

The Anti-Corruption Bureau

newsletter



ACB

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**ACB and the Media:
Friends or Foes?**

**Exit interview with
outgoing DG**



**Talk is Cheap!
Be Doers!**

EDITORIAL

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Message

From the Director General



Mr. Reyneck Matemba

With Pleasure, I welcome you readers to this last issue of the ACB Newsletter with me as the Director General of the ACB. I have been at the ACB for seven years now, having joined the ACB as the Deputy Director General (DDG) in 2013.

I believe I have done what I could within my power and the available resources in serving the people of Malawi. I am therefore leaving the ACB a happy person. Working for the ACB is not easy, and as I always say, it is in fact a thankless job, but nevertheless, someone has to do the job. Looking at the nature of our work, it is not possible to please everyone when discharging our duties. The people of Malawi and various other stakeholders had diverse expectations on me and the ACB. Some of the expectations were realistic and others were not. But I am convinced that if we can all

join hands, we can successfully fight against corruption in Malawi. This is what the National Anti-Corruption Strategy calls upon each one of us to do.

I wish to thank all members of staff of the ACB for the unwavering support they rendered to me during my tenure of office, both as DDG and then as DG. Together we worked as a family, we worked as a team. I enjoyed working with each one of you and will leave the ACB with fond memories of this institution and its members of staff.

Dear readers, let me also take this opportunity to thank members of the general public for their support in the work of the ACB. As we all know, without public support the work of the ACB and fighting corruption would be a tall order. I therefore urge members of the public to continue supporting the ACB and further urge them to equally render their full support to my successor.

Let me also convey my sincere thanks to His Excellency the State President, Dr. Lazarous McCarthy Chakwera and the State Vice President Dr. Saulos Klaus Chilima for their support and trust in me after they assumed office. I was given all the necessary support and encouragement to do my work independently and professionally. The additional budgetary

allocation by Government and the adequate and timely monthly funding have helped the ACB to effectively discharge its mandate. We have made good progress in the investigation and prosecution of a number of cases. The ACB also launched the Anti-Corruption Awareness Month and successfully implemented various activities during the awareness month. Our officers were actively involved in the monitoring of the AIP across the country, and conducted monitoring visits to several public institutions, including hospitals, Immigration offices, the Department of Road Traffic and Safety Services, the Malawi Police Service and District Councils. This work greatly contributed to preventing corruption in these institutions and needs to be commended.

I wish to equally, and most sincerely, thank members of my family for their patience, support, sacrifices and understanding during my tenure at the ACB. With the nature of the work at the ACB, I was, most of the times, pre-occupied with work at their expense, for that I say thank you!

Finally, I wish the ACB and the entire readership of this Newsletter the best as we continue with the fight against corruption.

Read on!

Message

From the Editor's Desk



Andrew Ussi

Welcome once again dear readers to this edition.

The year 2020 has been a tough year due to Corona Virus. Covid 19 has affected many sectors of life and this edition was not spared.

Dear readers, going through this edition you will however, not be exposed to Corona Virus but issues pertinent to the fight against corruption. This edition provides recommended sanitiser for the prevention of further spread of corruption virus.

Dear readers, this edition advocates for social distancing

away from corruption. In this edition you will learn about the vaccine the ACB and Government of Malawi has launched and is currently being injected to some institutions to prevent them from getting infested with corruption. The national Anti-Corruption Strategy II (NACS II) is a vaccine which if everyone accepts to own it,

corruption in Malawi will be history.

Let us all remember to wear our face masks all the time so that we will be protected from the marauding tentacles of the corruption virus. The Editor's desk advises you readers to stay safe by rejecting and reporting those infested with corruption to ACB. Together we can achieve a corrupt free Malawi.

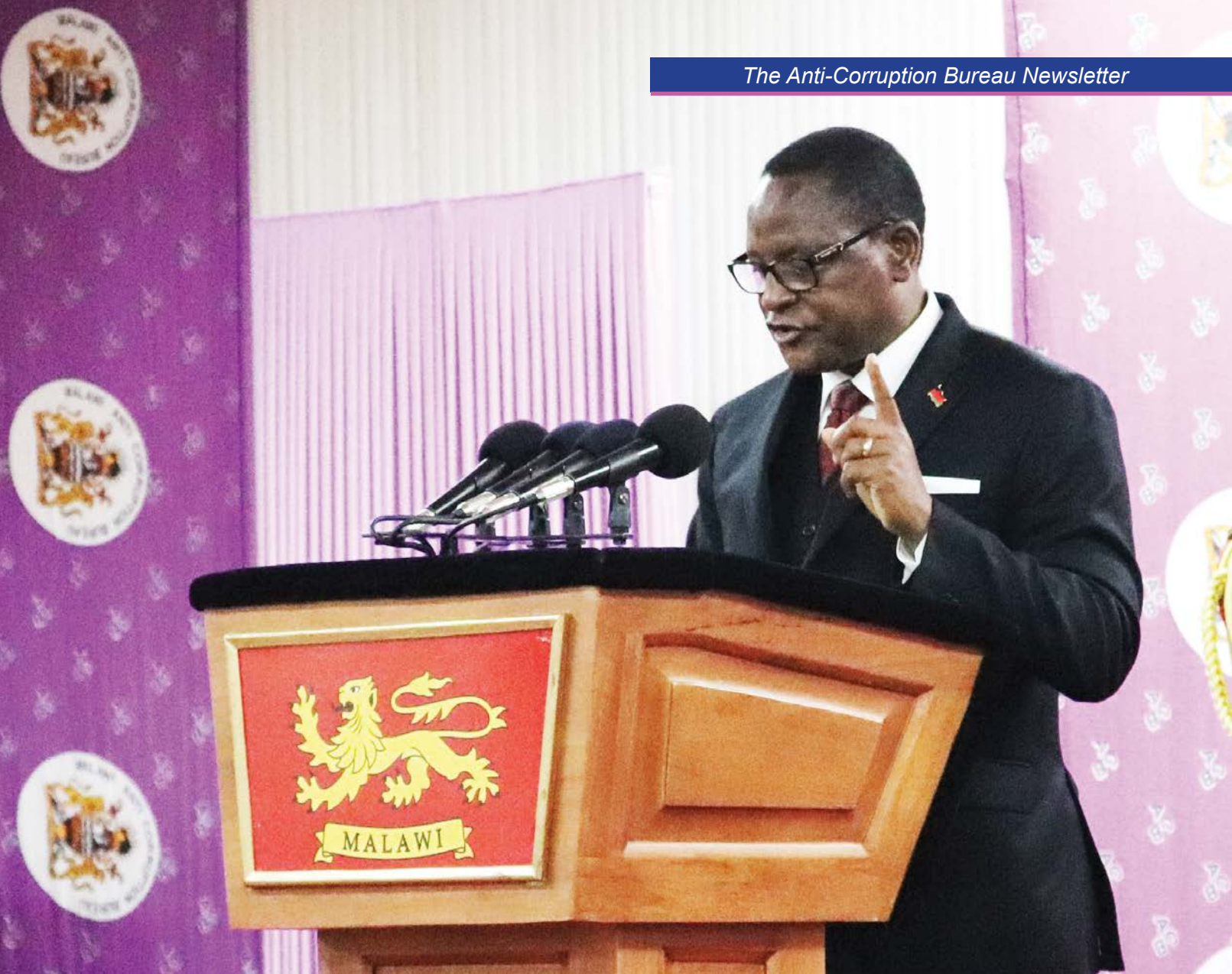
Finally, the Editor's Desk has taken note that the Director General Mr. Reyneck Matemba is leaving the Bureau. Mr. Matemba has served the Bureau with diligence and dedication. Mr. Matemba would use personal money to ensure

some processes and activities within the Bureau progress well. The Editor's desk found it easy to approach Mr. Matemba on matters of the Newsletter. He was readily available. Mr. Matemba, the humble person in him will be greatly missed. He connected well with everyone in the Bureau from top to bottom. He was available to officers who were in time of grief through either his physical presence and moral support or financial support. Mr. Matemba was available to officers during social functions.

The Editor's Desk wishes you Mr. Matemba our outgoing Director General all the best in your next assignment as you continue to serve Malawians.

Dear readers, at this point let me thank you for choosing the ACB Newsletter to be your reading food today. We do not take this for granted considering your busy schedules and many available reading options. Your views on how we can improve the presentation of the newsletter are welcome. You can write to aussi@acbmw.org with a copy to andrewussi@gmail.com.

Enjoy the reading!



Talk is Cheap!

Be Doers Against Corruption: Chakwera Orders



By Gift Chisusu Mhone

On the 9th of December, 2020, His Excellency the President of the Republic of Malawi, Dr. Lazarous McCarthy Chakwera, outlined the 'Tonse' standard for fighting corruption as he led Malawians in commemorating

the International Anti-Corruption Day (IAD) at a conference held at Mount Soche Hotel in the city of Blantyre.

This was Chakwera's maiden commemoration as President of the Republic. Chakwera who

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was accompanied by the First Lady, Madam Monica Chakwera, used this platform to set the standard for his government's approach to the fight against corruption in Malawi. Speaking to a spectrum of delegates of backgrounds ranging from academics, business, human rights, governance and public service, President Chakwera demanded that the fight against corruption must be a collaborated effort by all citizens and institutions and that we all must move from being 'talkers' to being 'doers'.

"I have carefully followed the deliberations and presentations at this conference, and it is clear to me that we have no shortage of good ideas for making corruption history. But talk is cheap. Or to put it more bluntly, when it comes to corruption, our obsession with talking is too expensive. Building a new Malawi free of corruption is what Malawians voted for, and it is a task that calls us to be doers, not talkers", said Chakwera with passion expressed all over his face.

His call for action was in line with the year's commemoration theme, ACT NOW! FIGHT CORRUPTION FOR A BETTER MALAWI. The President emphasised that acting now meant everyone really acting now and not expecting others to do it on their behalf. He said, "each of us doing something

to end corruption where we are. Acting now means each of us doing something to end corruption as a matter of urgency. Acting now means each of us doing something today that prevents corruption tomorrow. Acting now means each of us identifying and stopping the particular form of corruption we either commit or delegate or enable or tolerate.

**"IF EVEN
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GOVERNANCE
SYSTEM AND
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OF OUR
ECONOMIC
GOALS WILL
REMAIN AN
ELUSIVE DREAM**

Acting now means each of us acting now".

The president indicated that his government has taken the first step into taking action in making the Anti-corruption Bureau (ACB), functionally independent and properly resourced by doing exactly the same. He said however, even fulfilling this promise of making the ACB fully resourced and functionally independent was not enough to meet the *Tonse* Standard of ending corruption as conceived in the fourth pillar of the SUPER Hi-5 Agenda which includes *Servant Leadership, United Malawi, Prospering Together, Ending Corruption* and *Rule of Law*. He said, "that standard demands that as a nation and a people, we must band together and become an impenetrable firewall against those who wish to sustain the culture and practice of corruption in our midst".

Dr. Chakwera also called upon the ACB to avoid working in isolation. He said the ACB should be collaborating with all relevant stakeholders and state agencies and departments in its quest for anti-corruption justice rather than viewing them only as subjects for corruption investigations. The president retaliated his long held desire to have anti-corruption agents in all public institutions deemed more corrupt, including the State House to be the eyes and ears of the Bureau.

In concluding his address, Dr. Chakwera stressed the need to get everyone on board in the

fight against corruption if it is to be won.

“If even one person among us is not involved in acting now against corruption, the integrity of our governance system and the prospects of our economic goals will remain an elusive dream. If even one district of Malawi remains under the spell of corruption, we cannot realize our goal of building in every district a corruption-free environment that attracts and excites investors and grows an export-based economy. If even one institution maintains pockets of corruption in its ranks, the abject poverty of our people will continue to rise and the quality of public and social services delivered to them will continue to fall. We must do this together, all of us. This is a *Tonse* fight”, he concluded.

Dr. Chakwera wrapped up the event by commissioning a 14-member National Integrity Committee (NIC). The members to the committee were drawn from the 12 pillars of the National Anti-Corruption Strategy (NACS) II.

Speaking earlier, Minister of Justice, Hon. Titus Mvalo SC., called for all stakeholders not to leave the fight against corruption to the ACB. He called on all Ministries, Departments and Agencies as well as all other private stakeholders to promote integrity and ethical behaviour within them. He stated that the devastating effects of corruption

in this country are a reality that no one can ignore. He urged everyone to take action now for a better tomorrow saying, “we owe a better Malawi to our children and their children’s children”.

In his remarks, the Director General of the ACB, Mr. Reyneck Matemba commended the strong commitment taken by the President and his government to support fully the fight against corruption which he described as a ‘cancer’. He mentioned that among others the government has adequately resourced the Bureau. He also touted the president’s personal integrity as a good catalyst to setting a good tone from the top leadership in the fight. He therefore encouraged the president to continue on the path and inspire the nation to winning the fight. He advised the President; “lead, we will follow. Show us the way, we will take it”.

The ACB Director General reported that the Bureau had from November 9 to December 8 undertaken an Anti-Corruption Awareness Month to remind all Malawians of their important responsibility in fighting corruption. He said that through interactions with the citizenry it was clear that public trust and confidence in the Bureau has grown tremendously. He attributed this to the trust and confidence the people have in the government as led by Dr. Chakwera. He therefore

promised to make sure that the Bureau nurtures and build on this trust to win the fight against corruption.

The anti-corruption conference started with presentations from the ACB, state actors and non-state actors moderated by Dr. Bonface Dulani of Chancellor College. Ms. Susan Phiri the Acting Chief Corruption Prevention Officer, presenting on behalf of the ACB briefed participants on the operations of the Bureau, activities carried out during the National Anti-Corruption Awareness Month, and an overview of the National Anti-Corruption Strategy II. The state and non-state actors pillars represented by Dr. Janet Banda SC and Mr. Jeff Kabondo respectively, presented on achievements made in the implementation of the first NACS which was launched in 2009. Both also outlined activities that have been planned for implementation in 2021, their expected outcomes and anticipated challenges.

Dr. Janet Banda SC. is the Deputy Chief Secretary to Office of President and Cabinet while Mr. Jeff Kabondo is the Program Manager for Governance at Africa Institute for Corporate Citizenship (AICC).

During plenary, a number of participants made contributions on how the NACS II can better be implemented to make the fight against corruption effective.

Chakwera Commissions NIC



H.E. Dr. Lazarous Chakwera with NIC members

By Andrew Ussi

The State President Dr. Lazarous McCarthy Chakwera on 9th December 2020 commissioned a 14 Member National Integrity Committee (NIC) to oversee the implementation of the National Anti-Corruption Strategy.

The role of the NIC is to ensure that each pillar is doing its work in implementation of the NACS II. The NIC will coordinate and receive reports from the pillars through their respective representatives in the committee. The NIC will be reporting to the Office of President and Cabinet on the progress of Implementation of NACS II.

The Chairperson is elected by the members of the committee at their first meeting. The one elected is determined by a

simple majority of the voters. The NIC's tenure of office is two years after which the appointing authority who is the State President can constitute another committee. However a member can be removed from the committee if he or she fails to attend three consecutive meetings of the committee without valid reasons. Any misconduct on the part of the member also warrants removal from the committee. A member can be in the committee for a maximum of two consecutive years.

According to the Policy Charter for the National Integrity

Committee, The ACB is the de facto secretariat for the NIC. The ACB will appoint a senior officer to be the Secretary during its meetings.

The following are the members which Dr. Chakwera commissioned:

S/N	NAME	PILLAR
1	Dr. Janet Banda	Excutive
2	Justice Chirwa	Judiciary
3	Ms. Fiona Kalembe	Legislature
4	Mr. Jeff Kabondo	Civil Society
5	Bishop Kalembe	Faith Based (Christian)
6	Alhaj Twaibu Lawe	Faith Based (Muslim)
7	Mr. Alufeo Banda	Local Government
8	Mr. Cliff Chiunda	Local Government
9	Snr Chief Chikumbu	Traditional Leaders
10	Dr. Edster Jamu	Academia
11	Mr. Chancellor Kaferapanjira	Private Sector
12	Mr. Charles Kajoloweka	Youth
13	Dr. Phoebe Chifungo	Women
14	Ms. Edyth Kambalame	Media

The Anti-Corruption Bureau wishes all the commissioned members of the NIC all the best as they discharge their duties.



Deputy Director General of the ACB Mr. Elia Bodole presenting the conference resolutions

IAD CONFERENCE RESOLUTIONS

The Commemoration of the International Anti-Corruption Day (IAD) on 9th December 2020 which was presided over by the state President Dr. Lazarous Chakwera ended with resolutions on how both the public sector and non state actors will move forward. The ACB Newsletter presents to you details of the resolutions that were made;

The public sector Resolutions

1. Put in place reporting procedures and protection of whistleblowers
2. Review cumbersome systems that fuel corruption
3. Conduct capacity building of public servants to fight corruption
4. Raise awareness on the evils of corruption
5. Review and pass the laws that enhance service delivery

6. Provide adequate funding for anti-corruption work.
7. Build capacity of judicial officers and staff on laws and policies on corruption and fraud to strengthen the rule of law through streamlining anti-corruption in institutional programs
8. Conduct corruption risk assessments to seal loopholes of corruption
9. Create specialized courts

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to handle corruption cases with speed

10. Increase funding for the judiciary to avoid bottle necks that are as a result of low funding.
11. Enhance the audit and the compliance function.
12. Put in place more user friendly and accessible means of reporting corruption even for people in rural areas.
13. Corruption complaints generated from the research for NACS II development should be further explored.
14. There is need to regularly conduct life style audit of public officers, using the available legal instruments.

15. Demonstrate political will for continued effective fight against corruption.

The Non-State Actors (NSA) resolutions:

1. Monitor law enforcement processes for corruption cases.
2. Advocate & lobby for reforms in public appointment processes.
3. Advocate & lobby for reforms in education curricula to include ethics and anti-corruption content.
4. Undertake research to identify gaps in existing anti-corruption laws.
5. Conduct spot checks for various programs of national interest.
6. Conduct awareness

activities about transparency and accountability in all spheres of social endeavors.

7. Establish platforms for the public to present complaints on public service delivery.
8. Lobby/advocate for effective punishments for corruption offenders.
9. Conduct public sector expenditure tracking.
10. Conduct social accountability programs.
11. Find more strategies for building ethics or “umunthu” among children in homes and schools.
12. Find strategies to address forms of corruption that have been institutionalized.

Are we winning?

Reflections on the fight against corruption in Malawi



By Susan A. Mtuwa Phiri

The year 2020 marks 25 years since the establishment of the Anti-Corruption Bureau (ACB), the lead

institution in the fight against corruption in Malawi. The ACB was established in 1995 but opened its doors for operations in 1998. With over 20 years in operation, I was compelled to reflect on the ACB’s journey thus far. Various questions and debates linger on... as to whether we are winning the fight against corruption in Malawi. In my quest to find out the answers, I spoke to a wide range of individuals who are passionate about the fight against corruption

in the country. My interviewees comprised of ACB officers, other public servants and the general citizenry.

As I embarked on this quest, it became apparent that the majority of my respondents had mixed reactions on how they perceive this issue. However, I came to the understanding that the fight against corruption is a war that comprises of so many battles. In this article, I highlight

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a number of battles that the country has fought and won; and battles that are still raging on.

BATTLES WON

Legal framework: On 1st December 1995, the President of Malawi assented to the Corrupt Practices Act, which criminalizes various corrupt practices. This Act is one of the several legal frameworks established to combat corruption. Other legal frameworks against corruption include: the Financial Crimes Act, the Public Procurement and Disposal of Assets Act, the Public Audit Act, the Public Finance Management Act, and the Public Officers (Declaration of Assets, Liabilities and Business Interests) Act. In a nutshell, Malawi has legal instruments to help curb corruption which is a battle won.

The National Anti-Corruption Strategy (NACS): According to the United Nations Convention Against Corruption (UNCAC), member states are encouraged to formulate strategies that guide the fight against corruption. Malawi launched the first NACS in 2008 and its successor NACS II, in December, 2019. NACS II seeks to operationalize all efforts the Government of Malawi is undertaking to fight against corruption in the country to achieve Malawi's development aspirations, as outlined in the MDGS III. The Strategy aims at improving the quality and

accessibility of public services, strengthening the rule of law and promoting a culture of integrity. This is another battle won.

Institutionalization of the fight against corruption:

The fight against corruption has taken on board several stakeholders. The Institutional Integrity Committees (IIC) being established in Government Ministries, Departments and Agencies (MDAs) and in other institutions have embraced the fight against corruption thereby leading to promotion of integrity, accountability and a culture that is intolerant to corruption at an institutional level. Further, the Government, through a circular from the Secretary to the Treasury, instructed MDAs to apportion 1% of their Other Recurrent Transactions (ORT) funding towards anti-corruption activities.

Visibility: The ACB has increased its visibility by improving its engagement with various stakeholders. The NACS II has twelve pillars (*Executive, Judiciary, Legislature, Local Government, Private Sector, Media, Faith Based Organisations, Civil Society, Women, Academia, Youth and Traditional Leaders*), through these pillars, the fight against corruption has become visible. This is important as it encourages transparency and accountability.

Energised civil society: The country has seen an energised

civil society in fighting corruption. Good examples are the Youth and Society (YAS) and Human Rights Defenders Coalition (HRDC) who have a whistle-blower initiative through which they report cases to the ACB. This is a battle won because civil society provides good checks in demanding accountability from duty bearers.

Investigation and Prosecution of corruption cases:

The ACB has managed to investigate and prosecute various cases, including high profile cases. Contrary to popular assertions, the ACB has not been shy in prosecuting high profile cases, including cases of individuals belonging to the ruling party. This is a battle won as this signifies independence of the institution.

Responsive to public outcry:

The ACB has been responsive to public outcry. A case in point is the recruitment issue that happened at the Malawi Revenue Authority in 2020. After the ACB timely investigated the matter, the people of Malawi were assisted, proper candidates were recruited.

Procurement vetting: The ACB currently vets all single source and high value procurements as stipulated in section 37 (11) of the Public Procurement and Disposal of Assets Act. This is a battle won, because corruption is prevented before it happens. The ACB is also

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vetting applications for change of ownership of motor vehicles, land and houses so as to prevent the disposal or concealment of proceeds of crime.

BATTLES YET TO WIN

Poor rankings in the Transparency International (TI) perception surveys: Malawi has not been doing well. In the recent TI survey, Malawi scored 31 points out of 100, and it has been the case for the past 4 years except in 2018 when Malawi scored 32 points. This paints a gloomy picture especially for foreign investments. This is therefore a battle that is yet to be won.

Asset recovery: Malawi is yet to get established in this area. Although we have the legal framework providing for asset recovery, Malawi needs to do better. There is a need to send a clear message to perpetrators of corruption that corruption does not pay. Therefore, all proceeds of crime should be recovered and given back to the state.

Late conclusion of cases: There is need for engagement with the Judiciary in order for corruption cases not to take long in the courts. Delayed conclusion of cases causes the public to lose trust in the judicial system. Stakeholders, mostly the Judiciary, office of the Director of Public Prosecutions and other law enforcement agencies need to work together in finding solutions.

Whistleblowing mechanisms:

The country needs to have vibrant whistleblowing mechanisms. In addition, there is need for a feedback mechanism to the populace. People need to hear about the strides being taken in fighting corruption.

Innovation: The ACB needs to venture into new media and digital platforms that will attract young people to get involved in the fight against corruption. This will also assist to penetrate the households with the messaging of corruption.

Citizen involvement: There is a need to get the citizenry more involved in the fight against corruption. This will help in reducing corruption at community level. Corruption has become a norm in Malawi, even at local level. There is therefore a need for more civic education and corruption awareness.

Publicizing gains: There is need to do more in publicizing the positive gains in the fight against corruption, so as to keep the public informed. This will ensure public support. There has to be more public engagement in addition to sector engagement.

Political will: This is the engine that drives the fight against corruption in a country. Without political will, there are barriers to investigation of high profile cases, information not forthcoming and several other things that hamper the fight.

Resources: The fight against corruption cannot be won without resources. The ACB needs both adequate financial and human resources in order to win the fight against corruption. The Government needs to take full responsibility in funding anti-corruption work and not rely on donors; in so doing, the fight against corruption will be sustained.

REFLECTIONS

My quest in finding out whether we are winning the fight against corruption has unraveled very pertinent issues worth reflecting upon. One take home lesson is that winning is a gradual process in the fight against corruption, it cannot be achieved overnight. Since the establishment of the ACB, strides have been made. There are a lot of gains that should be celebrated, but as much as the ACB is doing its work, it should be borne in mind that corruption is deep rooted which requires concerted efforts in order to deal with it. As is the case in any war, winning or losing battles should not take the focus off the prize of winning the war. The country has won several battles and has struggled with some battles. But ultimately, our eyes should be on the war. We can win the war against corruption, it is possible.

“There are still those of us who work to overcome corruption and believe it to be possible” - Padmé Amidala



MINISTER OF CIVIC EDUCATION AND NATIONAL UNITY DATES ACB



By Jonathan Chisale

On 21st August, 2020, Honorable Timothy Mtambo, who is the Minister of the newly created Ministry of Civic Education and National unity, met ACB management in the ministry's quest to gain its feet. The minister met in audience ACB's Director General, the Directorate of Corruption Prevention and the Directorate of Public Education.

The Minister started the discussion by emphasizing how crucial civic education is to development. He underlined the need to have civic education that is transformative and mindset changing. The Minister

bemoaned lack of national values such as discipline, obedience, loyalty and unity. He called for the need of curriculum review where Civics as a subject is re-introduced and issues of integrity and moral values are inculcated from primary school all the way to tertiary education.

This was the first call for the need to have CIVICS as a subject back in the syllabus. Another call came at the commemoration of International Anti-Corruption Day (IAD) in Blantyre by the Vice Chancellor of the Malawi University of Science and Technology (MUST) Professor Address Malata.

The Minister then zeroed in on the need to fight corruption collectively. He said people need to be engaged to the extent where they get angry and question the corrupt behavior as well as relate the evils of corruption in terms of monetary value.

Moving forward, the Minister called for the review of the

Memorandum of understanding (MoU) which the Ministry had with the Public Education Department. The MoU will look at the parameters where the two can conduct joint activities in the area of popularizing National Anti-Corruption Strategy II, and development messages.

There are two specific areas of interest for the ACB in working with the Ministry. First, is the Civic Education Policy. The policy, which is ready for launching would guide the implementation of civic education work to allow for efficiency and meaningful impact. The ACB leadership pressed on the need to have an Association of Civic Educators in order to improve on professionalism. The minister reported that the ministry is already working on the same. The ACB said it looks forward to more engagements with the Ministry in pursuit of the shared goal which is to prevent corruption in the country.

APPLICATIONS FOR CHANGE OF OWNERSHIP OF MOTOR VEHICLES, HOUSES AND LAND: RE-INTRODUCTION OF CLEARANCE BY THE ANTI-CORRUPTION BUREAU

The Anti-Corruption Bureau (ACB) wishes to inform members of the public that with effect from today, the 26th day of June, 2020, all applications for change of ownership of motor vehicles, houses and land, will need to be submitted to the ACB for vetting and clearance, before any change of ownership is effected.

Members of the public may recall that on the 5th day of February, 2018, the ACB communicated to the public about the discontinuation of the vetting and clearance process, but indicated that should need arise, the ACB will re-introduce the process.

The ACB therefore wishes to inform members of the public that a need has arisen that has necessitated the ACB to re-introduce the vetting and clearance process. The decision to re-introduce the process has been made in accordance with section 10 (1) of the Corrupt Practices Act, with the aim of preventing the disposal or concealment of proceeds of crime.

The ACB further wishes to inform members of the public that a formal communication

on the re-introduction of the vetting and clearance process for applications for change of ownership of motor vehicles, houses and land, has been made to all the respective and relevant public institutions that deal with or process these types of applications.

The ACB wishes to reiterate that it will do everything within its power to conduct the vetting and clearance processes within

THE ACB WISHES TO REITERATE THAT IT WILL DO EVERYTHING WITHIN ITS POWER TO CONDUCT THE VETTING AND CLEARANCE PROCESSES WITHIN SEVENTY-TWO (72) HOURS, TO ENSURE THAT SERVICE DELIVERY TO MEMBERS OF THE PUBLIC IS NOT INTERRUPTED.

seventy-two (72) hours, to ensure that service delivery to members of the public is not interrupted. If you find out that clearance has not been done by the ACB after these hours, please do not hesitate to contact the ACB on +265 (0) 888 208 963.

The ACB has further appealed to the heads or controlling officers of all the public institutions that deal with or process these types of applications to equally ensure that their officers are not creating unnecessary bottlenecks or hurdles to frustrate the vetting and clearance processes, or take advantage of the process to demand money or other favours from applicants, or indeed to indulge in any form of corrupt practices, as that will NOT be tolerated by the ACB.

In this regard, the ACB equally appeals to members of the public to desist from offering money or other favours to the concerned public officers in order to by-pass the vetting and clearance processes by the ACB, and indeed to resist and reject any form of corruption and to report to the ACB any public officer or other person who demands money or other favours from them in relation to any application for change of ownership of motor vehicles, houses or land.

Let us hold hands in fighting corruption by resisting, rejecting and reporting corruption to the ACB.



ACB AND IPOR ENGAGE MEDIA ON NACS II IMPLEMENTATION

By Egrita Ndala

On 22nd September, 2020, the Anti-Corruption Bureau in conjunction with the Institute for Public Opinion and Research (IPOR) conducted a NACS II implementation workshop with the Media in the Southern Region. The workshop which was held at Sunbird Mount Soche Hotel attracted participants from both print and electronic media from Blantyre and surrounding areas. The guest of honour at the workshop was the Minister of Information Hon. Gospel Kazako.

The guest of honour in his speech to mark the opening of the workshop called upon the participants to take journalism

as a calling and practice it with professionalism in order not to abuse the trust which the members of the public have in the media. He also told them not to always concentrate on negative stories but they should be able to write the success stories in the fight against corruption in Malawi.

The DG called on the media to actively publicise the NACS II in order for the different stakeholders to know their roles and be able to take part in its implementation. He also told the minister of information that NACS II is not just another document which will gather dust on the shelves without implementation. He assured him that the Bureau will coordinate with the various

pillars to make sure that the NACS II is fully implemented to bring meaningful impact on the citizens.

IPOR told the participants that research which was conducted in 2019 showed that 86 percent of the respondents indicated that media is doing well in the fight against corruption.

The workshop ended with a pledge by media to ensure that they also share the success stories in the fight against corruption among other things and not only concentrate on the negatives. The workshop was a success as it fulfilled its objective of sensitising the media on their role as a pillar in the implementation of the NACSII.



Public Education Officer, Tapiwa Mleme (Far Left) participates in a program at Zodiak Broadcasting Station with other officers from the Directorate of Public Officers Declarations.

MEDIA HOUSES SUPPORT ANTI-CORRUPTION BUREAU'S EDUCATION EFFORTS AMID COVID 19

By Gift Chisusu Mhone

The outbreak of Corona Virus pandemic world over and Malawi in particular, led the institution of public health guidelines that consequently restricted a number of public gatherings. This dealt a heavy blow on the Anti-Corruption Bureau's (ACB) corruption prevention function which sometimes require gathering a number of people at one place for message delivery. It is against this background that ACB through its Public Education Department (PED) engaged a number of private radio and television stations to

help in the dissemination of anti-corruption messages.

After successful discussions, a media houses in the southern, eastern, central and northern region offered the ACB either free airtime or reduced rates to continue disseminating anti-corruption messages using their various platforms.

In the Southern region for example Blantyre Synod Radio, Mzati Radio, Neno FM Radio, Nyanthepa Community Radio and Mibawa Television offered free airtime to ACB for anti-corruption programs.

The ACB is grateful to Blantyre Synod Radio which recorded

and aired repeatedly five 30 minute Anti-Corruption slots during the radio's Church and Society programme. The radio covers all parts of the southern region. Mulanje based Mzati radio hosted PED officers on a live 1 hour special program which was also being recorded and aired. The radio is heard mostly in all southern region districts except the lower shire, the whole eastern region and the central region districts of Lilongwe, Dedza and Ntcheu.

The Bureau was also supported by Neno FM Radio which recorded and aired two 30 minute anti-corruption slots. The radio's frequency covers Neno,

Mwanza, Blantyre and parts of Ntcheu, Balaka, Zomba and Chiradzulu districts. In Nsanje, Nyanthepa Community Radio was also helpful. The radio recorded and aired repeatedly two 30 minute programmes. Nyanthepa is heard in Nsanje, Chikwawa and parts of Thyolo and Mulanje districts.

Chanco Community Radio which covers part of Balaka, Machinga, Zomba, Phalombe and Chiradzulu also signed a Memorandum of Understanding (MoU) with the Public Education Department. The arrangement has enabled the radio produce and air over 16 radio programs and allow the ACB to pay later after programs have been aired.

In the northern region Voice of Livingstonia offered ACB a 1 hour long special program called ACB Corner for free. So far since the peak of the Covid 19 pandemic the station has hosted 13 episodes of the program covering different topics and different guests from within and outside the Bureau. The station has listenership across districts of Chitipa, Rumphi, Karonga, Mzimba, Nkhatabay, Kasungu and Lilongwe.

Mudziwathu Radio of Mchinji, Galaxy Radio, Pentecostal Life FM and Beyond FM also supported ACB efforts to reach out to Malawians in the course of this tough year. They all offered free airtime to the ACB to disseminate anti-corruption messages through their various

platforms. Four programs were recorded at Mudziwathu, twenty at Beyond FM and twenty five at Pentecostal Life FM. The recorded programs are still running on the channels.

Similarly, Malawi Broadcasting Corporation (MBC) Television in the central region, through its Clarity program recorded and aired for free several anti-corruption content during the pandemic period. The same applies to privately owned Mibawa Television which recorded with the Southern region PED four programmes of 15 minutes each which were featured on their morning magazine programme *Dzuwa Lawala*. The television which can be viewed countrywide also streamed the programmes live on their official Facebook page.

PED officers used these platforms to inform the general public about of the mandate of

the Bureau, forms of corruption, costs of corruption, citizens' role in the fight against corruption and how they can report corrupt practices to the Bureau. At the centre of all these programmes was encouraging public participation in the fight against corruption in the country.

Similar generosity by stations was shown during the Anti-Corruption Awareness Month activities. Radio stations offered free platforms for the popularisation of the activities. The radio stations in question were Chisomo Community, Love and Maziko of Salima and Bembeke Community of Dedza.

If you are a consumer of content from these media houses be sure to catch more anti-corruption content as these stations remain committed partners in the fight against corruption.



PED officers and the programme host (middle) pose for a photo after a recording session at Nyanthepa Community Radio Station in Nsanje



Members of press at the 14th January 2020 Press Briefing at ACB Headquarters, Lilongwe

ACB and the Media: Friends or foes?

By Shadreck Mpaso

14th January, 2020 will go down in history as a day when “ACB disappointed” according to one local on-line publication.

The Anti-Corruption Bureau convened a Press Briefing to update the nation on allegations surrounding the attempted bribery of Constitutional Court

judges who presided over the 2019 Presidential Elections case.

At the end of the briefing a number of media practitioners felt the Director General of the anti-graft body, Reyneck Matemba, fell short of providing the material information to the nation on the bribery allegations. Matemba refused to disclose

names of the suspects in the bribery allegations, arguing doing so would compromise investigations as well as legal processes.

In his analysis George Kasakula of Times media group argues, “the catastrophic press conference represented an ever widening chasm that is there between the expectations

and frustrations of the public on how the corruption fight is being conducted in this country and those entrusted the actual donkey work to bring the bad guys to face justice.”

The media (or is it the public?), expected the ACB boss to “name and shame” the alleged bribers at the press briefing. The fact that the Chief Justice, Andrew Nyirenda, was the complainant in the matter created even greater expectation from journalists.

Malick Mnela of Zodiak Broadcasting Station was of the view that “these judges (are) people of high moral standing. There are no serious doubts regarding the truth of their highly corroborated statements.”

But Matemba’s stand was bold: “I’m not moving an inch. Whether it comes from a judge it doesn’t matter, an allegation is an allegation. The word from the Chief Justice is not evidence. It is not him who was approached. The Chief Justice cannot testify to the truthfulness of what was said,” he explained.

There is no doubt, the press briefing presented an insight into the extent to which law enforcement agencies, such as the ACB, are bound to adequately respond to public expectations on matters of their mandate. There appears to be a mismatch between the public expectation and the general mandate and practice at ACB.

Mandate of the ACB

ACB draws its legal mandate from the Corrupt Practices Act (CPA).

Among others, the CPA provides for investigative as well as prosecuting powers to the ACB. In line with the functions and powers of the Bureau outlined in Section 10 of the CPA, ACB carried out investigations into the alleged bribery of Constitutional Court judges.

INVESTIGATIONS ARE GENERALLY A WAY OF ESTABLISHING THE VALIDITY OF AN ALLEGATION WHICH A COMPLAINANT MAY BRING BEFORE THE ACB

Investigations are generally a way of establishing the validity of an allegation which a complainant may bring before the ACB. At this stage of investigations, almost all activities are treated with high levels of confidentiality and utmost professionalism. This is motivated by the realisation that an investigation may either

make or break any suspected criminal case.

Confidentiality serves to help maintain focus on the allegation as well as avoid unnecessary alarm particularly for the subjects of an investigation.

According to the **United Nations Handbook On Practical Anti-Corruption Measures For Prosecutors And Investigators** (2004) throughout the investigation process, it is of the utmost importance that investigating agencies adhere to policies of confidentiality and any required legal procedures so that the investigation will not be compromised.

As a general principle, investigations should be reviewed externally only after they have been concluded. If abuses occur before investigations are over, some harm will occur and, in some cases, this will be irreversible.

As a law enforcement agency, ACB has the mandate to uphold the rule of law by among others, “respecting and upholding human rights, in the supremacy of the rule of law and that every person is innocent until proven guilty.” (ACB Service Charter)

Role of the Media

The Constitution of the Republic of Malawi underscores the crucial role the media plays in the country. Section 36

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guarantees press freedom and access to public information.

Similarly, the United Nations Handbook on Practical Anti-Corruption Measures emphasises the critical role the media plays in the anti-corruption fight:

Ensuring that accurate, timely and appropriate information is passed to the media is important for ensuring the transparency and the credibility of investigations. More fundamentally, media scrutiny and publicity are essential for gaining cooperation from the public, as well as for raising public awareness of the corruption phenomenon and for generating political will. Ensuring that the media have access to accurate and authoritative information may also help to reduce any tendency to report information that is incorrect or harmful to the investigation. On the other hand, it is essential that information is not made available that might jeopardize a fair trial being given to a suspect.

The media, therefore, has the duty to inform the general public on matters of concern. Being a body established by an act of Parliament, the ACB, remains ultimately answerable to the people of Malawi.

In essence the fight against corruption can hardly be won if the media abdicates its duty. It is for this view that ACB and the

media need to be preaching the same gospel.

While one needs to appreciate that duty bearers need to avail information to the public when and where required, it is equally important to exercise restraint in some instances. The desire for 'breaking the news' should not be at the expense of doing away from important legal processes and procedures.

The media and the public at large should appreciate that public officers, in the likes of the ACB Director General, are bound to act within the confines of the law. Taking decisions out of mere convenience may sound gratifying for a while but would certainly bear undesirable consequences in the long run.

Conclusion

The media and ACB are expected to work as close partners in the fight against corruption. This calls for enhanced understanding of each other's role and appreciation of the legal framework in which we operate.

In cases where there is a gap in understanding, the public may get the impression that duty bearers at ACB are being unprofessional in the discharge of their statutory duties. Eventually, the public support in the fight against corruption may suffer serious injury.



ACB Director General Mr. Reyneck Matemba takes questions from journalist.

INSTITUTIONAL INTEGRITY COMMITTEES (IICs) CORNER

**With Katoto Mtambo – Senior
Corruption Prevention Officer**

Handling Corruption Complaints-Part 1

As stated in the earlier issues, this column is designed to help members of the general public and the IIC members in particular to understand the mandate of the IIC as stipulated in the National Anti-Corruption Strategy II, a policy document that was developed to provide a holistic approach to the fight against corruption. In this issue, as promised in the last issue, we shall look at the other role of the IIC particularly on handling complaints and conducting basic investigations.

To begin with, handling complaints and conducting investigation on reported cases is one of the important terms of reference for the IICs. However, recent proxy surveys indicate that most members of the IICs lack the skills in handling complaints and conducting investigations. It is against that ACB has developed a comprehensive training manual for IICs in complaints handling and investigations. This article highlights some important information on complaints handling.

A complaint is a report of unethical behaviour or an

allegation of maladministration. A person who makes such a report is known as a complainant or a whistle-blower. Complaints arise from various sources which include employees, clients, members of the general public, audit reports and referrals from other institutions. Other sources

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OR CLIENTS ARE
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MECHANISMS.**

of information that warrant consideration as sources of complaints include monitoring exercises, partner organisations and confession by offenders.

In order to encourage clients and other stakeholders to lodge complaints, institutions should ensure that proper complaint reporting mechanisms are put in place and that staff and

stakeholders or clients are aware of such mechanisms. Some of the examples of reporting mechanisms are Complaint Boxes, Complaint Reporting Office, telephone, Fax, Mobile Line, Postal Address and Website portal or Email Address. Once these complaint reporting mechanisms are put in place, the institution should ensure that they are known to all employees and stakeholders or clients.

After properly establishing complaint reporting mechanisms, the expectation is to receive and register complaints from all the reporting mechanisms put in place.

If the complaint is made in-person or over the phone, every effort should be made to obtain full particulars of the complainant. The particulars of the complainant include full name of the complainant, address, phone number, occupation, nationality and language. Indicate also the date and time of receiving complaint. In cases where the complainant is not identified, the word "Anonymous" is entered in the database. Anonymous complaints are complaints or reports which are made by individuals who choose not to reveal their identity to protect

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themselves. They can be made through any of the channels that have been outlined above.

After obtaining the particulars of the complainant, the next task is to summarise the complaint. The summary should be factual and concise but sufficiently detailed to enable those reviewing the complaint to determine a proper action. To achieve this, the summary of the complaint must answer the 5WH questions. These questions ask: Who? (particulars of alleged suspect and witnesses), What? (action that took place) When? (date and time) Where? (location/place), Why? (reason for action), How? (the manner in which it occurred). Depending on the nature of the complaint raised, a recommendation can be made right at the time of receiving a complaint i.e. referring to relevant authorities.

After summarising the complaints, the summaries must be recorded in a complaints confidential register. A confidential register is a book or file in which all complaints received and their resultant actions and recommendations are recorded. The register can be either in electronic format or hard copy format or both. In all cases proper storage arrangements should be made to guarantee confidentiality and safety. In cases of electronic formats, the system must be independent from the network and must be periodically backed-up without

compromising confidentiality.

After recording a complaint in a confidential register, the next task is to analyse or review the complaint before an investigation can take place. The IIC or a special committee should set a specific time frame for analysing all complaints received. Depending on the nature of the institution or the estimated influx of complaints, the complaints can be analysed once in a week, once in a fortnight, once in a month or

AFTER ANALYSING COMPLAINTS, THE IIC SHOULD ENSURE THAT APPROPRIATE ACTION HAS BEEN TAKEN, OR PROPOSED TO THE RELEVANT AUTHORITIES.

once in a quarter. The task of analysing complaints is first to determine the motives behind each complaint that has been made. In all cases, care should be taken to ensure that the information is genuine and that a person is not falsely accused as a means of retribution.

Complaints analysis involves breaking down the corruption

complaint into analysable elements. In order to uncover elements of a corruption offence out of the complaint, it is often helpful to pose questions such as “What?”, “By whom/who?”, “For what purpose?” and “With what intention?” The first question “what” helps to determine if the alleged action is forbidden by law. The second question “who” helps to determine if the alleged person or persons involved are forbidden by law or policy to act in such a manner. The third question “for what purpose” helps to determine if the alleged action or inaction in the exercise of the actor is within the accepted or prohibited functions. Answers to these questions help to determine the next course of action, whether to investigate or not.

After analysing complaints, the IIC should ensure that appropriate action has been taken, or proposed to the relevant authorities. Redress in this case shall include, but not limited to recommendation to Controlling Officer for investigation, referring the complaint to relevant authorities, a decision not to take any action on the complaint depending on the nature of the complaint or due to lack of witnesses or other factors. In all these cases, it is important to give feedback to the complainant on the decision made on their complaint. In the next issue we shall continue to look at the process involved in an investigation. Thank you for reading!

Working from Home: What it Meant for Corruption Prevention

By Katoto Mtambo

The spread of COVID-19 in Malawi brought several restrictions of varying degrees at various stages of the spread of the disease. For the first time in this generation, government and private institutions were advised to scale down their operations and encourage their employees, where feasible, to work from home. ACB was not an exception. ACB employees, especially in the corruption prevention and public education department worked in shifts and those not scheduled for work at

office premises or in the fields worked at home. What did it mean to work from home for Corruption Prevention officers?

For corruption prevention, working from home meant working on corruption prevention documents. It involved the development and review of corruption prevention tools such as corruption prevention policies, client service charters, gift guidelines, whistle blowers' guidelines, and corruption prevention reports. It also involved reviewing complaints to determine the next course of action. More

involving was the review of COVID-19 interventions which were championed by government, nongovernmental organisations or development partners. The review of COVID-19 interventions aimed at uncovering corruption risks associated with these interventions and suggesting remedies to these risks.

For corruption prevention, therefore, working from home was not a holiday or a recession from work. It was work and active work as usual.

Cartoon



RESIST, REJECT AND REPORT ALL CORRUPT PRACTICES TO ACB OFFICES



VOICES FROM CITIZENS

Compiled by Jonathan Chisale

The Bureau in its quest to sensitize citizens on evils of corruption and enlist their support against corruption (Section 10(1)(a) (iii-iv) of the Corrupt Practices Act) conducts ethics and integrity presentations to schools and organizations; social accountability workshops; public officials' workshops; public rallies; radio and television programs, to just mention a few.

Through such forums, ACB receives feedback from the citizens on its work, their experiences as they interact with public officials, and as they access public services as clients. The experiences border on corruption and irregularities. The following are some of the voices:

To begin with, some people want ACB to consider giving rewards to people who report corruption. ACB advises that

they work towards promoting the spirit of patriotism among Malawians, and as such they do not give rewards. Issues of corruption must be reported in order to change things for the betterment of everyone and not to get individual gain. A person of honesty and integrity should not expect any reward for reporting corruption.

Moving on, some Members of Parliament (MPs) asked whether it is correct for an MP to

have his name printed on sports t-shirts (like football jerseys) that were purchased using Constituency Development Funds (CDF). On this, ACB is discouraging MP's from printing their names on an item that was purchased using public funds, since this is like personalising public resources for personal advantage, and unethical. Personalising public resources by an MP may be abuse of power, a corrupt practice, if we go by Section 25B(1) of Corrupt Practices Act CPA).

Still going on with more voices, during one ACB rally at Njewa in Lilongwe, beneficiaries of Ntukulapakhomo from T/A Kalolo and T/A Masumbankhunda deplored the alleged conduct of their traditional leaders and district council officials who force them to share the money from the social cash transfer. (Ntukulapakhomo Program gives out money to vulnerable community members for free to reduce their suffering). Allegedly, corrupt chiefs and council officials use discretion and force beneficiaries to share the money with non-beneficiaries, and they also benefit. ACB is warning concerned public officials against abusing discretionary powers to avoid committing arbitrary action, an offence described in Section 25B(4) of CPA.

In another voice, during one Area Development Committee (ADC) workshop in Ntcheu, ADC members expressed

worry that some traditional leaders perpetrate corruption by victimizing ADC leaders or members who are critical of the irregularities and corruption in projects which they are supposed to monitor. The Bureau is discouraging chiefs from abusing their power like this. ACB further urges all ADC and community members to monitor community projects and service delivery with keen interest, without fear, and report any corrupt acts where they notice any.

ACB IS WARNING CONCERNED PUBLIC OFFICIALS AGAINST ABUSING DISCRETIONARY POWERS TO AVOID COMMITTING ARBITRARY ACTION, AN OFFENCE DESCRIBED IN SECTION 25B(4) OF CPA

Furthermore, during one Anti-Corruption Workshop for public officials, participants alleged that some accounts officers at

Accountant General's office in Lilongwe have been stuck in the same ministry/department for a long time. Ironically, there is a rule which demands that officers should be moved from time to time. They further alleged that officers with connections are posted at their own convenient time and to their preferred ministry or department.

Adding more voice, ACB clubs express worry that most public officers are not willing to attend their meetings because of lack of allowances, even when the clubs visit them in their work place or within the vicinity of their work place. The Bureau is imploring all people to change mindset, so that they can attend such meetings without expecting financial gains. ACB clubs are given authority to sensitize their communities on corruption issues, and they do this voluntarily.

In conclusion, the Bureau is calling all Malawians to always give feedback to service providers, through appropriate channels, on how public institutions are serving the interests of the tax payers. Civil Society Organizations and other stakeholders can conduct Community Score Card to assist them identify people's challenges and provide solutions. The Bureau looks forward to more of your voices and feedback.

Reporting Corruption in the Wake of Covid 19



**By Heinrich Dzinyemba,
Assistant Report Centre
Officer**

The global health crisis of our time is none other than the coronavirus (Covid 19) pandemic. It is the greatest challenge which people have faced since the emergence of the Second World War.

To contain the spread, many institutions whether public or private stopped offering services normally.

In many ways, the restricted movement of people affected various service deliveries. The biggest challenge was not only to keep the economy ticking but also maintaining service delivery. Among others, the partial lockdown that was imposed created a serious social crisis for, the movement of people affected the number of people intending to report corruption.

Complaints surged despite the pandemic

Blantyre Report Centre felt it in April 2020 when the number of people reporting corruption went down dramatically. Only 12 complaints were registered, of which 2 were authorised for speedy investigation. However, the number improved in May 2020 when registration of complaints hit 16. In June 2020, the number of registered cases dropped to 10. The drop was normal in view of the partial lockdown. Last year in June 2019 the figure was 24 of which 7 were recommended for investigation. July 2019 recorded 36 cases but had a similar number as that for June 2019 recommended for investigation.

In July 2020, statistics on complainants that reported cases increased to 21 but cases recommended for investigations surpassed the 2019 statistics. A record number of 11 cases were prioritised for investigation. It was not then a bolt from the blue that the number of complainants surged in August 2020 to 64 cases, out of which a record number of 19 were recommended for investigation.

A look at the statistics for August 2019 indicates that they are nowhere near the records of August 2020.

Proactive measures

Since the partial lockdown was imposed following the emergence of the pandemic, ACB Report Centres in Blantyre, Zomba, Lilongwe and Mzuzu, continued to operate normally. The ACB took proactive measures not only to contain the spread of the coronavirus but also that of psychological distress in the public. Complainants showing up at the offices were and are still advised to wear face masks and wash hands before being allowed entry. Once in the office, social distance is observed.

WhatsApp chat and corruption

Generally, the pandemic and the subsequent partial lockdown that was imposed has had little impact on the number of people reporting corruption. The social media has, to a certain extent, changed the manner of reporting about corruption issues. The process has unearthed information,

and its flow to the public that yearns for it in particular the law enforcement agency, the Anti-Corruption Bureau (ACB), has boosted awareness regarding the evils associated with the vice. Hundreds of *WhatsApp* group chat have disseminated information about corruption which has caught the interest of the law enforcement agency. Apart from the popular mode of reporting in person and also in the wake of coronavirus pandemic and the lockdown, *WhatsApp* has quickly replaced the easy tool of reporting corruption and other related financial crimes.

Allegations revealing all ingredients of corruption

In July 2020 alone at ACB Blantyre Office nine (9) cases were recorded through *WhatsApp* while August 2020 recorded four (4) cases. The allegations had all the necessary ingredients that corruption, fraud and money laundering were at play. What was most remarkable about the reports available through *WhatsApp* were huge sums of money that were revealed and names of individuals involved as well as those believed to be an accessory to the crime. The information was more or less voluminous, and it made summarisation of the allegations much easier.

When generating an allegation, it is important that complainants mention people involved; their

THE GENERAL PUBLIC IS ENCOURAGED TO USE ALL OTHER MODE OF LODGING COMPLAINTS ABOUT CORRUPTION TO THE ACB INCLUDING WHATSAPP THAT HAS PROVED TO PROVIDE EXTRA ORDINARY FEATURES THAT INCREASE THE QUANTITY AND ULTIMATELY HELPS TO SHARE NEWS AS REPORTS ARE GENERATED BY COMPLAINANTS FROM REMOTE AND FAR FLUNG AREAS WHERE LIVE COVERAGE IS NOT POSSIBLE OR THERE IS DISTRACTION BETWEEN TELEPHONE LINES.

positions at their respective places of work; amount of money whether in dollars or Kwachas involved; names of people that may be knowledgeable of the malpractice but never took part in the crime; and the nature of corruption being deduced. In this respect, whistle blowers revealed corruption that bordered on abuse of office; flouting of procurement procedures; launder of money from illegal dealings; and fraudulent activities. Providing such pieces of information helped the report centre to capture allegations very easily. However, it is incumbent upon recording officers to figure out exact nature of corruption being alleged.

Consequently, the general public is encouraged to use all other mode of lodging complaints about corruption to the ACB including *WhatsApp* that has proved to provide extra ordinary features that increase the quantity and ultimately helps to share news as reports are generated by complainants from remote and far flung areas where live coverage is not possible or there is distraction between telephone lines. To that end, whistle-blowers are reminded to be ethical when reporting corruption so that any complaints they report is not treated as frivolous, vexatious and fictitious.

Exit Interview

with Mr Reyneck Matemba Outgoing DG



With Gift Chisusu Mhone

Mr. Reyneck Matemba is the current Director General of the Anti-Corruption Bureau who will soon be leaving office at the expiry of his contract. Gift Mhone (GM), the Assistant Editor had an interview with Mr Reyneck Matemba (RM) about his leaving the Bureau and other issues related to his work at the Bureau. Here are the excerpts of the interview:

GM: Before we talk about your leaving the ACB, let's start with you briefly describing how you found yourself here.

RM: I joined the ACB in

December, 2013, following my appointment as the Deputy Director General (DDG) by the former State President Dr. Joyce Banda in October, 2013. At the time of my appointment as DDG of the ACB, I was working as the Administrator General in the Administrator General's Department of the Ministry of Justice.

GM: How would you describe your tenure as DDG and later DG?

RM: In my view, my tenure as DDG of the ACB, and later as DG, has been a turbulent journey, but worth travelling. But I will describe it as a success,

and this has been possible because of the unwavering support that I received from members of staff of the ACB. I am very mindful, though, that some people, especially those that have no idea about the nature of the work that we do in the ACB as well as the challenges associated with the work of the DG and the DDG, may have a different opinion, and I fully respect that!

GM: Through your experience, how tough or easy is the work at ACB for officers including that of the office of DG?

RM: Working for the ACB, whether as a DG or as an officer, is not easy and has never been easy. As a matter of fact, everywhere in the world, fighting corruption is one of the toughest jobs around - you create enemies, the majority of whom you don't know about, it is a very stressful and risky job, and the reason is simple - when you are fighting corruption, corruption fights back. However, the stresses and the risks aside, working for the ACB is a very fulfilling job, especially when you have the passion and the desire to do the job.

GM: Do you think the change in the process of appointing the DG will have any effect on the way the office of the DG operates?

RM: Not really. The change in the process of appointing the DG of the ACB may not necessarily have any effect in the way the office of the DG operates, what it will do is that it will have an effect in the way people think the office of the DG operates or should operate. Let me explain what I mean by this. The fact that the DG of the ACB was being appointed by the President (before the Corrupt Practices Act was amended), there was a perception that the DG of the ACB or the ACB itself wasn't operating independently in the discharge of its powers and functions. This has been the perception despite the fact that Parliament, through the Public Appointments Committee, has always been involved in the confirmation or rejection of the President's appointee, in a way doing the vetting or checking the suitability or unsuitability of the President's appointee. But now that the President will no longer have to directly appoint the DG of the ACB, in that the position will have to be advertised and people wishing to become the DG of the ACB will have to apply and compete through interviews, that, I hope, will contribute to changing people's perception or mindset that the DG of the ACB doesn't operate independently because he/she is a Presidential appointee.

But as someone who has worked both as the DDG and the DG of the ACB, the change in the process of appointing the DG of the ACB will not, in itself, guarantee the independence of the office of the DG. In my view, it is the character, the

professionalism, the levels of integrity and the ethical behaviour of the office holder, the DG himself or herself, that will guarantee the independence of the office of the DG. It is possible to become the DG of the ACB after being directly appointed by the President and work independently. And it is also possible to become the DG of the ACB after going through the competitive process of interviews and fail to work independently. Besides, there are other factors that equally affect the way the office of the DG of ACB operates, including finances, human resources, and the working environment.

GM: I got it that you have refused to renew your contract. Is there any reason you would justify to Malawians why you have decided to go? What could be the reason?

RM: I look at the fight against corruption as a relay race, where one takes on the baton, runs with it for a distance and then passes it on to the next runner to continue with the race. I believe I have done my small part and it is now time for someone to take over and continue with the race.

GM: Are you leaving the Bureau a happy person?

RM: Yes, absolutely.

GM: As you leave, is there anything you would want to see changed at the Bureau as a matter of urgency for effective execution of its mandate?

There are a number of things that need to be seriously looked

into if the ACB is to effectively discharge its mandate. The most urgent ones include - revising the ACB's Staff Terms and Conditions of Service, in order to generally improve the working conditions of members of staff; an urgent review of the ACB's Functional Review, in order to create new positions that will provide room for the promotion of some officers within the ACB and the recruitment of new officers; establishment of new offices in some strategic districts in the country to provide for more access by members of the public to our services; and disposing off the old fleet of motor vehicles that we have and gradually replacing it with a new and most reliable fleet.

GM: You have had the privilege of working under three different heads of state. Paint a picture for us how this impacted your work.

RM: I felt honoured, and still feel honoured, to have worked under three different Heads of States (and in a way three different Governments). As you may be aware, every change of Government brings with it some anxieties or uncertainties, especially among the most senior public officers, and looking at the history of the ACB, DGs or DDGs of the ACB have not been spared. But for some reason, the changes in Government that happened whilst I was working for the ACB never scared me, never brought any anxious moments to me, and ultimately, never affected me. Having worked

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with three different Heads of State, what I have observed is that as long as you discharge your duties professionally and indeed truly remain apolitical in whatever you do (i.e. both in your professional life as well as private life), change of Government should not be something to worry about, if you are the head or deputy head of the ACB.

GM: What were your highest and lowest moments while working with the Bureau?

RM: There were many highest moments just as there were many lowest moments during my time at the ACB, and I can't share all of them with you.

But some of my highest moments came every time I won a case. There were a number of cases, both criminal and civil, that I personally handled and won. But I will just mention two of them - the first is the case of the *Republic vs. Tressa Namathanga Senzani*, basically for two reasons, firstly, Tressa Namathanga Senzani was the first cashgate convict, and secondly, she was the first person to be convicted of a money laundering charge in Malawi. The second case is the case of *Glessender Jeffrey and three others vs. the Director of the ACB*, equally, for two reasons, firstly, the amounts of money involved in the case were huge (billions of tax payers money were saved), and secondly, because it was a case that the ACB had initially lost, we had to ask the court for

a re-trial and ended up winning the case. I do recall that when I came back to the office from the court, after winning the case, I increased the volume of the song that I was listening to in the car (a South African gospel song), I came out of the car and broke into a dance at the ACB's carpark, and some drivers that I found at the carpark, without knowing or asking why I was dancing, joined me in the dance. It was all beautiful.

But one of the lowest moments that always come to my mind during my time at the ACB was the death of the former Director of Corporate Services, Issa Njaunju. Issa's death and the circumstances of his death left a permanent scar on me personally. Seeing Issa's lifeless body lying behind the Presidential Villas, half-buried, and being requested by the Police to look closely and identify Issa's body, on that fateful morning of the 4th of July, 2015, was one of the most traumatic experiences in my life. May Issa's soul continue resting in peace. But whoever killed Issa, and for whatever reason, will never find peace!

GM: People may have their own opinion about your work at the Bureau but how will you remember your time here?

RM: Despite the many challenges that I faced in the course of discharging my work at the ACB, I loved my work and truly enjoyed my time at the ACB. When I was appointed to join the ACB, soon after cashgate (i.e. the plunder of public finances in 2013) happened, I knew it won't

be easy, and indeed it wasn't easy. There were times that I cried, there were times that I asked myself why I had found myself at the ACB at that time, there were times that I asked myself why I had to go through all what I was going through, and indeed there were times that I thought the best thing to do was to quit. But every time I remembered these two things – firstly, that someone had to do the job and that at that time it was me to do it, and secondly, that whatever I was doing was my contribution to providing a service to the people of Malawi, I felt encouraged and motivated, and carried on.

GM: Do you have any regrets to do with your work as DG? Or is there anything you think you could have handled better than you did?

RM: Looking back, there might be some few issues to do with the work at the ACB generally that may be could have been handled differently. But with respect to regrets, no, I have no regrets whatsoever for anything that I did in my work as DG of the ACB. I know some people (both within and outside of the ACB) might not agree with some of the decisions that I made, or some of the actions that I took, but I have no problems with that, that's just natural. For every decision that I made, and for every action that I took, there was a justifiable reason or basis for that, legally or otherwise. And I take full responsibility for all that happened during my time as the DG of the ACB, whether good or bad, and whether done

by me or any of my officers, as long as it was done in good faith and in the course of our work, the responsibility is mine.

GM: While you were DG you were still seen in court leading the prosecution as lead counsel in several cases. Considering how busy your office is, readers may want to know what motivated you to handle cases in court yet there are capable lawyers within the Bureau?

RM: Yes, you are right, I have personally prosecuted a number of criminal cases and also handled a number of civil cases in the ACB. And you are also right that there are capable lawyers in the ACB, and in my view, they have been doing a commendable and fantastic job. But allow me to take you back, when I joined the ACB in 2013, the Legal and Prosecutions Department was the Department that I noted that it did not have enough prosecutors (i.e. both lawyers and Senior Assistant Prosecutions Officers). And being a lawyer myself, I could not just sit and watch officers in this Department struggling to handle the backlog of cases that they had, I had to do something and that is what initially prompted me to join them in handling those cases. Even though we have been recruiting officers in this Department, just like we've been doing with all other Departments and sections in the ACB, the situation in that Department hasn't really improved, we still do not have enough officers to handle the many cases that are in that

Department. This is what further motivated me to continue prosecuting some criminal cases and handling civil cases, even after my appointment as the DG. But let me mention that it wasn't easy to combine the work of the DG, with prosecution of cases, but I found myself in a situation where I just had to do it. But with the support of colleagues in the Legal and Prosecution Department, plus Management and all members of staff in the ACB, I managed to combine and perform the two distinct and equally demanding tasks.

There were times that I cried, there were times that I asked myself why I had found myself at the ACB at that time

GM: With your departure, the vacancy in the office of DG will be advertised to the general public. Are there individuals you can recommend to take up the post both from within and outside the Bureau? Without mentioning names of course.

RM: Wow! I didn't see that coming. I wish I could, but no, I can't. There are many men and women, within and outside of the ACB, that can competently and successfully handle the position of the DG of ACB. All I can say is that the job of the DG

of ACB requires someone who is passionate about the work, a person with unquestionable integrity, it demands boldness, level-headedness, courage and personal sacrifices, and it is not for the faint-hearted, among other qualities.

GM: If you were to leave a note on your desk for the next DG what message would it contain?

RM: Be strong, you will succeed!

GM: As we conclude our interview, do you have anything else you want to communicate to Malawians?

RM: Yes, just to encourage and call upon the people of Malawi to continue supporting the work of the ACB because without their support, the fight against corruption in Malawi will be a tall order, public support is very crucial to the successful fight against corruption. Let me also take this opportunity to sincerely thank the Management and all officers of the ACB for the support they gave me throughout the seven years I worked for the ACB. You made my work easier, you were such a wonderful team to work with, and I shall forever be grateful to have met and worked with each one of you. I love you all, stay blessed!

GM: Thank you DG for sparing your time to take this interview.

RM: And many thanks to you for according me this opportunity to have an exit interview with you, it is truly appreciated, may God bless you Gift.

ARRESTS AND RESULTS OF COURT CASES

In 2020 the ACB effected a number of arrests on corruption matters. The ACB Newsletter presents to you some of those arrests and brings about results of other cases which have gone for trial.

ACB arrests Dr. Thomson Mpinganjira in Blantyre

On 8th December, 2019, the Anti-Corruption Bureau (ACB) received a complaint alleging that some people were attempting to bribe the five judges sitting at the Constitutional Court hearing

the Presidential Elections Case.

The ACB instituted investigations into the matter. On 22nd January, 2020, the Anti-Corruption Bureau

arrested Dr. Thomson Mpinganjira in relation to the matter.

The case was committed to the High Court and is currently undergoing trial in Blantyre.

ACB arrests two council officers in Mangochi

On 17th June, 2020, the Anti-Corruption Bureau arrested Mr. Mujadil Jong Malukula and Mr. Edson Masebo, both public officers who were working at Mangochi Town Council on allegations that they illegally sold 2 plots of land belonging to Mangochi Town Council without the approval of the Council and

did not remit proceeds of the sale to the Council.

Mr. Malukula is being suspected of committing two offences of abuse of office contrary to Section 25 B of the CPA while Mr. Masebo is being suspected of committing the offence of aiding and abetting a corrupt practice contrary to Section

35 of the CPA or in the alternative, neglect of official duty contrary to Section 121 of the Penal Code.

Malukula was arrested in Nkhonkhotakota and Masebo in Mangochi. They are awaiting trial after they were granted bail.

ACB arrests four in Blantyre and Lilongwe for abuse of office at ESCOM

On 21st September, 2016, the Anti-Corruption Bureau (ACB) received a complaint alleging that the Electricity Supply Company of Malawi (ESCOM) made procurements worth K4 Billion without following proper procedures.

The ACB instituted investigations which established that there was

indeed procurement at ESCOM which was done without following laid down procedures.

On 22nd July, 2020, the ACB arrested Mr. Fanuel Nkhono, former Director of Procurement and Mr. Emilias Kandapo, Senior Procurement Officer at ESCOM. On 23rd July, 2020, the ACB arrested

Mr. John Kandulu, former Chief Executive Officer and Dr. Jean Chifundo Mathanga, former Board Chairperson at ESCOM. The Four are suspected of committing an offence of abuse of office contrary to Section 25 B of the Corrupt Practices Act.

They were granted bail. Prosecution is in progress.

ACB arrests four in Blantyre for corruption to defeat justice

On or around 18th March, 2020, Mr. Hanif Muhammad is alleged to have conspired with Cecilia Kananji, Esther Kalanda and Ismael Abubas to withdraw a defilement case registered as Criminal Case number 204 Of 2020 which was being heard at the Dalton Road Magistrate's Court in Limbe against Hanif Muhammad.

The Bureau investigations established that Hanif Muhammad who was

answering a defilement case prosecuted by Ismael Abubas conspired with the prosecutor and other two women to withdraw the case by giving out money to the victim through the two women.

On 7th August, 2020, the ACB arrested Hanif Muhammad. On 10th and 11th August, 2020, the ACB arrested Cecilia Kananji, Esther Kalanda and Ismael Abubas respectively. The four are expected to be charged with the following

offences among others:

- Conspiracy to defeat the course of justice contrary to Section 109 of the Penal Code
- Neglect of official duty contrary to Section 121 of the Penal Code
- Aiding and abetting perjury contrary to Section 101 of the Penal Code

They were taken to Court on 18th August, 2020 where they were granted bail, pending trial.

Court sentences four people in Mzuzu over abuse of Millenium Challenge Account (MCA) funds

On 7th December, 2017, the Anti-Corruption Bureau received a complaint alleging that Mr. Martin Zgambo, Chairperson of Village Grievances Resolution Management Committee (VGRMC) connived with Mr. Herbert Mandala of Snowy and Mountain Engineering Corporation (SMEC Mzuzu office) to defraud Millennium Challenge Account (MCA) funds which were meant for compensation of Project Affected Persons (PAPs) at Sonda in Mzuzu.

The ACB instituted investigations which established that Mr. Martin Zgambo and Mr. Herbert Mandala, had connived to defraud Millennium Challenge Account of K19, 738, 167.00 by presenting land for which compensation was already processed as if it was not paid for. Ms. Eluby Chavula posed as a land owner while Ms. Patricia Tchuwa received MK3,925,298.53 for land

which was not hers.

On 31st March, 2020 Mzuzu Magistrates Court found the four guilty. Sentencing was done on 29th June 2020 as follows:

Mr. Martin Zgambo and Mr. Herbert Mandala were convicted of:

- Conspiracy to launder money contrary to Section 42(1) (d) of the Financial Crimes Act
- Making false documents contrary to Section 353 of the Penal Code
- Attempted theft contrary to Section 401 as read with Sections 271 and 278 of the Penal Code

They were sentenced to forty-eight months, twenty-four months and eighteen months imprisonment with hard labour for each of the counts respectively.

Ms. Patricia Tchuwa who was

convicted for Money laundering contrary to Section 42(1) (c) of the Financial Crimes Act, was sentenced to sixty months imprisonment with hard labour. The sentence has been suspended due to the fact that she has a baby who is still breastfeeding.

Ms. Eluby Chavula was convicted for:

- Giving false information to the Bureau contrary to Section 14 (1) (a) of the Corrupt Practices Act
- Attempted theft contrary to Section 401 as read with Section 278 of the Penal Code

She was sentenced to twenty-four months and six months imprisonment respectively for each of the counts.

The sentences will run concurrently from the date of conviction.

Court sentences former legislator and another person in Zomba over abuse of Constituency Development Funds (CDF)

On 1st October, 2018 the Anti-Corruption Bureau arrested Mr. Anderson Undani (former MP for Zomba Malosa Constituency) and his Personal Assistant, Mr. Pangani Nazombe for corruption.

The Anti-Corruption Bureau investigations had established that Mr. Undani abused project materials purchased with Constituency Development Funds at Zomba District Council meant for projects in his constituency for the construction of a teacher's house at Mapalo F.P. School, construction of toilets at Domasi CCAP Primary school, Rehabilitation of Domasi- Kasonga Road

and construction of Malonga bridge.

The two were taken to court where Mr Undani was charged with three counts of abuse of office contrary to Section 25B (1) as read with Section 34 of the Corrupt Practices Act; theft and obtaining money by false pretense contrary to Section 278 and 319 of the Penal Code respectively.

Mr. Nazombe was charged with aiding another person to commit an offence contrary to Section 35 as read with Section 34 of the Corrupt Practices Act and obtaining money by false pretense contrary to Section 319 of the Penal Code.

On 3rd July, 2020, the Zomba Magistrate's Court found the two guilty of the counts as charged and convicted them. On 13th July, 2020, the Court sentenced Mr. Anderson Undani to eighteen (18) months imprisonment with hard labour on each of the three counts while Mr. Pangani Nazombe was sentenced to twelve (12) months imprisonment with hard labour on each of the two counts. The sentences are with effect from the date of conviction and will run concurrently.

Court finds former legislator for Mzimba Hola Constituency guilty for corruption

On 7th September, 2010, the Anti-Corruption Bureau received a complaint alleging that Hon Christopher Mzomera Ngwira MP for Mzimba Hola Constituency that time presented invoices from YOGI and Mzimba Hardware on pretext that they had supplied building materials for Lukwelukwe School Project

which was funded under LDF under Mzimba District Assembly.

The ACB investigation established that Christopher Mzomera Ngwira had abused his public office. He was arrested and taken to Mzimba Magistrate's Court where he was charged with abuse of

office contrary to Section 25 B (1) of the Corrupt Practices Act.

On 28th September, 2020, the Mzimba Magistrate's Court found Christopher Mzomera Ngwira guilty and convicted him. He was later sentenced to four years imprisonment with hard labour.

ACB successfully defends claims for damages by Hon. Rashid Gaffar

On 1st October, 2020, the High Court in Blantyre dismissed a case between Honourable Rashid Gaffar and the Director of the Anti-Corruption Bureau (ACB). In the case, Hon. Rashid Gaffar claimed damages for wrongful arrest and false imprisonment, malicious prosecution and defamation. He also sought costs of the action.

The claim for damages relates to a 2011 case where the ACB arrested Hon. Rashid Gaffar

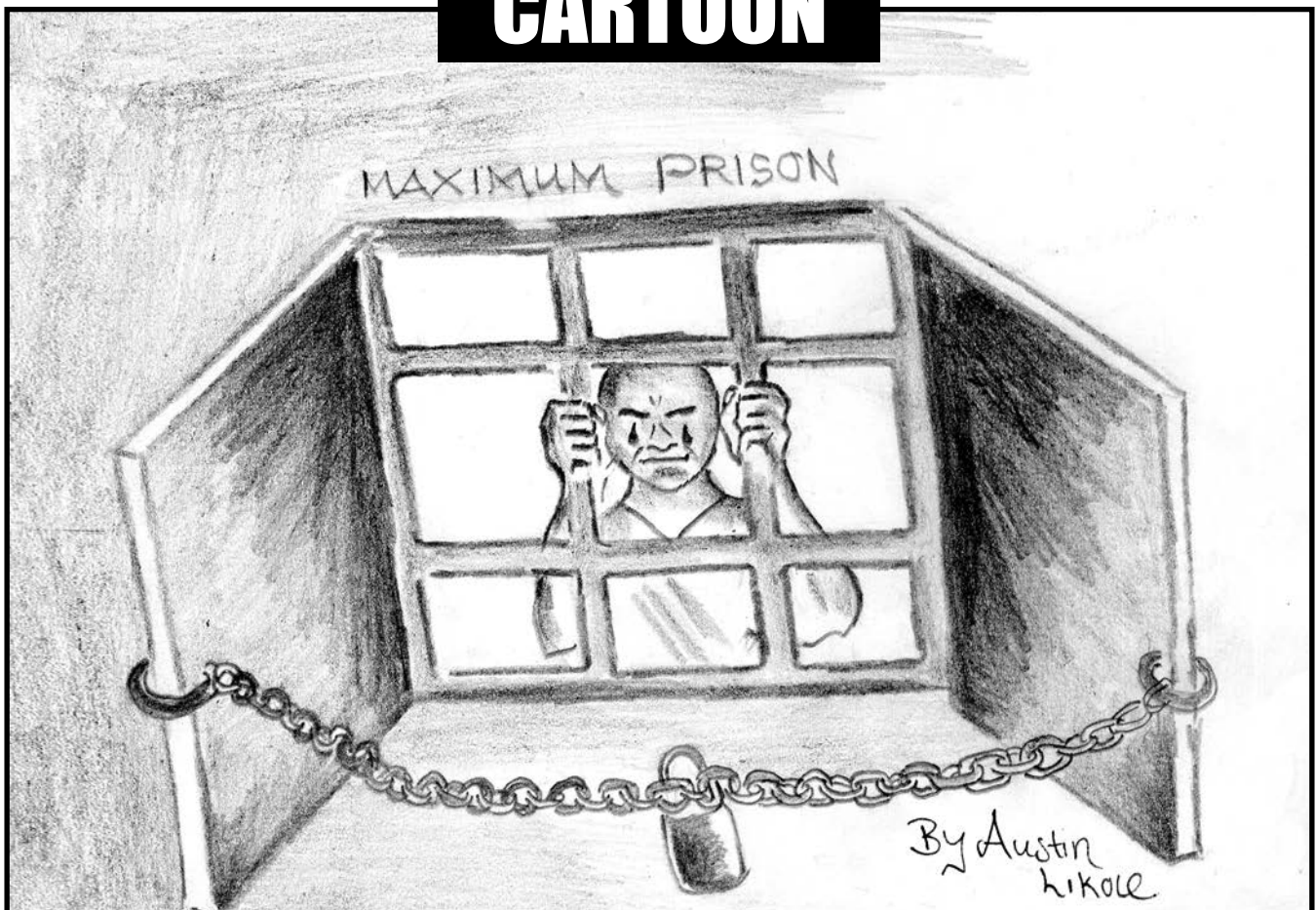
alongside Mr. Kondi Msungama and His Worship Mzondi Mvula, and charged him with conspiracy to defraud. He was subsequently acquitted by the Court, and sued the Director of the ACB in Civil Cause Number 6 of 2017.

However, the High Court has found that contrary to the submissions by Hon. Rashid Gaffar, the Director of the ACB had a reasonable and probable cause for arresting and

prosecuting him. Consequently, the Director of the ACB cannot be held liable for taking what was legally justifiable action in the circumstances of the present case.

The ACB has successfully defended the case and prevented loss of tax payers' money. The Court has also awarded the ACB costs of the action.

CARTOON



CORRUPTION IS EVIL YOU WILL END UP IN JAIL. THINK OF YOUR JOB AND FAMILY



From Chichiri Prison to the High Court: Mpinganjira flanked by two Bureau officers

ACB POUNCES ON BUSINESS MOGUL THOM MPINGANJIRA

By Gift Chisusu Mhone

On 22nd January 2020, the Anti-Corruption Bureau arrested business tycoon who was then CEO of FDH Bank Dr. Thom Mpinganjira for allegedly attempting to bribe High Court judges presiding over the historical 2019 Presidential elections case.

According to the charge sheet by ACB, between 1st October, 2019, and 30th November, 2019, within the City of Blantyre, Mpinganjira offered an advantage, namely, an unspecified amount of money, to Justice Michael Atananzio

Tembo, for the benefit of the said Justice Michael Atananzio Tembo and Justices Healey Potani, Ivy Kamanga, Dingiswayo Madise and Prof. Redson Kapindu, all public officers and members of the Constitutional Court panel sitting on the Constitutional Reference Case Number I of 2019, as an inducement for the five judges to decide the Constitutional Reference Case Number I of 2019, in favour of the respondents in the said Constitutional Reference case.

Receipt of the complaint

A formal complaint was brought to the ACB's Director General

by the Hon. Chief Justice, Andrew K.C. Nyirenda SC, on 8th December 2019 in a letter dated 2nd December, 2019. This was after an informal meeting between the Director General and the Chief Justice on 28th November 2019, where the latter first narrated of the allegation.

"The judges collectively invited me to a meeting where they informed me that they... (Names withheld)... contacted them through two of the judges to enquire if they had received money, which he had sent to them. The money was said to have been sent through... (Name withheld)... The matter

was brought to me as head of the judiciary for my information and further to report it to the anti-corruption Bureau. I trust that the Bureau will take it up from here”, reads part of the Chief Justice’s letter.

Given the level of public interest of the allegation the Bureau moved in and commenced investigations on 28th December 2019 despite being within a festive season holiday and that the key witnesses, the judges were resting after months of hearing the case in court. In that period the Bureau successfully obtained witness statements from the two judges who were contacted by the alleged bribers.

The warrant of arrest saga

Just hours after the arrest, lawyer for Mpinganjira, Lusungu Gondwe, travelled to Zomba to seek a late night court order to quash the warrant of arrest the ACB used to arrest his client. Senior resident magistrate Benedicto Chitsakamire issued the order dismissing Mpinganjira’s warrant of arrest, leading to the release of Mpinganjira from Blantyre Police, where he was kept in custody, that same night.

The whole process of obtaining the order did not go well with the ACB because it disregarded some basic legal procedures. ACB Director General described the order as irregular, questionable and unfortunate.

The Judiciary through Registrar

of the High Court, Agnes Patemba described the order as irregular. The order which Chitsakamire issued is contrary to Section 96(3) of the Criminal Procedure and Evidence Code which says every warrant shall remain in force until it is cancelled by the court which issued it.

The file was moved from Zomba where the order was made to Blantyre and assigned to Justice Nyakaunda Kamanga.

On 29 January, Justice Nyakaunda dismissed the order issued by Magistrate Chitsakamire. In her ruling she held that the order was irregular because the file that the Magistrate had based his ruling on had insufficient information and missing documents.

It was further ordered that the High Court of Malawi and Supreme Court of Appeal Registrar refer private lawyer Lusungu Gondwe and Zomba Magistrate Benedicto Chitsakamire to Malawi Law Society and Judicial Service Commission respectively for disciplinary action regarding their conduct in the quashing of the initial warrant of arrest.

Progress this far

Mpinganjira was formally charged on six counts of bribery. The case started at Blantyre Senior Magistrate Court presided over by Senior Resident Magistrate Simeon Mdeza.

The Bureau through the

Director of Public Prosecution (DPP) moved to have the matter committed to the High Court. Pursuant to section 289 of the Criminal Procedure and Evidence Code, the DPP issued the certificate to have the matter heard in the High Court and it was therefore committed to the High Court in Blantyre, before Justice Dorothy De Gabrielle.

Mpinganjira took plea of not guilty. However, on the day of taking plea the defence indicated that they had appealed against the decision to commit the case to the High Court.

On 24th September, Justice Twea S.C, Justice of Appeal dismissed the defence’s application and condemned the applicant to pay costs to the Attorney General, the DPP and the Director General of the ACB.

The case continued in the Blantyre High Court. The defence prayed to the state for a plea bargain but as the bargain continued trial started. The state paraded all its witnesses. The witnesses included the five Constitutional Court Judges and an investigator from the ACB. Among other evidence brought to court were WhatsApp conversations in text and recorded calls between the accused and Justice Mike Tembo who was the first witness.

The state has since finalised parading its witnesses and final submissions were made. As we took to press the case awaited judgement on whether or not the accused has a case to answer.



ACB Forensic Data Unit

By Staff Reporter

The Forensic Data Unit (FDU) at the Anti-Corruption Bureau (ACB) is one unit within the Investigations Department. The FDU manages state of the art Forensic Laboratory which the Bureau established in 2016 at its Head Office in Lilongwe with financial assistance from DFID, Royal Norwegian Embassy and Irish Aid.

The main function of the FDU is to collect, secure and preserve digital data evidence seized from suspects and ensure that it is in a form admissible in the court of Law. To achieve this

FDU is guided by International Electronic and Digital Data Evidence Protocols and uses its modern forensic Equipment and Software capable of retrieving and analysing data from computers, phones and other electronic devices used by suspects in conducting corrupt practices.

Apart from serving the Bureau, FDU also provides forensic assistance to other Law Enforcement Agencies (LEA) for data acquisition and analysis. Currently this assistance is free, and no payment is required. So far, the FDU has been assisting Malawi Police Service (MPS),

Director of Public Prosecutions (DPP) and Malawi Revenue Authority (MRA). The FDU is open to all LEAs, and all requests for assistance are directed to the Director of Investigations (DI) for approval.

For any request for assistance and/or correspondence, the following ACB designated email address and contact numbers should be used:

Email: fdu@acbmw.org

Phone: +265 1 779 166

+265 1 779 167

+265 1 779 130

+265 888 208 963

The Youth Wave

MP GRACE KWELEPETA PROMOTES YOUTH AGENDA

Member of Parliament for Zomba Malosa Constituency Hon Grace Kwelepeta, has taken the involvement of the youth in the development of her constituency seriously. The Parliamentarian, organised a proposal development training for Malemia Youth Network and Malemia CBO Network. The training mainstreamed sensitisation on National Anti-Corruption Strategy as well as Corruption prevention strategies in local projects. The ACB team was led by Chief Public education Officer Mrs. Agnes Mweta



Group photo for the participants with the Hon. Kwelepeta, MP (In red dress, seated 6 from left)

ACB inputs into National Youth Policy



National Youth Policy Consultation Conference 29th October 2020, Bingu International Convention Center Lilongwe, Malawi

The Anti-Corruption Bureau on 29th October 2020 provided input into the National Youth Policy currently under review. The ACB, through the Desk Officer for the Youth, Mr. Andrew Ussi, advocated for inclusion into the policy a deliberate provision to support youth organisations that mainstream anti-Corruption issues in their programs. The conference was jointly organised by Ministry of Youth and National Youth Council.

ZOMBA URBAN YOUTH NETWORK ON THE MOVE

The Youth of Zomba district have demonstrated the zeal to actively participate in the fight against corruption. The Zomba youths joined the Anti-Corruption Bureau in Zomba during an anti-corruption awareness parade from Zomba ACB office to Zomba Central Prison where a donation of soap was made. In the picture are some of the youths who joined the parade.



National Anti-Corruption Youth Network Chair Passionate about anti-corruption fight

Chikondi Njaya who is the Chairperson for the National Anti-Corruption Youth Network (NA CYN) has said he is very committed to mobilise fellow youths across the country to implement the National Anti-Corruption Strategy II. Talking to Grey Mlinga of Chanco community Radio in a **Tithane ndi Ziphuphu** program, soon after the commemoration of International Anti-Corruption Day, Njaya pledged to do all what he and his colleagues can to ensure that the youth contribute meaningfully to the fight against corruption in Malawi. In the picture is Chikondi Njaya being interviewed by Grey Mlinga



Cartoon



ACB's work with communities

The Anti-Corruption Bureau in pursuit of its mandate of taking necessary measures for the prevention of corruption, works with various community groups and empower them with knowledge and techniques for detecting and preventing occurrence of corruption in their localities. The community groups include Area Development Committees and Anti-Corruption Clubs.



In the picture the Director of Public Education of ACB, Mrs Charity Mphande (seated at the center) takes a photo with ACB officials and members of Nziza Area Development Committee (ADC) in Kasungu.



Members of Chiponde Anti-Corruption Club recording a program with Grey Mlinga of Chanco Community Radio. The club members are accompanied by Senior Group Village Headman Chiponde (in white shirt) who is also a long time member of the club.



The Blantyre Public Education team of ACB also oriented members of TA Chekucheku ADC in Neno District.



Director of Public Education, Mrs. Charity Mphande (seated third from left) and ACB officials pose with Makwangwala ADC members and Mtonda Anti-Corruption Club members in Ntcheu after a Social Accountability Workshop.



Police Officer Mr. Midda Kabwere from Nambazo Police Unit in Phalombe explaining to members of Mpinda Anti-Corruption Club and Chiwalo ADC on issues of Police Bail



Mpinda Anti-Corruption Club members receiving a roll of ACB cloth from Chief Public Education Officer Mrs Agnes Mweta



PED officers pose with officials from Salima District Council and Lilongwe City Council at a Public Officers Workshop organised by ACB.

Anti- Corruption awareness month: The highlights

The Anti-Corruption Bureau (ACB) held its inaugural anti-Corruption awareness month from 9th November to 9 December 2020. The awareness month concept originates from Ghana where ACB officers of the Public Education Department learnt from. It is a concept whose goal is primarily to raise awareness on corruption.

AFFORDABLE INPUT PROGRAM (AIP) MONITORING

The Bureau visited various selling points of the fertiliser under the AIP. The objective was to identify accessibility challenges and prevent corruption.



ACB officers at a selling point in Salima and Mchinji respectively.



Bureau Officer (in white t-shirt) conversing with a fertiliser beneficiary at Migowi in Phalombe / Officer sticks a sticker at a selling point in Makwasa Thyolo for the public to use ACB contacts thereon to report corrupt activities during the exercise.



Bureau Officers in discussion after inspecting a market in Rumphi District.

ROAD TRAFFIC ENGAGEMENT



Malawi Police Service Chaplain, Fr. Steven Likhutcha (In blue t-shirt) at one of the ad hoc roadblocks the Police mounted with ACB officials in Salima.



A Bureau officer engages a road user and shares an Information Education and Communication (IEC) material During Traffic Police Engagement.



Road Traffic Police with a Speed Trap camera posing for a photo with ACB officials in Balaka.

CORPORATE SOCIAL RESPONSIBILITY



Director of Public Education, Mrs Charity Mphande and Director of Corruption Prevention Mrs Mary Phombeya led ACB officers in cleaning the surroundings of Karonga Market in Karonga District.



Another sweeping exercise at Mchinji Market



Chief Legal and Prosecutions Officer, Mr. Anafi Likwanya Presents the donation of 33 cartons of U-fresh soap to Zomba Central Prison Officer-in-Charge Mr. Mtuthe, to improve hygiene among inmates in the wake of the Covid 19 pandemic.

AWARENESS PARADES



Public Education Officer Tapiwa Mleme and Senior Records Management Officer mr Wiseman Nyasulu address the public in an anti-corruption roadshow led by Skeffa chimoto and the Real Sounds Band enroute to Capitol Hill during the launch of Awareness Month activities.



Youths in Zomba joined ACB officers in an Ant-corruption parade from Zomba ACB offices to Zomba Central Prison.



Principle Public Education Officer, Patrick Thole educating the public at Mwanza Market at the end of a Big Walk.



Mwanza District Commissioner (in a black suit) Mr. Michael Chimbalanga and Mwanza District Council Chairperson (second from right) Mr Cassim Chimbalanga took part in a Big Walk from Mwanza Border Post to Mwanza Market

ENGAGEMENT WITH THE PUBLIC/PUBLIC INSTITUTIONS



Assistant Report Centre Officer Mr. Heinrich Dzinyemba and Assistant Procurement Officer Mrs. Martha Mbewe engage a citizens at Mwanza Border Post on NACS II and abridged version of the same was shared to him.



Bureau officers Leah Mwangomba and Chisomo Kondowe took the anti-corruption message to the Covid 19 testing centre at Mwanza Border Post



ACB Director General and Deputy Director General on the streets of Lilongwe



SPORTS BONANZA



Chief Legal and Prosecutions Officer, Victor Chiwala hands over the trophy to Mwanza Police Eagles FC Captain after his team won the match on post-match penalties following a one all draw.



Mwanza Police Eagles FC and Mwanza Prescane FC battle it out in a football Bonanza as part of the awareness activities.

SERVICE DELIVERY MONITORING



Senior Public Education Officer Edward Kamvabingu at Nkhatabay District Hospital



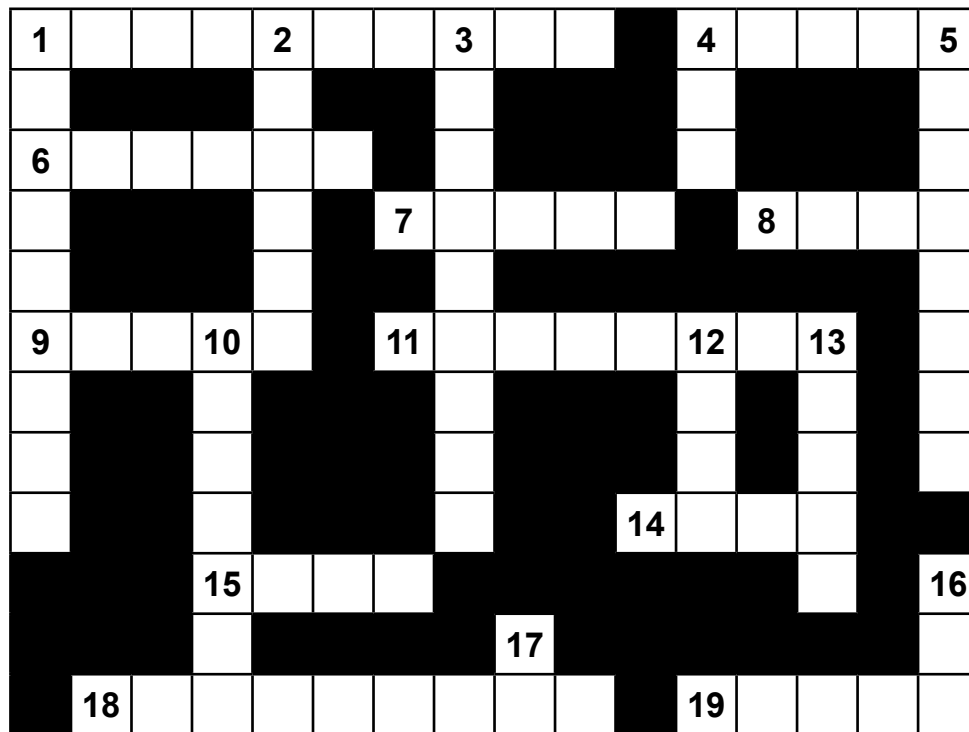
Principal Public Education Officer Patrick Thole (in a fishing jacket) observing an officer at the Directorate of Road Traffic and Safety Services in Blantyre.



Corruption Prevention Officer, Memory Kadongole briefs public officers at Mchinji District Hospital after a monitoring exercise there.

CROSS WORD PUZZLE

By Susan Anjimile Phiri



Clues

Down

- 1 to institute legal proceedings against a person (9)
- 2 occurrences of something in a certain place (6)
- 3 adherence to moral and ethical principles (9)
- 4 reporting corruption can also be done through a suggestion _____ (4)
- 5 that which tends to prove or disprove something (8)
- 10 something that is advantageous or good (7)
- 12 to grant or obtain the liberty (4)
- 13 the examination before a judicial tribunal (5)
- 16 good governance is one of the preconditions for donor _____ (3)
- 17 a negative expression (2)

Across

1. Department in the ACB responsible for checking systems in other institutions (10)
- 4 anything given or serving to persuade or induce (5)
- 6 the ACB _____ its doors in 1998 (6)
- 7 permitted by law (5)
- 8 useless (4)
- 9 Public Education Department establishes Anti-Corruption _____ (5)
- 11 to forbid an action (8)
- 14 an appeal or entreaty (4)
- 15 to make application (court) (4)
- 18 the crime of obtaining money or some other thing of value by force (9)
- 19 deceit or trickery (5)



We have moved

We would like to inform the general public that ACB offices in Blantyre have moved from National Bank Building, Victoria Avenue to Able House along Henderson Street adjacent to the Reserve Bank of Malawi. All our contact addresses and numbers remain the same.



ACB

ACT NOW!

Fight Corruption for Better Malawi

RESIST

REJECT

REPORT

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E-mail: anti-corruption@acbmw.org

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Able House,
Next to Reserve Bank of Malawi,
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