientation and assessing the performance of public institutions. The Second part of this section discusses the Theoretical Framework using the World Bank Operations and Evaluation Department's (OED) (2000) Theory on the Evaluation of Anti-Corruption Policies and Programmes found in Huther and Shah (2000). It is important to note that the review of the literature relating to the concept, types, and perceived causes of corruption, the institutions perceived to be most corrupt, perceived effect of corruption in the Federal Public Service, and the likely strategies for combating corruption in the Federal Public Service were not meant to pre-empt the findings and recommendations of the study. They only represented the views of others as reviewed herein.

2.2 Literature Review

2.2.1 The Concept and Types of Corruption

As real and pervasive as corruption is, it defies a precise definition. Scholars and practitioners therefore, have advanced different definitions of the concept based on their orientation and social milieu. Transparency International (TI) (1999, 2002), the world's most reputable non-governmental anti-corruption watchdog Tanzi (1998), and the World Bank (1997) define corruption as the abuse of Public Office for private gains. Svenson (2005) in a similar vane sees corruption as the misuse of public office for private gain. This to him involves applying a legal standard. He also observes as Brownsherger (1983) did, that corruption is an outcome or reflection of a country's legal economic, cultural and political institutions. The scholar gave examples of corruption to include sale of government property by government officials, kickbacks in public procurement, bribery and embezzlement of government funds. This definition as those of TI (1999 and 2002) and the World Bank (1997) is concerned with public sector corruption which is the concern of this study. It is however, worthy to note that in spite of any difference in countries legal, economic, cultural and political institutions, corruption in the public realm involves the misuses of public office for private gains.

Otite (1986;12) sees corruption as;

> *… state of affairs through bribery, favour, or moral depravity; when at least, two parties have interacted to change the structure or process of society or the behaviour of functionaries in order to provide*

> *dishonest, unfaithful or defiled situations, then, corruption has taken place. It therefore, involves the injection of additional but improper transactions aimed at changing the normal course of events and altering judgements and positions of events.*

This definition points out that, corruption involves the manipulation of due processes, induced behaviour of functionaries to desecrate the norms, ethics and statutory provisions in an organisation. It is not however particular to the public service alone. In addition, an act of corruption is not always the injection of additional but improper transactions, it could also be a deliberate act of omission for self interest or for the interest of a third party.

Ocheje (2001; 1979) argues that it is earlier to identify what corruption is not as opposed to what it is because of the wide array of forms and colours in which corruption manifests itself. He opines that corruption represents a "deviation from the normal, and with regard to official corruption, the concept refers to the deviation from the duties or rules of the public service." This definition acknowledged that corruption takes place in both public and private sectors. However, the assertion that corruption is the deviation from the duties or rules of the public service makes it too general.

Brownsberger (1983) agrees that corruption invariably refer to a misapplication of public goods to private ends but equally argues that the notion of what is public, what is held in trust for the people, vary across cultures, thus making corruption a relative concept. He however squared corruption on the misapplications of public goods in the form of bribery, nepotism, political

favouritism and the violation of western legal and regulatory codes that have been inherited by developing countries, along with western state structures, from their colonial governments. This definition is only concerned with public sector corruption to the neglect of private sector corruption. In addition, the assertion that corruption is the violation of western legal and regulatory codes that were inherited through colonialism is not longer tenable as most of these inherited western codes have been reformed after independence from the western countries.

Adagba (2007), expatiates the views of Khan (1996) in defining corruption as an act which deviates from the rules of conduct governing the action of someone in position of public authority because of private regarding motives – such as wealth and power. The African Development Bank (ADB) (2006) in it contribution to the definitional crises, defines corruption as misappropriation of public assets or public office/trust for private gain. The ADB also identifies two major types of corruption. These are; grand corruption and bureaucratic corruption. Grand corruption involving big businesses and highly placed officials results in state capture such as those of Siemens Brothers and Wibrow International. Bureaucratic corruption involves the offer of incentives by citizens in return for favour from public servants in service provision.

Ekumankama (2002) reiterating the views of Atlas (1980) and Brooks (1990), identifies three common elements in the definition of corruption. These are: abuse of power; violation of official or judiciary duty; and intentional design

for personal gain against the interest of the public or individuals. These acts usually take place in secrecy. It is line with the above definition that Njokwu (2007;3) defines corruption "as taking undue personal advantage of one's position against the perceive common good of society."

From a narrower perspective, Onaiyekan (2008) sees public corruption as largely referring to the misuse of public funds or the appropriation of resources meant for the community into private pocket. While Osoba (2005;1) defines it "as an anti-social behaviour conferring improper benefits contrary to legal and moral norms and which undermines the authorities capacity to secure the welfare of the state." To the Jamaican Commission for the Prevention of Corruption (2000), corruption is simply the misuse of public office for private gain for the benefit of the holder of the office or some third party.

Aduda (2007) in his empirical study defines corruption as the abuse of public office for private gain. He explains that public office is abused when officials accepts, solicits or extorts a bribe and when private agents offer bribes to circumvent public policies and processes for competitive advantage and profits. Others include patronage and nepotism, theft of state assets or diversion of state revenues among others. Bribery was however found to be the most common form of corruption known to the respondents of the study.

Bello – Imam (2005) reiterates the views of Bayley (1966) and Nye (1967) in defining corruption as a deviation from the formal duties of a public role because of private-regarding motives (personal, close family, private clique),

pecuniary exercise of certain types of private regarding influence which include bribery; nepotism; and misappropriation. Corruption to Bayley (1966) however, transcends personal monetary gain. In view of this definitional crisis, it is inevitable to settle for an operational definition of corruption which according to Bello – Iman (2005) is any induced or un-induced behaviour within a complex or private organisation to falsify its integrity, purpose, virtue and ethics. He also identifies five different types of corruption as; political, economic, bureaucratic, judicial and moral corruption.

Operationally, Adebayo (1986), defines corruption by identifying its attributes in an ascending order which inter-alia include; using official stationery for self; using government drugs, dressings and hospital equipment for private purposes. Others include using government time for private work; demanding money and or sex from applicants for jobs; tampering with contract documents and payment vouchers; election malpractices; obtaining import licences under false pretence, and inflation of contracts.

The definitions offered by Otite (1986) and Njoku (2007) are from a sociological point of view. They are concerned with corruption in the society in general and not particular to the public sector as those of Khan (1996), World Bank (1997), TI (1999, 2002), ADB (2006) and Onaiyekan (2008) among others. Khan's definition however squared corruption in the public sector as if it does not take place in the private sector. It however, fits well into the public sector which is the concern of this study. While this definition as those of TI, the World Bank and

ADB, fits our need, it is important to note that corrupt practices are sometimes not committed for self gain but for a third party as pointed out by Bello-Imam (2005) and the Jamaican Commission for the Prevention of Corruption (2000).

As Osoba (2005;1) observes, "corruption is an anti-social action." This is why it takes place in secrecy (Ekumakama, 2002). It is the misuse or abuse of public office, trust or authority by conferring improper or undue benefits on oneself or others contrary to legal, statutory or ethical norms of the Public Service. This can be in the form of bribery, inflation of contracts, tempering with payment vouchers, embezzlement and diversion of public funds and or property. Others include deliberate breach of procedures and rules of the public service for private gain. This undermines the capacity of the public service in discharging its responsibilities. In identifying the types of corruption, different criteria can be considered. These include the size and sectors; economic, political, bureaucratic, judicial and even moral realms.

2.2.2 The Perceived Causes of Corruption in the Federal Public Service

The causes of corruption in the Federal Public Service are varied and dynamic. Ribadu (2006) attributes it to the country's history of prolonged military rule that dominated the political scene, subdued the rule of law, facilitated wanton looting of public treasury, depicated public institutions and instituted a secret and opaque culture in the running of government business. TI (2008) observes that, corruption is a product of environmental variables. It thrives where temptation co-

exist with permissiveness; where institutional checks on power are missing; where decision making remains obscure; where civil society is thin on the ground; and where great inequalities in the distribution of wealth condemn people to live in poverty.

The Federal Government of Nigeria in 2001 assigned a consortium of Federal institutions led by the Institute for Development Research, Ahmadu Bello University, Zaria to conduct a Governance and Corruption Survey study. The report was released in 2003. In the opinion of public officials, the major causes of corruption in the public service were low salary for public officials and lack of transparent political process. Others include lack of effective corruption reporting system, lack of effective judiciary and ineffective mass media among others.

The African Development Bank (2006) argues that, corrupt practices becomes the exemption rather than the norm if the likelihood of being caught is high, if the consequence once caught is predictable and severe, and if it is generally condemned by society. The ADB (2006) and Gregory (2007) summarises the dynamics of public sector corruption using a simple model; C = M + D – A; when C is corruption, M is monopoly, D is discretion and A is accountability. That is, corruption = monopoly + discretion – accountability. Under this model, a public servant is assumed to have monopoly of power over goods or services which generate economic rent, and has discretion to decide who will acquire it. That is, he determines how rent is distributed, and is not accountable for his action.

Bello Imam (2005) identifies the sources of corruption as; Trade Restrictions; Government Subsidies, Price Control, Low Wages in the Public Service, weak democratic structures, and sociological factors inter-alia. In their contributions Ekumankama (2002) and Adebayo (1986) identifies diminished societal value system; poor leadership and political instability; lack of effective internal control and the problem of prosecution and inadequate sanctions against offenders as been responsible for the high rate of corruption in the Federal Public Service.

Tanzi (1998) observes that corruption is generally connected with the state and especially with its monopoly and discretionary powers manifested in regulations and authorisations, taxation manifested in regulations and authorisations, taxation, spending decisions in the form of investment projects, procurement spending and extra budgetary accounts. It also include; subsidies, party financing, quality of the bureaucracy and level of public sector wages, others are penalty system, institutional controls and transparency of rules, laws and processes. In developing countries like Nigeria, virtually every aspect of the citizens activities have to be authorised and regulated the government. These range from owing a shop, borrowing money, investing, owing and driving a car, building a house, obtaining foreign exchange, getting a passport and so on. Government monopoly in the granting of these authorisations gives the bureaucrats a great amount of power and a good opportunity to extract bribes.

Taxes based on clear laws and not requiring contacts between taxpayers and tax inspectors are much less likely to cause corruption. However, where, the tax laws are difficult to understand, the payment of taxes requires frequent contacts between taxpayers and tax administrators, the wages of tax administrators are low and more broadly, the control from the state on the agents charged with carrying out its functions are weak (Tanzi, 1998). Public projects have, at times, been carried out specifically to provide opportunities to some individuals or political groups to get "commission" from those who are chosen to execute the projects. Government provision of goods and services at subsidised rates such petroleum products, foreign exchange, health, education, electricity, water and public housing-prompts citizens to offers bribes to public employees in times of limited supply. Poor public sector wages, mild penalties for corruption offences and weak institutional controls are other causes of corruption (Tanzi, 1998).

Studies by Global Integrity (2004, 2006 and 2007) found no relationship between democracy and corruption in the world. Ribadu's (2006) assertion that, the high rate of corruption in the Federal Public Service is mainly due to the prolonged period of military dictatorship then becomes hollow. However, the conditions that favour corruption as identified by TI (2008) are typical of military regimes. Then, one may argue that, the persistence of corruption in the Federal Public Service can partly be attributed to the prolonged military rule. Others such as Ekumankama (2005) and Adebayo (1986) observes were fading societal value

system, ineffective internal control and the problem of prosecution and inadequate sanctions for offenders, and weak democratic structures among others as constituting problems to an effective fight against corruption in the Federal Public Service.

From the views of the scholars and institutions, the causes of corruption are multi-dimensional. They are institutional, societal, political, judicial and economic. Under resourced and weak institutions (courts and anti-corruption institutions) can not effectively fight corruption. A corrupt society produces corrupt public service. Corrupt political process produces corrupt legislators and executives. A poorly paid public service will be more prone to corruption than a well paid one. Excessive secrecy in public service will make the detection and investigation of corruption cases difficult.

Public sector corruption is generally connected with the state powers and especially with its monopoly and discretionary powers. Some of these factors are direct causes of corruption such as political party financing, subsidies mild punishment for corruption offences and weak institutional controls. The indirect factors are societal such as the tendency to make sudden wealth and waning societal norms such as honesty, and hard work.

2.2.3 Institutions Perceived to be most corrupt in the Federal Public Service

The scope of corruption is contextual and its incidence varies greatly reflecting a country's legislations, bureaucratic culture, political development and

social tradition. Even though corruption affects all sectors, it tends to pervade some more than others. The ADB (2006) identifies public procurement process, the process of privatisation of public assets, operation of public utilities, issuance of license and mineral resource exploitation as some of the most corrupt areas.

The New Internationalist (2006) using the TI (2006) Corruption Perceptions Index of 2006 rated certain institutions/sectors that are most corrupt in the world in descending order thus:

Table 2.1; Sectors/Institutions most Affected by Corruption
(1 not at all Corrupt 5 – Extremely Corrupt)

Institution	Rank
Political Parties	4.0
Parliament/Legislature	3.7
Police	3.6
Legal System/Judiciary	3.5
Business/Private Sector	3.4
Tax Revenue	3.3
Custom	3.2
Media	3.2
Medical Services	3.0
Utilities	3.0
Education System	2.9
Non-Governmental Organisations	2.8
Religious Bodies	2.6

Source: New Internationalist, 2006, Corruption around the World, en.wikipedia.org/wiki/new_internationalist

As shown in table 2.1 above, corruption in the world permeates both public and private sectors. Even religious institutions, the NGOs and the media that are expected to play the role of gate keepers to moral uprightness are not spared. However, political parties and parliaments top the list closely followed by the police and the judiciary. These are institutions that should be primarily concerned with enforcing the laws of the land.

The findings of the New Internationalist (2006) were from a global point of view. The final Report of Nigeria Governance and Corruption Survey Study (2003) led by Institute for Development Research, Ahmadu Bello University, Zaria, identified seven Public Institutions that are perceived as most corrupt in the Federal Public Service.

Table 2.2; Public Institutions Perceived as Corrupt
(The Institutions are Ranked in a Descending Order of Corruption from 1 – 7)

S/N	Institution	Rating
1	The Nigeria Police	1
2	Political Parties	2
3	National and State Assemblies	3
4	Local and Municipal Councils	4
5	Federal and State Executive Councils	5
6	Traffic Police and Federal Road Safety Commission	6
7	Power Holding Company of Nigeria	7

Source: FRN (2003) Nigeria Governance and Corruption Survey Study, page 18

The table above as table 2.1 shows that, the Nigeria police, political parties and parliament/legislature have been consistently identified as institutions most perceived as corrupt both in Nigeria and the world over.

In 2005 and 2007 an anti corruption group; the Independent Advocacy Group (IAG) carried out a similar research the report of which was published by the Punch (June 2007) on the most corrupt Public Institutions in Nigeria. This is shown as in Table 2.3 below.

Table 2.3; Organisations likely to Receive Bribes

S/N	Organisation	Year 2005(%)	Year 2007(%)
1	Nigeria Police	96	99
2	Power Holding Company of Nigeria (PHCN)	83	87
3	Ministry of Education/Universities/Polytechnics/Colleges of Education	63	74
4	Customs and Excise Dept	65	61
5	Federal Road Safety Commission (FRSC)	42	51
6	Immigrations/Passport Office	56	48
7	JAMB	41	47
8	Local Govt. Authorities	47	46
9	Independent National Electoral Commission (INEC)	-	38
10	The Tax Office/Federal Inland Revenue Service (FIRS)	36	36
11	Health Ministry/Primary Health Care Facilities/Teaching Hospitals	30	32
12	Ministry of Justice	27	31
13	The Presidency	24	29
14	Federal National Petroleum Corporation	27	38
15	Federal Housing Authority	26	28
16	Federal Ports Authority/Federal Maritime Authority	33	24

Source: The Punch, June 14, 2007 p. 7.

The Report of the IAG as presented in table 2.3 ranks the Nigeria Police as the most corrupt (likely to receive bribe) public institution in Nigeria in both 2005 and 2007. This was closely followed by the PHCN and Ministry of Education/Tertiary Institutions. At the bottom of these corrupt institutions are the

presidency in 2005 and the Federal Ports Authority/Federal Maritime Authority in 2007.

The pattern of ranking for the sixteen institutions for the period 2005 – 2007 has been quite the same. Few of these institutions however, swapped positions in the two years. For instance, the FRSC which was ranked 7th on the corruption continuum in 2005 occupied the fifth position in 2007. While the Immigrations/Passport office that ranked fifth in 2005 moved to the sixth position in 2007. The presidency which ranked sixteenth in 2005 however moved upward to occupy the thirteenth position and so on.

From the tables above, it can be inferred that although corruption is pervasive in the Federal Public Service, some institutions were more corrupt than others. Prominent among them were the Police, PHCN, Political parties, National and State Assemblies, Institutions of Higher Learning, Immigration/Passport Office, Customs and Excise and the FRSC. However, the reduction of corruption to an act of receiving bribes only by these organisations dilutes their findings as the act of corruption goes beyond receiving bribes in this study.

2.2.4 The Perceived Effects of Corruption in the Federal Public Service

The effects of corruption in the Federal Public Service are diverse and excruciating especially on the poor and the vulnerable. It affects all facets of our national life (security, health, education, economic, political and administrative). And as African Diaspora Initiative (2007;3) asserts;

> *In the political realm, it undermines democracy and the legitimacy of government by subverting formal*

> *processes. In so doing, it reduces seriously the trust and confidence of people in their institutions. Corruption in elections and in legislative bodies reduces accountability and representation in policy making. Corruption in Public Administration results to uneven provision of services. It undermines economic development in a variety of ways of creating distortions, inefficiencies and diverting resources.*

This is similar to the view of Osoba (1998) who asserts that corruption subverts public institutions and their capacity to perform their assigned tasks efficiently, thereby damaging the substantive interest and endangering the lives of citizens whom these institutions are meant to serve. This is because of diversion of resources earmarked for running and maintaining public institutions such as hospitals, schools, public utilities, the judiciary, the police, and even the armed forces. As Massoud (nd) and observes, corrupt has negatively affected governments capability to provide the citizens with the basic necessities of life such as security, health and education.

The ADB (2006) observes that, though corruption may coexist with strong economic performance in the short term as in Chile and among the Asian Tigers, however, its long term effect extends beyond actual revenue loss. Other related indirect effects include driving away investment, diminishing core democratic values, weakening the rule of law and credibility of Public Institutions. It also undermines consolidation of good governance and violates the social contract between citizens and the state. The FGN (2003) in its Nigeria Governance and Corruption Study Report, 60.8% of the respondents identified corruption as a perceived obstacle to development.

TI (2008) and African Diaspora Initiative (2007) identifies a four fold effect of corruption; political, economic, social and environmental. Political corruption constitutes a major obstacle to democracy and the rule of law, loss of legitimacy of public institutions, and irresponsible political leadership. Economically, corruption depletes national wealth and socially most damaging as it undermines people trust in the political system and leadership. These results to frustration, apathy and illusion among the public, corruption also gives preference to environmentally devastating projects such as mining, drilling and logging because they are easy targets for siphoning public money into private pockets.

Njoku (2007;4) asserts that, corruption has reduced politics and governance in Nigeria to huge jokes. It has created two extremes in the exercise of public office; the "Privatisation of the Public Service." This is where there is hardly any demarcation between the office and the office holder and on the other hand, the culture of non-commitment where public affairs means no body's affair. He adds that, corruption has created unimaginable miseries, unparallel oceans of poverty dotted with islands of scandalous wealth. It also destroys basic virtues of trust on the social arena, created a vicious circle and re-invented Thomas Hobbes' state of nature characterised by mutual aggression. To Njoku (2007), corruption is setting the stage for human disaster in Nigeria.

Bello – Imam (2005) observes that, corruption is antithetical to justice and equity and hence inhibitive of national growth and development. He adds that, its consequences are innumerable and mostly negative which he identifies as;

negative impact on quality of infrastructure and public service; misallocation of talents; loss of revenue; adverse budgetary consequences, retardation of economic growth; and limitation of aid flows.

As real and adverse as the effects of corruption are, they are difficult to quantify. While the economic cost of corruption may be quantifiable, the social, political and environmental cost cannot be quantified. Corrupt practices take place in secrecy and others like corruption in service delivery, favours and presents are difficult to quantify. As TI (2008) observes, the social cost of corruption is difficult to quantify. No one knows how much the loss of an energetic entrepreneur or an occasional scientist costs a country. Moreover, any estimated social costs in monetary terms would be inadequate to the task of measuring the human tragedy behind resignation, illiteracy or inadequate medical care. The World Bank (1996), however argues that, the old myth that corruption by its "intrinsic nature" is impossible to measure delayed the emergence of serious empirical analysis of corruption. And that, the absence of empirical data on corruption obscured its enormous costs and also gave corrupt public officials "cover" enabling them to dismiss allegations of corruption as politically motivated. To remedy this problem, Gonzalez de Assis (2000), recommends for the use of diagnostic surveys as effective tools for identifying specific problems that are correlated with corruption.

As identified by Bello Imam (2005), ADB (2006), African Diaspora Initiative (2007), Njoku (2007) and TI (2008) the effects of corruption are multidimensional. They are economic, political, social, administrative and environmental. These

effects hurt the weak and the vulnerable more than the rich and the powerful. Because corrupt practices confers favours on undeserving citizens, it creates injustice, since it circumvent due processes, the outcome of the public service becomes unpredictable, thus leading to uneven provision of services. It reduces the trust and confidence of the people in the institutions of the state and breaches the social contract between the state and the citizens. Corruption adversely affects the capability of the institutions of the state to provide the citizens with the basic necessities of life such security, health, education among others thereby defeating the essence of the state.

2.2.5 Likely Strategies for Combating Corruption in the Federal Public Service

If the anti-corruption institutions are to be effective in fighting corruption in the Federal Public Service thereby ameliorating the adverse consequences of the vice, certain strategies need to be taken. Concerned institutions and scholars such as Adebayo (1986), ADB (2006) Ali (2007) Braibanti (1966), Ekumankama (2002) and Njoku (2007) identifies strategies for fighting corruption in the Federal Public Service. Adebayo (1986) suggests for the growth and development of a culture that will inculcate the right sense of values which to him can be achieved through education rather than statutory legislations.

Braibanti (1966) suggests for societal value re-orientation; creation of alternative means of employment; sincere political commitment; precision of investigative and sanctional devices; and strong judiciary and legislature to

restrain bureaucratic excesses. Ali (2007) advocates for the compulsory public declaration of assets and liabilities by all class of public servants to enhance transparency. It also includes the careful amendment of section 308 of the 1999 constitution to remove the immunity clause to enable anti-corruption institutions timely investigated and prosecute chief executives and their deputies at the federal and state levels. Others are the inclusion of anti-corruption clauses in all public contract agreements and the adoption of the Chinese and Saudi-Arabian models for punishment (execution) of corrupt officials as an antidote.

Similarly, the "Eagle Watch" (2008) sees the following strategies as imperative in the fight against corruption in the Federal Public Service; concerted strategy of constructive engagement between the citizenry; public and private sectors, law enforcement, regulatory institutions and the international community. It also requires robust demonstration of political will at all levels of government to fight corruption; amendment of section 308 of the 1999 Constitution as it relates to all criminal matters and elimination of all forms of protection for corruption in high places. The "Eagle Watch" (2008), also stressed the need for value orientation in the family and society and the refusal by communities, universities, organisations to reward corrupt enrichment. Others include; the immediate extension of the activities of anti-corruption institutions to state and local governments; immediate auditing and scrutiny of all security votes, information funds and all such votes however named and putting in place clear parameters consistent with international best practice to prevent abuses associated with the

use of the funds. Finally, is the demonstration of courage by judges and the judiciary and ensure speedy discharge of their judicial responsibilities inter-alia.

TI (2003) advocates for the reform of political parties, the courts and the police. Njoku (2007) in his contribution stresses the need for structural considerations which include fundamental changes in the perception of public office, restructuring the modus operandi of public administration and strengthening the necessary checks and balances to enable the ordinary citizens exercise sufficient pressures on their public officials. Ekumankama (2002) approaches these strategies from three angles. These are; legislative control; international cooperation; and institutional reform.

The ADB (2006) offers more encompassing strategies to combating corruption. It asserts that, anti-corruption strategies must address the broader governance and institutional raison de'etre that gives rise to the problem in the first instance. At the individual level, it must address the elements of rational choice which rationalises corrupt practices as low-risk high-gain endeavours rather than the opposite, thus, the need for enforcement of severe punishment for corruption offences. More broadly, an effective anti-corruption crusade must be country specific, but also based on internationally accepted norms and standard. The strategy must incorporate elements of prevention, detection, investigation, enforcement, public awareness and institution building. It is worthy to note that, in the fight against corruption, the optimal level may not be zero but that it should

be reduced to manageable level. It also requires consistent, coherent, broad based approach and long term perspective.

Specifically, the ADB (2008) advocates for; sustained political will and leadership committed to fighting corruption; strengthening institutions; and reform of the public sector. This include; Financial Management such as the Fiscal Responsibility Bill, Civil Service Reforms; Tax and Revenue Reforms; Public Procurement; and Independent Anti-Corruption Institutions. Other strategies include; reform of the legal and judicial system; strong legislature, existence of vibrant civil society organisations; and international collaboration since corruption money has wings not wheels. As in other developing countries, looted money easily find save heavens abroad (Vittal 2000).

It is in view of this that Doig and Mclvor (1999) advocate that recent anti-corruption strategies should cover a number of areas viz; legal, organisational, financial and civic. These include anti-corruption agencies whose effectiveness would depend on administrative and political autonomy, independence from the police, independent financial resources and recruitment powers. Others are combination of prevention, awareness, investigation and prosecution as well as an extensive legal framework.

From the views of the ADB (2006), Braibanti (1966) and the Eagle Eye (2008), it is clear that a successful fight against corruption must be multidimensional requiring societal value re-orientation; sustained political will and leadership committed to fighting corruption at all levels of government; strong

legislature as well as independent judiciary and anti-corruption institutions. Others are reform of the public service, existence of vibrant civil society organisations and international collaboration. These need to be consistent and embracing in terms of detection, investigation and speedy enforcement. It is worthy to note that, whatever strategy is adopted as an antidote, it should target the root causes of corruption in a particular country under study. In addition, the strategies should be comprehensive in terms of legal, organisation, financial and civic-ranging from initiatives directly intended to combat corruption to those which minimise the opportunity and incentive for corruption.

2.2.6 The Concept of Public Service

The concepts of public and civil services are often used interchangeably. These concepts certainly differ from each other. The public service refers to all organisations that exist as part of government's machinery for implementing policies and programmes as well as for delivering services to meet the needs of citizens. The civil service on the other hand is part of the public service that is often referred to as the core service because it directly services the executive arm of government. It comprises of officers in ministries and extra-ministerial departments and those whose recruitment and career progression are determined by the office of the Head of the Civil Service of the Federation or of a State and the Federal/State Civil Service Commission. The Public Service encompasses the civil service, the police and other security institutions, the armed forces, the national and state assembly services, the judicial service, parastatals and

institutions and companies in which government owns controlling shares (Bureau for Public Service Reform (BPSR) 2007).

It is important to note that, what constitutes the public/civil service is largely influenced by domestic laws, practices and conventions. The definitions of the concepts of public/civil service within the Federal context are provided for as in sections 169, 171, 208 and 318 and in section ten of the third schedule of the 1999 Constitution (Olaopa, 2008 and Sani, 1999). Another way of striking a difference between the two concepts is to say that, every civil servant is a public servant but not all public servants are civil servants.

In essence, the civil service is a segment of the larger public service. That is, the public service is more encompassing than the civil service. In addition to the civil service, the public service also embraces the military, the police and other security institutions, as well as elected/appointed political officials. In other words, the public service is the entire machinery of government. As Adamolekun (2002) succinctly puts it, it refers to the totality of the administrative institutions and structures within which the work of government is carried out. Therefore, combating corruption in the Federal Public Service implies fighting the vice in the entire machinery of the federal government.

2.2.7 Institutional Autonomy

Njoku (2007) espouses the views of Marx (1867) who argues that, the human person is bound to the structures and superstructures of society. That, his reasoning is determined by the consciousness which these structures bequeath to

him and his actions are tied to socio-economic and political conditions and insist that the human person is a determination of social structures and forces. Consequently, change of the structures and superstructure of society and indeed the public service can lead to behavioural change of public servants.

In the fight against corruption in the Federal Public Service, the ADB (2006) observes the imperatives of anti-corruption institutions. The bank stresses that, though such institutions (CCB, ICPC, EFCC) etc now exists, their ability to function effectively and the resources at their disposal vary. To be effective, the ADB (2006) adds that, the institutions must be autonomous.

Seth (2008;2) sees institutional autonomy as;

> *…the process and state by which an institutional core is constituted by a distinct set of material and symbolic resources, has a discrete set of organisational and individual actors with distinct activities, and finally, has a set of rules specifically addressing these actors and resources.*

This implies that institutions become differentiated from each other to the point where the actors of one institution are readily distinguishable from the actors of another, the symbolic resources are distinct, and while the material resources may overlap, their use, and allocation will be institutional – specific. It is along these dimensions that one can determine the degree of autonomy an institution posses. It is worthy to note that, autonomy neither implies self-sufficiency nor detachment, but is best understood with some type of qualifying adjectives like limited or relative autonomy.

From the foregoing, it is clear that, for anti-corruption institutions to be effective in fighting corruption in the Federal Public Service, they need to be autonomous. However, institutional autonomy is not absolute but relative. Therefore, the anti-corruption institutions must be constituted by a distinct material and symbolic resources, discrete actors, and a particular set of rules delineating their relationships all in relative terms.

2.2.8 Transparency in the Federal Public Service

The United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) (2010), defines transparency in three fold; that, the decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that, information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. Transparency to UNESCAP (2010) also means that, enough information is provided in easily understandable forms and media. To Elaigwu (2005), transparency, simply refers to our ability to exhibit clearness in action, which put such actions above question.

TI (2008) defines transparency as a principle that allows those affected by administrative decisions and actions to know not only the basic facts and figures but also the mechanisms and processes. Olowu (2002) sees transparency as a necessary precondition for accountability and effective fight against corruption in the Federal Public Service. He identifies three core elements of accountability that underscores the importance of transparency. These are; a clear sense of the

responsibility of each unit and each individual in an organisation; the methods of systematic and periodic reporting as well as mechanisms for rewarding performance; and the indicators for judging performance are all determined in the public realm. The more transparent these processes are, the more easily accountability is enforced. Transparency has always been a formidable antidote of corruption practices which often take in secrecy. Any genuine fight against corruption must therefore increase the validity, regularity, and access of citizens to information about how they are governed. As Bello-Imam (2005) observes, public knowledge of the work of government through transparency enables the accountability component of good governance to be evaluated.

Succinctly put by Global Integrity Group (2004;2), "corruption cannot thrive in an environment where the public is informed about the true extent and specific nature of abuses of power." A free press and access to information are critical in holding government and the public service accountable. If corruption is to be addressed, it must first be exposed. Excessive secrecy is antithetical to the effective management of public affairs. This requires a free press and transparent legislations such as an Freedom of Information Act. The Bill to this effect has been kept in the cooler in the National Assembly since 1999 (Tell March 2, 2009). This study is of the view that, transparency in the Federal Public Service is expected to facilitate the activities of the anti-corruption institutions through effective corruption reporting system.

2.2.9 Reporting Corruption

The willingness of people to report corruption is very critical for any successful fight against corruption. Lack of an effective corruption-reporting system encourages those in engaged in corruption to continue with the vice while deterring people from seeking redress (FRN, 2003). One of the major weaknesses identified in the Federal Government's Governance and Corruption Study is the inadequate corruption – reporting mechanisms in public institutions. The study discovered that households do not know the process to follow in reporting an act of corruption by a public officer even though they observed acts of corruption.

The respondents completely disagreed that the corruption reporting was effective and simple in the public service. Most of the respondents also opined that they do not report corruption mainly because, they expect that the case will not be investigated, enforced and the fear of potential harassment and reprisal (FRN; 2003). For corruption reporting system to be effective, the public servants must be oriented on the activities of the anti-corruption institutions, and the reporting system simplified. Reported cases should be promptly investigated and punishment enforced. The identity of those who report alleged acts of corruption should be held in confidence (Federal Republic of Nigeria, 2003).

2.2.10 Enforcement of Punishments for Corruption Offences

Any genuine fight against corruption must be multi-faceted. That is, it should be concerned with enlightenment, prevention, detection, investigation, prosecution, trial, and sanctioning. Corrupt practices therefore, become the

exception rather than the norm if the likelihood of being caught is high, if the consequence once caught is predictable and severe. Enforcement of punishments for corrupt practices can serve as a deterrent against corruption (ADB;2006).

Huther and Shah (2000), advocates that, successful anti-corruption programmes should lower the expected gains and raise the expected penalties of corrupt behaviour. That is, anti-corruption programmes must change the cost-benefit calculations of public officials who believe that, the expected net benefits of corruption are positive. They observe that, a self-interested individual will seek out or accept corruption if the expected gains outweigh the cost as presented in the equation below:

$$E[B] = n \times E[G] - Prob\,[p] \times [p] > 0$$

Where E is the expectations operator;

n is the number of corruption transactions;

G is the gain from the corruption transaction;

Prob [p] is the probability of paying a penalty; and

P is the penalty for the corrupt activity.

Based on the cost-benefit considerations, anti-corruption programmes can influence corruption by reducing the scope of gains by reducing the number of transaction, increasing the probability of paying a penalty, and enforcing the penalty for corrupt behaviour. The reduction in the scope and number of government transactions will lead to reducing the size of government. However, there has been call for increase in the size of the government in Nigeria as in

other developing countries with weak private sector. It is therefore, more desirable to increase the probability of paying a penalty and enforcing punishment for corruption offences than reducing the number of transactions.

Sections 8 – 26 of the ICPC Act (2000), stipulates corrupt offences and their penalties. These offences and penalties include; corrupt acquisition of property or benefit of any kind, seven years imprisonment. Other offences and their punishments include corruptly giving or conferring or procuring any property or benefit of any kind to, on or for a public officer or for any other person, seven years imprisonment; asking for, receiving or obtaining property or benefits of any kind for himself and any other person, seven years; and person who with intent to defraud or conceal a crime or frustrate the commission in its investigation of any suspected crime of corruption under the act, the punishment is seven years jail term. In addition, any person employed in the public service knowingly acquires or holds equity directly or indirectly, otherwise than as a member of a registered joint stock company consisting of twenty persons has a punishment of seven years imprisonment.

It also inter-alia include any person who offers to any public officer, or being a public officer solicit, counsel or accepts any gratification, four years imprisonment penalties for the different offences ranges from three to seven years imprisonment regardless of their weight and sometimes with option of fine that only the rich and corrupt public servants could easily afford. These penalties are not severe when compared with similar offences in other countries. In India for

example, a public servant is imprisoned for three years for accepting half a dollar bribe (Tell Magazine, 9 March, 2009). It is execution for weightier corrupt practices in China and Saudi-Arabia (Ali; 2007).

Similarly, Section Eighteen of the EFCC Act (2004) also identified Economic and Financial Crimes as well as their penalties ranging between one-two years imprisonment. Section 18 (2) (a – c) of the fifth schedule to the 1999 Constitution also spells out punishments for breach of the code of conduct for public officers. They are not more severe than those of ICPC and EFCC.

Bello – Imam (2005), Falana (2006, 2007), Onaiyekan (2008), Ekwueme (2009) frown at the immunity clause as contained in section 308 of the 1999 constitution which was meant to prevent Chief Executives and their deputies at the Federal and State levels from undue destruptive harassment by frivolous litigants. This has now been catapulted to a position where immunity becomes impunity (Ekwueme 2009). The trials of alleged corrupt former state chief executives in Nigeria are yet to be concluded. So far in Nigeria, only the former Baylesa State Governor, DSP Alamieyeseigha was convicted and sentenced to twelve years in imprisonment on 26 July, 2006 but was freed in 2008.

In 2007, Siemens (German Company) 1.3 Billion Euro and Wilbrows International Ten Million bribe to Federal Public Servants has been revealed (Tell, December 3, 2007, the Punch, November 19, 2007 and Financial Standard November 19, 2007). However, while Germany has since jailed the erring officials of the company involved in the Siemens scandal, their indicted Federal

counterparts still continue to enjoy their ill-gotten wealth due to relaxed laws (Tell, March, 9, 2009). While corrupt public servants are promoted and honoured in Nigeria, the reverse is the case in other countries. For instance, former Italian Prime Minister; Bettino Craxi was forced to live in exile in Tunisia to escape extradition for corruption charges in Rome (Vittal, 2000). In Nigeria, the trial of some former state chief executives is stalled and upon completion of their tenure some are now either members of the National Assembly or Members of the Federal Executive Council as Ministers. A former Inspector – General of Police (Tafa Balogun) spend his two year jail term on a soft bed at the National Hospital, Abuja on a 70 – count charge by the EFCC and the embezzlement of N17 billion naira belonging to the Nigeria Police (Adebayo, 2010).

2.2.11 Societal Value Re-Orientation

Corruption is a complex moral, social, political and economic problem which does not exempt but transcends the limits of law, crime and punishment. It is fundamentally a question of personal belief, ethics, cultural attitudes and behaviour. To attack the social and cultural roots of corruption, the government requires the support of all in launching a National Campaign Against Corruption, similar to our National Campaign Against HIV/AIDS. This massive prevention campaign should aimed at bringing about a radical transformation of our society, and reinforce a culture of stigmatisation and rejection of corruption in all its forms. In essence, the fight against corruption in the Federal Public Service will not only

involve fundamental changes in our systems of governance but also in our personalities, lifestyles and patterns of behaviour.

Onaiyekan (2008) stresses the superiority of value orientation over rules and regulations. He observes that, "rules and regulations of public accountability are subverted and rendered meaningless by public servants." He asserts that rather than solely relying on rules and regulations, we need to return to the question of our values and how to re-orientate them well. While Ali (2007) and Falana (2006) are concerned with strong anti-corruption legislations, others like Onaiyekan (2008) were much more concerned with societal value re-orientation.

It is instructive to state that, the fight against corruption, in the federal public service requires both strong anti-corruption legislations, and institutions as well as societal value re-orientation. In essence, the two are mutually exclusive of each other. Because, people make anti-corruption laws, constitute and manage the anti-corruption institutions, their value re-orientation and that of the society at large is therefore imperative.

2.3 Conceptual Framework

Performance Assessment, variously referred to Performance Measurement or Performance Evaluation of Public Institutions and indeed, the performance of (CCB, ICPC and EFCC in combating corruption in the Federal Public Service is very essential. As Hatry (2002;352 – 358) asserts, "it certainly is desirable that institutions at any level of government periodically undertake a comprehensive

review of what they are doing and how they are doing it." Carman and Millesen (2004) observes that, many non-profit and evaluation scholars have observed that non-profit organisations are under increasing political and resource-based pressure to demonstrate effectiveness and document programme outcomes. As a result, there has been both increased scholarly and practitioner oriented attention paid to how programme evaluation might be used as an accountability tool.

Wang (2002) espousing the views of (Greytak, Phares and Morley, 1976, Hatry 1992; Johnson and Levin, 1991 and Morley, 1986) defines Performance Measurement (PM) as the use of quantitative indicators to evaluate organisational efforts, and achievements. He justifies the need for PM as being quintessential to administrative accountability, managerial and operational efficiency and effectiveness, service quality and citizens trust. Wang (2002) observes the need for PM in both private and public sectors even though their objectives differ. Berman (2002) justifies the use of PM in Public Administration because, it is used to reinforce executive priorities by having periodic discussion that track progress against priorities. This is because, what gets measured gets done even if not measured or done particularly well.

The United States Government Accountability Office (GAO) (2005) identifies two major types of programme performance assessment. These are performance measurement and programme evaluation. To GAO (2005), performance measurement is the ongoing monitoring and reporting of programme accomplishments, particularly progress towards pre-established goals. It is

typically conducted by programme or agency management. Programme evaluation on the other hand is the individual systematic studies conducted periodically or on an ad hoc basis to assess how well a programme is working. This is often conducted by experts external to the programme, inside or outside the agency, as well as by programme managers. A programme evaluation typically examines achievement of programme objectives in the context of other aspects of programme performance or in the context in which it occurs.

GAO (2005), also establishes relationship between Performance Measurement (PM) and Performance Evaluation (PE) in terms of their uses and focus. PM focuses on whether a programme has achieved its objectives, expressed in measurable performance standards. PE on the other hand typically examines a broader range of information on programme performance and its context than is feasible to monitor on an ongoing basis. Alternatively, evaluations may assess the programmes effects beyond its intended objectives, or estimate what would have occurred in the absence of the programme in order to assess the programme's net impact. Additionally, programme evaluation may systematically compare the effectiveness of alternative programmes aimed at the same objective. Thus we can identify process evaluation, outcome evaluation, and impact evaluation. In terms of uses, both forms of measurement aim to support resource allocation and other policy decisions to improve service delivery and programme effectiveness. However, PM, because of its ongoing nature, can serve as an early warning system to management and as a vehicle for improving accountability to the public.

PE is typically a more in depth examination of programme performance and context which allows for an overall assessment of whether the programme works and identification of adjustments that may improve its result. Depending on their focus, evaluations may examine aspect of programme operations (such as in a process evaluation) or factors in the programme environment that may impede or contribute to its success, to help explain the linkages between programme inputs, activities, outputs, and outcomes.

Thiel and Leeuw (2002) while stressing the importance of performance measurement and evaluation in the public sector equally identifies certain unintended performance paradox which include; accuracy of report of performance; elusiveness of objectives; and that policy goals are often non-quantifiable and are hard to measure among others. To counteract these unintended consequences, the performance assessment of the anti-corruption institutions for combating corruption as those of the entire Public Sector should take the special characteristics of the public sector into account. This according to Thiel and Leeuw (2002) includes the use of multiplier indicators, referring to different aspects of policy implementation, and reflecting the interest of all stakeholders and transparency in governance as to increase the risk for cheating executive agents to get caught.

As vital as performance measurement is, it is not easy to come by. However, Henry (1999) identifies three major criteria for assessing organisations. First is the; efficiency test which relates to "computational" decision-making and

applicable to organisations with "crystallised standards of desirability" and whose members believe they fully comprehend the relationship between causes and effects. This mainly applies to commercial organisations that are profit oriented.

The second and third criteria are instrumental and social tests. This applies to public bureaucracies. The instrumental test is less objective when compared to efficiency test but less easy to apply. This is applicable to organisations that applies judgemental decision making, have crystallised standard of desirability but the organisational members are uncertain about what causes what. This is common with regulatory organisations such as the CCB, ICPC, and the EFCC. The social test criteria applies to organisations with ambiguous rather than crystallised standards of desirability, where cause and effect do not matter and where the decision making process involves compromise and inspiration such as social services provision institutions like the university, hospital and library. As a way out of this controversy, Thiel and Leeuw (2002) suggests for a start to formulate and test theories that can explain the occurrence of a performance paradox and other perverse effects. More knowledge on organisational behaviour and the influence of institutions and public sector characteristics on the use of performance indicators can help to truly achieve the projected advantages of performance indicators in the public domain.

From the views of Wang (2002), Thiel and Leeew (2002) as well as GAO (2005), certain concepts appear dominant in assessing the performance of the activities of the organisations in relation to their objectives and how these

activities are carried out (processes, inputs as well as operational and managerial effectiveness). Others are the extent of stakeholders interest/citizens trust and effectiveness (output) in terms of the quality of services rendered by the organisations.

In relation to this study, the concept of the relevance of the activities and efforts of the anti-corruption institutions examines how their preventive (education, public enlightenment and mobilisation), investigation, prosecution, conviction, punishment and forfeiture of corruptly acquired wealth are compatible with the objectives of the anti-corruption institutions. The processes comprise of the inputs as well as the extent of operational and managerial effectiveness. This entails the extent of freedom from political interference strength of anti-corruption laws, funding, staff training, welfare, and security of the operatives.

The performance of the anti-corruption institutions is also determined ability to elicit stakeholders interest and generate citizens trust in their operations. These stakeholders include: the citizens, civil society organisations and advocacy groups, donor agencies and the government. This can be achieved by: acquainting the stakeholders of their activities, providing forum for interaction and effective corruption system. Others are prompt investigation of petitions by citizens, prosecution and conviction of alleged corrupt officials and ensuring the confidentiality of corruption reporters. An assessment of the effectiveness (quality of service delivery) of the anti-corruption institutions determines the level of corruption in the Federal Public Service before and after the establishment of the

institutions. More importantly, it means a reduction in the level of corruption in the Federal Public Service as a result of the activities of the anti-corruption institutions.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

The essential constituents of research methodology are; research design, population and sample size and sampling technique. Others are method/instrument of data collection, administration of instrument, and method of data analysis (Creswell, 2003; Locke, Spirduso and Silverman, 2007). These are substantiated in the sections that follow.

3.2 Research Design

The research design used for the study was mainly survey research. This consists of the use of questionnaire and interview methods. Documentary research was also used to complement the survey research. The purpose was to enable the researcher generalise from a sample to a population so that inferences can be made. The use of survey design can also be justified on the bases of economy and the rapid turnaround in data collection (Creswell; 2003). The data collected was cross-sectional. That is, was collected at one point in time rather than over time.

The research was designed to assess the effectiveness of institutional mechanisms (CCB, ICPC and EFCC) for combating corruption in Federal Public Service. The independent variables relating to the effectiveness of the institutional mechanisms are; autonomy of the anti-corruption institutions, level of corruption-reporting in the Federal Public Service and enforcement of punishments for

corruption offences. The perceptions of respondents on these variables were expressed in quantitative terms. The five-point Likert scale of measurement of; very high, high, low, very low and undecided as well as very effective, effective ineffective, very ineffective and undecided etc were used for the independent and dependant variables respectively. These responses were complemented by available data on the variables from the anti-corruption institutions and transparency international.

3.3 The Population and Sample Size for the Study

The population for the study was 7,177 consisting of 7,173 questionnaire respondents and four interviewees. The questionnaire respondents consists of the staff of CCB, ICPC, and EFCC. It also includes the staff of Federal Ministry of Justice (MOJ), as well as the Office of Auditor-General of the Federation (OAGF). Others were the Mass Media; Federal Radio Corporation of Nigeria (FRCN) Kaduna, and the academia; Academic Staff of Ahmadu Bello University (ABU), Zaria. Those interviewed were the representatives of civil society organisations. This diverse population was expected to be conversant with the operations and effectiveness or otherwise of the anti-corruption institutions. The details of the population and sample size for the questionnaire respondents were explicated in table 3.1 overleaf.

Table 3.1: Population and Sample Size of the Study

S/N	Institution/Organisation	Population	No. of Sample Respondents	Percentage
1.	Economic and Financial Crimes Commission (EFCC)	1,483	78	20.68
2.	Code of Conduct Bureau (CCB)	861	45	12.00
3.	Independent Corrupt Practices and other Related Offences Commission (ICPC)	571	30	7.96
4.	Federal Ministry of Justice	1,041	55	14.51
5.	Office of Auditor-General of the Federation	1,354	72	18.88
6.	Federal Radio Corporation of Nigeria, Kaduna (FRCN), Kaduna National Station	350	19	4.88
7.	Ahmadu Bello University, Zaria	1,513	80	21.09
	Total	**7,173**	**379**	**100.00**

Source: Researcher's Computation from the Records of Federal MDAs 2009

In determining the sample size of the population for the study, Yamane's (1967) formula as expressed by Israel (1992) was used thus;

$$n = \frac{N}{1 + \mathrm{N}(e)^2}$$

Where n = Sample size

N = Total population

e = Level of significance (95%)

$$\therefore \mathrm{n} = \frac{7173}{1 + 7173(0.05)^2}$$

$$= \frac{7173}{1 + 7173\,(0.0025)}$$

$$= \frac{7173}{1+17.9325}$$

$$= \frac{7173}{18.9325}$$

n = 378.872

n = 379 (approximately)

The sample size for the study was 379 respondents representing 5.28% of the total population of 7,173.

3.4 Sampling Technique

Since the population for the study was known, probability sampling technique was adopted. Specifically, stratified random sampling was used. For this purpose, the sample was stratified into seven, one to represent each of the institutions/organisations after which the questionnaire was administered randomly in each of the strata according to their percentages as in column 5 of table 3.1.

3.5 Sources of Data

Both primary and secondary sources of data were explored in the study. The primary sources consist of questionnaire and interview. The use of questionnaire was justified on the bases of its reliability, convenience, preserving anonymity and lower rate of reactivity. The questionnaire mainly consists of close ended questions for easier coding, tabulation and subsequent analyses. There

were two sets of questionnaires. One set was for the staff of anti-corruption institutions while the other was for staff of other Federal MDAs in the population of the study. (See Appendices 'A' & 'B').

The questionnaire was divided into Sections 'A' and 'B'. Section 'A' consists of questions relating to the respondents personal data such as; Gender; Age; Educational Qualification, Marital Status and Name of Organisation. Section 'B' of the questionnaire consists of questions relating to the hypotheses. Specifically, sub-section one(1) of this section relates to the relationship between the level of autonomy of the anti-corruption institutions and their level of effectiveness. Sub-section II relates to the hypothesis on the relationship between the level of corruption-reporting system in the Federal Public Service and its effect on the effectiveness of the anti-corruption institutions. Sub-section 'III' of the questionnaire relates to the hypothesis on the relationship between the enforcement of punishments for corruption offences and the effectiveness of anti-corruption institutions in the Federal Public Service (See Appendix 'A' and 'B' for Details). The use of interview was intended to complement the questionnaire. It also enabled the researcher enables the research probe further and make follow-up. See interview guide as appendix 'C'.

The secondary sources of data used in this study include Official Publications of Governmental and Non-Governmental Anti-Corruption Watchdogs such as TI, the EFCC, ICPC and CCB. Others include Journals, Newspapers,

Magazine, Unpublished Materials and the Internet. These secondary sources complemented the primary source.

3.6 Administration of Instruments

A total of 379 questionnaires were administered on the respondents as in table 3.1 with the aid of research assistants. The questions on the questionnaire were expected to elicit responses from the respondents on the effect of the rate of autonomy on the effectiveness of anti-corruption institutions. Others include the effect of transparency in the public service and enforcement of punishments for corruption offences on the effectiveness of Institutional mechanisms for fighting corruption in the Federal Public Service. The responses of the respondents were measured based on five point Likert scale of very high, high, low, very low, and undecided for the independent variables and very effective, effective, ineffective and very ineffective. Non-responses were also classified as undecided. See appendix 'A' and 'B' for details. The second was the use of telephone interview. Those interviewed are representatives of civil society organisations; the Centre for Democracy and Development, Human Rights Monitor, Zero Corruption Coalition, Civil Society and Advocacy Centre, and the African Centre for Leadership and Strategy.

The interview centred on assessing the effectiveness of the institutional mechanisms put in place for combating corruption in the Federal Public Service. The independent variables on which questions were asked were; autonomy of the

institutions, transparency in the Federal Public Service and the enforcement of punishments for corruption offences. See interview guide as appendix 'C' for details.

3.7 Method of Data Analysis

Both descriptive and inferential statistical tools of analyses were employed in this study. The descriptive tools include the use of frequency tables and simple percentages, in analysing and interpreting the data collected. The inferential statistical tool used for testing the hypotheses postulated was the chi-square distribution. It is one of the non-parametric tools of analysis.

It was used to compare an actual, observed distribution with a hypothesised or expected distribution. it is determined using the formula;

$$\chi^2 = \Sigma \frac{(O - E)^2}{E}$$

Where O = the observed frequency of any value; and

E = the expected frequency of any value

(Lucey, 1996; 97, Spiegel and Stephens, 1999; 261)

To calculate the expected frequencies, the formula $E = \frac{\Sigma R \, \Sigma C}{\Sigma G}$ was used where;

E = Expected Frequencies

ΣR = Rows Total

ΣC = Columns Total

ΣG = Grand Total

The χ^2 value obtained from the formula is compared with the table value (see appendix 'D') at 95% (0.05) level of significance (α) and a given degree of freedom v where v = multiplying the number of rows in the table less one, by the number of columns less one thus; v = (Row – 1) (Column – 1) (Lucey, 1996;58).

Decision Rule

The decision rule in using chi-square distribution for testing hypothesis is as follows;

(i) Accept Null Hypothesis (H_0) if calculated value is less than the critical value (table value) and reject the Alternative Hypothesis (H_1)

(ii) Accept Alternative Hypothesis (H_1) if calculated value is greater than critical value (table value) and reject the Null Hypothesis (H_0).

All the three Null Hypotheses are tested using the same method (χ^2)

CHAPTER FOUR

AN OVERVIEW OF THE ACTIVITIES OF THE ANTI-CORRUPTION INSTITUTIONS IN THE FEDERAL PUBLIC SERVICE

4.1 Introduction

This chapter overviewed the relevant provisions and activities of the CCB, EFCC, and ICPC in combating corruption in the Federal Public Service. Specifically, the chapter discussed the history, objectives as well as the powers and functions of the three anti-corruption institutions within 1999 – 2009. It also discussed the organisation structure and functions of the departments of the institutions. Others include the finances and staffing in the organisations as well as the offences and punishments for corruption offences. Nigeria's corruption rating using the Transparency International's Corruption Perceptions Index (CPI) from 1997 – 2009 was also presented and discussed in order to aid in determining the rate of effectiveness of the anti-corruption institutions.

4.2 The Independent Corrupt Practices and Other Related Offences Commission (ICPC)

4.2.1 A Brief Background of the ICPC

The ICPC was established vide the Independent Corrupt Practices and Other Related Offences Commission Act 2000 of June, 13th 2000. It was inaugurated on 29th September 2000. The anti-corruption agency has as its major

objective the prohibition and prescription of punishments for corrupt practices and other related offences.

In essence, the ICPC has as its mandate to banish Impunity for Corrupt Practices and Other Related Offences through; System Study, Education, Public Enlightenment and Public Mobilisation. The ICPC has the vision to be the foremost agent of change in the war against corruption and corrupt practices in the polity and thereby restore Nigeria to the enviable status or respectability, dignity and honour within the comity of nations. The organisation has as its mission to employ all available legal means to rid Nigeria of all forms of corruption and thus, promote transparency, probity, accountability and integrity in the Public and Private Life of all Nigerians (ICPC; 2007).

As provided in section 3(3) of the Act 2000, the commission consist of a chairman and initially had twelve members two of whom represent each of the six geo-political zones of the country. As from 2007 the members have been reduced to six. The membership is drawn from the following categories of persons as spelt out by the Act;

(i) A retired police officer not below the rank of commissioner of police;

(ii) A legal practitioner with at least ten years post-call experience;

(iii) A retired judge of a superior court of record;

(iv) A retired public servant not below the rank of a director;

(v) A woman;

(vi) A youth not being less than 21 or more than 30 years of age at the time of his or her appoint; and

(vii) A chartered accountant.

The act provides that the Chairman and members of the Commission who shall be persons of proven integrity, shall be appointed by the President upon confirmation by the senate and shall not begin to discharge their duties until they have declared their assets and liabilities as prescribed by the Constitution of the Federal Republic of Nigeria. The tenure of office for chairman is five years while that of the members is four years in the first instance.

The Act also provides for the position of a Secretary to the Commission who is to be appointed by the President. The Commission is granted the powers to appoint, deploy, discipline and determine the conditions of service of its staff. Section 3(14) of the Act enshrines the independence of the Commission by providing that "the Commission shall in the discharge of its functions under this Act, not be subject to the direction or control of any other person or authority.

4.2.2 Functions of the Commission

The ICPC operates under the general guidance and direction of the Chairman with powers to control, supervise and ensure the efficient and effective functioning of the Commission. The Chairman issues "Standing Orders" as provided in section 7(1) of the ICPC Act. The Act also empowers the secretary to the Commission under the General Direction of the Chairman, the responsibility for

keeping the records and the general day to day administration of the staff (ICPC; 2007).

The general duties of the ICPC are provided for in section 6 (a – f) of the ICPC Act, 2000. These are;

(a) To receive and investigate complaints from members of the public on allegations of corrupt practices and in appropriate cases, prosecute the offenders.

(b) To examine the practices, systems and procedures of public bodies and where such systems aid corruption, to direct and supervise their review.

(c) To instruct, advise and assist any officer, agency or parastatal on ways by which fraud or corruption may be eliminated or minimised by then.

(d) To advise heads of public bodies of any changes in practice, systems or procedures compatible with the effective discharge of the duties of public bodies to reduce the likelihood or incidence of bribery, corruption and related offences.

(e) To educate the public on and against bribery, corruption and related offences.

(f) To enlist and foster public support in combating corruption.

The duties of the commission as stated in a – f above can be classified into three major categories. These are;

(i) Enforcement Duties – Investigation and Prosecution 6(a);

(ii) Preventive Duties – Systems Study and Review, 6 (b – d); and

(iii) Public Education and Enlightenment, 6(e – f).

The enforcement mandate involves the receipt and investigation of complaints from members of the public on allegations of corrupt practices and in appropriate case, prosecution of the offenders. With respect to the prosecution of cases, section 61 (1 – 3) of the ICPC Act provides that every prosecution for offences under it shall be deemed to be done with the consent of the Attorney – General. Furthermore, it also provides that the Chief Judge of a State or the Federal Capital Territory shall designate a court or judge to hear and determine all cases arising under the Act. Presently, there are two such designated judges in each state of the Federation and the Federal Capital Territory.

The functions of the commission in the area of corruption prevention involves the study of systems, practices, and procedures of government institutions, parastatals, departments and ministries with a view of identifying corruption – prone areas and proffering remedial measures to help reduce the incidence of Corruption and Corrupt Practices. The enlightenment of the public on and against bribery, corruption and related offences as well as enlisting and fostering public support in combating corruption also form part of the commissions' functions. The Functions of the Commission as outlined above were further been Broadly Classified into Operational and Service Duties. The activities of the commission are presented under the various Departments and Units. As at 2007, the Commission had sixteen departments/units.

4.2.3 The Organisational Structure and Functions of the Departments/Unit of the ICPC

(a) Organisational Structure of the ICPC

The commission currently consist of the Chairman and six members. The ICPC consist of the commission and sixteen departments and units as at 2007. These are;

(i) Office of the Chairman

(ii) Investigations Department

(iii) Legal Prosecution Department

(iv) Planning, Research and Review department

(v) Public Enlightenment Department

(vi) Education Department

(vii) Finance and Accounts Department

(viii) Administration Department

(ix) Special Duties Department

(x) Chairman's Special Unit

(xi) Special Investigation Team (SIT)

(xii) Petition Registry

(xiii) Audit

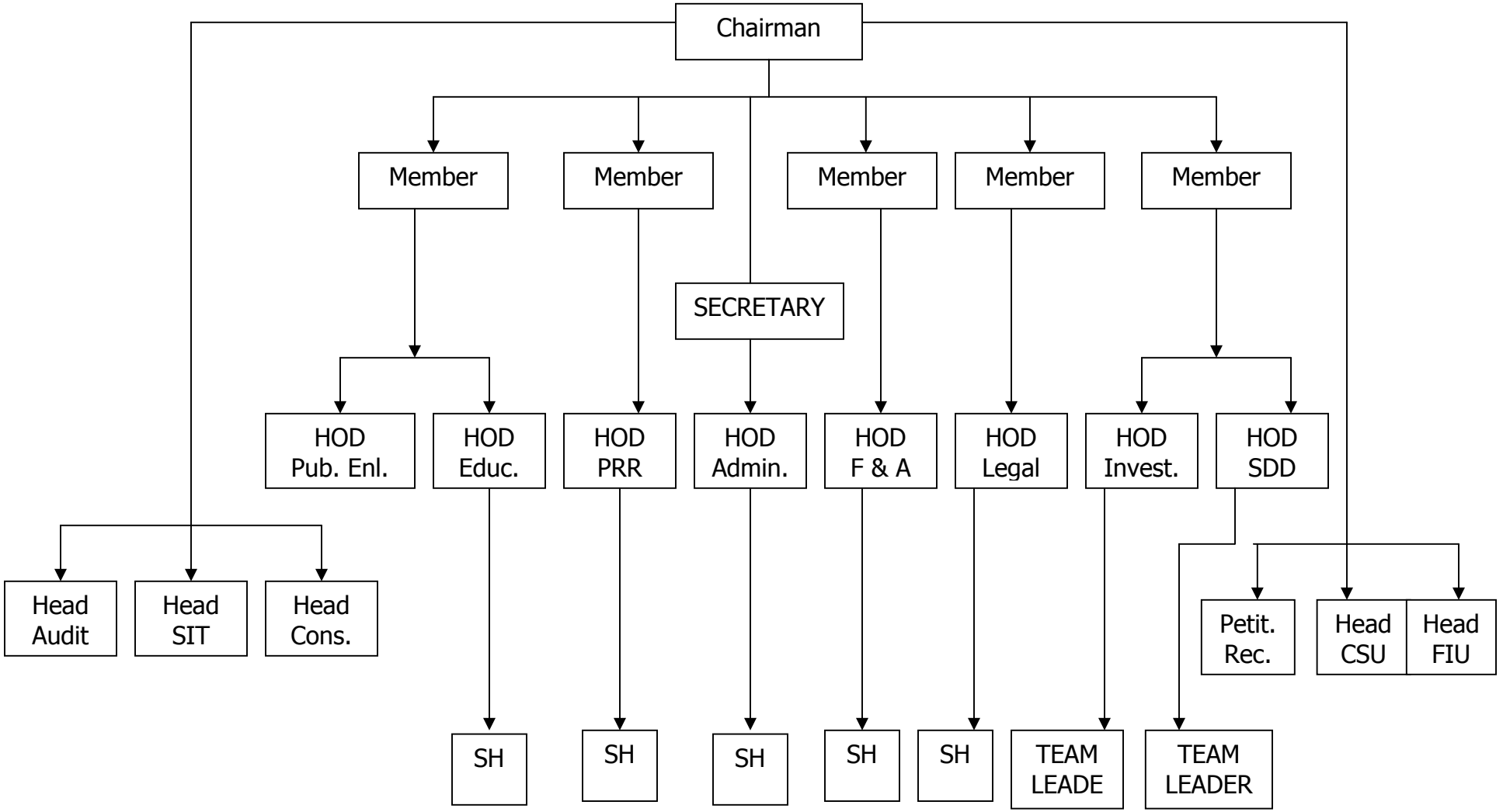
(xiv) Publications Unit

(xv) Financial Investigation Unit (FIU)

(xvi) Office of the Media Consultant (Media and Events).

The organogram of the ICPC is presented in figures 4.1, below:

Figure 4.1: Organogram of ICPC



Source; ICPC 2007 Annual Report p.9

(b) Functions of the Departments and Units

The operative activities of the commission are broadly categorised into three. These are; enforcement, prevention, public education and enlightenment, a group of departments/units are responsible for the discharge of each of these three major functions. Thus, the sub-functions of each of the departments/units are sub-sumed under each of the three major functions.

For instance, the enforcement duties are performed by the following departments/units;

- Investigation Department;
- Special Duties Department;
- Special Investigation Team (SIT);
- Legal Department; and
- Chairman's Unit.

The preventive activities are performed by the following departments/units;

- Planning, Research and Review (PRR) Department; and
- Research/System Review.

The Public Education and Enlightenment Activities are carried out by;

- Public Enlightenment Department; and
- Education Department.

The specific functions of the departments/units are briefly itemised below. Available data is also provided on the activities of each department/unit for the period available.

(i) Functions of the Investigation Department

Investigation is one of the major operational activities of the commission. Organs charged with the investigation activity are; the Investigation Department, the Special Duties Department (SDD), and the Financial Investigation Unit (FIU). These are currently carried out under the general guidance of an Hon. Member of the Commission, AIG, Rose Abang – Wushishi (Rtd).

The functions of the department include;

- Investigation of allegations of corruption and other related matters.
- Investigation of assets of public officers who seem to have acquired assets disproportionate with their incomes as part of investigation activities.
- Gathering intelligence on corrupt practices and other related offences.
- Carrying out sting operations on corruption and corrupt demand cases.
- Collection, collation and treating exhibits in line with the evidence Act.
- Giving evidence in court.
- An analysis of the activities of the department from 2001 – 2007 are presented in the table below.

Table 4.1; Analysis of Investigation of Cases by the Investigation Department of the ICPC (2001 – 2007)

Year	Cases Referred	Cases Fully Investigated	Percentage	Cases under Investigation	Percentage	Cases Rejected for Lack of Jurisdiction	Percentage
2001	20	11	55.0	9	45.0	0	0.00
2002	155	11	7.1	117	75.48	27	17.41
2003	308	10	3.25	211	68.51	87	28.24
2004	226	0	0.00	207	91.59	19	8.41
2005	79	0	0.00	74	93.67	5	6.33
2006	234	160	68.38	74	31.32	0	0.00
2007	147	82	55.78	51	34.69	14	9.52
Total	**1,169**	**274**	**23.44**	**743**	**63.56**	**152**	**13.00**

Source; Adapted from ICPC Annual Reports, 2006 and 2007 p.14 and 16 respectively

For the period 2001 – 2007, a total of 1,169 cases were referred to the investigation department out of which only 274 representing 23.44% were fully investigated. However a total of 743 cases representing 63.56% were not fully investigated at the end of their respective years. A total of 152 cases representing 13.00% were rejected for lack of jurisdiction.

The data thus indicates that, the majority of the cases referred to the investigation department were not fully investigated in time especially in 2004 and 2005. However, in 2006, 68.38% of the cases referred to the department were fully investigated. Only 31.32 were still under investigation. This represents a tremendous improvement in the activities of the department. See table 4.1 above for detailed analysis. It is however interesting to know that the department recovered the sums of N9,484,230 and N118,125,032.14 in 2007 and 2006 respectively (ICPC, 2007:17).

(ii) Functions of the Special Duties Department (SDD)

The Special Duties Department was created and designated as such in December 2001 in line with section 6(a) of the ICPC Act, 2000. The Department is saddled with the following responsibilities;

- To investigate all petitions received by the commission as directed by the honourable chairman
- To provide timely intelligence on person(s)/activities and/or acts within the commission that may be inimical to the ideals/philosophy of the commission and bring such to the attention of the commission
- To complement in providing physical security in the commission, in liaison with the commission's internal security arrangement
- Executing sting operations on corrupt public officials/personnel
- Assisting the prosecution department in litigation processes
- Continuous surveillance, performance rating, command and control of security lapses/breaches in the commission.

A summary of petitions referred to the department for investigation is as presented in table 4.2 overleaf.

Table 4.2; Analysis of Petition Investigated by SDD (2002 – 2007)

Year	Cases Referred	Cases Fully Investigated	Percentage	Cases under Investigation	Percentage	Cases Rejected for Lack of Jurisdiction	Percentage
2002	30	8	26.7	22	73.3	0	0.00
2003	131	7	5.34	124	94.66	0	0.00
2004	88	9	10.23	76	86.36	3	3.41
2005	111	11	9.91	100	90.10	-	0.00
2006	176	119	67.60	57	32.39	-	0.00
2007	124	70	56.45	54	43.55	0	0.00
Total	**660**	**224**	**33.94**	**433**	**67.10**	**3**	**0.45**

Source; Adapted from ICPC Progress Report 2000 – 2005 and Annual Report for 2006 and 2007

The data in table 4.2 above shows that, a total of 660 cases were referred to the SDD for investigation between 2002 and 2007. Out of this total, 224 cases representing only 33.94% were fully investigated within the period. However, a total of 433 cases, representing 67.10% were not fully investigated within the same period. Only three cases representing 0.45% were rejected due to lack of jurisdiction.

Detailed analyses indicates that the number of cases that were fully investigated were lowest in 2003, 2005, and 2004 with 5.34%, 9.91% and 10.23% respectively. Thus, these years recorded the highest number of cases that were not fully investigated by the SDD with 94.66%, 90.10%, and 86.36% for 2003, 2005, and 2004 respectively. However, an appreciable number of cases were fully investigated by the department in 2006 recording 67.60% as against 32.93% that were not fully investigated. In summary, the number of cases that were fully investigated by the SDD (28.73%) was far below those that were not fully investigated (70.71%).

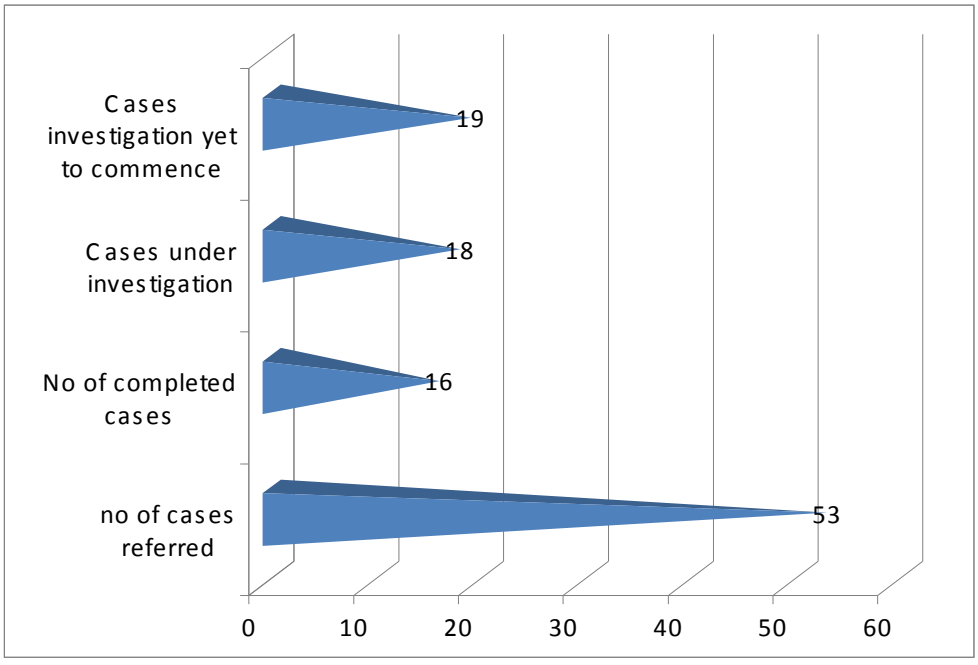
(iii) Functions of the Special Investigation Team (SIT)

The Special Investigation Team (SIT) which was established as a unit in July 2006 but which commenced operations in August, 2006 also carries out investigations. Specifically, the unit;

- Draws up investigation strategies as well as carry out fast track investigation of cases;
- As the cases proceed to court, the investigators also arrest and present suspects for arraignment and summon witnesses;
- The prosecuting lawyers in the file and prosecute the matters.

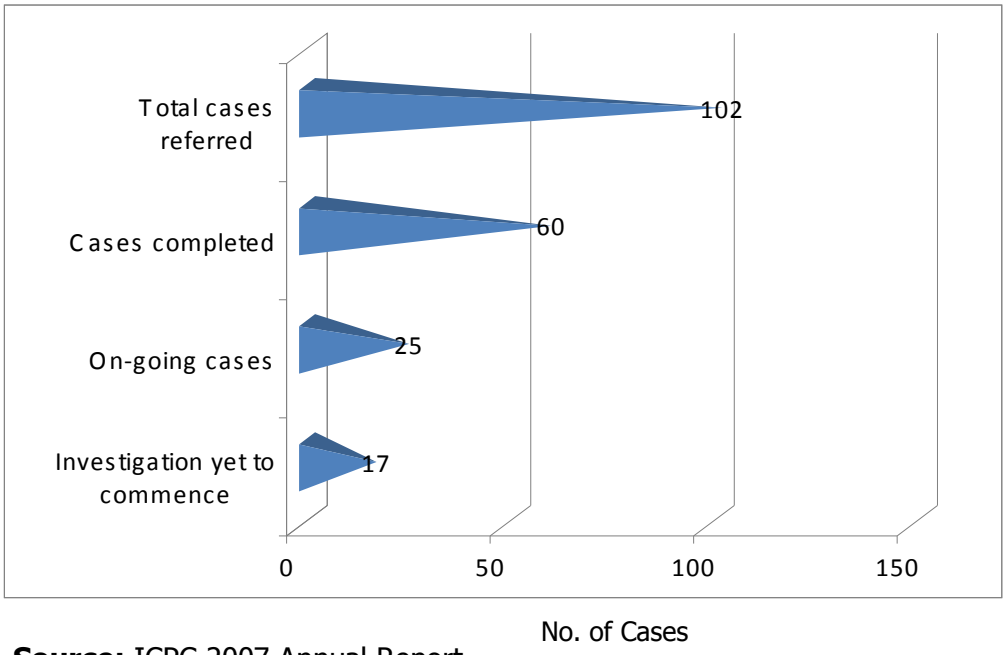
For the period August – 23rd December, 2006, a total of fifty three (53) cases were assigned to the unit. The summary of the case being handled by the unit in 2006 and 2007 are presented in figure 4.2 and 4.3 below and overleaf respectively.

Figure 4.2; Trend of Activities of the SIT in 2006



Source: ICPC Annual Report 2006, P. 20

Figure 4.3; Trend of Activities of the SIT in 2007



Source: ICPC 2007 Annual Report

As indicated in the figure 4.2 above, a total of fifty three (53) cases were referred to the unit. Out of this total, sixteen cases representing 33.96% were still under investigation while the investigation of nineteen cases representing 35.85% was yet to commence. This thus indicates that even though the unit was established in the second half of 2006, it was able to fully investigate 30.19% of the cases while another 33.96% was under investigation. Figure 4.3 shows that in 2007, a total of 102 cases were referred to the unit. Out of this total 60 cases representing 58.82% were completed, 25 cases representing 24.50% are still ongoing and seventeen (17) cases representing 16.67% is yet to commence. This has been diagrammatically presented in figure 4.3.

(iv) The Financial Investigation Unit (FIU)

Head by a seasoned Accountant Mr. Odesomi, the Financial Investigations Unit (FIU) had a total of Forty-Four (44) Petitions referred to it within the period under review. A large percentage of these referrals were requested for Financial Investigative Opinions from other investigating units of the Commission. The FIU which is headed by a seasonal accountant also receives petition referred to it. It provides financial investigative opinions to other investigating units of the commission.

(v) Functions of the Legal Department

The commission derives its prosecutional mandates from section 6(a) of the ICPC Act, 2000. The functions of the prosecution department include;

- Initiation and prosecution of all criminal matters
- Institution and defence of civil matters
- Rendering of legal advice
- Drafting and vetting of agreements
- Presentation of papers on issues relating to the ICPC Act and corruption in general
- In-house training and capacity building for officers in the departments and investigators in the commission.

The trend of criminal cases filed by the commission from 2001 – 2006 is presented in table 4.3 overleaf.

Table 4.3; Trend of Criminal Cases Filed by the ICPC (2001 – 2007)

Years	Number of Case Filed	Judgement in Favour
2001	4	-
2002	10	-
2003	14	-
2004	13	-
2005	11	-
2006	39	0
2007	51	7
Total	**142**	**7**

Source; Adapted from ICPC Annual Report 2006, and 2007

The data in table 4.3 above indicates that a total of one hundred and forty two cases were filed by the legal department within 2001 – 2007. As high as, 27.46% and 35.92% of the cases were filed in 2006 and 2007 respectively. Although, the data on the judgements in favour of the commission were incomplete, the commission won seven (7) of the thirty nine (39) cases filed by it in 2007 as against zero for 2006.

(vi) Functions of the Chairman's Unit

The units mandate is purely to perform tasks as may be assigned and directed by the chairman. Specifically, the unit performs the following functions;

- Renders legal opinion on investigation of petitions
- Prosecution of cases
- Guide investigators in the course of their investigation activities.

Data on the activities of this unit is very scanty. Only 2006 data is available. The unit considered 420 petitions in 2006 alone.

(vii) Planning Research and Review (PRR) Department (System Review Section)

The preventive strategies for combating corruption are encapsulated in the activities of the systems study and review section as well as the research and statistics section of the planning, research and review department. The Planning, Research and Review (PRR) department is responsible for the systems review function. The most important function of the section is the system study visits to ministries and parastatals and the establishment of Anti-Corruption and Transparency Monitoring Units (ACTUs) in those organisations.

The decision to create ACTUS in all government ministries and prastatals was given effect by the Federal Executive Council vide Circular No. OHCSF/MSO/192/94 of 2nd October, 2001. The Standing Order for the Operations of the ACTUs in Ministries and Departments and Institutions (MDAs) is provided for as appendix 'E'.

Also, the activities of the PRR department in terms of the number ACTUS established and the conduct of system study visits to MDAs between 2002 – 2007 are presented in table 4.4 overleaf.

Table 4.4; Number of ACTUs Inaugurated and Systems Study Reviews Conducted in MDAs (2002 – 2007)

Years	No. of ACTUS Inaugurated	No. of Systems Study Review Exercises Conducted
2002	31	15
2003	45	15
2004	6	13
2005	8	10
2006	23	11
2007	21	1
Total	**134**	**65**

Source; Adapted from ICPC Annual Report 2006, and ICPC Progress Report, September 2007, and ICPC Progress Report, September, 2000 – July, 2005

As indicated in table 4.4 above, the PRR Department Inaugurated Anti-Corruption and Transparency Monitoring Units (ACTUs) in 134 Federal Ministreis, Departments, and Institutions (MDAs) between 2002 – 2007. It also conducted system study reviews in 65 MDAs within the same period to ensuring adherence to procedures and systems in these organisations.

In the course of the systems study exercises, certain lapses were identified. For instance, throughout the visits and interactive in 2002, the issue of inadequate funding arising from the unscientific budgetary procedure adopted, epileptic and uncoordinated releases of funds without due regard to the seasonality of the institutions' programmes was raised by all MDAs. (ICPC 2005)

Similarly, it was also discovered that, when funds were released, they had no relationship with the amount approved and were not accompanied by cash backing. Consequently, it was not possible to put in place a proper plan and even where there was already one, its execution could not be reasonably guaranteed

due to the lack of funds or late release of funds. Salaries, allowances, and other entitlements were not paid when due. The non-release of funds for overhead costs invariably resulted in idle workers who were ready to work but did not have the materials to work with. In a few cases, institutions owed huge bills on NEPA, NITEL, and Water Board Charges. (ICPC, 2005)

A system study for the Federal Immigration Service Headquarters, helped ICPC to facilitate the payment of arrears of staff salaries/allowances and contractors' charges being unnecessarily delayed. Similar problems were pursued in the Federal Ministry of Agriculture and the Federal Prisons Service (ICPC, 2005).

In the year 2003, employing its systems review as a means of checkmating corruption, the ICPC undertook review practices and monitored public sector institutions for tax compliance. This was initiated by the Federal Inland Revenue Service (FIRS). Over Three Billion Naira un-remitted tax return was recovered into government coffers from eleven of the institutions monitored (ICPC; 2005).

The specific operational functions of the department include;

- To examine practices, systems and procedures of public bodies and where in the opinion of the commission, such practices, systems or procedure and or facilitate fraud or corruption, to direct and supervise a review of them;
- To instruct, advise and assist any officer, agency or parastatals on ways by which fraud or corruption may be eliminated or minimised by such officer, agency or parastatal; and

- To advice heads of public bodies of any changes in practices, systems or procedure compatible with the effective discharge of the duties of the public bodies as the commission deems fit to reduce the likelihood of incidence of bribery, corruption and related offences.

The Research and Statistics Section of the Department carries out the following functions;

- Research works;
- Perception and attitudinal survey on corruption
- Research on admission fraud and examination malpractices in Nigeria
- Data collection collation and analyses to provide useful statistical information; and
- Provide data to both individuals and organisations for research purposes.

(viii) Functions of the Public Enlightenment Department

The Public Education and Enlightenment activities as provided for in section 6(e) and 6(f) of the ICPC Act 2000 are carried out by the Public Enlightenment and Education Departments. The specific functions of the Public Enlightenment Department are;

- Keeps tract of News and Programmes on electronic media, as well as writes stories and comments on newspapers, magazines etc
- It also produces all radio and television programmes as well as jingles for the commission

- It maintain liaison mainly with the media and relevant professional bodies such as the Federal union of journalists, the Nigeria Guild of Editors, etc.

It also has the responsibility of monitoring and upgrading of the commission's website.

(ix) Functions of Education Department

Section 6(a and c) of the ICPC Act 2000 Mandate the Commission to also educate the public on the ills of corruption. The Education Department discharges those responsibilities through its core units of;

- Rallies, clubs and audio – visuals;
- Research and editorials; and
- Workshop and seminars.

The activities of the twin Departments of Public Enlightenment and Education are presented in table 4.5 overleaf.

Table 4.5; Number of Activities of Public Enlightenment and Education Departments (2001 – 2006)

Year	Sensitisation Seminars/Workshops	Radio and Television Programmes	Front Media Review Rejoinders & Press Releases	Community Partnership	Youth Development Programme	Educational Publications	Paper Presentations
2001	1	1	1	-	-	-	3
2002	3	5	10	1	-	-	15
2003	1	60(Days)	17	1	9	2	20
2004	-	91(Days)	8	6	16	3	32
2005	-	120(Days)	25	9	16	3	37
2006	9	-	77	83	4	2	31
Total	**14**	**277**	**138**	**100**	**34**	**10**	**138**

Source; Adapted from ICPC Progress Report 2000 – July, 2005 and ICPC Annual Report for 2006

From the data (2001 – 2006) in table 4.5 in the previous page, the Public Enlightenment and Education Departments embarked on sensitisation activities comprising of seminars and workshops. Others include; Radio and Television Programmes; Review, Rejoinders and Press Releases through the Print Media; Community Partnership, Youth Development Programmes, Educational Publications; and Paper Presentations at relevant fora.

Fourteen seminars and workshops were organised by the departments between 2001 and 2006 as part of their sensitisation efforts. Different Radio and Television Programmes were also embarked upon in the form of drama series, jingles and other programmes. These programmes were aired for 60, 91 and 120 days in 2003, 2004 and 2005 respectively. The departments also made use of the print media to enlighten and educate the public through Reviews, Rejoinders and Press Releases. A total of 138 of such education and enlightenment activities were undertaken for the period 2001 – 2006.

The commission partners with Non-Governmental and Community Based Organisations (NGNOs and CBOs) by receiving proposal from them and offering them technical expertise as well as financial and logistic assistance on corrupted related activities. For the period 2001 – 2006, the ICPC partnered with 100 of such organisations. These inter – alia include; Child Education and Crime Eradication Foundation and the Examination Ethics Projects.

The ICPC through the Public Enlightenment and Education Departments engaged in Youth Development programmes. These were aimed at sensitising and

mobilising the youth to serve as vanguards of the anti-corruption crusade. The targeted Youth Organisations include National Youth Corp Members during their orientation at the camps across the federation; establishment of Anti-Corruption Vanguard in Tertiary Institutions; and Anti-Corruption Clubs in Secondary Schools. For the period 2001 – 2006, thirty four of such organisations were visited. This is however, inadequate considering the number of educational institutions in Nigeria.

The commission also publishes educational materials. These materials were meant to foster the dissemination of authentic information on ICPC and contribute positively to ethics – related issues. For the period 2001 – 2006, only ten of such publications were made. The Commission however, fared better in terms of paper presentations made at different fora. These were made to ensure adequate sensitisation of the public on the anti-corruption crusade and the need for moral re-generation. A total of 138 papers were presented by the Commission for the period 2001 – 2006. The Commission's Website *www.icpcnigeria.com* which is intended to serve as its window to the outside world has however, been found to be scanty and epileptic.

The nine departments/sections identified above, are the operative – departments/sections of the Commission. The remaining departments/sections identified and discussed below are the Administrative Support Services. These consist of; Departments of Administration; Planning Research and Review; Finance and Accounts; and the Petition Registry Section.

(x) Functions of the Department of Administration

The Department of Administration which consist of the General Administration and Personnel Sections is principally a service department saddled with the following activities;

- Ensuring that, the commission's human and material resources are effectively applied and monitored for optional achievement of the commission's corporate objective.
- Responsible for the day to day administration of the commission and the implementation of the commission's decisions as it relates to employment, staff training and discipline.
- Management of the physical assets of the commission as well as ensuring the implementation of the staff welfare policy guidelines of the commission as modified from time to time.

(xi) Functions of the Planning, Research, and Review (PRR) Department (Planning and Research Section)

- Serving as the commission's secretariat
- Preparing and implementation of the capital budget of the commission
- Registration of contractors and consultants to the commission
- Serving as the tender's Board and Ministerial Due Process Team Secretariat
- Preparation of the Commission's Rolling Plan and Policy Trust
- Preparation of the Commission's Action Plan

- Co-ordination of the Tender process and Procurement of Capital Items for the Commission.

(xii) Functions of the Finance and Accounts Services Department

The Commission's Finance and Accounts Department has the mandate to ensure that, all the commission's financial needs are budgeted for, relevant approval sought and prudently allocated in line with standard accounting principles and the Federal Government's Financial Regulations and extant rules. It also receives and makes payments on behalf of the commission as the custodian of its finances. In fulfilment of its mandate, it specifically performs the following activities;

- Expenditure control of the commission
- Preparation of statement of expenditure and balances on weekly/monthly basis
- Maintenance of the vote book
- Preparation of salaries, pay advices, salary advances, overtime and salary variation items for each month among others.

(xiii) Functions/Activities of the Petitions Registry Unit

The Petition Registry as a unit under the Chairman's Office has the duty of receiving petitions and assigning them as directed by the chairman to the relevant Departments and Units (Icpc; 2006). The analysis of petitions received by the unit between 2001 – 2006 are presented in table 4.6 overleaf.

Table 4.6; Analysis of Petitions Received by the Petition Registry Unit (2002 – 2007)

Years	Number of Petitions received
2002	264
2003	365
2004	367
2005	451
2006	399
2007	777
Total	**3,375**

Source; Adapted from ICPC Annual Report 2006, and 2007

The table above indicates that the Petitions Unit received a total of 3375 petitions for the period 2002 – 2007. These were distributed to the relevant departments/units. The trend has been an increase in the number of petitions received over the years except for 2006. This has been made-up by the 777 petitions in 2007. It is important to note that, the 3375 petition received within the period were those directly addressed to the commission. Other miscellaneous petitions copied to Chairman through other institutions were also received. A total of 297 of such petitions were received in 2007 alone.

(xiv) The Functions/Activities of the Internal Audit Unit

"The mandate of the Internal Audit Unit is to provide a comprehensive and continuous audit of the Accounts and Records of the Commission and to carry out Management Audit" (ICPC; 2006; 40). The activities of the unit include the following;

- Examination of Accounting Records to ascertain compliance to Internal Controls

- Development of Audit Mechanism/Programmes to tackle emergency situations as they arise
- Carry out investigations on areas where irregularities are suspected
- Supervise and confirm payment vouchers for contractors and staff claims
- Confirmation of the authenticity of retired advances and loans used for various official purposes
- Checking and confirmation of payment of salaries for the commission's workforce.

4.2.4 Staff Strength of the ICPC

The availability of adequate manpower to carry out the mandate of the commission is very imperative. The commission at inception commenced operations with a limited number of staff seconded from the office of the Head of the Civil Service of the Federation, the Police, the Federal Ministry of Justice, the defunct Petroleum (Special) Trust Fund (PTF), the defunct Family Economic Advancement Programme (FEAP) and Federal Urban Mass Transit Authority (FUMTA). However, over the years, the number of staff increased steadily in response to increasing demand. As at 2008, the commission had a total of 571 staff. The trend in Staff Strength of the commission from 2001 – 2006 is presented in table 4.7 overleaf.

Table 4.7; ICPCs Staff Strength (2001 – 2008)

Years	Number of Staff
2001	137
2002	261
2003	293
2004	294
2005	271 * (as at July 2005)
2006	373
2007	505
2008	571
Total	

Source; Adapted from ICPC Progress Report, September 2000 – July, 2005 and ICPC Annual Report, 2006 and Telephone Inquiry

The table above shows the total staff strength of the ICPC (core and seconded) between 2001 – 2007. As at 2001, the Commission had Forty Nine (49) Junior Staff, Sixty Nine Senior Staff, Six (6) Management Staff and Thirteen (13) Honourable Members. The increase in staff has been very sluggish except for 2006 and 2007 when the ICPC had 373 and 505 staff respectively. The year 2008 also received a slight increase in staff strength from 505 in 2007 to 571 in 2008.

4.2.5 Funding of the ICPC

Adequate funding of the ICPC is necessary if it is to effectively discharge its mandate. The commission is solely funded by the Federal Government. The Revenue and Expenditure Analysis of the Commission is presented in table 4.8 overleaf.

Table 4.8; Revenue and Expenditure Analysis of the ICPC (2000 - 2005)

Year	Budgetary Proposal (N)	Budgetary Approval (N)	Funds Received (N)	Funds Spent (N)	Balance (N)	Remarks
2000	563,973,468.30	100,000,000.00	100,000,000.00	100,000,000.00	Ni	Take-off Grant
2001						
Capital	772,800,000.00	350,000,000.00	350,000,000.00	350,000,000.00	Nil	
Recurrent Personnel	1,201,251,000.11	550,000,000.00	412,500,000.00	412,500,000.00	Nil	
Recurrent Overhead	583,903,030.00	200,000,000.00	200,000,000.00	167,979,164.55	*32,020,835.45*	Returned to Treasury
Consolidated	-	30,000,000.00	27,500,000.000	27,500,000.00	Nil	
2002						
Capital	4,931,000.000.00	1,000,000,000.00	Nil	Nil	Nil	
Recurrent Personnel	1,027,822,844.83	150,000,000.00	137,500,000.00	86,731,640.65	50,768,359.35*	Returned to Treasury
Recurrent Overhead	3,068,000,000.00	330,000.000.00	247,500,000.00	247,492,583.50	7,416.50	Returned to Treasury
Consolidated	-	30,000,000.00	30,000,000.00	30,000,000.00		
2003						
Capital	1,000,000,000.00	124,000,000.00	Nil	Nil	Nil	
Recurrent Personnel	298,543,910.00	200,000,000.00	182,500,000.00	157,120,569.46	25,379,429.54	Returned to Treasury

Table 4.8 Continue

Year	Budgetary Proposal (N)	Budgetary Approval (N)	Funds Received (N)	Funds Spent (N)	Balance (N)	Remarks
Recurrent Overhead	353,000,000.00	198,000,000,00	200,333,333.33	200,333,333.33	Nil	
Consolidated	-	30,000,000.00	27,500,000.00	27,500,000.00	Nil	
2004						
Capital	205,945,446.50	100,000,000.00	100,000,000.00	99,981,150.1	18,849.99	
Recurrent Personnel	280,672,160.60	210,263,711.00	209,197,046.00	209,197,046.00	0.00	
Recurrent Overhead	456,837,800.00	187,500,000.00	187,500,000.00	187,492,175.68	7,824.32	
Total	943,455,407.10	497,763,711.00	496,697,046.00	496,670371.69	26,674.31	
2005 - January May						
Capital	450,085,636.00	450,000,000.00	112,500,000.00	112,500,000.00	337,550,000.00*	
Recurrent Personnel	405,404,248.35	282,483,088.00	66,551,143.39	66,551,143.39	215,931,944.61*	
Recurrent Overhead	352,032,892.86	351,278,660.00	82,755,720.00	82,755,720.00	268,522,940.l00*	
Total	**1,207,522,77.21**	**1,083,761,748.00**	**261,806,863,39**	**261,806,863,39**	**821,954,884.61**	

Source; ICPC, Progress Report; September 2000 – July, 2005

As shown in table 4.8 overleaf, there have been wide gaps between budgetary proposals and approvals and most importantly actual funds released in the commission's financial profile. For instance, ₦563.9m was the take-off budgetary proposal in the year 2000, however, only N1m representing only 17.73 was approved and released.

The trend did not change in 2001 where out of a proposed capital budget of N772.8m, only N35.0 million representing 45.29% was actually approved and released. This was similar to the recurrent personnel budget where out of N1.2 billin proposed, only N550.0 million representing 45.79% was actually approved and released. For the recurrent overhead budget, the sum of N583,9 million was proposed but only N200.0 million was approved and released.

The proposed capital budget of the commission for 2002 was N4.9 billion but, only N1.0 billion was approved and no amount was released at all. The sum of N1.02 billion was proposed as Recurrent Personnel Budget. However, only N150.0 million representing 14.59% was approved and only 91.67% of the funds for the approved budget were actually released. The situation was not better for the Recurrent Overhead budget for the same year. Of the N3.1 billion proposed for recurrent overhead only N330.0 million representing 10.76% was approved and only 75.0% of the approved sum was actually released. In 2003, the sum of N1.0 billion was proposed for capital expenditure out of which only N124.0 million naira was approved. However, no amount was released. As for the Recurrent Personnel Budget, the sum of N298.5 million was proposed. But only N200.0

million representing only 67.0% was approved out of which N182.5 million representing 91.25% was actually released. The commission's attempt at establishing more state offices and employing more staff could not be actualised because of the inadequate funding of the capital and recurrent budgets especially in 2002 and 2003 (ICPC, 2005).

The total proposed budget of the commission for 2004 was N943.5 million. However, only N497.8 million representing 52.76% was approved and 99.79% of the sum was actually released. For between January – May 2005, the sum of N1.2 billion was proposed out of which N1.08 (89.75%) was approved but, only N261.8 million representing 24.16% was actually released.

4.2.6 Offences and Punishments

Part Three (3) Sections 8 – 26 of the ICPC Act, 2000 provides for offences and their penalties. These were presented in table 4.9 overleaf.

Table 4.9; Offences and Punishments

S/N	Offences	Punishments
1	Accepting gratification by an official	Seven (7) years imprisonment
2	Giving or accepting gratification through an agent	Seven (7) years imprisonment
3	Corrupt Offers to Public Officers	Seven years imprisonment
4	Corrupt demand by persons	Seven years imprisonment
5	Fraudulent acquisition of property	Seven years imprisonment
6	Fraudulent receipt of property	Three (3) years imprisonment
7	Fraudulent receipt of postal matter, chattel	Seven (7) years imprisonment
8	Deliberate frustration of investigation by the commission	Seven years imprisonment
9	Making false statements or returns in respect of money property recovered	Seven years imprisonment
10	Gratification by and through agents	Five (5) years imprisonment
11	Bribery of public officers in relation to voting or performance of duty	Five years imprisonment with hard labour
12	Using office or position to gratify or confer unfair advantage or associate	Five years imprisonment without option of fine.
13	Bribery in relation to auctions	Three years imprisonment
14	Inflation of the prices of goods and services	seven years imprisonment and a fine of N1m
15	Award of contract without budget provision	Three years imprisonment and a fine of N100,000
16	Transferring money from one vote to another (virement)	One year imprisonment or N50,000 fine
17	Failure to report bribery transaction	Two years imprisonment and/or N100,000 fine
18	Dealing with, using, holding, receiving or concealing gratification	Five years imprisonment
19	Making false statements to the commission	Two years imprisonment or N100,000 fine
20	Wilfully making false petitions (section 64(3))	Ten years imprisonment and N100,000 five

Source; ICPC Annual Report, 2006 p. 48

The punishments stipulated for the different offences will forever remain elusive if the offences are not timely reported, investigated, prosecuted and enforced. The punishments for the various offences are also light when compared to punishment for similar offences in countries such as Korea China and Arabia that may attract execution.

4.2.7 State Offices

With the zeal to take the battle against corruption to the grassroots, the commission has established state offices to decentralise its activities. As at 2006, the ICPC had six offices. Additional eight offices were established in 2007 to decentralise its activities, thus bringing the total of the ICPC state offices to fourteen (14) as at 2007 (ICPC; 2007).

The operational duties of the state offices include; prosecution of cases in courts; sensitisation of the populace on corruption; visits and interaction with members of the ACTUS, the National Anti-Corruption Volunteer Corps (NAVC) as well as delivery of papers on corruption and related issues within their domain.

4.2.8 Problems of the ICPC

- Inadequate funding to adequately establish itself in Abuja and the Thirty Six State Capitals and for the prosecution and investigation of cases
- Slow phase in the trial of suspects
- Much emphasy is given to corruption at higher levels to the neglect of grassroots corruption

- Inadequate mobilisation, integration and participation of the citizenry in the fight against corruption by the ICPC.

4.3 The Code of Conduct Bureau and Code of Conduct Tribunal

4.3.1 Brief Background to the Code of Conduct Bureau (CCB) and Code of Conduct Tribunal (CCT)

The Code of Conduct Bureau and Tribunal are twin institutions established as extra-ministerial departments by the Federal Government under the Code of Conduct Bureau and Tribunal Act Cap 56, LFN 1990 to enforce the Code of Conduct for Public Officers as enshrined in part one of the fifth schedule of the constitution of the Federal Republic of Nigeria, 1999 (Bello – Imam; 2005). The origin of the twin institutions is traceable to the fifth schedule, part one of the 1979 constitution in the Second Republic. Earlier, the Military Administration of Late General Murtala Muhammed/Obasanjo inaugurated a board headed by Late Alhaji Isa Kaita before the termination of the regime in 1979. The National Assembly could not pass the enabling bill into law before the demise of the Second Republic in 1983.

The Code of Conduct Bureau (CCB) and Tribunal were resuscitated through decree No. 1 of 1989 to give legal backing to the organisation. In 1999, the extant constitution affirmed the position of both the Code of Conduct Bureau and Tribunal and enshrined it in the constitution. The Code of Conduct Bureau and the Tribunal through established by the same law are two autonomous institutions

that operate independently with clearly defined but complementary roles. While the CCB administers assets declarations and investigates complaints of the breaches of the Code, the Tribunal, adjudicates on the cases sent to it by the Bureau. Such cases are prosecuted by the office of the Attorney – General of the Federation through its Officers posted to the Bureau (CCB; 2007). Part 1 Section 3 of the Code of Conduct Bureau Act provides for the aims and objectives of the bureau thus:

> The aims and objectives of the Bureau shall be to establish and maintain a high standard of morality in the conduct of government business and to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability.

4.3.2 The Composition and Powers of the Code of Conduct Bureau

Section 153 (1a) of the constitution of the Federal Republic of Nigeria 1999 provides for the establishment of the Code of Conduct Bureau as one of the Federal Executive Bodies. The composition and powers of the Bureau have also been provided for in the Third Schedule, Part 1(A) (1 – 3) of the constitution.

The Code of Conduct Bureau shall comprise of a chairman and nine other members each of whom at the time of appointment shall not be less than fifty years of age and subject to section 157 of the constitution shall vacate his office on attaining the age of seventy years. For effective national coverage, the constitution also provides that, the Bureau shall establish such offices in each

state of the Federation as it may require for the discharge of its functions under the constitution.

Section 3(a – g) specifically stipulated the powers/functions of the bureau as to;

(a) receive declaration by public officer under paragraph 12 of part 1 of the fifth schedule to the constitution;

(b) examine the declarations in accordance with the requirements of the Code of Conduct or any law;

(c) retain custody of such declarations and make them available for inspection by any citizen of Nigeria on such terms and conditions as the National Assembly may prescribe;

(d) ensure compliance with and, where appropriate, enforce the provisions of the Code of Conduct or any law in relation thereto, investigate the complaint and, where appropriate, refer such matter to the Code of Conduct Tribunal;

(e) appoint, promote, dismiss and exercise disciplinary control over the staff of the Code of Conduct Bureau in accordance with the provisions of an Act of the National Assembly enacted in that behalf; and

(f) carry out such other functions as may be conferred upon it by the National Assembly.

Although, it is required to that the bureau should have offices in the Thirty Six (36) states of the Federation and the Federal Capital Territory (FCT) in

addition to its national headquarters, a staff strength of 813 is grossly inadequate to effectively discharge the responsibilities of the bureau in the country (Bello – Imam; 2005).

In addition, the provision in section 3(C) of Part 1 of the Third schedule to the constitution that, the bureau can make available to citizens, the declarations made by Public Servants on such terms and conditions as the National Assembly may prescribe is not explicit enough. This is because, such terms and conditions still remain unknown to the citizens. Corrupt public officers especially political office holders therefore, exploit this lucana to either under-declare their assets after leaving office or over-declare their assets before taking up public office. This is because public declaration of assets by public officers has not been explicitly made compulsory. Thus, citizens are denied relevant information to petition violations of the Code of ethics for Public Servants (Falana; 2007).

4.3.3 The Composition and Powers of the Code of Conduct Tribunal

The Fifth schedule, Part 1, Section 15 – 18 provides for the establishment, composition and powers of the Code of Conduct Tribunal. Section 15 of the Fifth schedule provides that, "There shall be established a tribunal to be known as Code of Conduct Tribunal which shall consist of a chairman and two other persons." Section 15(2) also requires that, the Chairman of the Tribunal shall be a person who has held or is qualified to hold office as a judge of superior court of record in Nigeria as shall receive such remuneration as may be prescribed by law. The

appointment of the chairman and members of the tribunal is to be made by the Precedent in accordance with the recommendation of the National Judicial Council (Section 15(3)).

The National Assembly may by law confer additional powers on the Tribunal other than those provided in section 18 to the fifth schedule. Section 16 (1 – 2) provides for the staff of the Tribunal and their conditions of service which are similar to those of the civil service of the Federation while section 17 (1 – 6) provides for the tenure of office of the chairman and members of the Tribunal.

The powers of the Tribunal as provided for in the Fifth schedule, Part 1, Section 18 (1 – 7) as paraphrased overleaf;

(1) Where the Code of Conduct Tribunal finds a public officer guilty of contravention of any of the provisions of this code it shall impose upon that officer any of the punishment specified under sub-paragraph (2) of this paragraph and such other punishment as may be prescribed by the National Assembly.

(2) The punishment which the Code of Conduct Tribunal may impose shall include any of the following;

    (a) Vacation of office or seat in any legislative house, as the case may be;

    (b) Disqualification from membership of a legislative house and from holding of any public office not exceeding to the state of any property acquired in abuse or corruption of office.

(3) The sanctions mentioned in sub-paragraph (2) hereof shall be without prejudice to the penalties that may be imposed by any low where the conduct is also a criminal offence.

(4) Where a Code of Conduct Tribunal gives a decision as to whether or not a person is guilty of a contravention of any of the provisions of this Code, an appeal shall lie as of right from such decision or from any punishment imposed on such person to the Court of Appeal at the instance of any party to the proceedings.

(5) Any right of appeal to the Court of Appeal from the decisions of the Code of Conduct Tribunal conferred by sub-paragraph (4) hereof shall be exercised in accordance with the provisions of an Act of the National Assembly and rules of court for the time being in force regulating the powers, practices and procedure of the Court of Appeal.

(6) Nothing in this paragraph shall prejudice the prosecution of a public officer punished under this paragraph or preclude such officer from being prosecuted or punished for an offence in a Court of Law.

(7) The provisions of the constitution relating to prerogative of mercy shall not apply to any punishment imposed in accordance with the provisions of this paragraph.

The powers bestowed on the Code of Conduct Bureau by the constitution of the Federal Republic of Nigeria as paraphrased above are enormous. The actual

exercise of the powers in reality is expected to establish and maintain a high standard of morality and accountability in the Conduct of government business.

4.3.4 Public Officers for the Purposes of the Code of Conduct

The constitution of the Federal Republic of Nigeria, 1999 in the Fifth schedule, Part II, Paragraph 1 – 16 specified the category of public servants that the provisions of the Code of Conduct Bureau and Tribunal applies to as paraphrased below;

(1) The President of the Federation

(2) The Vice-President of the Federation

(3) The President and Deputy President of the Senate, Speaker and Deputy Speaker of the House of Representatives and Speakers and Deputy Speakers of Houses of Assembly of States and all members and staff of Legislative Houses

(4) Governors and Deputy Governors of State

(5) Chief Justice of Nigeria, Justices of the Supreme Court, President and Justice of the Court of Appeal, all other judicial officers and all staff of courts of law

(6) Attorney – General of the Federation and Attorney – General of each state

(7) Ministers of the Government of the Federation and Commissioners of the Governments of the States

(8) Chief of Defence Staff, Chief of Army Staff, Chief of Naval Staff, Chief of Air Staff and all members of the armed forces of the Federation

(9) Inspector-General of Police, Deputy Inspector-General of Police and all members of the Nigeria Police Force and other Government Security Institutions established by law

(10) Secretary to the Government of the Federation, Head of the Civil Service, Permanent Secretaries, Directors – General and all other persons in the Civil Service of the Federation or of the State

(11) Ambassadors, High Commission and Other Officers of Federal Missions abroad

(12) Chairman, members and staff of the Code of Conduct Bureau and Code of Conduct Tribunal

(13) Chairman, members and staff of local government councils

(14) Chairman and members of the boards or other governing bodies and staff of statutory corporations and of companies in which the Federal or State Government has controlling interest

(15) All staff of Universities, Colleges and Institutions owned and financed by the federal or state governments or local government councils

(16) Chairman, members and staff of permanent commissions or councils appointed on full time basis.

The category of public officers to whom the provisions of the Code of Conduct applies is extensive but not exhaustive enough as it does not include may of the political appointees at all levels of government such the numerous Special Advisers, Assistants.

The provision for immunity for the president and the Vice President as well as the State Governors and their Deputies as contained in Section 308 to the constitution of the Federal Republic of Nigeria, 1999 seems to have shielded these category of public officers from the purview of the Code of Conduct Bureau and its Tribunal. This is because no civil or criminal proceedings shall be instituted or continued against these public officers as for as they remain in office. As the axiom goes, justice delayed is justice denied. The constitution however, does not state that, this category of public servants should not be investigated.

4.3.5 Code of Conduct for Public Officers

The Fifth schedule, part I, paragraphs 1 – 14 of the 1999 constitution prescribed a Code of Conduct for Public Officer in Nigeria. These are paraphrased below:

(1) A public officer shall not put himself in a position where his personnel interest conflict with his duties and responsibilities

(2) Without prejudice to the generality of the foregoing paragraph, a public officer shall not;

   (a) receive or be paid the emolument of any public office at the same time as he receives or is paid the emolument of any other public office; or

   (b) except where he is not employed on full time basis, engage or participate in the management or running of any private business,

profession or trade but within in this sub-paragraph shall prevent a public officer from engaging farming.

(3) The President, Vice President, Governor, Deputy Governor, Ministers of the Government of the Federation and Commissioners of the Governments of the States, members of the National Assembly and of the Houses of Assembly of the States, and such other public officers or persons as the National Assembly may by law prescribe shall not operate a bank account in any country outside Nigeria.

(4) (1) A public officer shall not, after retiring from public service and while receiving pension from public funds, accept more than one remunerative position as Chairman, Director or Employee of

(a) a company owned or controlled by the government; or

(b) any public authority

(2) A retired public servant shall not receive any other remuneration from the public funds in addition to his pension and the emolument of such one remunerative position.

(5) (1) Retired public officers who have held offices to which this paragraph applies are prohibited from service or employment in foreign companies or foreign enterprises

(2) This paragraph applies to the offices of President, Vice-President, Chief Justice of Nigeria, Governor and Deputy Governor of a State.

(6) (1) A public officer shall not ask for or accept property of any kind to himself or any other person on account of anything done or omitted to be done by him in the discharge of his duties

(2) For the purpose of sub-paragraph (1) of this paragraph, the receipt by a a public officer of any gifts or benefits from commercial firms, business enterprises or persons who have contracts with the government shall be assumed to have been in contravention of the said sub-paragraph unless the contrary is proved

(3) A public officer shall only accept personal gifts or benefits from relatives or personal friends to such extend and on such occasions as one recognised by custom;

Provided that any gift or donation to the public officer as any public or ceremonial occasion shall be treated as a gift to the appropriate institution represented by the public officer, and accordingly; the mere acceptance or receipt of such gift shall not be treated as a contravention of this provision.

(7) The President or Vice-President, Governor or Deputy Governor, Minister of the Government of the Federation or Commissioner of the Government of a State, or any other public officer who holds the office of a Permanent Secretary or head of any Public Corporation, University or other parastatal organisation shall not accept:

(a) a loan, except from government or its institutions, a bank, building society, mortgage institution or other financial institution recognised by law, and

(b) any benefit of whatever nature from any company, contractor, or businessman or the nominee or agent of such person.

Provided that the head of a public corporation or of a university or other parastatal organisation may, subject to the rules and regulations of the body, accept a loan from such body.

(8) No person shall offer a public officer any property, gift or benefit of any kind as an inducement or bribe for the granting of any favour or the discharge in his favour of the public officer's duties

(9) A public officer shall not do or direct to be done, in abuse of his office, any arbitrary act prejudicial to the rights of any other person knowing that such act is unlawful or contrary to any government policy.

(10) A public officer shall not be a member of, belong to, or take part in any society the meeting of which is incompatible with the functions or dignity of his office

(11) (1) Subject to the provisions of this constitution every public officer shall within three months after the coming into force three months after the coming into force of this Code of Conduct or immediately after taking office and thereafter

(a) at the end of every four years; and

(b) at the end of his term in office, submit to the Code of Conduct Bureau, a written declaration of all his properties, assets and liabilities and those of his unmarried children under the age of eighteen years.

(2) Any statement on such declaration that is found to be false by any authority or person authorised in that behalf to verify it shall be deemed to be a breach of this code.

(3) Any property or assets acquired by a public officer after any declaration required under this constitution and which is not fairly attributable to income, gift, or loan approved by this Code shall be deemed to have acquired in breach of this Code unless the contrary is proved.

(12) Any allegation that a public officer has committed a breach of or has not complied with the provisions of this Code of Conduct Bureau shall be made to the Code of Conduct Bureau

(13) Any public officer who does any act prohibited by this Code through a nominee, trustee, or other agent shall be deemed its factor to have committed a breach of this Code.

(14) In its application to public officers

(a) members of the legislative houses shall be exempt from the provisions of paragraph 4 of this code; and

(b) the National Assembly may by law exempt any Cadre of public officers from the provisions of paragraph 4 and 11 of this code if it appears to it

that there position in the public service is below the rank which it considers appropriate for the application of these provisions.

The Code of Conduct for public officers as prescribed above are exhaustive. Some of these cases such as the declaration of assets and liabilities are taken for granted by public servant. These however need to be taken seriously by public servant, thus, the need to familiarise themselves with these codes.

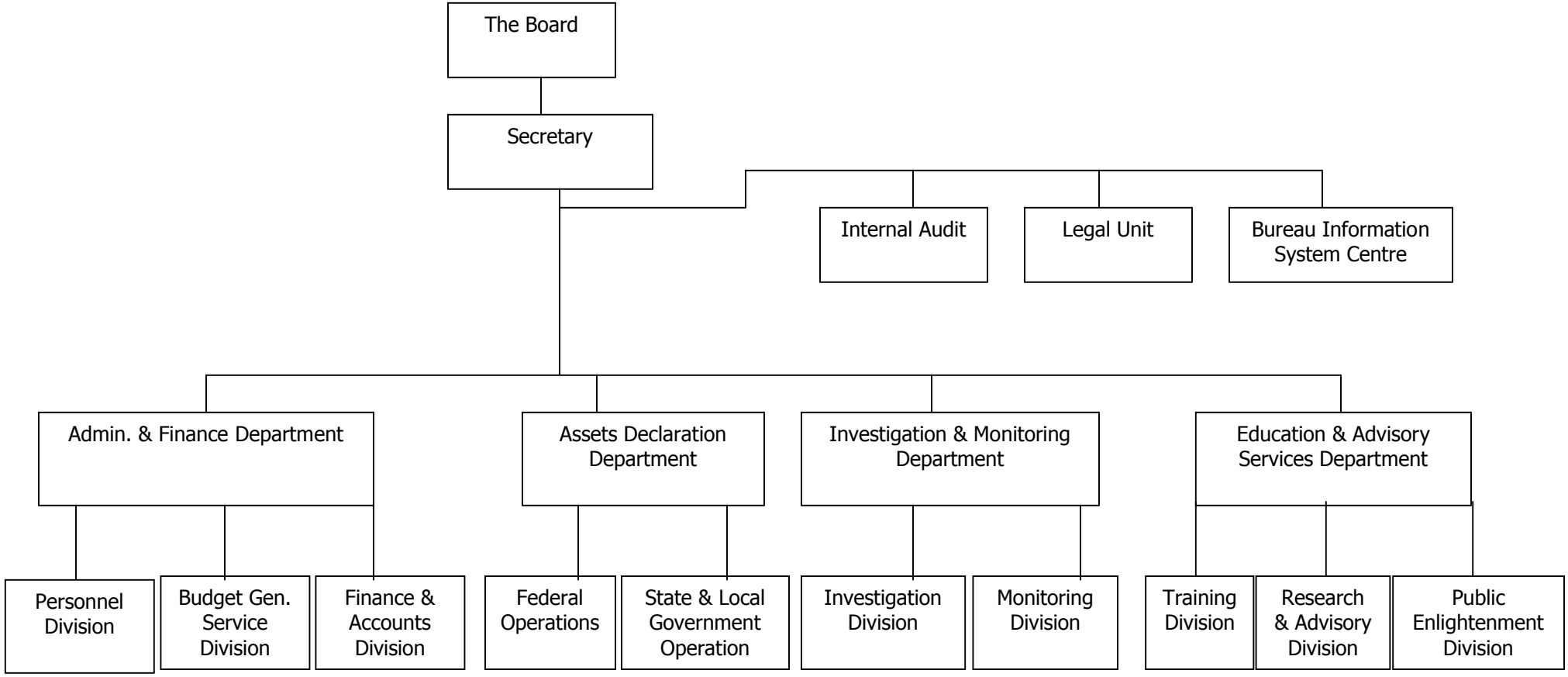
4.3.6 Organisational Structure and Functions of the Department of the Code of Conduct Baureau

(a) Organisational Structure of CCB

The Code of Conduct Bureau (CCB) consist of a board and four departments and three units. The Executive Board has nine members headed by a Chairman. The Board operates as a extra-ministerial department in the presidency. The four departments comprise of; Administration and Finance; Assets Declaration; Investigation and Monitoring; and Education and Advisory Services. These departments also have sections under the direct responsibility of the Administrative Secretary are three functional units. These are; Internal Audit, Legal Unit; and Bureau Information System Centre.

The Bureau presently has offices in all the Thirty Six States of the Federation, and the Federal Capital Territory (FCT) Abuja. All these offices relates directly with the headquarters office, Abuja (Bello – Imam, 2005). The organisation structure of the CCB is presented in figure 4.4 overleaf.

Figure 4.4: Organisational Structure of the Code of Conduct Bureau



Source; Bello – Imam (2005); the War Against Corruption in Nigeria; Problems and Prospects p. 184

(b) Functions of the Departments of the Code of Conduct Bureau

Although, the CCB has four departments and three units, only the functions and activities of the operational departments and units are discussed. These are; Assets Declaration, Investigation and Monitoring, Legal Unit; and Education and Advisory Services.

i. Functions and Activities of the Assets Declaration Department

The functions of the Assets Declaration Department as provided by the CCB (2007) are;

- Calling for nominal rolls of public officers from Government establishments
- Administration of Assets Declaration Firms on Public Officers
- Receiving declarations by public officers under paragraph eleven of Part 1 of the fifth schedule of the constitution of Federal Republic of Nigeria, 1999
- Examining and verifying the declarations in accordance with the requirement of the Code of Conduct statutes
- Retaining custody of such declarations and making them available for inspection under such terms and conditions as may be prescribed by the National Assembly
- Coordinating the activities of state offices in the administration of Assets Declaration Firms
- Compiling and submitting list of defaulters to the Code of Conduct Tribunal for trial.

For the effective discharge of its responsibilities, the department has two divisions. These are: The Federal Operations Division and the States and Local Government Operations Division. In addition, it also has a Bureau Information System (BIS) Centre. The number of forms issued by the department and defaulters referred to the Tribunal from 2000 – 2007 is presented in table 4.10 below.

Table 4.10; Administration of Assets Declaration forms and Defaulters Referred to the Tribunal (2000 – 2006)

Years	No. of Forms Issued	No. of Defaulters Referred	Percentage of Defaulters
2000	90,554	417	0.46
2001	282,175	967	0.34
2002	219,299	1,927	0.88
2003	121,039	1,283	1.06
2004	31,983	213	0.67
2005	108,882	539	049
2006	147,904	1,927	1.3
Total	**1,001,836**	**7,273**	**0.73**

Source; Adapted from Bello – Imam, (2005) the War Against Corruption in Nigeria, Problems and Prospects p. 187 and CCB (2007), Ministerial Press Briefing pp 10 – 11

As indicated in table 4.10 above, a total of 1,001,836 forms were issued to public servants and 7,273 defaulters were identified and referred to the Code of Conduct Tribunal between 2000 – 2006. The year 2001 had the highest number of forms issued but with the lowest number of defaults compared to 2006 with a higher rate of defaulters.

Generally however, the percentage of defaulters have been very low 0.73% for between 2000 – 2006 attributed to public enlightenment embarked upon by

the Bureau. It could also be due limits the citizens access to such declaration and which reduce their responsibility to petition such perceived breaches of the Code of Conduct.

(ii) Functions and Activities of the Investigation and Monitoring Department

The Investigation and Monitoring Department is charged with the responsibility of investigating petitions and complaints received against public officers and monitoring compliance with the Code of Conduct for Public Officers (Bello – Imam; 2005). The functions of the department are;

- Receiving petitions or non-complaints from the public on any breach or non-compliance with the Code of Conduct for Public Officers.
- Handling all matters relating to the security screening of the staff of the Bureau.
- Monitoring the Code of Conduct Public Officers to ensure that they conform with the Code.
- Monitoring all negative social trends that impede morality and accountability; and
- Referring all subject matters of investigation that fall outside the mandate of the Bureau to appropriate government institutions.

In order to facilitate the investigative activities of the Bureau, a Petition Screening Committee (PSC) is put in place to ensure integrity and maturity in the handling of the petitions. The PSC is chaired by a full time member and five other

members. The other members consist of Heads of Operations Departments and the Legal of Operations Departments and the Legal Adviser. A Deputy – Director serves as Secretary to the committee. The PSC makes recommendations regarding the following;

- Deliberations on all petitions received by the Bureau
- Invitation of parties in a petition to appear before it
- Directing field investigation in cases where necessary
- Referring cases outside the Bureau's mandate to relevant government departments and institutions
- Referring cases to the Tribunal for Prosecution where prima facie evidence has been established against subjects
- Keeping matters in view, or discontinuation of cases, where there is paucity of evidence for prosecution.

The table below shows the breakdown of the status petition received by the department.

Table 4.11; Status of Cases Received by Investigation and Monitoring Department (2000 – 2007 (March)

S/N	Status	Number	Percentage
1	Total No. of Cases Discontinued Due to Lack of Merit	234	50.98
2	Total No. of Cases Under Investigation	123	26.79
3	Total No. of Cases referred to other Organisations/Institutions	18	3.92
4	Total No. of Cases Pending Further Development	52	11.33
5	Total No. of Cases sent to the Tribunal for Prosecution	32	6.97
6	**Total No. of Petitions Received**	**459**	**99.99 = 100.00**

Source: CCB 2007 Ministerial Briefing

As indicated in table 4.11 above, a total of 459 cases were referred to the department for investigation. Out of this total, 234 cases, representing 50.98% were discontinued due to lack of merit while 123 cases representing 26.79% were still under investigation. Only eighteen cases representing 3.92% were referred to other relevant organisations and institutions for investigation while fifty two (52) cases representing 11.33% were still kept in viewing pending further development. Only Thirty Two (32) cases representing 6.97% were referred to the Code of Conduct Tribunal for prosecution. Thus, about half of the petitions received were discontinued due to lack of merit while investigation was not conducted on another 26.69%. Hence only 6.97% had cases to answer at the tribunal.

(iii) Functions and Activities of the Department of Education and Advisory Services

This is one of the operations departments of the CCB. Its mandate is to ensure that public officers are enlightened on the need to comply with the provisions of the Code of Conduct. It is also responsible for conducting research and advising government on trends that impede morality and good conduct in government business (Bello – Imam, 2005). The department performs the following functions;

- Promoting on educational system that motivates and stimulates positive moral and social values

- Preparing public enlightenment papers, pamphlets, handbooks, booklets etc for distribution to public officers
- Running courses and programmes for political office holders and Chief Executives on how to effectively carryout government business
- Organising local and national workshops and seminars on ethics and accountability in public service
- Initiating and articulating orientation courses for the staff of the Bureau and sister organisation
- Researching into ways and means of enhancing the quality of life of public officers responsible for citizenship and orderly society.

The activities of the Department Cover Public Enlightenment, Training and Capacity Building. The Public Enlightenment Programmes include;

- Media campaigns through the electronic and print media
- Enlightenment visits to ministries, departments, parastatals, extra-ministerial departments and institutions of government
- Public forum in states and the geo-political zones of the federations
- Childrens' forum/programmes
- Workshops and conferences
- Ministerial press briefings
- Distribution of public enlightenment materials
- In-house orientation programmes
- Formulation of Code of Ethics for staff of the Bureau.

These public enlightenment activities are similar to those of the ICPC. The ICPC however, provides more data and have engaged in more extensive activities than the CCB.

4.3.7 Problems of the Code of Conduct Bureau and Tribunal

The problems of the Code of Conduct Bureau and its Tribunal abounds in existing literature. Bello Imam (2005) identified the following as some of the major problems of the CCB and its Tribunal:

(i) **Inadequate staffing:** The CCB has a staff strength of 813 its headquarters in Abuja and its Thirty Seven (37) offices in the Thirty Six (36) States and Federal Capital Territory Office at Gwagwatada. This is grossly inadequate considering the scope of its mandate

(ii) From the survey study conducted by Bello Immam, it has been revealed that the current funding of the Bureau and the Tribunal is adequate

(iii) The immunity enjoyed by certain public officers protects them from trial while in officer hinder the activities and the twin organisation

(iv) The secret declaration of assets and liabilities by public officers do not enable citizens have access to information to petition false declarations by public officers.

4.4 The Economic and Financial Crimes Commission (EFCC)

4.4.1 Brief Historical Background to the Economic and Financial Crimes Commission (EFCC)

The Economic and Financial Crimes Commission (EFCC) was established in 2002 by an Act of the National Assembly which was amended in 2004 vide the EFCC Establishment Act, 2004 (EFCC, 2004). The creation of the commission was borne out of the zeal and determination of the Federal Government to sanitise the National economic environment by enforcing all economic and financial crime laws following a return to democratic governance (Bello - Imam).

Prior to the establishment of the EFCC economic and financial crimes in both public and private sectors constituted a great challenges to the Federal economy and its image profile. For over one decade, the country became safe haven for perpetrators of economic and financial crimes. Fraudulent activities, mismanagement, corruption, lack of accountability and transparency have been the bane of the national economy posing great threat to governance (EFCC, 2004). In order to reverse the trend, the Federal Government of Nigeria as part of her reform programme to revitalise the economy and reposition the country on the path of sustainable development established the EFCC as one of the anti-corruption institutions.

The EFCC Act was a major departure from the past enabling laws for fighting corruption in terms of powers, functions and responsibilities (EFCC, 2007 – 2008). The commission is the designated Financial Intelligence Unit (FIU) in

Nigeria which is charged with the responsibility of coordinating the various institutions involved in the fight against the money laundering and enforcement of all laws dealing with economic and financial crimes in Nigeria. The EFCC also enjoys significant collaborative assistance from International Law Enforcement Institutions in the United States of America and across Europe. Such institutions include; International Police (INTER POL); in the United States of America (USA) and EUROPOL among others.

It is important to differentiate between economic and financial crimes. Section 46 of the EFCC Act, 2004 provides a distinction between the two. Economic crimes are non-violent, criminal and illicit activity committed with the objective of earning wealth illegally, any form of fraud, money laundering, illegal oil bunkering, tax evasion and dumping of toxic wastes among others. Financial crimes on the other hand are those crimes committed not only with the intention of getting financial benefits but they are targeted directly on funds and other financial instruments. These include advance fee fraud, currency trafficking and counterfeiting. Thus all economic crimes are also financial crimes but not all financial crimes are economic crimes. However, the primary objective of both set of crimes is to acquire illicit or illegal wealth (Ribadu, 2005;6).

4.4.2 The Functions and Powers of the EFCC

Part II, sections six and seven (6 and 7) of the EFCC Act, 2004 provides for the functions and powers of the commission respectively. Specifically, section 6(a – q) provides that the commission shall be responsible for:

(a) the enforcement and the due administration of the provision of this Act;

(b) the investigation of all financial crimes including advanced free fraud, money laundering, counterfeiting, illegal charges transfers, futures market fraud, fraudulent encashment of negotiable instruments, computer credit card fraud, contract scam, etc;

(c) the coordination and enforcement of all economic and financial crimes laws and enforcement functions conferred on any other person or authority;

(d) the adoption of measures to identify, trace, freeze, confisticate or seize proceeds derived from terrorist activities, economic and financial crime related offences or the properties the value of which corresponds to the such proceeds;

(e) the adoption of measures to eradicate the commission of economic and financial crimes;

(f) the adoption of measures which include coordinated, preventive and regulatory actions, introduction and maintenance of investigative and control techniques on the prevention of economic and financial related crimes;

(g) the facilitation of rapid exchange of scientific and technical information and the conduct of joint operations geared towards the eradication of economic and financial crimes;

(h) the examination and investigation of all reported cases of economic and financial crimes with a view to identifying individuals corporate bodies, or groups involved;

(i) the determination of the extent of financial loss and such other losses by government, private individuals or organisations;

(j) collaborating with government bodies both within and outside Nigeria carrying on function wholly or in part analogues with those of the commission concerning:

(i) the identification, determination of the whereabouts and activities of persons suspected of being involved in economic and financial crimes

(ii) the movement of proceeds or properties involved from the commission of economic and financial and other related crimes

(iii) the exchange of personnel or other experts

(iv) the establishment and maintenance of a system for administering international economic and financial crimes in order to identify suspicious transactions and persons involved

(v) maintaining data, statistics, records and reports on persons, organisations, proceeds, properties, documents or other items involved in economic and financial crimes

(vi) undertaking research and similar works with a view to determining the manifectation, extend, magnitude and effects of economic and

financial crimes and advising government on appropriate intervention measures for combating same

(vii) dealing with matters connected with extradition, deportation and mutual legal or other assistance between Nigeria and any other country involving economic and financial crimes

(k) dealing with matters connected with extradiction, deportation and mutual legal or other assistance between Nigeria and any other country involving economic and financial crimes

(l) the collection of all reports relating to suspicious financial transactions, analyse and disseminate to all relevant government institutions

(m) taking charge of, supervising, controlling, coordinating all the responsibilities, functions and activities relating to the current investigation and prosecution of all offences connected with or relating to economic and financial crimes

(n) the coordination of all existing, economic and financial crimes investigating units in Nigeria

(o) maintaining a liaison with the office of the Attorney-General of the Federation, the Nigeria customs services; the imagination and prison service board, the control bank of Nigeria, the Federal Deposit Insurance Corporation, the National Drug Law Enforcement Agency, all government security and law enforcement institutions and such other financial

supervisory institutions involved in the eradication of economic and financial crimes

(p) carrying out and sustaining rigorous public enlightenment campaign against economic and financial crimes within and outside Nigeria; and

(q) carrying out such other activities as are necessary or expedient for the full discharge of at all or any of the functions conferred on it by this Act.

For the effective discharge of these functions identified in Section 6(a - g), Section 7(1 – 2) confers the following powers (special) on the commission thus;

7(1) The commission has power to:

(a) Cause investigation to be conducted as to whether any person, corporate body, or organisation has committed an offence under this Act or law relating to economic and financial crimes;

(b) Cause investigation to be conducted into the properties of any person if it appears to the commission that the person's life style and the extend of the properties are not justified by his source of income.

(2) In addition to the powers conferred on the commission by this Act, the commission shall be the coordination agency for the enforcement of the provisions of;

(a) The Money Laundering Act, 2004; 2003; No. 7,1995 No. 13;

(b) the Advance Fee Fraud and other Related Offences Act 1995;

(c) the failed banks (recovery of debts) and Financial Malpractices in Banks Act, as amended;

(d) the banks and other financial institutions Act 1991, as amended;

(e) Miscellaneous offences Act; and

(f) any other law or regulation relating to economic and financial crimes, including the Criminal Code and Penal Code.

4.4.3 The Organisational Structure and Functions of the Departments/Units of the EFCC

(a) Organisational Structure of the EFCC

The EFCC consist of a Board and Secretariat Section 2 (1 – 3) provides for the composition of the board, provides for the composition of the board, and the tenure of office of the Chairman and members thus;

2(1) The commission shall consist of the following members:

(a) a chairman, who shall

(i) be the chief executive and accounting officer of the commission

(ii) be a serving or retired member of any government security or law enforcement agency not below the rank of assistant Commissioner of Police or equivalent; and

(b) the Governor of the Central Bank of Nigeria or his representative; and

(c) a representative each of the following Federal Ministries:

(i) Foreign Affairs

(ii) Finance

(iii) Justice.

(d) the Chairman, National Drug Law Enforcement Agency or his representative;

(e) the Director General of;

(i) the National Intelligence Agency or his representative;

(ii) the Department of State Security Services or his representative;

(f) the Registrar General of the Corporate Affairs Commission or his representative;

(g) the Director General, Securities and Exchange Commission or his representative;

(h) The Managing Director, Nigeria Deposit Insurance Corporation or his representative;

(i) the Commissioner of Insurance or his representative;

(j) the Postmaster General of the Nigeria Postal Service or his Representative

(k) the chairman, Federal Communications Commission or his representative

(l) the Comptroller-General, Nigeria Customs Service serve as his representative;

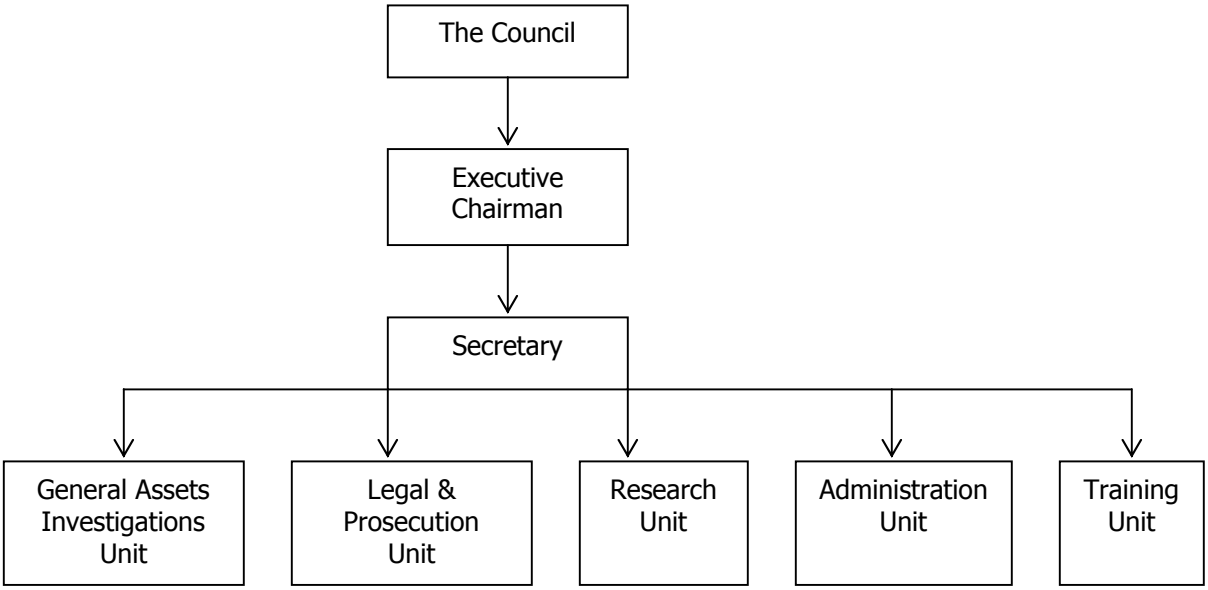
(m) the Comptroller-General, Nigeria Immigration Service or his representative;

(n) the Inspector-General of Police or his representative;

(o) four eminent Federals with cognate experience in any of the following; that is, finance, banking, law or accounting; and

(p) The Secretary to the Commission who shall be the head of administration.

Figure 4.5: The Organogram of the Economic and Financial Crimes Commission



Source; Iman – Bello (2005), The War Against Corruption in Nigeria; Problems and prospects p. 226.

The membership of the board as provided in the act is all embracing and encompassing – as it has the heads or representatives of relevant government institutions concerned with mandate of the commission both within and within and outside the country.

Section 2(2) of the EFCC Act, 2004 also provides that "the members of the commission, other than the Chairman of the commission, other than the Chairman and the Secretary, shall be part time members."

Section 2(3) adds that, the Chairman and members of the commission other than ex-offio members of the commission shall be appointed by the President and the appointment shall be subject to confirmation by the Senate." The Act also provides for secured tenure of office for the Chairman and members of the commission in Section 3(1) thus; "The Chairman and Members of the Commission other than ex-officio members shall hold office for a period of fours years and be may be re-appointed for a further term of four years and no more." The Chairman and any member of the commission may only be removed from office by the President for inability to discharge the functions of his office or for misconduct or in public interest as provided for in section 3 (2) of the Act.

Part III, Section 8 provides for the establishment of a Secretariat, the appointment of secretary and other staff of the commission thus;

(1) There is established for the commission a secretariat which shall be headed by the secretary who shall be appointed by the President

(2) The Secretary shall be;

(a) the head of the Secretariat of the Commission

(b) responsible for the administration of the secretariat and the keeping of the books and records of the Commission;

(c) appointed for a period of five years in the first instance and may be re-appointed for a further term of five years subject to satisfactory performance; and

(d) subject to the supervision and control of the Chairman and the Commission.

(3) The commission may from time to time, appoint such other staff or second officers from government security or law enforcement institutions or such other private or public service as it may deem necessary to assist the commission in the performance of its functions under this Act.

(4) The staff of the commission appointed under subsection (3) of this section, shall be appointed upon such terms and conditions as the commission may after consultation with the Civil Service Commission, determine.

(5) For the purpose of carrying out or enforcing the provisions of this Act, all officers of the commission involved in the enforcement of the provision of this Act shall have the same powers, authorities and privileges (including power to bear arms) as are given by law to members of the Nigeria police.

Section 9 of the Act provides for staff regulations regarding appointment, promotion, disciplinary control and appeals against arbitrary dismissal. Section 10 of the Act provides for retirement benefit for the staff as in the public service while section 11 provides for training programmes in areas of the commission mandate.

Section 12 of the Act provides for the establishment of special units and their functions in section 13 of the Act. The departments or units as they are called in the Act are;

(a) the General and Assets Investigation Unit;

(b) the Legal and Prosecution Unit

(c) the Research Unit

(d) the Administration Unit; and

(e) the Training Unit.

Only the functions of the General and Assets Investigation and the Legal and Prosecution Units have been explicitly provided in Section 13 (1 and 2) respectively.

(b) Functions of the Departments (Units) of the EFCC

(i) The General and Assets Investigation Unit

The Functions of General and Assets Investigation Unit as provided in Section 3(1) (a – e) are as follows;

(a) the prevention and detection of offences in violation of the provisions of the Act;

(b) the arrest and apprehension of economic and financial crimes perpetrators;

(c) 0the investigation of assets and properties of persons arrested for committing any offence under this out;

(d) the identification and tracing of proceed and properties involved in any offence under this Act and the forfeiture of such proceeds and properties to the Federal Government; and

(e) dealing with matters connected with extraction and mutual assistance in criminal matters involving economic and financial crimes.

(ii) The Legal and Prosecution Department/Unit

The functions of the Legal and Prosecution Unit as provided in section 13 (2) of the Act are;

(a) prosecuting offenders under this Act;

(b) supporting the General and Assets Investigation Unit by providing the unit with legal advice and assistance whenever it is required and assistance whenever it is required

(c) conducting such proceeding as be necessary towards the recovery of any assets or property forfeited under this Act

(d) performing such other legal duties as the commission may refer to it from time to time.

For the purpose of prosecution, sections 14, 15, 16, provides for offences failing within the mandate of the commission and their respective punishments. Pursuant to this, section 19 of the Act provides for the Jurisdiction and special powers of court to impose the penalties for provided for in the note section 19(2a) clearly stated that, the court shall "… ensure that all matters brought before the court by the commission against any person, body or authority shall be conducted with despatch and given accelerated hearing." Section 19(2c) adds that, the court shall "… adopt all legal measures necessary to

avoid unnecessary delays in the conduct of matters brought by the commission before it or against any person, body or authority.

4.4.4 The Achievements of the EFCC

- The commission between 2003 and 2004 recovered money and assets from crimes worth over $700 million and another £3million pound sterling from the British Government (Bello – Imam; 2005)
- The commission arrested about 500 suspects for Advance Fee Fraud within 2003 – 2005. Most of the suspects have been in trial in the various courts (Bello – Imams; 2005)
- The commission also prosecuted one of the biggest bank frauds in Brazil involving about $242 million.
- The EFCC have also contributed to an increase of about 20% in revenue of the nation due to its activities in the Federal Inland revenue Service and the Seaports.
- Within 2008 – 2009, the EFCC convicted sixty five persons for financial and economic crimes and recovered the sum of N55 billion (Zero Tolerance, 2009).
- The EFCC is presently having about 400 cases in court forty of which are in category of high profile cases (Zero Tolerance, 2009).
- The launching of the Anti-Corruption Revolution (ANCOR) on 10th December, 2008 and its establishment in schools, ministries and communities aimed at mass mobilisation, integrations and participation in

the fight against corruption is another laudable achievement of the commission (Zero Tolerance, 2009).

4.4.5 The Problems of the EFCC

- One of the major problems of the commission as expressed by the chairman in Zero Tolerance, 2009 is that of stalled cases in courts. This is why the chairmen of both the ICPC and EFCC are calling for the establishment of special Anti-Corruption Courts (Akinyemi, 2010)
- Bello Imam (2005) identifies the problems of the commission to be; under-funding, and limited coverage of the activities of the organisation due to few zonal/state offices.

4.5 Transparency International Corruption Perceptions Index Ranking for Nigeria 1997- 2009

It is pertinent to bring to the fore the perception of international non-governmental Anti-Corruption Watchdog Transparency International (TI) established in 1993 on the level of corruption in Nigerian Public Service. The organisation uses Corruption Perceptions Index (CPI) to reflect the perceived levels of corruption in the public sector. The CPI gathers data from the sources that span the last three years and ranges from between Ten (highly clean) and zero (o) (highly corrupt). The organisation uses the perception of knowledgeable respondents, local and expatriate residents, business elites, scholars and country analysis in arriving at the CPI.

The surveys used ranges between Eighteen (18) and at least Three(3) for a country to be included in the CPI. This means that, there are countries that probably have higher corruption levels than those included in the CPI but were not captured due to inadequate data. The CPI is a better measure of the level of corruption than the country's ranking. The ranking only shows a country's position among others and not the level of corruption. Nigeria's corruption perceptions index, and ranking according to Transparency International is presented in table 4.12 overleaf.

Table 4.12; Transparency International Corruption Perception Index and Ranking for Nigeria; 1997 – 2009

1	2	3	4	5	6	7
Year	**No. of Surveys Used**	**No. of Countries Covered**	**CPI**	**Transparency in Percentage**	**Ranking**	**Remarks**
1997	4	52	1.75	17.5	52	Ranked 52nd in public accountability but first in corruption out of the 52 countries in the survey
1998	5	85	1.9	19	81	Ranked 81st in terms of public accountability but ranked 4th in corruption
1999	-	99	1.6	16	98	Ranked ninety eight in terms of transparency and accountability but second most corrupt out of the 99 countries covered
2000	4	90	1.2	12	90	Last in transparency and accountability but first in corruption out of the 90 countries covered
2001	4	91	1.0	10	90	Ninetieth in accountability but second in corruption out of the 91 countries covered
2002	6	102	1.6	16	101	Ranked 101 in accountability but second in corruption out of the102 countries covered
2003	9	133	1.4	14	132	Ranked 132 in accountability but 2nd in corruption out of 133 countries covered
2004	9	145	1.6	16	144	Ranked 144 in public accountability but 2nd in corruption out of the 145 countries covered
2005	9	158	1.9	19	152	Ranked 152 in accountability but 6th in corruption out of the 158 countries covered by the survey
2006	-	163	2.2	22	142	Ranked 142 in public accountability but 21st in corruption out of the 163 countries covered
2007	8	179	2.2	22	147	Ranked 147 in public accountability but 32nd in corruption out of 179 countries covered
2008	6	180	2.7	27	121	Ranked 121 in accountability but 59 in corruption out of the 180 countries covered
2009	-	180	2.5	25	130	Ranked 130 in accountability but 50 in corruption out of the 180 countries covered.

Source; Extracted from Transparency International Corruption Perceptions Index (1997 – 2009)

As indicated in table 4.12 above, Nigeria's Corruption Perceptions Index (CPI) staggers between 1.0 in 2001 to the highest of 2.7 in 2008. The country's CPI for years 1997 – 2005 have been relatively low. It varies between 1.0 to the highest of 1.9. However, the CPI jumped to 2.2 in 2006. The leap to 2.7 in 2008 could not be improved upon or maintained as the country's CPI slips down to 2.5 in 2009. In spite of the improvement in the country's ranking over the years particularly from 2006, to 2008, the CPI did not record an impressive improvement especially in 2009. Thus, between 1997 and 2009, Nigeria was twice the most corrupt (1997 and 2000), five times second most corrupt (1999, 2001, 2002, 2003, and 2004). The country also ranked 4^{th}, 6^{th}, 21^{st}, 32^{nd}, 59^{th} and 50^{th} in 1998, 2005, 2006, 2007, 2008, and 2009 respectively.

Even though the study covered the period 1999 – 2009, the 1997 and 1998 CPIs were deliberately included in order to compare the level of corruption in the public service before the establishment of the EFCC and ICPC and thereafter. The CPI of 1.75 and 1.9 for 1997 and 1998 respectively were even higher than those of 1999, 2000, 2001, 2002, 2003, and 2004 after the ICPC and EFCC were established. Thus, questioning the effectiveness of the institutions.

CHAPTER FIVE

PRESENTATION AND ANALYSES OF DATA

5.1 Introduction

This chapter presents and analyses the data from primary and secondary sources. The primary sources were questionnaire and interview guide while the secondary source were publications of anti-corruption institutions in Nigeria (EFCC, ICPC and CCB) and the publications of Transparency International.

The questionnaire administered on the staff of some anti-corruption institutions and staff of some Federal Ministries Departments and Institutions (MDAs) contained questions and responses on the independent and dependents variables of the study. The responses were presented in frequency tables and percentages. They were also measured on the five-paint Likert Scale. The secondary data and the responses of the interviewees complemented the responses from the questions. From the responses, the three hypotheses stated in chapter one were tested using Chi-square distribution in order to draw inferences and establish relationship between the independent and dependent variables. The chapter concludes with the presentation of the major findings of the study.

5.2 Administration of Questionnaire

A total of three hundred and seventy nine (379) questionnaire which is equivalent to the sample size for the study were administered on the staff of EFCC, ICPC and CCB. Others were staff of Federal Ministries, Departments and

Institutions (MDAs). The number of questionnaire administered on the staff of each of the MDAs and the anti-corruption agencies was not arbitrarily determined but based on their staff population as indicated in table 3.1 in chapter three. Out of these total, 322 were filled and returned. This represents 84.96% of the total number of questionnaires administered. The rate of return of the questionnaires by each of the MDAs was presented in table 5.1 below.

Table 5.1; The Rate of Return of Questionnaire by Respondents from Ministries, Departments and Institutions (MDAs)

S/N	MDAs	Total No. of Questionnaires Administered	Total No. of Questionnaires Returned	Percentage (%) of Questionnaires Returned
1	Economic and Financial Crimes Commission	78	62	79.5
2	Code of Conduct Bureau (CCB)	45	39	86.7
3	Independent Corrupt Practices and other Related Offences commission (ICPC)	30	24	80.0
4	Federal Ministry of Justice	55	45	81.8
5	Office of the Auditor-General of the Federation	72	64	88.9
6	Federal Radio Corporation of Nigeria, Kaduna National Station	19	15	84.2
7	Ahmadu Bello University, Zaria	80	72	90.0
	Total	**379**	**322**	**84.96**

Source: Researcher's Survey, July, 2010

As indicated in table 5.1 overleaf above, 125 of the 322 questionnaires returned representing 38.82% were from staff of anti-corruption institutions (EFCC, CCB and ICPC). The balance of 197 questionnaire representing 61.18% were from staff of other Federal Ministries Departments and Institutions (MDAs). The views of these staff was expected to present a more balanced opinion on the questions contained in the questionnaire. However, of all the classes of respondents, the academics had the highest rate of questionnaire returned (90%) even though the return from other categories was also substantial. This can be attributed to the research consciousness of the academics in comparison to the other categorises of respondents and the fact of being the researcher's domain which facilitated follow-up. The analyses of data was based on the 322 questionnaire returned.

5.3 Sex of Sample Respondents

The respondents were asked to indicate their sex with the aim of determining a fair representation of both sexes in the sample population. Their responses were presented in table 5.2 below.

Table 5.2; Sex of Sample Respondents

Sex	Frequency	Percentage
Male	217	67.39
Female	105	32.61
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.2 above indicates that the majority (67.39%) of the sample respondents were males while the females constituted 32.61%. Even though the male population was higher, the female population was equally impressive.

5.4 Age Bracket of Sample Respondents

The sample respondents were asked to indicate their age bracket in the options provided in the table below as an important component of their biodata. This is important because there is wisdom in age. The researcher expects that the aged and fairly aged respondents should be more acquainted with the trend of corruption in the Federal Public Service over the years. The age bracket of the respondents were presented in table 5.3 below.

Table 5.3; Age Bracket of Sample Respondents

Age Bracket (Years)	Frequency	Percentage
21 – 30	50	15.5
31 – 40	152	47.2
41 – 50	96	29.8
51 – 60	24	7.5
61 and above	0	0
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.3 above indicates that the majority (47.2%) of the staff were between 31 – 40 years of age. This was closely followed by those between 41 – 50 years of age with 29.8% of the sample population. Thus, the population

was aged enough to have more acquaintance with the trend of corruption in the Federal public service and the efforts made to fighting it.

5.5 Educational Qualifications of Sample Respondents

Similar to 5.4 above, the respondents were asked to each indicate their highest educational qualification. This is because, the level of educational qualification of the respondents is an important factor in making enlightened opinions on the effectiveness of the anti-corruption institutions in combating corruption in the Federal Public Service. The education qualifications of the sample respondents were presented in table 5.4 below.

Table 5.4; Educational Qualification of Respondents

Highest Educational Qualification	Frequency	Percentage
WASC	4	1.24
NCE/OND	26	8.07
First Degree/HND	147	45.65
Postgraduate	143	44.41
Undecided	2	0.62
Total	**322**	**99.99**
		100.00 (Approximately)

Source; Researcher's Survey, July, 2010

From the data in table 5.4 above, 1.24% of the sample respondents had the West Africa School Certificate (WASC) as their highest educational qualification while 8.07% possessed either the National Certificate in Education (NCE) or

Ordinary National Diploma (OND) as their highest educational qualification. Those with either First Degree or Higher National Diploma constituted 45.64% while those with Postgraduate Qualifications had 44.4%. Only 0.62% of the sample population did not indicate any of the qualifications stated above. Thus, the majority of the respondents either possessed a first Degree or a Higher National Diploma as their highest educational qualification. Another 44.41% had postgraduate qualification. This population was therefore, capable of having informed opinion on the effectiveness of the anti-corruption institutions in fighting corruption in the Federal public service.

5.6 Marital Status of Sample Respondents

One of the important elements of the respondents demography is their marital status. This is because, the married respondents were more likely to experience corrupt acts in their daily quests for social amenities and other social services such as water, health, education and security among others for their families. The marital status of the respondents was presented in table 5.5 overleaf.

Table 5.5; Marital Status of Sample Respondents

Marital Status	Frequency	Percentage
Single	95	29.50
Married	226	70.19
Divorced	1	0.31
Separated	0	0
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

As shown in table 5.5 above, 29.50% of the sample respondents were single, 70.19% were married while 0.31% were divorced. Thus, the majority (70.19%) of the respondents were married. They are more likely to have experienced acts of corruption in their daily encounter with public servant in their quest for social services.

5.7 Classification of Respondents According to MDAs

The sample population for the study consisted of the staff of anti-corruption institutions and staff of other federal MDAs. These categories of staff may share certain strong views different from each other. The difference in perceptions among these two categories of respondents was expected to counter-balance the extreme views shared by each of them. The classification of respondents into MDAs was presented in table 5.6 overleaf.

Table 5.6; Classification of Respondents According to MDAs

MDA	Frequency	Percentage
Economic & Fin. Crimes Commission (EFCC)	62	19.25
Code of Conduct Bureau (CCB)	39	12.11
Independent Corrupt Practices and Other Related Offences (ICPC)	24	7.45
Federal Ministry of Justice	45	13.98
Office of the Auditor-General of the Federation	64	19.88
Federal Radio Corporation of Nigeria, Kaduna	16	4.97
Ahmadu Bello University, Zaria	72	22.36
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.6 above indicate that, 125 of the total respondents representing 38.82% were staff of anti-corruption institutions (EFCC, ICPC and CCB). The balance of 197 staff representing 61.18% were staff of other Federal Ministries, Departments, and Institutions (MDAs). Thus, the majority of the respondents were not staff of the anti-corruption institutions under study.

5.8 Classification of Respondents According to Length of Service

The length of service of the respondents in the public service is an important factor in determining their knowledge of the trend of corruption as well

as the effectiveness of the anti-corruption institutions in fighting the vice in the Federal public service. Overleaf were their responses.

Table 5.7; Classification of Respondents according to their Length of Service on MDAs Bases

Length of Service	EFCC		ICPC		CCB		FMoJ		OAGF		FRCN		ABU		Grand Total	
	No.	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
1 – 10	52	23.87	19	79.17	21	53.85	20	44.44	48	75.0	8	50.0	42	58.33	210	65.22
11 – 20	6	9.68	4	16.67	18	46.15	10	22.22	8	12.5	4	25.0	28	38.89	78	24.22
21 – 30	4	6.45	1	4.16	0	0	15	33.33	8	12.5	4	25.0	2	2.78	34	10.56
31 and above	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**62**	**100.0**	**24**	**100.0**	**39**	**100.0**	**45**	**99.9 100.0**	**64**	**100.0**	**16**	**100.0**	**72**	**100.0**	**322**	**100.0**

Source; Researcher's Survey, July, 2010

The data in table 5.7 above indicates that majority (65.22%) of the respondents had spent between 1 – 10 years in the federal public service while 11 – 20 and 21 – 30 years in public service had 24.22% and 10.56% respectively. However, the three anti-corruption institutions had a greater percentage (85.6%) of their staff within the 1 – 10 years of service and only 14.4% between 11 – 20 years of service bracket. This can be attributed to the fact that two of the anti-corruption institutions (EFCC and ICPC) were established in the last ten years. Thus, most of the staff of the anti-corruption institutions were employed upon the establishment of the institutions. Only 14.4% were seconded staff. With this development, the staff of the anti-corruption institutions were expected to be familiar with the operations of their institutions. The same is the other category of staff majority of whom had served for between 11 – 30 years in the public service.

5.9 Classification of Respondents into Management/Non-Management Staff

The perception of management staff (those on Grade Level 14 and above) on issues every organisation often differ from that of the other staff. The respondents were therefore, asked to indicate the category of staff they belong to. Their responses were presented in table 5.8 overleaf.

Table 5.8; Classification of Respondents into Management and Non-Management Staff

Response	Frequency	Percentage
Management Staff	84	26.09
Non-Management Staff	238	73.91
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.8 above indicates that 26.09% of the sample respondents were management staff while the balance of 73.95% were below the management cadre. Since the majority of the respondents were below the management cadre, their perception of the issues may dominate the perception of the management staff.

5.10 Freedom of Anti-Corruption Institutions from Political Interference

The respondents were asked to rate the level of freedom of the anti-corruption institutions in Nigeria is free from political interference as manifested in the arbitrary removal of Chairmen of the agencies, stalled trial of suspected corrupt public servants etc in Nigeria. Their responses are as presented in table 5.8 overleaf.

Table 5.9; Freedom of Anti-Corruption Institutions from Political Interference

Response	Frequency	Percentage
Very high	27	8.39
High	53	16.46
Low	145	45.03
Very low	66	20.49
Undecided	31	9.63
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

As indicated in table 5.9 above, 8.39% of the respondents rated the level of freedom of the anti-corruption institutions from political interference very high while 16.46% rated it high. On the other hand, 45.03% rated the level of freedom of the institutions from political interference low and 20.49% very low. Another 9.763% were undecided on the issue. Thus, the majority (65.52%) rated the level of freedom of the anti-corruption institutions from political interference in their activities as low.

Even though both the staff of the institutions and other public servant generally shared the same view, there was slight difference in opinion among the staff of the anti-corruption institutions. While the majority of staff of both the EFCC and ICPC rated the level of freedom from political interference low, those of the CCB were of contrary opinion. The view of the representatives of the Civil Society Organisations (CSOs) was not different from that shared by the respondents. The majority (75%) of those interviewed opined that the agencies

were not free from political interference at all while 25% rated the level of freedom of the agencies low. The majority observed the incidence of censorship in the prosecution of alleged corrupt public servants by the agencies when part 3(14) of the ICPC Act provides that the commission shall not be subjected to the control of any other institution in the discharge of its functions. However EFCC was identified to be more prone to political interference. They added that some of the Chief Executives of the institutions reads and responds to the body language of the Executive President.

5.11 Control Over Staff by Anti-corruption Institutions

Control over staff being one of the elements of the extent of organisational autonomy, the respondents were asked to rate the level of control exercised by the institutions over their staff in the form of appointment, deployment, discharged of their duties and discipline. Their responses were presented in table 5.9 below.

Table 5.10; Control over Staff by Anti-Corruption Institutions

Response	Frequency	Percentage
Very High	75	23.29
High	96	29.81
Low	59	18.32
Very low	17	5.28
Undecided	75	23.29
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.10 shows that the opinion of the respondents do not sharply differ on the level of control exercised over staff by the anti-corruption institutions in Nigeria. Thus, 23.29% rate the exercise of control over staff very high and 29.81% high. Conversely, 18.32% opined that level of control exercised over staff by the institutions was low and another 5.28% very low. However, 23.29% of the respondents were undecided. Between the two divide low, those who rated the institutions very high and high were in the majority (53.1%) when compared with the response rate of those who rated the institutions control over their staff low and very low which constituted only 23.6%. However, the opinion of the representatives of the Civil Society Organisations (CSOs) slightly differed from that of the questionnaire respondents. While the representatives of the CSOs agreed that the anti-corruption institutions exercises control over their staff, majority (75%) argued that the chairmen of the institutions were either overtly or covertly influenced and sometime dealt with by the president.

5.12 Adequacy of Funding of Anti-Corruption Institutions

Another important indicator of the level of an organisation's autonomy is the issue of funding as espoused by the theory of institutional autonomy (Seth 2008) and the conceptual framework for the study. The respondents were therefore, asked to rate the adequacy of funding of the anti-corruption institutions. In order to gauge the effect of the adequacy of funding on the level

of the organisations effectiveness, the responses of the respondents were presented in table 5.11 overleaf.

Table 5.11; Adequacy of Funding of Anti-Corruption Institutions

Rate of Funding	EFCC		ICPC		CCB		FMoJ		OAGF		FRCN		ABU		Grand Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Very adequate	2	3.23	1	4.17	3	7.69	0	0	8	12.5	0	0	0	0	14	4.35
Adequate	36	58.06	9	37.50	12	30.77	12	26.67	24	37.5	4	25.00	14	19.44	111	34.47
Inadequate	16	25.81	13	54.17	21	53.85	12	26.67	8	12.5	3	18.75	12	16.67	85	26.39
Very inadequate	2	2.23	0	0	3	7.69	2	4.44	0	0	0	0	2	2.78	9	2.79
Undecided	6	9.68	1	1	0	0	19	42.22	24	37.5	9	56.25	44	61.11	103	31.99
Total	**62**	**100.0**	**24**	**100.0**	**39**	**100.0**	**45**	**99.9 100.0**	**64**	**100.0**	**16**	**100.0**	**72**	**100.0**	**322**	**100.0**

Source; Researcher's Survey, July, 2010

As the data in table 5.11 indicates, 4.35% of the respondents rated the funding of the anti-corruption institutions very adequate and 34.47% opined that it was adequate. However, 26.39% rated it as inadequate and just 2.79% rated the funding of the institutions as very inadequate. While 31.99% most of whom were non-agency staff were undecided. Thus, the majority (38.82%) rated the funding of the anti-corruption institutions as adequate.

Opinions differed among the staff of the institutions. While the majority of those of the ICPC (54.17%) and CCB (53.85%) rated the funding of their organisations as inadequate, those of the EFCC (58.06%)opined that theirs' was adequate. Though figures for the funding of the EFCC and the CCB could not be obtained by the researcher, abundant evidence exist to support the opinion of the staff of the ICPC in table 4.8 where a wide gap exist between proposed budget, the approved budget, and even actual funds released especially for 2002, 2003, and 2004. The inadequate funding of the ICPC in particular adversely affected the organisations quest to establish more state offices and employ more staff in those years. This view was also shared by the CSOs (100%) who explained that the EFCC recover contributions from donor agencies unlike the ICPC and the CCB.

5.13 Level of Financial Autonomy of Anti-Corruption Institutions

Finance being a central determining factor of an organisation's autonomy, the respondents were asked to rate the level of financial autonomy of the anti-corruption institutions. Financial autonomy in this study means the possession of

distinct funds through direct funding of the institutions. Their responses were presented in table 5.11 below.

Table 5.12; The Level of Financial Autonomy of Anti-Corruption Institutions

Response	Frequency	Percentage
Very high	9	2.79
High	95	29.50
Low	101	31.37
Very low	13	4.04
Undecided	104	32.29
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.12 above shows that, 2.79% of the sample respondents opined that the level of financial autonomy of the anti-corruption institutions was very high and 29.50% high, as high as 32.29% of the sample respondents were undecided. Another 31.37% and 4.04% rated the institutions financial autonomy low and very low respectively. Thus, the majority (35.41%) of the respondents rated the level of the institutions financial autonomy low. All the representatives (100%) the civil society organisations rated the level of the institutions financial autonomy low as they were funded through the presidency and not directly. This negates the principles of the theory of institutional autonomy that states that institutions should posses distinct financial resources.

5.14 Level of Autonomy of the Anti-Corruption Institutions by Law

The respondents were asked to rate the level of autonomy granted the anti-corruption institutions by the laws establishing them. These comprise of the extend to which the laws establishing the institutions protects them from political interference, control over their staff, adequate funding and financial autonomy. Their views were presented in table 5.13 below.

Table 5.13; Level of Autonomy of Anti-Corruption Institutions by Law

Response	Frequency	Percentage
Very high	22	6.83
High	101	31.37
Low	113	35.05
Very low	42	13.04
Undecided	44	13.67
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

From the data in table 5.13 above, 6.83% of the sample respondents rated the level of autonomy granted by laws to the anti-corruption institutions very high and 31.37% high. Only 13.67% were undecided. However, 35.09% of the sample respondents rated the level of autonomy granted to the institutions by the laws establishing them low and 13.04% very low. Thus, it can be inferred from the data that the laws establishing the anti-corruption institutions have not given them adequate autonomy. Seventy five percent (75%) of the representatives of the CSOs also shared the same opinion on the autonomy granted the institutions by

the laws establishing them. A typical example is the provisions of section 39 of the EFCC Act which empowers the Attorney-General of the Federation to make rules or regulations with respect to the exercise of any of the duties, functions and powers of the commission and the funding of all the agencies through the presidency.

5.15 Level of Autonomy Exercised by Anti-Corruption Institutions in Practice

After determining the level of autonomy accorded the anti-corruption institutions by the relevant statutory provisions, the respondents were further asked to rate the level of autonomy exercised by the institutions. Their responses were presented in table 5.14 below.

Table 5.14; The Level of Autonomy Exercised by Anti-Corruption Institutions in Practice

Response	Frequency	Percentage
Very high	21	6.52
High	82	25.47
Low	164	50.93
Very low	21	6.52
Undecided	34	10.56
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.14 above indicates that 6.52% of the sample respondents opined that the anti-corruption institutions have a very high level of

autonomy while 25.47% rated the level of autonomy of the institutions as high and 10.56% of the respondents were undecided. However, 50.93% of the respondents rated the level of autonomy exercised by the institutions low and 6.52% very low. Thus, we can infer that the level of autonomy exercised by the anti-corruption institutions have been low. This view was also shared by the majority (75%) of the representatives of the CSOS. A typical example is the removal of the former Chairman of the EFCC (Nuhu Ribadu) before the end of his second term in office and the frustration of the agencies by the judiciary in the trial of suspect.

5.16 The Rate of Corruption in the Federal Public Service before the Establishment of EFCC, ICPC and CCB

As the first step in determining the effectiveness of the anti-corruption institutions, the respondents were asked to rate the level of corruption in the Federal public service before the establishment of the institutions. Their responses were presented in table 5.15 overleaf.

Table 5.15; The Rate of Corruption in the Federal Public Service before the Establishment of the EFCC, ICPC and CCB

Response	Frequency	Percentage
Very high	182	56.52
High	127	39.44
Low	11	3.42
Very low	0	0
Undecided	2	0.62
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.15 indicates that the majority (56.52%) of the sample respondents opined that the rate of corruption in Federal Public Service was very high before the establishment of the anti-corruption institutions while 39.44% rated it high. Only 0.623% of the sample respondents were undecided. However, 3.42% and 0.00% rated the level of corruption in the Federal Public Service low and very low respectively before the establishment of the anti-corruption institutions. Thus, we can infer that the rate of corruption in the Federal Public Service before the establishment of the anti-corruption institutions was very high. This view was also shared by 100% of the representatives of the CSOs. This has been corroborated by the Transparency International's Corruption Perception Index (CPI) figures for the country as presented in table 4.12.

5.17 The Prevention of Corrupt Practices in the Federal Public Service by Anti-Corruption Institutions

All the anti-corruption institutions (EFCC, ICPC and CCB) have as one of their mandate, the prevention of corrupt practices through education public enlightenment and conduct of system reviews in MDAs. The respondents were therefore, asked to rate the effectiveness of these preventive measures of the anti-corruption institutions. Their responses are presented in table 5.16 overleaf.

Table 5.16; The Rate of Effectiveness of the Preventive Activities of the EFCC, ICPC and CCB

Rate of Effectiveness of preventive activities	EFCC		ICPC		CCB		FMoJ		OAGF		FRCN		ABU		Grand Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Very Effective	12	19.35	5	20.83	3	7.69	0	0	8	12.50	1	6.25	0	0	29	9.01
Effective	30	48.39	11	45.83	25	64.10	15	33.33	24	37.50	5	31.25	14	19.44	124	38.51
Ineffective	12	19.35	8	33.3	11	28.21	27	60.0	20	31.25	7	43.75	30	41.67	115	35.71
Very Ineffective	8	12.90	0	0	0	0	3	6.67	4	6.25	0	0	12	16.67	27	8.39
Undecided	0	0	0	0	0	0	0	0	8	12.50	3	18.75	16	22.22	27	8.39
Total	**62**	**100.0**	**24**	**100.0**	**39**	**100.0**	**45**	**99.9 100.0**	**64**	**100.0**	**16**	**100.0**	**72**	**100.0**	**322**	**100.0**

Source; Researcher's Survey, July, 2010

From the data in table 5.16 overleaf, 9.01% of the sample respondents rated the effectiveness of the institutions' preventive duties as very effective, 38.51% effective while 8.39% were undecided. However, 35.71% of the respondents rated the preventive duties of the institutions as ineffective and 8.39% very ineffective. Therefore, we can infer that the institutions have been effective in the discharge of their preventive duties. The data on the table also shows that a greater percentage of the institutions staff agreed with this position when compared with the non-agency staff.

The data in table 4.4 also indicates the number of ACTUs established and system study reviews undertaken by the ICPC in some federal MDAs for the 2002 – 2007. In addition, table 4.5 presents the number of activities undertaken by the public enlightenment and education departments within 2001 – 2006. These are quite impressive. The majority of the representatives of the civil society organisations (75%) adds that, the anti-corruption agencies have been able to instil fear in the mind of corrupt officials.

5.18 Detection of Corrupt Practices by Anti-Corruption Institutions

Where the act of corruption is not prevented, it is one of the responsibilities of the institutions to detect the occurrence of the act with a view to investigating it. This also constitutes one of the operational activities of the agencies as conceptualised in the conceptual framework for the study. It is for this reason that the respondents were asked to rate the effectiveness of the institutions in terms of

detecting the occurrence of corrupt practices. Their responses were presented in table 5.17 below.

Table 5.17; The Level of Effectiveness of Anti-Corruption Institutions in Detecting the Occurrence of Corrupt Practices

Response	Frequency	Percentage
Very Effective	14	4.35
Effective	110	34.16
Ineffective	130	40.37
Very Ineffective	46	14.29
Undecided	22	6.83
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.17 above indicates that 4.35% of the sample respondents rated the effectiveness of the anti-corruption institutions very effective in detecting the occurrence of corrupt practices in the Federal public and 34.16% rated them effective – while 6.83% were undecided. However, 40.37% of the respondents rated the institutions ineffective and 14.29% very ineffective in detecting the occurrence of corrupt practices in the Federal public service. Thus, the anti-corruption institutions have been ineffective in detecting the occurrence of corrupt practices in the Federal public service.

5.19 Investigation of Corruption Cases by Anti-Corruption Institutions

Investigation of allegations of corruption is also one of the responsibilities of the anti-corruption as contained in items 4.2.2(a), 4.3.2(d), and 4.4.2(b) in respect of the ICPC, CCB, and EFCC respectively in this study. Respondents were

therefore asked to rate the effectiveness of the institutions in terms of the investigation of allegations of corruption in the Federal public service. Their responded were presented in table 5.18 overleaf.

Table 5.18; Level of Effectiveness of Anti-Corruption Institutions in Investigating Allegations of Corruption

Rate of Effectiveness of Investigation of Cases	EFCC		ICPC		CCB		FMoJ		OAGF		FRCN		ABU		Grand Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Very Effective	15	24.19	3	12.50	4	10.26	4	8.88	20	31.25	4	25.0	12	16.67	62	19.25
Effective	28	45.16	14	58.33	21	53.85	12	26.67	24	37.50	5	31.25	26	36.11	130	40.37
Ineffective	17	27.42	7	29.17	29	23.08	26	57.78	12	18.75	7	43.75	32	44.44	115	35.71
Very Ineffective	0	0	0	0	5	12.82	1	2.22	0	0	0	0	2	2.78	3	0.93
Undecided	2	3.23	0	0	0	0	2	4.44	8	12.50	0	0	0	0	12	3.73
Total	**62**	**100.0**	**24**	**100.0**	**39**	**100.0**	**45**	**99.9 100.0**	**64**	**100.0**	**16**	**100.0**	**72**	**100.0**	**322**	**100.0**

Source; Researcher's Survey, July, 2010

From the data in table 5.18 above, 19.25% of the sample respondents rated the anti-corruption institutions very effective in the investigation of cases and 40.17% effective while 3.73% were undecided. However, 35.71% of the sample respondents rated the institutions ineffective and 0.93% very ineffective in investigating corruption cases. Thus the anti-corruption institutions can be said to be effective in investigating alleged cases of corruption from the responses of the respondents. The greater percentage of the agency staff shared this view in comparison to the non-agency staff. This could be a self defence as tables 4.1 and 4.11 presenting the activities of the investigation departments of the ICPC and CCB indicates that the organisation had fully investigated only 23.44% and 6.97% of the cases respectively. The majority (100%) of the CSOs also described the investigation of alleged corrupt public servants as selective.

5.20 Prosecution of Offenders by Anti-Corruption Institutions

The prosecution of alleged corrupt public servants been one of operational activities of the anti-corruption institutions, the respondents were therefore asked to rate the effectiveness of the anti-corruption institutions in the prosecution of the offenders. Their responses were as presented in table 5.19 overleaf.

Table 5.19; Effectiveness of Anti-Corruption Institutions in Prosecution of Suspects for Corruption Offences

Response	Frequency	Percentage
Very Effective	57	17.70
Effective	96	29.81
Ineffective	141	43.79
Very Ineffective	8	2.48
Undecided	20	6.21
Total	**322**	**100.00 (Approximate)**

Source; Researcher's Survey, July, 2010

The data presented in table 5.19 above indicates that 17.70% of the sample respondents rated the anti-corruption institutions very effective in the prosecution of offenders and 29.81% effective while 6.21% were undecided. However, the majority (43.79%) of the sample respondents rated the institutions ineffective and only 2.48% very ineffective in terms of the prosecution of suspects for corruption offences. Thus, we can infer that the anti-corruption institutions have been ineffective in the prosecution of suspects for corruption offences. The representatives of the civil society organisations (75%) opined that though, a substantial number of alleged corrupt public servants have been prosecuted, it was selective.

5.21 Reduction in the Rate of Corruption by Anti-Corruption Institutions

One of the major criteria for assessing the effectiveness of the anti-corruption institutions is their ability to reduce corruption in the Federal public

service. Hence, the respondents were asked to rate the level of effectiveness of the institutions in reducing the rate of corruption in the Federal Public Service. Their responses were presented in table 5.20 below.

Table 5.20; Reduction of Corruption in the Federal Public Service by Anti-Corruption Institutions

Response	Frequency	Percentage
Very Effective	19	5.90
Effective	116	36.02
Ineffective	157	48.76
Very Ineffective	17	5.28
Undecided	13	4.04
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.20 above indicates that 5.90% of sample respondents rated the anti-corruption institutions very effective in reducing the rate of corruption in the Federal Public Service and 36.02% effective while 4.04% were undecided. On the other hand, 48.76% and 5.28% rated the institutions ineffective and very ineffective respectively. Thus we can say that the anti-corruption institutions have been ineffective in reducing the rate of corruption in the Federal Public Service. Only 25% of the repre+-sentatives of the CSOs opined that the agencies had a marginal reduction in the rate of corruption at the federal level of government but not at all at the state and local government levels.

5.22 Level of Effectiveness of the Anti-Corruption Institutions in Combating Corruption in the Federal Public Service

Using the indices of effectiveness ranging from determining the rate of corruption in the Federal Public Service before the establishment of the institutions, their prevention, detection, investigation, prosecution activities, and their ability to reduce the level of corruption, the respondents were asked to rate the level effectiveness of the institutions. Their responses were presented in table 5.21 below.

Table 5.21; Level of Effectiveness of the Anti-Corruption Institutions in Combating Corruption in the Federal Public Service

Response	Frequency	Percentage
Very Effective	20	6.21
Effective	135	41.93
Ineffective	146	45.34
Very Ineffective	14	4.35
Undecided	7	2.17
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

From the data in table 5.21 above, 6.21% of the respondents rated the level of effectiveness of the anti-corruption institutions very effective and 41.93% effective in combating corruption in the Federal public service while 2.17% were undecided. Conversely, 45.34% and 4.35% of the respondents rated the institutions ineffective and very ineffective respectively. Thus, we can say that the

anti-corruption institutions have been ineffective in combating corruption in the Federal Public Service. The representatives CSOs (25%) are of the view that even though, the anti-corruption institutions achieved only a marginal reduction in the rate of corruption in the Federal Public Service, more public servants are now afraid of engaging in corruption than before since it has more than ever before became a matter of public concern.

The conceptual framework sees effectiveness of the anti-corruption institutions as their ability to reduce the level of corruption in the federal public service. Before the establishment of the institutions, the level of corruption in the federal public was high as indicated in table 5.15. In spite of the establishment of the institutions, the rate of corruption in the federal public service still remains high. This, negates the concept of effectiveness.

5.23 The most Effective Anti-Corruption Agency in the Federal Public Service

The non-agency respondents were asked to choose the most effective anti-corruption agency from amongst the CCB, EFCC, and ICPC. Their responses were presented as in table 5.22 overleaf.

Table 5.22; The most Effective Anti-Corruption Agency in the Federal Public Service

Anti-corruption Institutions	Frequency	Percentage
CCB	22	11.17
EFCC	102	51.78
ICPC	73	37.06
Total	**197**	**100.00 (Approximate)**

Source; Researcher's Survey, July, 2010

As presented in table 5.22 above, the data indicates that, the EFCC has been the most effective anti-corruption institutions out the three covered in the study with 51.78% followed by the ICPC and CCB with 37.06% and 11.17% respectively. The agency staff were deliberately excluded form this question to avoid bias. The CSOs also opined that the EFCC has been performing better than the other institutions.

5.24 Test of Hypothesis I

The hypothesis was stated in both the Null (H_0) and Alternate (H_1) thus;

H_0: The degree of autonomy of anti-corruption institutions has not affected their level of effectiveness in combating corruption in the Federal Public Service.

H_1: The degree of autonomy of anti-corruption institutions has affected their level of effectiveness in combating corruption in the Federal Public Service.

Using one tail-test, only the H_0 was tested. The implication is that once the H_0 is accepted, the H_1 is rejected and vice-versa. The independent variable (X) for the study is autonomy of anti-corruption institutions while the dependent variable (Y) is the level of the anti-corruption institutions in combating corruption in the Federal Public Service. The level of significance (α) for the test of hypothesis is 95% (0.05). The degree of freedom (V) was sixteen (16).

The values of the independent and dependent variables in tables 5.14 and 5.21 respectively were cross-tabulated in order to the hypothesis with the aid Statistical Package for Social Sciences (SPSS) whose products were presented in tables 5.23, 5.24, 25 and 5.26.

Table 5.23

Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	21	6.5	6.5	6.5
	High	82	25.4	25.5	32.0
	Low	164	50.8	50.9	82.9
	Vry Low	21	6.5	6.5	89.4
	Undecided	34	10.5	10.6	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

Table 5.24

Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Effective	20	6.2	6.2	6.2
	Effective	135	41.8	41.9	48.1
	Ineffective	146	45.2	45.3	93.5
	Very Ineffective	14	4.3	4.3	97.8
	Undecided	7	2.2	2.2	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

Table 5.23 and 5.24 are SPSS products of the data on tables 5.14 and 5.21 respectively indicating the valid and cumulative percentages.

Table 5.25

Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable) * Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable) Crosstabulation

			Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)					
			Very Effective	Effective	Ineffective	Very Ineffective	Undecided	Total
Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	Very High	Count	20	1	0	0	0	21
		Expected Count	1.3	8.8	9.5	.9	.5	21.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	95.2%	4.8%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	100.0%	.7%	.0%	.0%	.0%	6.5%
		% of Total	6.2%	.3%	.0%	.0%	.0%	6.5%
		Residual	18.7	-7.8	-9.5	-.9	-.5	
		Std. Residual	16.4	-2.6	-3.1	-1.0	-.7	
		Adjusted Residual	17.5	-3.6	-4.3	-1.0	-.7	
	High	Count	0	82	0	0	0	82
		Expected Count	5.1	34.4	37.2	3.6	1.8	82.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	.0%	100.0%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	60.7%	.0%	.0%	.0%	25.5%
		% of Total	.0%	25.5%	.0%	.0%	.0%	25.5%
		Residual	-5.1	47.6	-37.2	-3.6	-1.8	
		Std. Residual	-2.3	8.1	-6.1	-1.9	-1.3	
		Adjusted Residual	-2.7	12.3	-9.6	-2.2	-1.6	
	Low	Count	0	52	112	0	0	164
		Expected Count	10.2	68.8	74.4	7.1	3.6	164.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	.0%	31.7%	68.3%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	38.5%	76.7%	.0%	.0%	50.9%
		% of Total	.0%	16.1%	34.8%	.0%	.0%	50.9%
		Residual	-10.2	-16.8	37.6	-7.1	-3.6	
		Std. Residual	-3.2	-2.0	4.4	-2.7	-1.9	
		Adjusted Residual	-4.7	-3.8	8.4	-3.9	-2.7	
	Vry Low	Count	0	0	21	0	0	21
		Expected Count	1.3	8.8	9.5	.9	.5	21.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	.0%	.0%	100.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	14.4%	.0%	.0%	6.5%
		% of Total	.0%	.0%	6.5%	.0%	.0%	6.5%
		Residual	-1.3	-8.8	11.5	-.9	-.5	
		Std. Residual	-1.1	-3.0	3.7	-1.0	-.7	
		Adjusted Residual	-1.2	-4.0	5.2	-1.0	-.7	
	Undecided	Count	0	0	13	14	7	34
		Expected Count	2.1	14.3	15.4	1.5	.7	34.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	.0%	.0%	38.2%	41.2%	20.6%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	8.9%	100.0%	100.0%	10.6%
		% of Total	.0%	.0%	4.0%	4.3%	2.2%	10.6%
		Residual	-2.1	-14.3	-2.4	12.5	6.3	
		Std. Residual	-1.5	-3.8	-.6	10.3	7.3	
		Adjusted Residual	-1.6	-5.2	-.9	11.1	7.8	
Total		Count	20	135	146	14	7	322
		Expected Count	20.0	135.0	146.0	14.0	7.0	322.0
		% within Responses on Level of Autonomy Exercised by Anti-Corruption Agencies (Independent Variable)	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
		% of Total	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%

Source: Computer Product of SPSS

Table 5.26

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	644.544[a]	16	.000
Likelihood Ratio	433.317	16	.000
Linear-by-Linear Association	220.443	1	.000
N of Valid Cases	322		

a. 12 cells (48.0%) have expected count less than 5. The minimum expected count is .46.

Source: Computer Product of SPSS

The calculated χ^2 value was 644.544 as in table 5.26 while the critical value was 26.296 as in appendix D. The calculated χ^2 value of 644.544 in table 5.26 is greater than the critical value of 26.296 on the chi-square distribution table in appendix D.

Decision Rule: Reject Null Hypothesis if calculated value is greater than critical value and accept the alternate. Thus, the null hypothesis (H_0) which states that "the degree of autonomy of anti-corruption institutions has not affected their level of effectiveness in combating corruption in the Federal Public Service" is rejected. The Alternate Hypothesis (H_1) which states that "the degree of autonomy of anti-corruption institutions has affected their level of effectiveness in combating corruption in the Federal public service" is accepted.

The data in table 5.23 on the level of autonomy representing the independent variable indicates that the anti-corruption institutions exercised low

level autonomy in their operations. The level of effectiveness (dependent variable) of the institution was also low as indicated in table 5.24. The data on the two variable was cross-tabulated on table 5.25. The chi-square test conducted in table 5.26 indicates that the low level of autonomy exercised by the anti-corruption institutions affected their level of effectiveness in the federal public service between 1999 – 2009.

5.25 Observance of Acts of Corruption

The respondents were asked to indicate how often they observe incidences of corruption in the public service. This is important because, a corrupt practice is observed before it is reported. The opinions of the respondents is presented in table 5.27 below.

Table 5.27; Observance of Corrupt Practices

Response	Frequency	Percentage
Very Often	130	40.37
Often	105	32.61
Seldom	85	26.40
Very seldom	2	0.62
Undecided	0	0
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The majority (40.37%) of the sample respondents opined that they did observe incidence of corruption committed very often, 32.61% often, and 26.40% seldom. Only 0.62% seldom observe incidences of corruption committed in the

federal public service. This could be due to the fact that all the questionnaire respondents were public servants who observe the occurrence of incidences of corruption at their places of work or other MDAs.

5.26 Reporting of Acts of Corruption

With the majority of the respondents opining that they often observe the commitment of acts of corruption in the federal public service, the non agency respondents were further asked to indicate whether or not they report such cases. Their reposes are as presented in table 5.28 below.

Table 5.28; Reporting of Acts of Corruption

Response	Frequency	Percentage
Very Often	7	3.55
Often	9	4.57
Seldom	105	53.30
Very seldom	50	25.38
Undecided	26	13.20
Total	**197**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.28 above indicates that only 3.55% and 4.5% report incidences of corruption very often and often respectively. However, 53.30% seldom report cases of corruption to anti-corruption institutions and superiors. Another 25.38% very seldom report these cases while 13.20% were undecided. Thus, the majority of the respondents seldom report acts of corruption. This view is also shared by the civil society.

5.27 Knowledge of Corruption Reporting Process

The non-agency respondents were asked to rate their knowledge of corruption reporting process. Their responses were presented in table 5.29 below.

Table 5.29; Knowledge of Corruption Reporting Process

Response	Frequency	Percentage
Very Adequate	15	7.61
Adequate	96	48.73
Inadequate	82	41.62
Very Inadequate	4	2.03
Undecided	0	0
Total	**197**	**100.0 Approximately**

Source; Researcher's Survey, July, 2010

As shown in the table above, only 7.61% of the sample respondents had very adequate knowledge of the process of reporting corruption and 48.73% adequate. However a slightly lower percentage (41.62) of the sample respondents had inadequate knowledge of reporting corruption and 2.03% very inadequate. Thus majority of the respondents had adequate knowledge of corruption reporting processes in the federal public service.

5.28 Reasons why Public Servants Seldom Report Acts of Corruption

Since the majority of the sampled non-agency respondents posses the knowledge of corruption reporting process (table 5.29) but seldom report such act (table 5.28), they were further asked to indicate why they seldom report the acts. Their responses were presented in table 5.30 overleaf.

Table 5.30; Reasons for Seldom Corruption Reporting

Response	Frequency	Percentage
Not familiar with the activities of anti-corruption institutions	7	3.55
The case will not be investigated	76	38.58
The culprit will not be punished	75	38.07
Reporter will be harassed	39	19.80
Total	**197**	**100.00**

Source; Researcher's Survey, July, 2010

As shown in table 5.30 above, the majority of the staff seldom report incidences of corruption because, they belief that the cases will not be investigated. This was closely followed by the belief that even when the cases are investigated culprit will not be punished. Others were the potential harassment of corruption reporters and non-familiarity with the activities of the institutions. All the representative of the CSOs observed that the anti-corruption institutions are not as transparent as they suppose to be and as such, the citizens do not know much about their operations. The institutions do not have a regular and systematic way of informing the citizens of their activities. This is not in conformity with stakeholders' interest and the citizen trust as required by the conceptual framework.

5.29 Level of Transparency in the Federal Public Service

Transparency in public service has the potential of facilitating the detection of corruption offences for possible reporting. In view of this, the respondents were

asked to rate the level of transparency in the federal public service. Their responses were presented in table 5.31 below.

Table 5.31; Level of Transparency in the Federal Public Service

Response	Frequency	Percentage
Very Transparent	12	3.73
Transparent	78	24.22
Non Transparent	144	44.72
Very Non-Transparent	88	27.33
Undecided	0	0
Total	**322**	**100.0**

Source; Researcher's Survey, July, 2010

The data in table 5.31 above indicates that, 3.73% of the sample respondents rated the federal public service as very transparent, 24.22% transparent, 44.72% non transparent and 27.33% very non-transparent. Thus, in the opinion of the sample respondents, the federal public service is non-transparent. This has confirmed the Transparency International's Corruption Perception Index (CPI) figures for Nigeria for the period 1999 – 2009. As presented in table 4.12. The table indicates that the level of transparency in the Federal Public Service staggers from between 1.0 being the lowest in 2001 to the highest of 2.7 in 2008 only to slip back to 2.5 in 2009 out of ten (10). The majority (75%) of the representatives of the CSOs also rated the level of transparency in the Federal Public Service low but still better than before 1999 (during military dictatorship) but observed that the anti-corruption agencies operate like closed – institutions.

5.30 The Level of Effectiveness of Corruption Reporting System in the Federal Public Service

Considering the responses of the respondents in tables 5.27 – 5.31, they were asked to indicate the level of effectiveness of corruption reporting system in the federal public service. Their responses were presented in table 5.32 below.

Table 5.32; The Level of Effectiveness of Corruption – Reporting System in the Federal Public Service

Response	Frequency	Percentage
Very Effective	38	11.80
Effective	83	25.78
Ineffective	152	47.20
Very Ineffective	24	7.45
Undecided	25	7.46
Total	**322**	**100.0**

Source; Researcher's Survey, July, 2010

As shown in table 5.32, 11.80% of the sample respondents rated the corruption reporting system very effective, 25.78% effective, 47.20% ineffective and 7.45 very ineffective. However, 7.76% were undecided. From the view of the respondents, the corruption reporting system in the federal public service was ineffective. This view is also shared by the civil society since the anti-corruption agencies operate like closed – institutions, and do not have a regular and systematic way of informing the citizens of their operations.

5.31 Effect of the Transparency in the Federal Public Service on the Effectiveness of Corruption-Reporting System

The respondents were asked if they agree that the level of transparency in the federal public service has affected the level of effectiveness of corruption reporting system. Their responses were presented in table 5.33.

Table 5.33; Effect of Transparency on Corruption Reporting System

Response	Frequency	Percentage
Strongly agree	68	21.11
Agree	188	58.39
Disagree	54	16.77
Strongly Disagree	12	3.73
Undecided	0	0
Total	**197**	**100.0**

Source; Researcher's Survey, July, 2010

The data in table 5.33 above indicates that 21.11% of sample respondents strongly agreed that the level of transparency in the federal public service affects the effectiveness of corruption reporting system while 58.39% agreed. On the other hand 16.77% disagreed and 3.73% of the sample respondents strongly disagreed. Thus, the level transparency in the federal public service has affected the effectiveness of corruption reporting system.

5.32 Test of Hypothesis II

The hypothesis was stated in both the Null (H_0), and Alternate (H_1) thus;

H_0; The level of effectiveness of corruption reporting system in the Federal Public Service has not affected the level of effectiveness of anti-corruption institutions in combating corruption in the Federal Public Service.

H_1; The level of effectiveness of corruption reporting system in the Federal Public Service has affected the level of effectiveness of anti-corruption institutions in combating corruption in the Federal Public Service.

Using one tail-test only the H_0 was tested. The implication is that once the H_0 is accepted, the H_1 is rejected and vice-versa. The independent variables (X) is transparency while the dependent variable (Y) is the effectiveness of anti-corruption institutions in combating corruption in the Federal Public Service.

The level of significance (α) for the test of hypothesis is 95% (0.05) while the degree of freedom (v) is sixteen (16) has obtain on the chi-square distribution in appendix D. The values of the independent and dependent variables in tables 5.32 and 5.21 respectively were cross tabulated in order to test the hypothesis using the SPSS. The computer print-out of the SPSS were presented in table 5.34, 5.35, 5.36 and 5.37.

Table 5.34; Responses on the Level of Effectiveness of Corruption Reporting System (Independent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very effective	38	11.8	11.8	11.8
	Effective	83	25.7	25.8	37.6
	Ineffective	152	47.1	47.2	84.8
	Very Ineffective	24	7.4	7.5	92.2
	Undecided	25	7.7	7.8	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

Table 5.35

Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Effective	20	6.2	6.2	6.2
	Effective	135	41.8	41.9	48.1
	Ineffective	146	45.2	45.3	93.5
	Very Ineffective	14	4.3	4.3	97.8
	Undecided	7	2.2	2.2	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

The 5.34 and 5.35 above are the SPSS product of the data on 5.32 tables and 5.21 respectively indicating the valid and cumulative percentage.

Table 5.36

Responses on the Level of Effectiveness of Corruption – Repertory System * Responses on Effectiveness of Anti-Corruption Institutions (Dependent Variable) Cross tabulation

			Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)					
			Very Effective	Effective	Ineffective	Very Ineffective	Undecided	Total
Responses on the level of effectiveness of corruption reporting system	Very Effective	Count	20	18	0	0	0	38
		Expected Count	2.4	15.9	17.2	1.7	.8	38.0
		% within Responses on Level of Transperency (Independent Variable)	52.6%	47.4%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	100.0%	13.3%	.0%	.0%	.0%	11.8%
		% of Total	6.2%	5.6%	.0%	.0%	.0%	11.8%
		Residual	17.6	2.1	-17.2	-1.7	-.8	
		Std. Residual	11.5	.5	-4.2	-1.3	-.9	
		Adjusted Residual	12.6	.7	-6.0	-1.4	-1.0	
	High Effective	Count	0	83	0	0	0	83
		Expected Count	5.2	34.8	37.6	3.6	1.8	83.0
		% within Responses on Level of Transperency (Independent Variable)	.0%	100.0%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	61.5%	.0%	.0%	.0%	25.8%
		% of Total	.0%	25.8%	.0%	.0%	.0%	25.8%
		Residual	-5.2	48.2	-37.6	-3.6	-1.8	
		Std. Residual	-2.3	8.2	-6.1	-1.9	-1.3	
		Adjusted Residual	-2.7	12.4	-9.6	-2.3	-1.6	
	Ineffective	Count	0	34	118	0	0	152
		Expected Count	9.4	63.7	68.9	6.6	3.3	152.0
		% within Responses on Level of Transperency (Independent Variable)	.0%	22.4%	77.6%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	25.2%	80.8%	.0%	.0%	47.2%
		% of Total	.0%	10.6%	36.6%	.0%	.0%	47.2%
		Residual	-9.4	-29.7	49.1	-6.6	-3.3	
		Std. Residual	-3.1	-3.7	5.9	-2.6	-1.8	
		Adjusted Residual	-4.4	-6.7	11.0	-3.6	-2.5	
	Very Ineffective	Count	0	0	24	0	0	24
		Expected Count	1.5	10.1	10.9	1.0	.5	24.0
		% within Responses on Level of Transperency (Independent Variable)	.0%	.0%	100.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	16.4%	.0%	.0%	7.5%
		% of Total	.0%	.0%	7.5%	.0%	.0%	7.5%
		Residual	-1.5	-10.1	13.1	-1.0	-.5	
		Std. Residual	-1.2	-3.2	4.0	-1.0	-.7	
		Adjusted Residual	-1.3	-4.3	5.6	-1.1	-.8	
	Undecided	Count	0	0	4	14	7	25
		Expected Count	1.6	10.5	11.3	1.1	.5	25.0
		% within Responses on Level of Transperency (Independent Variable)	.0%	.0%	16.0%	56.0%	28.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	2.7%	100.0%	100.0%	7.8%
		% of Total	.0%	.0%	1.2%	4.3%	2.2%	7.8%
		Residual	-1.6	-10.5	-7.3	12.9	6.5	
		Std. Residual	-1.2	-3.2	-2.2	12.4	8.8	
		Adjusted Residual	-1.3	-4.4	-3.1	13.2	9.2	
Total		Count	20	135	146	14	7	322
		Expected Count	20.0	135.0	146.0	14.0	7.0	322.0
		% within Responses on Level of Transperency (Independent Variable)	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
		% of Total	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%

Source: Computer Product of SPSS

Table 5.36 above is the SPSS product of the cross tabulation of the data in tables 5.34 and 5.35. The result of the cross-tabulation is on table 5.37 below.

Table 5.37

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	610.777[a]	16	.000
Likelihood Ratio	455.332	16	.000
Linear-by-Linear Association	234.762	1	.000
N of Valid Cases	322		

a. 12 cells (48.0%) have expected count less than 5. The minimum expected count is .52.

Source: Computer Product of SPSS

The calculated chi-square value in table 5.37 was 610.77 while the critical value was 26.96 as in appendix 'D'. The calculated χ^2 value was greater than the critical or table value.

Decision Rule; Rejected Null Hypothesis (H_0) if calculated value is greater than critical value and accept the Alternate Hypothesis (H_1).

Hence, in this case, the H_0 which states that "The level of effectiveness of corruption reporting system in the Federal Public Service has not affected the level of effectiveness of the anti-corruption institutions in combating corruption in the Federal Public Service" is rejected. Conversely, the alternate hypothesis (H_1) which states that, "the level of effectiveness of corruption reporting system in the Federal Public Service has affected the level of effectiveness of the anti-corruption institutions in combating corruption in the Federal Public Service" is accepted.

5.33 The Level of Trial of Suspects for Corruption Offences

The trial of suspected public servants for corruption offences constitutes one of the major operational activities and for the enforcement of punishments for corruption offences. The respondents were asked to rate the level of trial of suspect for corruption offences in the Federal public service. Their responses are presented as in table 5.38 below.

Table 5.38; Trial of Suspects for Corruption Offences

Response	Number of Respondents	Percentage
Very high	103	31.99
High	86	26.71
Low	79	24.53
Very low	42	13.04
Undecided	12	3.73
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

The data in table 5.38 above indicates that 31.99% of the sample respondents rated the level of trial of suspected corrupt public servants very high and 26.71% high while 3.73% were undecided. On the other hand, 24.53% and 13.04% of the respondents rate the level of trial low and very low respectively. Thus we can conclude that the rate of trial of alleged corrupt public servants in the federal public service as high (58.70%) as against 37.57% low.

Table 4.1 indicates that 1,169 cases were referred to the investigation department of the ICPC for the period 2001 – 2007. Table 4.2 also indicates that a

total of 660 cases were also referred to the SDD for investigation within 2002 – 2007 while the ICPC filed a total of 142 criminal cases within 2011 – 2007 as indicated in table 4.3. This large number of investigations and charges tally with the view of the questionnaire respondents.

5.34 The Speed of Trial of Suspects for Corruption Offences

Beyond the actual trial of suspects the issue of speedy trial is equally an important element of the enforcement of punishments for corruption offences. The respondents were therefore asked to rate the speed of trial of suspects for corruption offences in the Federal Public Service. Their responses were presented in table 5.39 below.

Table 5.39; The Speed of Trial of Suspects for Corruption Offences in the Federal Public Service

Response	Number of Respondents	Percentage
Very high	22	6.83
High	64	19.88
Low	142	44.10
Very low	88	27.33
Undecided	6	1.86
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

From the data in table 5.39 above, 6.83% of the respondents rated the speed of trial of suspects for corruption offences in the Federal Public Service as

very high, 19.88% high and 1.86% were undecided. On the other hand, 44.10% the respondents rated the trial of the suspects as low and 27.33% very low. Thus, the speed of trial of suspects for corruption offences in the Federal Public Service has been low (71.43%). This must have forced the chairmen of the EFCC and the ICPC to seek for the establishment of special anti-corruption courts (Akinyemi; 2010).

5.35 The Level of Completion of Trial of Suspects for Corruption Offences in the Federal Public Service

The respondents were asked to rate the level of completion of trial of suspects for corruption offences in the federal public service. The responses of the respondents were presented in table 5.40 below.

Table 5.40; The Level of Completion of Trial of Suspects for Corruption Offences in the Federal Public Service

Response	Number of Respondents	Percentage
Very high	42	13.04
High	68	21.12
Low	92	28.57
Very low	116	36.02
Undecided	4	1.24
Total	**322**	**100.00 (Approximate)**

Source; Researcher's Survey, July, 2010

The data in table 5.40 above indicates that 13.04% of sample respondents rated the level of completion of suspects for corruption offences very high and 21.12% high while 1.24% were undecided. Conversely, 28.57% of the sample rated the level of completion low and 36.02 very low. Thus, the majority (64.59%) of the sample respondents rated the level of completion of trial of suspects for corruption offences in the federal public service low.

The data in table 4.1 indicates that only 274 (23.44%) of the 1,169 cases investigated by the investigation department of the ICPC for the period 2001 – 2007 were completed. Similarly, only 224 (33.94%) out of 660 cases investigated by the SDD within 2002 – 2007 were completed as presented in table 4.2. Not only that, table 4.3 indicates that the ICPC had only seven (4.93%) of the 142 criminal cases decided for the period 2001 – 2007 in its favour. In addition, table 4.11 also indicates that the CCB had fully investigated and referred to the tribunal only 32 (6.97%) of the 4259 cases referred to it within 2000 – March, 2007, thus, we can infer that the rate of completion of trial of suspects for corruption offences in the federal public service have been overleaf.

5.36 Level of Conviction of Offenders

For those whose trials for corruption offences were completed, the respondents were asked to rate the level of conviction of the suspects tried. Their responses were presented in table 5.41 below.

Table 5.41; Level of Conviction of Suspects for Corruption Offences

Response	Number of Respondents	Percentage
Very high	22	6.83
High	120	37.27
Low	100	31.66
Very low	48	14.91
Undecided	32	9.94
Total	**322**	**100.00 (Approximate)**

Source; Researcher's Survey, July, 2010

The responses of the samples respondents shows that 6.83% of rated the level of conviction of corruption offenders very high and 37.27% high while 9.94% were undecided. Conversely, 31.66% and 14.91% rated the level of conviction of suspects low and very low respectively. The majority of respondents rated the rate of conviction low, in aggregate terms, (46.57%) as compared to 44.10% who rated the level of conviction high.

5.37 Adequacy of Punishments for Corruption Offences

The respondents were asked to rate the level of adequacy of punishments of convicts. Their responses were presented in table 5.42 overleaf.

Table 5.42; Adequacy of Punishments for Corruption Offences

Response	Number of Respondents	Percentage
Very Adequate	27	8.39
Adequate	57	17.70
Inadequate	142	44.10
Very inadequate	68	21.12
Undecided	28	8.70
Total	**322**	**100.00 (Approximate)**

Source; Researcher's Survey, July, 2010

From the data in table 5.42 above, 8.39% of the sample respondents rated the level of punishments for corruption offences very adequate, 17.70% adequate and 8.70% were undecided. On other hand, 44.10% rated the sanctions as inadequate and 21.12% very inadequate. Thus, it can be stated that the sanctions for corruption offences were inadequate (65.22%). This can also be supported by the punishments for various corruption offences as presented in table 4.9. This range from the minimum of two years to the maximum of ten years jail terms with equally a minimum of N100,000 to maximum of N1,000,000 fine-for inflation of prices of goods and services. These penalties are mild when compared with those of similar offences in China, Saudi-Arabia, and India among others as stressed in chapter two. For instance, Tafa Balogun, a former Inspector-General of Police in Nigeria was sentenced to only two years imprison for embezzling N17 million belonging to the Nigeria Police. All the representatives of the CSOs (100%) also described the punishments as mild.

5.38 The Level of Enforcement of Punishments for Corruption Offences

The researcher sought to know the level of enforcement of punishments for corruption offences. The respondents were therefore asked to rate the level of enforcement of punishments for corruption offences. The responses of the respondents were presented in table 5.43 below.

Table 5.43; The Level of Enforcement of Punishments for Corruption Offences

Response	Number of Respondents	Percentage
Very high	14	4.35
High	58	18.01
Low	84	26.09
Very low	152	47.20
Undecided	14	4.35
Total	**322**	**100.00**

Source; Researcher's Survey, July, 2010

From the data in table 5.43 above, only 4.36% of the sample respondents rated the level of enforcement of punishments for corruption offences very high, 18.01% high and only 4.35% were undecided. Conversely, 26.09% of the sample respondents rated the level of enforcement of punishments for corruption offences low and 47.20% very low. Thus, the level of enforcement of punishments for corruption offences in the Federal Public Service has been very low. The representatives of the CSOs (100%) described the pattern of enforcement of the

anti-corruption laws as selective. This has also been impaired by the corrupt judiciary, the CSOs opined.

5.39 Test of Hypothesis III

The third hypothesis for the study was also stated in both the Null (H_0), and the Alternate (H_1) thus below;

H_0: The level of enforcement of punishments for corruption offences has not affected the effectiveness of anti-corruption institutions in combating corruption in the Federal public service.

H_1: The level of enforcement of punishments for corruption offences has affected the effectiveness of anti-corruption institutions in combating corruption in the Federal public service.

Using one tail test, only the Ho is tested. The implication is that once the Ho is accepted, the Hi is rejected and vice versa. The independent variable (x) in this hypothesis, is the enforcement of punishments for corruption offences while the dependent variable (Y) is the effectiveness of the anti-corruption institutions in combating corruption in the Federal public service.

The level of significance for the study is 95% (0.05) and the degree of freedom (v) is sixteen (16).

The values of the independent and dependent variables in tables 5.43 and 5.21 respectively were cross-tabulated in order to test the hypothesis using the

SPSS. The computer print out of the SPSS were presented in table 5.44, 5.45, 5.46 and 5.47.

Table 5.44

Reponses on Level of Enforcement of Punishments (Independent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	14	4.3	4.3	4.3
	High	58	18.0	18.0	22.4
	Low	84	26.0	26.1	48.4
	Vry Low	152	47.1	47.2	95.7
	Undecided	14	4.3	4.3	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

Table 5.45

Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Effective	20	6.2	6.2	6.2
	Effective	135	41.8	41.9	48.1
	Ineffective	146	45.2	45.3	93.5
	Very Ineffective	14	4.3	4.3	97.8
	Undecided	7	2.2	2.2	100.0
	Total	322	99.7	100.0	
Missing	System	1	.3		
Total		323	100.0		

Source: Computer Product of SPSS

The computer SPSS products of tables 5.43 and 5.21 are presented in tables 5.44 and 5.45 respectively. These were cross-tabulated in table 5.46 overleaf.

Table 5.46

Reponses on Level of Enforcement of Punishments (Independent Variable) * Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable) Crosstabulation

			Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)					
			Very Effective	Effective	Ineffective	Very Ineffective	Undecided	Total
Reponses on Level of Enforcement of Punishments (Independent Variable)	Very High	Count	14	0	0	0	0	14
		Expected Count	.9	5.9	6.3	.6	.3	14.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	100.0%	.0%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	70.0%	.0%	.0%	.0%	.0%	4.3%
		% of Total	4.3%	.0%	.0%	.0%	.0%	4.3%
		Residual	13.1	-5.9	-6.3	-.6	-.3	
		Std. Residual	14.1	-2.4	-2.5	-.8	-.6	
		Adjusted Residual	14.9	-3.3	-3.5	-.8	-.6	
	High	Count	6	52	0	0	0	58
		Expected Count	3.6	24.3	26.3	2.5	1.3	58.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	10.3%	89.7%	.0%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	30.0%	38.5%	.0%	.0%	.0%	18.0%
		% of Total	1.9%	16.1%	.0%	.0%	.0%	18.0%
		Residual	2.4	27.7	-26.3	-2.5	-1.3	
		Std. Residual	1.3	5.6	-5.1	-1.6	-1.1	
		Adjusted Residual	1.4	8.1	-7.7	-1.8	-1.3	
	Low	Count	0	83	1	0	0	84
		Expected Count	5.2	35.2	38.1	3.7	1.8	84.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	.0%	98.8%	1.2%	.0%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	61.5%	.7%	.0%	.0%	26.1%
		% of Total	.0%	25.8%	.3%	.0%	.0%	26.1%
		Residual	-5.2	47.8	-37.1	-3.7	-1.8	
		Std. Residual	-2.3	8.1	-6.0	-1.9	-1.4	
		Adjusted Residual	-2.7	12.3	-9.5	-2.3	-1.6	
	Vry Low	Count	0	0	145	7	0	152
		Expected Count	9.4	63.7	68.9	6.6	3.3	152.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	.0%	.0%	95.4%	4.6%	.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	99.3%	50.0%	.0%	47.2%
		% of Total	.0%	.0%	45.0%	2.2%	.0%	47.2%
		Residual	-9.4	-63.7	76.1	.4	-3.3	
		Std. Residual	-3.1	-8.0	9.2	.2	-1.8	
		Adjusted Residual	-4.4	-14.4	17.1	.2	-2.5	
	Undecided	Count	0	0	0	7	7	14
		Expected Count	.9	5.9	6.3	.6	.3	14.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	.0%	.0%	.0%	50.0%	50.0%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	.0%	.0%	.0%	50.0%	100.0%	4.3%
		% of Total	.0%	.0%	.0%	2.2%	2.2%	4.3%
		Residual	-.9	-5.9	-6.3	6.4	6.7	
		Std. Residual	-.9	-2.4	-2.5	8.2	12.1	
		Adjusted Residual	-1.0	-3.3	-3.5	8.6	12.5	
Total		Count	20	135	146	14	7	322
		Expected Count	20.0	135.0	146.0	14.0	7.0	322.0
		% within Reponses on Level of Enforcement of Punishments (Independent Variable)	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%
		% within Reponses on Effectiveness of Anti-Corruption Agencies(Dependent Variable)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
		% of Total	6.2%	41.9%	45.3%	4.3%	2.2%	100.0%

Source: Computer Product of SPSS

Table 5.47

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	774.214[a]	16	.000
Likelihood Ratio	592.605	16	.000
Linear-by-Linear Association	257.717	1	.000
N of Valid Cases	322		

a. 12 cells (48.0%) have expected count less than 5. The minimum expected count is .30.

Source: Computer Product of SPSS

The calculated χ^2 value was 774.214 as in table 5.47 while critical value was 26.296 as in appendix 'D'. The calculated χ^2 value was greater than the critical or table value.

Decision Rule: reject null hypotheses (H_0), if calculated value is greater than critical value and accept the alternate hypotheses (H_1).

Hence, in this case, the Ho which states that; The level of enforcement of punishments for corruption offences has not affected the effectiveness of anti-corruption institutions in combating corruption in the Federal Public Service is rejected and (H_1) which states that; "the level of enforcement of punishments for corruption forces has affected the effectiveness of the anti-corruption institutions in combating corruption in the Federal public service" is accepted.

5.40 Major Findings

(i) Both the sample respondents and the representatives of the civil society organisations opined that the anti-corruption institutions were not free from political interference. The EFCC was however, more prone to political interference relative to the ICPC and CCB. It has also been discovered that all the institutions exercised control over their staff even though the CCB was understaffed. However, the chairmen of the institutions were being dealt with by the presidency.

(ii) The EFCC was adequately funded as it receives donations from international agencies in addition to government funding. The contrary was the case for ICPC and the CCB. This has adversely affected the ICPC's plan of establishing more state offices and employing more staff especially in 2002, 2003, and 2004. All the anti-corruption institutions were not financially autonomous as they were funded through the presidency.

(iii) The sample respondents and representatives of the CSOs opined that neither the laws establishing the institutions have accorded them adequate autonomy nor did they exercise such in practice. A typical example is the provisions of section 39 of the EFCC Act which empowers the Attorney-General of the Federal to make rules and regulations with respect to the exercise of any of the duties, functions and powers of the commission. This is contrary to the views of theory of institutional autonomy and the conceptual framework for the study.

(iv) The anti-corruption institutions were found to be more effective in their preventive activities in the form of systems review of MDAs, education, public enlightenment and mobilisation. This has made corruption a matter

of public concern the institution were however ineffective in terms of detecting and investigating corruption cases. On the other hand there have been more effective in prosecuting corruption offenders though selective. In all, the anti-corruption institutions were ineffective in combating corruption in the federal public service. The EFCC however, fared better than the ICPC and CCB. The low level of autonomy exercised by the institutions affected their level of effectiveness.

(v) Although, the non-agency respondents often observed the occurrence of corruption in the public service, these cases were seldom reported to anti-corruption institutions even though they know the process of reporting corruption. Reasons given for this include; non-investigation of reported cases, non-punishment of culprits and potential danger of been harassed by suspects. Under this situation, the institutions will not enjoy citizens trust as required by the conceptual framework.

(vi) The federal public service has been rated to be non-transparent and the corruption reporting system ineffective. The non-transparent nature of public service has affected the effectiveness of corruption reporting system which has in turn affected the level of effectiveness of the anti-corruption institutions.

(vii) While the sample respondents were familiar with the activities of the anti-corruption institutions, representatives of the civil society and advocacy groups were of the contrary opinion. In the course of this study, the researcher observed that the institutions have not been as transparent as they were suppose to be. However, the ICPC have been found to be more

accessible than the EFCC and the CCB – as the researcher had accessed more information on the activities of the ICPC than the EFCC and CCB.

(viii) The study discovered that the number of trials of suspects for corruption offences was high, the speed of the trials was however slow and only a few of the cases have been completed and only a very few were convicted.

(ix) Punishments for corruption offences were mild and not severe enough to serve as preventive and deterrent measure. The level of enforcement of these punishments was also low. This has adversely affected the effectiveness of the anti-corruption institutions in combating corruption in the federal public service.

(x) Some of the major problems affecting the effectiveness of the institutions were identified from the open-ended questions asked the questionnaire respondents and interviewees. These include inter-alia; an overburdened judiciary resulting to slow trial of suspects and non-follow-up of cases especially by the CCB as well as inadequate political will on the part of the judiciary and the institutions to prosecute corrupt public servants. Others were selective prosecution of alleged corrupt officials especially by the EFCC, the executive immunity enjoyed by the president and his vice which shield from prosecution while in office, weak democratic institutions, inadequate security for corruption reporters and operatives of the anti-corruption institutions as well as poor welfare packages in the discharge of their responsibilities.

CHAPTER SIX

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This concluding chapter of the dissertation presented the summary of study and conclusions reached on the bases of the hypotheses tested. Recommendations were also made on the bases of the findings in chapter five.

6.2 Summary

The increasing incidence of corruption with impunity especially in the public realm is one of the major challenges of governments and has therefore, became a matter of public concern. In response to this, the Federal Government of Nigeria established an impressive array of institutions aimed at fighting corruption. This study attempted to assess the effectiveness of anti-corruption institutions (CCB, EFCC, and ICPC) in combating corruption in the federal public service within 1999 – 2009. The study specifically determined the degree of autonomy of the anti-corruption institutions and how that has affected their effectiveness in fighting corruption in the federal public service. It also ascertained the level of effectiveness of corruption reporting system in the federal public service and its effect on the effectiveness of the anti-corruption institutions in the public service. Not only that, the study also examined the level of enforcement of punishments for corruption offences and how it has affected the effectiveness of the anti-corruption institutions in combating corruption in the federal public service.

Three hypotheses were postulated for the study. These were stated in both the null and the alternate in order to avoid bias. The hypotheses centred on the determining whether or not the degree of autonomy of the anti-corruption institutions, the level of effectiveness of corruption reporting system in the federal public service, and the level of enforcement of punishments for corruption offences have affected the effectiveness of the anti-corruption institutions in combating corruption in the federal public service. The significance of the study to research, policy and practice of governance as well as to civil society organisations have been stressed. The limitation of the study has also been acknowledged. The study covered the period 1999 – 2009 and was limited to the effectiveness of the CCB, EFCC and the ICPC in fighting corruption in the federal public service in Nigeria. Some terms and concepts used in the study were authoritatively and most importantly, operationally defined as used in the study. These include the concepts of corruption, effectiveness, enforcement, and institutional autonomy. Others were institutional mechanism, public service, punishment and corruption reporting.

The literature relating to the study was thematically and critically reviewed. These include inter-alia: the concept and types of corruption, the perceived causes of corruption, and institutions perceived to be more corrupt in the public service. Others were the perceived effects of corruption in the federal public service, institutional autonomy, transparency, effective corruption reporting system in the public service and the enforcement of punishments for corruption offences. A

conceptual framework was adopted for the study on the assessment of the performance of public organisations using the views of Wang (2002) Leeuw (2002) and GAO (2005). These are relevance of input, operational and managerial effectiveness, meeting stakeholders' interest and effectiveness.

The research design for the study was mainly survey research consisting of the use of questionnaire administered on the staff of the anti-corruptions institutions and some federal MDAs. Representatives of some civil society organisations were also interviewed. These were complemented with content analysis of data from official documents of relevant institutions. The total population for the study was 7,177 (comprising of 7,173 questionnaire respondents and the four (4) interviewees). The sample size for questionnaire respondents was 379 representing 5.28% of their population. Stratified random sampling technique was adopted. Both primary and secondary sources of data were explored. These were presented in tables and frequencies using the chi-square distribution for the test of the hypotheses.

The activities of the anti-corruption institutions were reviewed. These consist of a brief background, composition and functions of each of them. The organisation structure of each of the institutions was presented and the functions/activities of the departments and units of the institutions identified and discussed. These were presented in tables and analysed using percentages where applicable. The achievements and problems of the institutions as contained in the relevant publications were also presented.

The data obtained from the field representing the views of the respondents were presented in tables and analysed using frequencies and percentages. The data centred on the questions on the bio-data of the sample respondents and the variables used in the study. The views of the respondents were complemented and counter balanced with the views of some representatives of the civil society and secondary data. From the data presented and analysed, the study revealed that the anti-corruptions institutions were not free from political interference especially the EFCC. Whiles the institutions exercised control over their staff, the chairmen of the institutions were dealt with by the President. In addition, the CCB and ICPC were not adequately funded, but the EFCC was adequately funded. However, all the three institutions lacked financial autonomy as they were funded through the presidency. The study also found out that the institutions were not autonomous by law and in practice.

Even though the respondents observed the occurrence of acts of corruption in public service very often, these acts were seldom reported even when they posses the knowledge of corruption reporting process. The reasons advanced for this development was that reported cases of corruption were often not investigated and culprits were hardly punished. There was also the potential danger of harassing corruption reporters. The low level of transparency in the federal public service has also adversely affected the effectiveness of corruption reporting system. This has in turn affected the effectiveness of the anti-corruption institutions in combating corruption in the federal public service.

Although, the anti-corruption institutions were rated ineffective in fighting corruption in the federal public service within 1999 – 2009, EFCC fared better than the other two institutions. Some of the problems affecting the effectiveness of the institutions were Identified. These include an overburdened judiciary resulting to slow trial of corruption cases, the executive immunity enjoyed by the president and his vice, non-follow-up of cases by the CCB and inadequate security for corruption reporters and operatives of the anti-corruption institutions.

6.3 Conclusions

From the data presented and analysed as well as the hypotheses tested in chapter five, the study concludes that the level of autonomy of the anti-corruption institutions for the period under study was low. The corruption reporting system was ineffective while the rate of enforcement of punishments for corruption offences was also low. The anti-corruption institutions were found to be ineffective in combating corruption in federal public service.

The hypotheses tested indicated that the level of autonomy of the anti-corruption institutions has affected their level of effectiveness in fighting corruption in the federal public. From the test of the second hypothesis, the study also concluded that the ineffectiveness of corruption reporting system in the public service has affected the effectiveness of the anti-corruption institutions in combating corruption in the federal public service. With the result obtained from the test of the third hypothesis, the study also concluded that the level of

enforcement of punishments for corruption offences has affected the effectiveness of the anti-corruption institutions.

In relation to the conceptual framework, the anti-corruption institutions lacked in the requirements for operational efficiency such as adequate autonomy, effective corruption reporting system, and a functional legal system capable of enforcing punishment for corruption offences. The citizen participation and trust in the anti-corruption institutions has been limited by inaccessibility to information on the activities of the institutions. In terms of efficacy, the anti-corruption institutions were ineffective in reducing the rate of corruption in the federal public service.

In other words, the low level of autonomy of the anti-corruption institutions, the ineffective corruption reporting system in the public service and the low level of enforcement of punishments for corruption offences were among other factors responsible for the ineffectiveness of the anti-corruption institutions in combating corruption in the federal public service. Therefore, an increase in the level of autonomy of the anti-corruption institutions, an increase in the level of effectiveness of corruption reporting system in the public service, and an increase in the level of enforcement of punishments for corruption offences will among others improve the level of effectiveness of the institutions in combating corruption in the federal public service.

6.4 Recommendations

In view of the findings made in chapter five, the study recommends that;

(i) The federal government should be committed to the sincere translation of the expressed political will of fighting corruption into reality by allowing the anti-corruption institutions to operate without political intervention in order not to compromise with their statutorily assigned responsibilities. This can be achieved through guaranteed tenure of the chairmen of the institutions especially the EFCC. A corollary to this is the appointment of change agents to head the institutions. This will enable the chairmen pursue the fight against corruption with more focus and vigour.

(ii) The adequate funding of the EFCC should be sustained and possibly improved upon in view of increasing incidence of corruption. The ICPC should be adequately funded to enable it establish more state offices and employ more staff. This will enable the agency ease its operations through decentralisation. Adequate funding of the CCB will enable it employ more staff, make its presence felt at the level of senatorial districts and later at all local government area headquarters in Nigeria in view of the enormous responsibilities of the agency. The anti-corruption institutions should be directly funded rather than through the presidency in order to ensure their financial autonomy.

(iii) The laws establishing the institutions should be strengthened by according them greater operational autonomy to enable them perform their responsibilities without hindrance. Parts of the laws subjugating the institutions to other institutions should be repealed. A typical example is the provision of section 39 of the EFCC Act which empowers the Attorney General of the Federation to make rules and regulations with respect to the

exercise of any of the duties, functions and powers of the commission. This powers should be entrusted on the National Assembly as the judiciary abused such powers in staling trial of corrupt public officials.

(iv) An effective anti-corruption strategy should all embracing consisting of prevention, detection, investigation, enforcement, public awareness and institutional building. This should be done in a consistent and coherent manner, broad base approach, and on long term perspective in order to be effective. These requirements are systemic as an imbalance in anyone of them can lead to disequilibrium.

(v) In order to facilitate effective corruption reporting system, reported cases should be promptly investigated and culprits punished. The identity of corruption reporters should be kept confidential in order to protect them from potential danger of harassment. A closer relationship and confidence building measures between the citizens and the institutions should be enhanced to facilitate effective corruption reporting as it will elicit citizens and other stakeholders participation and trust in the activities of the institutions.

(vi) The Freedom of Information (FOI) bill should be passed and signed into an act in a timely manner to facilitate transparency in public institutions and anti-corruption institutions. This will get the citizens informed and acquainted with their activities and solicit their support and cooperation for the public ownership of the anti-corruption war. Paragraph 3, part 1 of the third schedule of the Constitution of the Federal Republic of Nigeria, 1999 should be amended to ensure compulsory public declaration of assets and

liabilities of public servants. This will enable citizens have access to assets disclosure forms of public servants and petition the commission of any breach of the Code of Conduct. Privacy should not be an obstacle to vetting the origin of unexplained wealth.

(vii) The reform of the country's legal, judicial and prosecution system is required by among others employing more competent prosecutors and re-orienting the judges to demonstrate more courage in executing corruption cases. In the interim, special anti-corruption courts can be established for the speedy trial of corruption cases to relief the currently overburdened judiciary. As part of the reform, section 308 of the constitution that confer immunity on the president and his vice should be amended to exclude prosecution for corruption offences.

(viii) Punishments for corruption offences should be reviewed and made more severe in order to serve its purpose as a preventive and deterrent measure. A minimum of ten years jail term without option of fine to life imprisonment for cases relating to state capture is recommended. The anti-corruption institutions especially the CCB and ICPC should also follow-up declarations and cases under investigation. In the process, corruptly acquired wealth should be confiscated, forfeited and transparently accounted for by the institutions. These are expected to raise the level of expected penalties relative to the expected benefits of corruption. Thus, making the act of corruption less attractive.

(ix) As corruption in the federal public service has become more complex, advanced technology is required by the anti-corruption institutions in

detecting and investigating corruption offences. International collaboration with relevant institutions and countries is required for capacity building of the staff of the institutions and for facility update.

(x) Deliberate and concerted effort should be made by the federal government to provide better welfare package for the staff of the EFCC, ICPC and the CCB. This is essential to motivating them for enthusiasm and better performance. The operatives also deserve adequate security, better training, and exposures to enable them effectively cope with the hazards associated with their tasks.

6.5 Further Study

Further research is suggested on the effect of societal value system on corruption in the federal public service.

BIBLIOGRAPHY

A. BOOKS

Adamolekun, L. (2006). *Politics, Bureaucracy and Development in Africa.* Spectrum Books Limited, Ibadan.

_____ (2002). *Central Government Organisation.* In Adamolekun, L. (ed), Public Administration in Africa, Main Issues and Selected Country Studies. Spectrum Books Limited, Ibadan (3 – 6).

Adebayo, A. (1986). *Power in Politics.* Spectrum Books Limited, Ibadan.

Aduda, G.T. (2007). *Budget Monitoring and Price Intelligence Unit (Due Process); A Mechanism for Combating Corruption in Infrastructure Delivery in Nigeria.* Partnering to Combating Corruption Series, Leicestershire, Water Engineering and Development Centre, Loughborough University, United Kingdom.

Ali, Y.O. (2007). *The Anti-Graft War.* In; Saliu, H., Amali, E., and Olawepo, R. (eds), *Nigeria's Reform Programme, Issues and Challenges.* Faculty of Business and Social Sciences, University of Ilorin, Ilorin (511 – 540).

Bello-Imam, I.B. (2005). *The War Against Corruption in Nigeria; Problems and Prospects.* College Press and Publishers Limited, Ibadan.

Black, H.C. Nolan, J.R. Nolan – Haley, J.M., Connoly, M.J., Hicks, S.C. and Alibrandi, M.N. (1990). *Black's Law Dictionary.* Sixth Edition, West Publishing Company, St. Paul, Minn, USA.

Braibanti R. (1966). *Transnational Inducement of Administrative Reform; A Survey of Scope and Critique of Issues.* In; Montgomery, J.D. and Siffin, W.J. (eds), *Approaches to Development; Politics, Administration and Change.* McGraw-Hill Book Company. New York, (133 – 183).

Creswell, J.W. (2003). *Research Design; Qualitative, Quantitative; and Mixed Methods Approaches.* Sage Publications, London.

Ekumankama, D.U. (2002). *Law, Corruption and Other Economic Crimes in Nigeria Today; Problems and Solutions.* New World Publishers, Jos.

Gregory, R. (2007). *Accountability in Modern Government.* In: Peters, B.G. and Piere, J. (eds), *The Handbook of Public Administration.* (339 – 350) Sage Publications, London

Henry, N. (1999). *Public Administration and Public Affairs.* Prentice – Hall of India Private Limited, New – Delhi.

Hoffman, J. and Graham, P. (2009). *Introduction to Political Theory.* Second Edition, Pearson Longman, London.

Locke, L.F. Spirduso, W.W., and Silverman, S.J. (2007). *Proposals that Work; A Guide for Planning Dissertations and Grant Proposals.* Sage Publications, London.

Lucey, T. (1996). *Quantitative Techniques.* 5th Edition, Ashford Colour Press Ltd, London.

Morenikeji, W. (2006). *Research and Analytical Methods for Social Scientists, Planners, and Environmentalists.* Jos University Press Ltd, Jos.

Olaopa, T. (2008). *Theory and Practice of Public Administration and Civil Service Reforms in Nigeria.* Spectrum Books Limited, Ibadan.

Olowu, D. (2002). *Accountability and Transparency.* In; Adamolakun, L. (ed), *Public Administration in Africa; Main Issues and Selected Country Studies.* Spectrum Books Limited, Ibadan (139 – 158).

Otite, O. (1986). *On the Sociological Study of Corruption.* In; Odekunle, F. (ed), *Nigeria, Corruption in Development.* University Press, Ibadan (pp. 11 – 19).

Sani, H.A. (1999). *Control of Federal Civil Service Size.* Unilorin Press, Ilorin.

Spiegel, M.R. and Stephens, L.J. (1999). *Statistics.* McGraw Hill, New York.

Thoenig, J.C. (2007). *Institutional Theories and Public Institutions; Tradition and Appropriateness*. In; Peter, B.G. Pierre, J. (eds), *Handbook of Public Administration.* Sage Publications, London pp 88 – 98.

B. JOURNAL ARTICLES

Berman, E. (2002). *How useful is performance measurement. Public Performance and Management Review,* 25(4); 348 – 351.

Brownsberger, W.N. (1983) D*evelopment and Governmental Corruption – Materialism and Political Fragmentation in Nigeria. The Journal of African Studies,* 21, 2, pp. 215 – 233.

Doig, A. and Mclvor, S. (1999) *Corruption and its Control in the Development Context, an Analysis and Selective Review of the Literature. Third World Quarterly,* Vol. 20, No. 3, pp. 657 – 676

Hatry, H.P. (2002). *Performance measurement, fashions and fallacies*: *Public Performance and Management Review.* 25 (4); 352 – 358.

Ladipo, Y.O. (2002)., *Bribery and Corruption in Nigeria.* The Public Account; the Journal of the Institute of Certified Public Accountants of Nigeria, Vol. 1 July – October; 11 – 16.

Ochije, P.D. (2001) *Law and Social Change; A Socio-Legal Analysis of Nigeria's Corrupt Practices and Other Related Offences Act, 2000. Journal of African Law,* 45,2, pp. 173 – 195, School of Oriental and African Studies, United Kingdom.

Osoba, S.O. (1996) *Corruption in Nigeria; Historical Perspective Review of African Political Economy,* No. 69, pp 371 - 386.

Suensson, J. (2005) *Eight Questions about Corruption. Journal of Economic Perspectives,* Volume 19, No. 3, pp 19 – 42.

Tanzi, V. (1998) *Corruption Around the World, Causes, Consequences, Scope and Cures. IMF Staff Papers,* Vol. 45, No. 4, pp. 559 – 594.

Thiel, S.V. and Leeuw, F.L. (2002), *The performance paradox in the Public Sector*: In; *Public Performance and Management Review,* 25 (3); 267 – 281.

Wang, X. (2002). *Assessing performance measurement impact; A study of U.S. Local Government. Public Performance and Management Review*, 26 (1); 26 – 43.

(C) UNPUBLISHED MATERIALS

Adagba, O.S. (2007). *An Assessment of the Institutional Frameworks for Combating Corruption in the Federal Public Sector in the Fourth Republic*. Being a Ph.D Seminar Paper Presented to the Department of Public Administration, Faculty of Administration, Ahmadu Bello University, Zaria.

African Diaspora Initiative (2007). *Anti-Corruption and Governance.* Training Module.

Akinyemi, A.B. (2010). *Fighting Corruption and Social Conflict to Achieve Development*. Text of the Lead Lecture Delivered at the 10th Anniversary Celebration of Arewa Consultative Forum on Thursday, April 29th 2010, Kaduna.

Massoud, O. (nd) The Effects of Corruption on Public Service Delivery in Nigeria.

(D) NEWSPAPERS AND MAGAZINES

Adebayo, F. (2010). Lords of the Law. Tell, December 2, p. 46.

Akinrijomu, B. (2009). *Slipping Back into Old Times*. Tell, March 9, p. 6.

Ekwueme, A. (2009) *Immunity Clause not Necessary.* Tell, February 16, pp. 26 – 32.

Falana, F. (2007). *Governance, Rule of Law and Anti-Corruption*. Punch, December 10, p. 42.

Financial Standard (2007) *Why Nigeria Must Probe the Willbros Exposure.* Financial Standard, November 19, p. 10.

Independent Advocacy Group (2007). *Organisations Likely to Receive Bribes.* In; Punch, June 14, p. 7.

Nwokeoma, J. (2009). *Has Nigeria Lost the War Against Corruption*. In Sunday Punch, May 24, p. 16.

Shettima, A.G. (2010). *Corruption; A Lost War.* Daily Trust, April 30, p. 14.

Tell (2009). *Report Scores Nigeria Low on Corruption War.* March, 2 p. 20,

Tell (2009). *Elumelu Scandal.* Tell, June 1, pp. 32 – 33.

Tell (2009). *A Covenant with Darkness.* Tell, July 27, pp. 18 – 24.

Punch (2007). *Police, PHCN, Customs Top Corruption List.* Punch, June 14, p. 14.

(E) INTERNET SOURCES

African Development Bank Group (2006) *Combating corruption in africa; issues and challenges*. Concept Note Paper for the 2006 Annual Meetings, Ouagadougou, Burkina Faso.

Carman, J.G. and Millesen, J.L. (2004). *Evaluation theory and practice; a report from the field*, TSTR Six International Conference, Toronto, Canada, Retrieved on August 2, 2008 from htt://atlar-Conferences. com/c/a/m/1/ 94.htm

GAO (2005). *Performance measurement and evaluation.* Retrieved on August 2, 2008 from www.gao.gav./fraudent/ fraudnet.htm

Global Integrity (2006). Global integrity country assessments and global integrity index. Retrieved on December 15, 2008 from www.globlintegrity

Global Integrity (2007). Global integrity report, key findings. *Retrieved on December 15, 2008 from globlintegrity Report 2, htm*

Global Integrity Report (2004). Flawed Democracies. *Retrieved on December 15, 2008 from globlintegrity Report 2, htm*

Gonzalez de Asis, M. (2000) *Coalition Building.* World Bank Institute, *Retrieved on February 8, 2008 from* http:// www.worldbank.org/wbi/governance.

Huther, J. and Shah, A. (2000). *Anti-Corruption Policies and Programmes; A Framework for Evaluation.* Operations and Evaluation Department (OED), the World Bank Policy Research Working Paper WPS2501.

Israel, G.D. (1992). *Sampling the Evidence of Extension Programme Impact, Programme Evaluation and Organisational Development*. IFAS, University of Florida.

Jamaican Commission for the Prevention of Corruption, Kingston (2000).

MO Ibrahim Foundation (2008). *Ibrahim Index of African Governance.* www.moibrahimfoundation.org

New Internationalist (2006). *Corruption Around the World. Retrieved on November 27, 2008 from en.wikipedia.org/wiki/new_internationlist*

Njoku, U.J. (2007). *Corruption and Social Change in Federal Public Service and the Agency – Structure Debate*.

Onaiyekan, J. (2008). *Anti-Corruption and Value Orientation*. Delivered at a Retreat for Ministers and Permanent Secretaries, Abuja.

Osoba, S. (2005). *Corruption in Nigeria.* In the Washington Post Company Retrieved on December 2, 2008 from www.washingtonpost.com

Ribadu, N. (2006). *Nigeria's Struggle with Corruption.* Being an Abridged and Edited Version of Presentation to US Congressional Committee on 18 May, 2006, International Development, Washington DC.

Seth, A. (2008). *A General Theory of Institutional Autonomy.* Retrieved on 11/23/2008 from http://www. allacademic.com

The World Bank (1996). *Can Corruption be Measured?* www.ext/worldbank. org/BW/Vol. 3 No. 6.

Transparency International (1999) *Corruption perceptions Index*, 1997 – 2009 htt://www. transaprency.org

UNESCAP (2010). What is Good Governance? Retrieved February 12, 2010, from htt://www.unescap.org/pdd/prs/project/activities/ongoing/gg/governance.asp

Vital, N. (2000). *Institutional Mechanism to Prevent and Eradicate Corruption; the Indian Perspective.* Paper Presented by the Indian Central Vigilance Commissioner at the CAPAM Seminar, Retrieved on September 12, 2008 from http://cuc.nic.in/vscvc/ cvcspeeches. html.

(F) OFFICIAL PUBLICATIONS

BPSR (2007). Federal Public Service Reform; Answers to Sixty Six Frequently Asked Questions on Public Service Reform, Abuja.

Buhari, M. (2007 October). *Quote Me*, in Zero Tolerances, The Magazine of Nigeria's Economic and Financial Crimes Commission Vol. 2 No. 1(14)

CCB (2004), Annual Report, Abuja, The Presidency.

CCB (2007). Ministerial Press Briefing, Abuja, the Presidency.

Costa, A.M. (2008). *Anti-Corruption Climate Change; It Started in Nigeria.* In the Eagle Watch, A Quarterly Newsletter of the EFCC Training and Research Institute, Vol. 2, No. 2.

EFCC (2004). Economic and Financial Crimes Commission (Establishment) Act, 2004, Abuja, Heritage Press Limited.

Falana, F. (2006). *Executive Immunity and the Fight Against Corruption.* In EFCC, Proceeding of the Fifth National Seminar on Economic Crime Karu; August 22 – 24, 2006.

Federal Ministry of Finance (2005), Detailed Breakdown of Allocation to Federal State and Local Governments, June 1999 – December, 2005, Series No. 3.

FRN (1999), Constitution of the Federal Republic of Nigeria, Lagos, Federal Government Press.

FRN (2003), Nigeria Governance and Corruption Survey Study; Analysis of Survey Results, Final Report.

ICPC (2000), The ICPC Act, 2000, Ibadan, University Press Plc.

ICPC (2007) Annual Report, Abuja, Finlay Communications Ltd.

ICPC (2005) Progress Report, September 2000 July 2005, Abuja, The Presidency.

Yar'adua, U.M. (2008). The Fight Against Corruption is my Fight. In the *Eagle Watch,* Special Edition of A Quarterly Newsletter of the EFCC Training Institute, Vol. 2, No. 5 (1 and 22)

APPENDIX

Department of Public Administration,
Faculty of Administration,
Ahmadu Bello University,
Zaria.

29 August, 2009

Dear Respondent,

I am a Ph.D student in the Department of Public Administration, Ahmadu Bello University, Zaria, undertaking a research on "Assessment of the Effectiveness Institutional Mechanisms for Combating Corruption in the Federal Public Service (1999 – 2009)."

This questionnaire is designed to elicit your response to the questions that are contained therein. The information provided by you would be strictly used for research purpose and shall be treated with confidentiality.

Your prompt response to the questions would be highly appreciated.

Yours faithfully,

Signed

IDRIS MUSA

APPENDIX 'A'
SECTION A
PERSONAL DATA OF RESPONDENTS
(STAFF OF ANTI-CORRUPTION INSTITUTIONS)

Please tick [√] as appropriate in your answer to the following questions.

(1) Sex of Respondent
- (a) Male [ ]
- (b) Female [ ]

(2) Age of Respondent
- (a) 21 – 30 years [ ]
- (b) 31 – 40 years [ ]
- (c) 41 – 50 years [ ]
- (d) 51 – 60 years [ ]
- (e) 61 years and above [ ]

(3) Last Educational Qualification of Respondent
- (a) First School Leaving Certificate [ ]
- (b) WASC/GCE/SSCE [ ]
- (c) NCE/OND/ND [ ]
- (d) Degree/HND [ ]
- (e) Postgraduate [ ]
- (f) Others; Specify [ ]

(4) Marital status
- (a) Single [ ]
- (b) Married [ ]
- (c) Divorced [ ]
- (d) Separated [ ]

(5) Name of Anti-Corruption Agency
- (a) CCB [ ]
- (b) EFCC [ ]
- (c) ICPC [ ]

(6) Length of Service in the Public Service
- (a) 1 – 10 years [ ]
- (b) 11 – 20 years [ ]
- (c) 21 – 30 years [ ]
- (d) 31 years and above [ ]

(7) Length of service in Anti-Corruption Agency

(a) 1 – 5 years [ ]
(b) 6 – 10 years [ ]
(c) 11 – 15 years [ ]
(d) 16 – 20 years [ ]
(e) 21 – 25 years [ ]
(f) 26 – 30 years [ ]

(8) Classification of respondents according to management/non management staff

(a) Management staff [ ]
(b) Non-management staff [ ]

SECTION B

(i) Questions related to Hypothesis one; Autonomy and the effectiveness of Anti-Corruption Institutions

(9) How would you rate the level of freedom of your agency from political interference?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very low [ ]
(e) Undecided [ ]

(10) How would you rate the level of control exercised over staff by your organisation?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very low [ ]
(e) Undecided [ ]

(11) How adequate is the rate of funding of your organisation?

(a) Very Adequate [ ]
(b) Adequate [ ]
(c) Inadequate [ ]
(d) Very Inadequate [ ]
(e) Undecided [ ]

(12) How would you rate the level of financial autonomy of your organisation?
- (a) Very high [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very low [ ]
- (e) Undecided [ ]

(13) How would you rate the level of autonomy conferred on your organisation by the law establishing it?
- (a) Very high [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very low [ ]
- (e) Undecided [ ]

(14) How would you rate the level of autonomy of your organisation in practice?
- (a) Very High [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very Low [ ]
- (e) Undecided [ ]

(15) How would you rate the level of corruption in the Federal Public Service before the establishment of the anti-corruption institutions?
- (a) Very high [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very Low [ ]
- (e) Undecided [ ]

(16) Please, rate the effectiveness of the anti-corruption institutions between 1999 – 2009 in terms of the following;

Effectiveness Criteria	Very Effective	Effective	Undecided	Ineffective	Very Ineffective
Prevention of Corrupt Practices					
Detection of Corrupt Practices					
Investigation of Corrupt Practices					
Prosecution of Alleged Corrupt Public Officials					
Reduction in the Level of Corruption in Federal Public Service					

(17) How would you rate the overall level of effectiveness of the anti-corruption institutions in fighting corruption in the Federal Public Service?

(a) Very Effective [ ]
(b) Effective [ ]
(c) Ineffective [ ]
(d) Very ineffective [ ]
(e) Undecided [ ]

(ii) Questions Related to Hypothesis Two; Corruption Reporting System and the effectiveness of anti-corruption institutions in fighting Corruption in the Federal Public Service

(18) How often do you observe acts of corruption in the federal public service?

(a) Very often [ ]
(b) Often [ ]
(c) Seldom [ ]
(d) Very seldom [ ]
(e) Undecided [ ]

(19) How would you rate the level of transparency in the Federal Public Service?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(20) How would you rate the level of effectiveness of corruption reporting in the federal public service?
(a) Very Effective [ ]
(b) Effective [ ]
(c) Ineffective [ ]
(d) Very ineffective [ ]
(e) Undecided [ ]

(21) Do you agree that the level of transparency in the public service affected the level of effectiveness of corruption reporting system?
(a) Strongly Agree [ ]
(b) Agree [ ]
(c) Disagree [ ]
(d) Strongly Disagree [ ]
(e) Undecided [ ]

iii. Questions Related to Hypothesis Three; Severity of Punishment for Corrupt Offences and the effectiveness of Anti-Corruption Institutions in Combating Corruption in the Federal Public Service

(22) How would you rate the level of trial of suspects for corruption offences in the Federal Public Service?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(23) How would you rate the speed of trial of suspects for corruption offences?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(24) How would you rate the level of completion of corruption cases?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(25) How would you rate the level of conviction of corruption offenders?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(26) How adequate are the punishments for corruption offences in the Federal Public Service?
(a) Very Adequate [ ]
(b) Adequate [ ]
(c) Inadequate [ ]
(d) Very inadequate [ ]
(e) Undecided [ ]

(27) How would you rate the level of enforcement of punishments for corruption offences in the Federal Public Service?
(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(28) What in your opinion are the major factors affecting the effectiveness of the anti-corruption institutions in fighting corruption in the Federal Public Service? List them

_____
_____
_____
_____

(29) What in your opinion should be done to make the anti-corruption institutions more effective in the federal public service? list them

_____
_____
_____

APPENDIX 'B'
SECTION A
PERSONAL DATA OF RESPONDENTS
(STAFF OF THE FEDERAL MDAS)

Please tick [√] as appropriate in your answer to the following questions.

(1) Sex of Respondent
- (a) Male [ ]
- (b) Female [ ]

(2) Age of Respondent
- (a) 21 – 30 years [ ]
- (b) 31 – 40 years [ ]
- (c) 41 – 50 years [ ]
- (d) 51 – 60 years [ ]
- (e) 61 years and above [ ]

(3) Last Educational Qualification of Respondent
- (a) First School Leaving Certificate [ ]
- (b) WASC/GCE/SSCE [ ]
- (c) NCE/OND/ND [ ]
- (d) Degree/HND [ ]
- (e) Postgraduate [ ]
- (f) Others Specify [ ]

(4) Marital status
- (a) Single [ ]
- (b) Married [ ]
- (c) Divorced [ ]

(5) Name of organisation you are serving with .....
.....

(6) Length of Service in the Public Service
- (a) 1 – 10 years [ ]
- (b) 11 – 20 years [ ]
- (c) 21 – 30 years [ ]
- (d) 31 years and above [ ]

(7) Classification of respondents according to management/non management staff
- (a) Management staff [ ]
- (b) Non-management staff [ ]

SECTION B

(i) Questions related to Hypothesis one; Autonomy and the effectiveness of Anti-Corruption Institutions

(8) How would you rate the level of freedom of the anti-corruption institutions (EFCC, ICPC and CCB) free from political interference?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(9) How would you rate the level of control exercised by the anti-corruption over their staff?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(10) How adequate is the rate of funding of anti-corruption institutions?

(a) Very Adequate [ ]
(b) Adequate [ ]
(c) Inadequate [ ]
(d) Very Inadequate [ ]
(e) Undecided [ ]

(11) How would you rate the level of financial autonomy of anti-corruption institutions?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(12) How would you rate the level of autonomy conferred on the institutions by the laws establishing them?

(a) Very high [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(13) How would you rate the level of autonomy of anti-corruption institutions in practice?

(a) Very High [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(14) How would you rate the level of corruption in the Federal Public Service before the establishment of CCB, ICPC and EFCC?

(a) Very High [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(15) (x) Please, rate the effectiveness of the anti-corruption institutions between 1999 – 2009 in terms of the following;

Effectiveness Criteria	**Very Effective**	**Effective**	**Undecided**	**Ineffective**	**Very Ineffective**
Prevention of Corrupt Practices					
Detection of Corrupt Practices					
Investigation of Corrupt Practices					
Prosecution of Alleged Corrupt Public Officials					
Reduction in the Level of Corruption in Federal Public Service					

(16) How would you rate the overall level of effectiveness of the anti-corruption institutions in fighting corruption in the Federal Public Service?

(a) Very effective [ ]
(b) Effective [ ]
(c) Ineffective [ ]
(d) Very Ineffective [ ]
(e) Undecided [ ]

(17) (xi) Which of the following anti-corruption institution is most effective?

(a) The EFCC [ ]
(b) The CCB and its Tribunal [ ]
(c) The ICPC [ ]
(d) Undecided [ ]

(ii) Questions Related to Hypothesis Two; Corruption Reporting System in the Federal Public Service and the effectiveness of anti-corruption institutions in fighting Corruption in the Federal Public Service

(18) How often do you observe acts of corruption in the federal public service?

(a) Very Often [ ]
(b) Often [ ]
(c) Seldom [ ]
(d) Very seldom [ ]
(e) Undecided [ ]

(19) How often do you report acts of corruption to any anti-corruption agency?

(a) Very Often [ ]
(b) Often [ ]
(c) Seldom [ ]
(d) Very seldom [ ]
(e) Undecided [ ]

(20) How adequate is your knowledge of corruption reporting process?

(a) Very Adequate [ ]
(b) Adequate [ ]
(c) Inadequate [ ]
(d) Very Inadequate [ ]
(e) Undecided [ ]

(21) If your answer to question No. 19 above is seldom or very seldom, give reasons for your choice

_____
_____
_____

(22) How would you rate the level of transparency in the Federal Public Service?
- (a) Very High [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very Low [ ]
- (e) Undecided [ ]

(23) How effective is corruption reporting system in the federal public service?
- (a) Very effective [ ]
- (b) Effective [ ]
- (c) Ineffective [ ]
- (d) Very Ineffective [ ]
- (e) Undecided [ ]

(24) Do you agree that the level of transparency affects the effectiveness of corruption reporting system?
- (a) Strongly Agree [ ]
- (b) Agree [ ]
- (c) Disagree [ ]
- (d) Strongly Disagree [ ]
- (e) Undecided [ ]

III. Questions Related to Hypothesis Three; Severity of Punishments for Corruption Offences and the Effectiveness of Anti-Corruption Institutions

(25) How would you rate the level of trial of suspect for corruption offences in the Federal Public Service?
- (a) Very High [ ]
- (b) High [ ]
- (c) Low [ ]
- (d) Very Low [ ]
- (e) Undecided [ ]

(26) How would you rate the speed of trial of suspects for corruption offences?
- (a) Very fast [ ]
- (b) Fast [ ]
- (c) Undecided [ ]
- (d) Slow [ ]
- (e) Very slow [ ]

(27) How would you rate the level of completion of corruption cases?

(a) Very High [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(28) How adequate are the punishments for corruption offences in the Federal Public Service?

(a) Very adequate [ ]
(b) Adequate [ ]
(c) Inadequate [ ]
(d) Very inadequate [ ]
(e) Undecided [ ]

(29) How would you rate the level of enforcement of punishments for corruption offences in the Federal Public Service?

(a) Very High [ ]
(b) High [ ]
(c) Low [ ]
(d) Very Low [ ]
(e) Undecided [ ]

(30) What in your opinion are the major factors affecting the effectiveness of the anti-corruption institutions in fighting corruption in the Federal Public Service? List them

_____
_____
_____
_____

(31) What in your opinion should be done to make the anti-corruption institutions more effective? List them;

_____
_____
_____
_____

APPENDIX 'C'

INTERVIEW GUIDE FOR REPRESENTATIVES OF THE CIVIL SOCIETY/ADVOCACY GROUPS

1) Name of Interviewee

2) Name of Civil Society/Advocacy Groups

3) Designation

4) Are the anti-corruption institutions (EFCC, CCB & ICPC) autonomous in terms of;
   (xi) Non-interference in their operations?
   (xii) Control over their personnel in terms of appointment, promotion etc?
   (xiii) Financial Autonomy (adequate and regular funding)

5) Do you think that, the laws establishing each of the anti-corruption institutions have given them adequate autonomy?

6) How would you rate the level of autonomy of each of the institutions?

7) How would you rate the level of effectiveness of corruption reporting system in the Federal Public Service?

8) Are the citizens acquainted with the activities of the anti-corruption institutions in Nigeria?

9) How would you rate the speed of trail of suspects for corruption offences by the courts in Nigeria?

10) What in your view are the implications of the immunity enjoyed by the president and his vice in relation to prosecution for corruption offences?

11) How would you rate the level of enforcement of punishments for corruption offences in the Federal Public Service?

12) How would you rate the level of corruption in the Federal Public Service before the establishment of the anti-corruption institutions?

13) How would you rate the level of effectiveness of the anti-corruption institutions in the Federal Public Service between 1999 – 2009?

14) What in your opinion are the major problems associated with the effectiveness of the anti-corruption institutions in the Federal Public Service?

15) What in your opinion should be done to make the anti-corruption institutions more effective in combating corruption in the Federal Public Service?

Profile of the Interviewees

Name	**CSO**	**Date and Time of Interview**
Auwal Musa Rafsanjani	• Chairman Zero Corruption Coalition • Member Civil Society and Advocacy Centre, Abuja.	7:00 – 8:00m 25/07/2010
Dr Otize Igbuzo	• Formerly of Action Aid International • Chairman, African Centre for Leadership and Strategy, Abuja.	8:00pm – 8:30pm 25/07/2010
Bar. Festus Okoye	Human Rights Monitor, Kaduna.	3:00pm – 3:25pm 24/07/2010
Kole Shetima	• Formerly of MC Author Foundation • Chairman Centre for Democracy and Development, Abuja.	4:15 – 5:00pm 24/07/2010

Source: Researcher's Survey, July, 2010

APPENDIX D

Critical Values of the x^2 – Distribution

V	α							
	0.995	0.99	0.975	0.95	0.05	0.025	0.01	0.005
1	$O.O^4393$	$O.O^3157$	$O.O^3982$	$O.O^2393$	3.841	5.024	6.635	7.879
2	0.0100	0.0201	0.0506	0.103	5.991	7.378	9.210	10.597
3	0.0717	0.115	0.216	0.352	7.815	9.348	11.345	12.838
4	0.207	0.297	0.484	0.711	9.488	11.143	13.277	14.860
5	0.412	0.554	0.831	1.145	11.070	12.832	15.086	16.750
6	0.676	0.872	1.237	1.635	12.592	14.449	16.812	18.548
7	0.989	1.239	1.690	2.167	14.067	16.013	18.475	20.278
8	1.344	1.646	2.180	2.733	15.507	17.535	20.090	21.955
9	1.735	2.088	2.700	3.325	16.919	19.023	21.666	23.589
10	2.156	2.558	3.247	3.940	18.307	20.483	23.209	25.188
11	2.603	3.053	3.816	4.575	19.675	21.920	24.725	26.757
12	3.074	3.571	4.404	5.226	21.026	23.337	26.217	28.300
13	3.565	4.107	5.009	5.892	22.362	24.736	27.688	29.819
14	4.075	4.660	5.629	6.571	23.685	26.119	29.141	31.319
15	4.601	5.229	6.262	7.261	24.996	27.488	30.578	32.801
16	5.142	5.812	6.908	7.962	26.296	28.845	32.000	34.267
17	5.697	6.408	7.564	8.672	27.587	30.191	33.409	35.718
18	6.265	7.015	8.231	9.390	28.869	31.526	34.805	37.156
19	6.844	7.633	8.907	10.117	30.144	32.852	36.191	38.582
20	7.434	8.260	9.591	10.851	31.410	34.170	37.566	39.997
21	8.034	8.897	10.283	11.591	32.671	35.479	38.932	41.401
22	8.643	9.542	10.982	12.338	33.924	36.781	40.289	42.796
23	9.260	10.196	11.689	13.091	35.172	38.076	41.638	44.181
24	9.886	10.856	12.401	13.848	36.415	39.364	42.980	45.558
25	10.520	11.524	13.120	14.611	37.652	40.646	44.314	46.928
26	11.160	12.198	13.844	15.379	38.885	41.923	45.642	48.290
27	11.808	12.879	14.573	16.151	40.113	43.194	46.963	49.645
28	12.461	13.565	15.308	16.928	41.337	44.461	48.278	50.993
29	13.121	14.256	16.047	17.708	42.557	45.722	49.588	52.336
30	13.787	14.953	16.791	18.493	43.773	46.979	50.892	53.672

APPENDIX 'E'

STANDING ORDER

for the

OPERATIONS

of the

ANTI-CORRUPTION AND TRANSPARENCY MONITORING UNITS (ACTUs)

in

MDAs

INDEPENDENT CORRUPT PRACTICES & OTHER RELATED OFFENCES COMMISSION
23 AUG 2007
DESPATCHED
sign

PREAMBLE

WHEREAS the Federal Government has considered and approved the request of the Commission for the establishment of Anti-Corruption and Transparency Monitoring Units (ACTUs) in MDAs vide circular Ref. No. OHCSF/MSO/192/94 dated 2nd October, 2001 and another circular Ref. No. OE/MS/MSO/169/S.1/7 dated 16th April, 2003 respectively.

WHEREAS the Federal Government of Nigeria has established the Independent Corrupt Practices and Other Related Offences Commission pursuant to Section 3 (1) of the Corrupt Practices and Other Related Offences Act 2000

AND

WHEREAS Section 7 (1) of the Act 2000 and Section 70 of the same Act 2000 vested the Chairman of the Commission with powers to make "standing orders" and also to make rules respectively for giving effect to the provision of the Act 2000.

THESE Guidelines are hereby made for the smooth operation of the Anti-Corruption and Transparency Monitoring Units (ACTUs) in Ministries, Departments and Agencies (MDAs)

1.0 INTERPRETATION

1.1 In these guidelines,

(a) "The Commission" means Independent Corrupt Practices and Other Related Offences Commission.

(b) "The Act 2000" means Corrupt Practices and Other Related Offences Act (No. 5) 2000.

(c) "ACTU" or "The Unit" means Anti-Corruption and Transparency Monitoring Unit.

(d) "MDAs" means Ministries, Departments and Agencies.

(e) "Sub-Unit" means a Unit under another Unit in a Ministry, Department or Agency.

2.0 STATUS OF THE UNIT

2.1-1 The Anti-Corruption and Transparency Unit in each organization shall operate as an autonomous outfit with functional linkage with the office of the Chief Executive of the respective establishments.

2.1-2 Organizations with operational offices across the country may, at their discretion, and shall, on the directive of the Commission, establish sub-units in such offices; provided that the sub-units shall be responsible to the main Unit.

2.1-3 Units in Departments and Agencies shall report directly to the Commission and not to the Unit in their supervising Ministry, provided that Units in such Agencies shall be in regular consultation with one another and the supervising Ministry's Unit.

3.0 COMPOSITION OF THE UNIT

3.1-1 The membership of the Unit shall be five (5); provided that the number could be more depending on the size, peculiarities or complexity of the organization concerned.

3.1-2 Members of the Unit shall consist and be drawn from among officers of management level and their selection shall as much as possible be spread over relevant professional skills and special interest within the organization.

3.1-3 Each Unit shall have a Chairman and Secretary. The most senior officer in the Unit shall be the Chairman.

4.0 APPOINTMENT OF THE UNIT MEMBERS

4.1-1 Members of the Unit in Ministries shall be appointed by the Permanent Secretary while in other Agencies, they shall be appointed by Director-Generals or Executive Secretaries as the case may be.

4.1-2 The appointing authority shall ensure widespread consultation in the selection process.

4.1-3 All appointments shall be subject to confirmation by the Commission after screening.

4.1-4 Each Unit shall be headed by an experienced, competent and transparently honest officer of not less than salary grade level 15

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4.1-3 All appointments shall be subject to confirmation by the Commission after screening.

4.1-4 Each Unit shall be headed by an experienced, competent and transparently honest officer of not less than salary grade level 15

in Federal Ministries. However, lower salary grade level officers not below Grade Level 12 may be appointed to head the Unit in Parastatals, Agencies and Local Governments.

4.1-5 In addition to members, Units may co-opt officers to perform specific functions.

5.0 TENURE

5.1-1 The Chairman, Secretary and other members of the Unit shall hold office for a period of four years and may be re-appointed for another period of four years, but shall not be eligible for re-appointment thereafter.

5.1-2 Each appointment in the office referred to in paragraph 5.1-1 above shall be subject to ratification and confirmation by the Commission.

5.1-3 Each Unit shall notify Management of their respective organization, as well as the Commission of the expiration of their tenure in office.

5.1-4 MDAs shall ensure stability and continuity on the job by avoiding constant deployment and transfers from the Unit, except for career progression.

6.0 POWERS AND FUNCTIONS

6.1-1 The Unit shall perform all the duties detailed in Section 6(a) (f) of

the Corrupt Practices and Other Related Offences Act, 2000, except that of prosecution. It shall report all alleged/reported cases to the Commission with copies sent to the Minister or Permanent Secretary in the Ministry except where a Minister or Permanent Secretary is involved.

6.1-2 Cases involving Ministers and Permanent Secretaries shall be copied to the Secretary to the Government of the Federation and the Head of Civil Service of the Federation, respectively, for the information of the President of the Federal Republic of Nigeria.

6.1-3 The Unit shall undertake the preliminary investigation of each petition with minimum delay and forward findings to the Commission. The decision as to whether further investigation and possible prosecution should be undertaken shall be that of the Commission as provided in the Act 2000.

6.1-4 In order to avoid or minimize conflicts arising from overlap of functions with the existing appropriate authorities for discipline in each establishment, the following categories of Misconduct should be appropriately handled by the Anti-Corruption Unit:

(a) **Suppression of Record:** If the suppression is to cover up fraud or to cover up "corruption", vide Section 15 of the Corrupt Practices and Other Related Offences Act, 2000, hereinafter referred to as the Anti-Corruption Law.

(B) **False Claim:** The false claim provided in Public Service Rule 04401 becomes a crime under the Anti-Corruption Law if it was made by an officer in the course of his duty and against the Government or any of its Agencies.

(C) **Corruption:** Public Service Rules 04401 defines "corruption" as a serious misconduct and by virtue of Section 2 of the Anti-Corruption Law that act includes "bribery, fraud and other related offences". This, therefore, amounts to misconduct under the Public Service Rules and is a crime under the Anti-Corruption Law.

(d) **Embezzlement:** By virtue of Section 12 of the Anti-Corruption Law, embezzlement, recognized as a serious misconduct in PSR 04401, is equally a crime.

(e) **Dishonesty:** Dishonesty is a serious misconduct in the Service under PSR 04401. The import of the provisions of Sections 19 and 25 of the Anti-Corruption Law is that dishonesty in the discharge of official duty, which may cause the Government financial or proprietary loss, is also a crime.

(f) **Falsification of Records:** Falsification of records of any nature is a serious misconduct under Chapter 4 of the Public Service Rules. However, the falsification of records becomes a crime by virtue of Section 16 and 25 of the Anti-Corruption Law, if the "falsification of records" is with respect to government finances or government proprietary interests.

6.2 SYSTEM REVIEW

6.2-1 The Unit shall examine the practices, systems and procedures in their respective establishments as provided in Section 6 (B-D) of the Act 2000 not less than twice in a year or as shall be directed by the Commission.

6.2-2 After such exercises, the Unit shall submit a detailed report with recommendations to the Commission for appropriate action. Copies of such report shall be sent to the Permanent Secretary/Chief Executive of the organization.

6.2-3 Unit shall have power to make recommendations to the management of their respective organizations pursuant to its functions.

6.2-4 Management of respective organizations shall ensure that it puts necessary machinery in place to effect implementation of the recommendations made to it by the Unit within 60 days of official receipt of such recommendations or proffer in writing, reasons for not implementing the recommendations.

6.2-5 Intervention of the Commission shall be sought by the Unit in case management refuses to implement recommendations made.

7.0 EDUCATION AND PUBLIC ENLIGHTENMENT STRATEGIES

7.1-1 Unit members shall submit themselves to such training as may be organized by the Commission or by any other body as may be approved by the Commission to enable them effectively perform their functions.

7.1-2 Each Unit shall conduct in-house training for the staff of its organization through workshops, seminars and any method appropriate and shall for this purpose, submit its training programmes to the Commission through their respective desk officers of the Commission.

7.1-3 Each Unit shall develop and produce Corruption Prevention Guide outlining definite procedures of its operations and remedial actions. Copies of the Guide shall be forwarded to the Commission.

8.0 GENERAL CODES OF ETHICS FOR STAFF AND UNIT MEMBERS

8.1-1 Each Unit shall, without prejudice to extant regulations particularly Public Service Rules and Financial Regulations, develop a code of ethics for staff of its organization and shall ensure strict compliance and contain sanctions for breach. Such codes shall prescribe among other things as follows:

8.1 (a) Staff shall declare conflict of interest on all official issues, including recruitment, procurement and investigation.

8.1 (b) Staff shall ensure strict adherence to Public Service Rules in all official conducts.

8.1 (c) Staff shall be transparent in all dealings and are required to be accountable.

8.1 (d) Staff shall be honest and live above board always, not putting self and organization in compromising position.

8.1 (d) Staff shall not engage in witch-hunting and vendetta.

8.1 (f) Staff shall exhibit and observe principles of confidentiality in their duties always.

8.1 (g) Staff shall swear to oath of office before assuming duty, and must abide by such oath of allegiance at all times.

8.1 (h) Staff in undertaking his tasks should do so thoroughly, dutifully and diligently.

8.1 (i) Staff shall attend meetings and other official engagements regularly and punctually.

8.1 (j) Staff shall not confer on himself any undue advantage or collect gratification, either from individuals, groups, contractors/clients and/or the MDA who might want to show appreciation for patronage, such could be used to influence judgment.

8.1 (k) Staff whose interests conflicts with his official functions shall declare the interest and stay away from further involvement in the instance.

8.1 (l) Staff and Unit members shall under no circumstances disclose the names of a petitioner to the subject of the petition.

8.1 (m) No member of the Unit shall handle a petition unilaterally without recourse to other members.

8.1 (n) Unit members must in all circumstances conduct thorough preliminary investigation to establish the merit or demerit of reports or petition and shall not jump to conclusions on the face value of petitions.

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8.1 (m) No member of the Unit shall handle a petition unilaterally without recourse to other members.

8.1 (n) Unit members must in all circumstances conduct thorough preliminary investigation to establish the merit or demerit of reports or petition and shall not jump to conclusions on the face value of petitions.

8.1 (o) Notwithstanding the fact that honoraria are legitimate earnings, any staff given honoraria in the course of representing his MDA at workshops and seminars, shall show exemplary leadership by immediately declaring the honoraria even verbally to his immediate supervisor and/or the Chief Executive.

8.1 (p) Decisions taken at Unit meetings shall remain confidential, except when it becomes necessary to inform the Chief Executive of the MDA.

8.1 (q) Under no circumstances shall a Unit member be engaged or allow himself to be used in witch-hunting or vendetta of any kind.

9.0 PENALTIES FOR THE VIOLATION OF INTEGRITY CODES

Any staff or Unit member found compromising the ethics of his/her duties shall be dealt with in accordance with the relevant section of existing extant regulations, particularly Public Service Rules and/or financial regulations.

10.0 INTEGRITY ASSESSMENT FORUM

Each Unit shall organize in their respective organizations, at least one public forum every calendar year for integrity and performance evaluation where staff of the organization and Commission shall be invited to partake in the review of Anti-Corruption activities of the respective Unit.

11.0 REWARD SYSTEM FOR ROLE MODELS

11.1-1 Each Unit shall give rewards, commendations, and appreciation to staff of the organization that give vital information during investigation and/or demonstrate integrity. Award such as "ACTU

13.1-2 The Chairman of the Unit shall be in charge of the Unit's Vote.

13.1-3 Unit shall submit quarterly financial reports to management as well as to the Commission.

13.1-4 Sitting Allowance which shall be provided for in the budget of the Unit shall be paid to members of the Unit.

13.1-5 Unit through their management may source for technical support or assistance for its projects and programmes from development agencies and may, with approval of the management, collaborate with any of such agencies in the implementation of its programmes.

14.0 PROVISION OF OFFICE ACCOMMODATION

In order to ensure operational effectiveness of the Unit, organizations shall provide adequate, functional, strategically located and secured office accommodation for the Unit's duties.

15.0 ACTION PLAN

Each Unit shall prepare an Action Plan for its activities before the beginning of every calendar year and shall make copies available to the management and the Commission for approval.

16.0 MEETINGS

Each Unit shall meet once every month with the Desk Officer in attendance. Minutes of such meetings shall be forwarded to the Commission.

17.0 ANNUAL REPORT OF ACTIVITIES

At the end of every calendar year, Unit shall submit Annual Reports to the Commission.

18.0 DUTIES OF THE COMMISSION

The Commission, towards facilitating the attainment of these guidelines, shall:

18.1 (a) Organize a joint meeting with the Commission, at least once a year of Honourable Ministers, Permanent Secretaries and other relevant persons to review the performance of the Units.

18.1 (b) Conduct a compliance evaluation and performance assessment of each Unit in the last quarter of every year.

18.1 (c) Make public the report of its findings with performance ratings of each Unit as in 18.1-2 above.

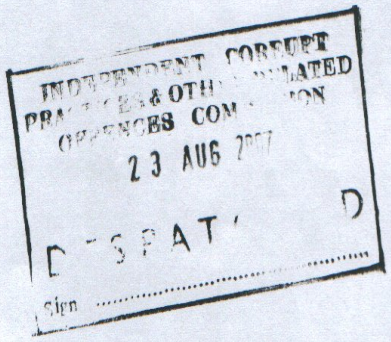
18.1 (d) Take necessary steps to compile and forward names of organizations with the worst performance arising from lack of acceptance and support from its organization to the Head of the Civil Service of the Federation.

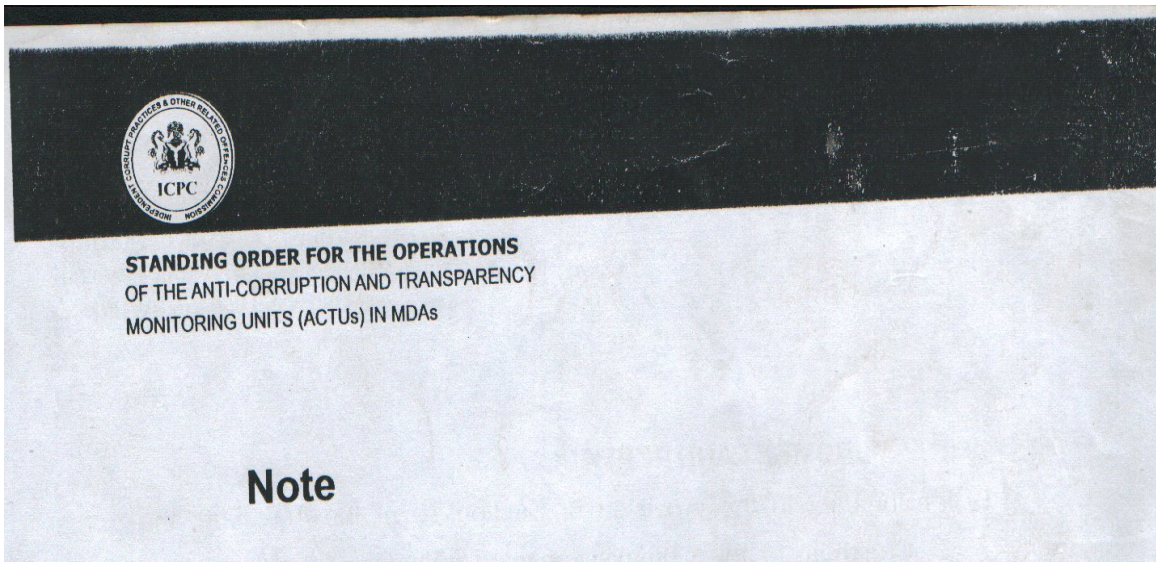
18.1 (e) In the first quarter of each year, organize a conference of all ACTU Chairmen and Secretaries to review activities of the previous year and map out strategies for improved performance.

18.1 (f) Designate Desk Officers not below Salary Grade Level 10 to interface/relate with the ACTUs in each Ministry, Extra Ministerial Departments, Agencies and Parastatals.

19.0 AMENDMENT AND REPEAL

19.1.1 Pursuant to the provision of Section 70 of the Act 2000, the Chairman of the Commission may amend or repeal any item contained in these guidelines.




ICPC
STANDING ORDER FOR THE OPERATIONS
OF THE ANTI-CORRUPTION AND TRANSPARENCY
MONITORING UNITS (ACTUs) IN MDAs
Note