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Police Accountability: Application of Corporate Governance Principles and Business Ethics to The Zimbabwe Republic Police: Case Study of Midlands and Mashonaland East Provinces: April, 2013- April, 2014

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Abstract:

This study investigated the application of corporate governance and business ethics principles to the Zimbabwe Republic Police (ZRP) officers in charge of police stations seeking to achieve the following objectives: ascertain ZRP accountability; identify public's perceptions of ZRP and investigate effectiveness of ZRP corporate governance monitoring tools. The study employed qualitative research paradigm and case study design. Data were collected through observations, and focus group and personal interviews. The study found that there was lack of congruence on the police and public understanding of police role due to ineffective communication resulting in inappropriate application of performance management tools resulting in accountability being compromised. It concluded that there was a poor application of corporate governance principles and business ethics in the ZRP at Police station level and recommended improved interaction with the public and realistic evaluation to avoid a distorted performance picture.

Keywords: Police, accountability, business ethics and corporate governance

1. Background to the Study

While the King Reports of 1994, 2002, and 2009 generated interest on governance of commercial enterprises using corporate governance principles, there has been growing interest in the use of the same principles in non-commercial enterprises in the public sector as the both governments and citizens around the world seek to make these institutions more accountable in the delivery of the services they were created for (Jarrar and Schiuma 2007; Verbeeten, 2008). The concept of corporate governance and business ethics revolves around the regulation of the fiduciary relationship that the management of public institutions have with their stakeholders (Moore and Khagram, 2004).

The Zimbabwe Republic Police (ZRP) is such public institution created by section 219 of the Zimbabwe Constitution Amendment (No. 20), 2013 and its functions include detection, investigation and prevention of crime; preserving internal security; protecting and securing property; maintaining law and order; and upholding the constitution and enforcing the law without fear or favour. In order to be able to discharge this constitutional obligation the ZRP is bestowed enormous powers bestowed on them by the law to interfere with freedoms of individuals, which include authority to arrest, detain and at times use force; and as such this calls for accountability, oversight and integrity during operations if the public is to be protected from abuse (Punch, 1985; Berg, 2005; Sung, 2006; UNDOC Handbook on Police accountability and integrity, 2011).

Section 207(2) of the Zimbabwe Constitution subject members of the security forces (who include police) to the authority of the Constitution, the President and Cabinet and also subjects them to parliamentary oversight. Thus there is an insistence that the police take responsibility for their actions, answer for any shortcomings and not be a law unto them. Dumiso Dabengwa, then Zimbabwe Home Affairs Minister in 1999, provided the rationale this insistence when he highlighted that lack of transparency and accountability within the public service (which includes the police) destroyed the confidence people have in their government and can become a source of instability (Transparency International Seminar report, Towards Anti-corruption Agency, 1999).

When emphasizing the criticality of accountability Berg (2005:16) reiterated the point raised by Dabengwa (above) when she stated: "Lack of police accountability is fundamentally damaging to society, the public loses trust in the police and resort to alternative means of protection and justice." Random selection of reports in the media on ZRP performance has revealed disturbing articles which have implications on police integrity and accountability and appear to indicate this loss of trust by the public. The following are some of the media reports that have been made on the ZRP:

- Cop in court for extortion –where a police sergeant was arraigned in court in Harare for demanding a \$250 bribe from a driver who was driving with a fake licence. (Daily News, 14 March 2012).
- Police officers in court on extortion charges – where 3 Beitbridge police officers were arrested for corruption after demanding for a 'fine' of \$40 from a motorist for an undisclosed offence. They then did not receipt the money in the official receipt book (Chronicle 14 July 2012).

- Cops defraud Chinese firm of US \$1300, court heard – where three Harare police officers were arrested for criminal abuse of office after demanding money from a Chinese firm manager whom they accused of illegally importing goods. (H-Metro, 17 August 2012).

The negative reports create negative perceptions on the security of investments in the economy of the country and thus scare away potential investors. Accountability, oversight and integrity are the key ingredients in the application of corporate governance principles and business ethics to a police organization, such as the ZRP.

1.1. Problem Statement

In view of the given background to this study the problem is stated as that the Zimbabwe Republic Police faces serious issues of lack of effective corporate governance principles and business ethics in its service to the public.

1.2. Purpose of the Study

The purpose for this paper was an investigation on the extent to which ZRP can make use of corporate governance and business ethics principles to ensure both internal and external accountability in the discharge of its constitutional mandate in Zimbabwe

1.3. Objectives for the Study

The study sought to achieve the following objectives:

- To identify perceptions of Zimbabwean public and understanding of ZRP officers of their policing role.
- To ascertain applicability of accountability principles to ZRP in the performance of their policing role.
- To investigate the use of corporate governance monitoring tools by ZRP officers in charge of police stations.

1.4. Assumptions for the Study

There is lack of accountability in the Zimbabwe Republic Police

2. Review of Related Literature

2.0. Police Accountability

Worldwide, in democracies, when issues to do with police performance are discussed, it is common for issues of police accountability to be raised. Police Accountability can be defined as the acquisition of the ability to perform, obligation to provide explanations and justifications and, absorbing the consequences of unaccountable actions including taking the necessary corrective action (Igbuzar, 2008). It is aimed at preventing the police from abusing their powers through encouraging transparency in operations which is bedrock of corporate governance as it regulates relationship (preventing conflict of interests) between the public institutions and their stakeholders (Verwey, van der Merwe and du Plessis, 2012).

It is generally accepted that good policing is a fundamental test of democracy and police service delivery is fundamental for reducing poverty and for sustainable economic, social and political development (Berg, 2005; DCAF Backgrounder Series on Security Sector Governance and Reform 10/2009). Police action should always be appropriate; i.e. within a socially constructed system of norms, values and beliefs of the public; if police are to be viewed as accountable Jarrar and Schiuma 2007; Verbeeten, 2008). While the public expects the police to solve criminal cases reported to them they are unwilling to accept confessions obtained through unorthodox means such as assaults.

UNDOC Handbook on Police accountability and integrity (2011) lists the following as necessary processes in achieving police accountability in pursuit of good corporate governance within police organisations:

- internal reporting systems, chain of command and disciplinary systems which directly control the activities of individual officers performing police duty (internal accountability); and
- Oversight entities such as parliament, police commissions, etc. which monitor and report on police performance and its effects on the citizens (external accountability).

2.1. Internal Accountability

Internal accountability involves a set of systems and procedures within the police organisation itself aimed at curbing police abuse of office. In a study on police accountability in Southern African Commonwealth countries, Berg (2005) found a host of challenges to police internal accountability which included arbitrary arrests, extortion, torture of suspects, lack of investigation skills and lack of funds to increase operational capacity and conduct training programmes. Although no longer part of the Commonwealth, Zimbabwe is part of the Southern African region and faces the same challenges on police internal accountability.

In Zimbabwe, the Commissioner General is granted power to make standing orders (regulations) with respect to the discipline, regulation and orderly conduct of the affairs of the Police Force by section 9(1) of the Police Act, Chapter 11:10. The ZRP Standing Orders Volume I regulates (among other things) the conduct of police officers and communication channels within the organisation. It sets out the ethics of the ZRP officers in the performance of their duties and is the bedrock of its internal accountability.

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Ashour (2004) lists the following as major causes of lack of internal accountability in the public sector (of which police is part of):

- Lack of or failure to enforce a code of ethics.
- Failure to state and enforce basic integrity principles;
- Failure to outline and enforce limits on political and personal influences; and
- Absence of clearly stated and enforced policies on professionalism.

2.1.1. Lack of or Failure to Enforce a Code of Ethics

Research has shown that impunity lies at the heart of police lack of integrity and accountability (Commonwealth Human Rights Initiative & the Kenya Human Rights Commission Report, 2006). The existence of a code of conduct is not enough to prevent improper performance of duty by police officers; police commanders must enforce and be seen to be enforcing proper conduct.

Commenting on the Kenya Police Force's system of internal accountability, the Kenyan Standing Committee on Human Rights remarked in 2002:

Despite public statements from Commissioner of Police on efforts to reform the Police Department and deal firmly and effectively with police officers who have committed abuses, the disciplinary sanction imposed on officers found guilty of brutality are frequently inadequate. Officers are rarely prosecuted for using excessive force. Investigations of numerous cases alleging torture revealed that the 'code of silence' in which officers fail to report brutality, destroy evidence or threaten witnesses in an effort to cover up abuses, commands widespread loyalty, contributing to a climate of impunity (Commonwealth Human Rights Initiative & the Kenya Human Rights Commission Report, 2006:44).

The Kenyan Standing Committee on Human Rights report highlights the need for police managers to 'walk the talk' through strict enforcement of rules in order for subordinates to comply with the rules thereby protecting the public from abuse.

The Zimbabwean Judge of Appeal, Justice Gubbay summed it up in *State versus Ngaru 1987 (1) ZLR 91 (SC)* when he said on page 101:

Any form of corruption resorted to by government servants, especially police officers whose duty it is to uphold the law and by their conduct set an example of impeccable honesty and integrity viewed by the courts with abhorrence. It is a dangerous and insidious evil in any community and in particular requires to be guarded against in a developing country.

The Zimbabwe Republic Police has internal rules of conduct contained in the Police Act, chapter 11:10 and Police Standing Orders Volumes one and two. Strict adherence to the internal rules would drastically improve police accountability.

2.1.2. Failure to State and Enforce Basic Integrity Principles

Integrity in policing means genuine acceptance by a police officer of the values, virtues and moral standards of policing out of his/her own will (Pagon, 2003). However, one of the major characteristics of police organisations is the culture of peer groups. Police officers learn during their career not to 'sell out' a colleague in cases of breach of rules. The 'us' and 'them' attitude, which exist in most police organisations, encourages police officers to adopt an adversarial position to anyone who is not a police officer who dare challenge police activity (Kleinig, 1996 and Sherman, 1978). Where primary loyalty then becomes fraternal rather than institutional; then reporting unethical activity to superiors may come to have the same overtones as 'going public'.

Superiors also may be caught in the same web of secrecy for fear of the consequences of the corruption scandals which may cost their jobs. Enforcement of integrity principles must start with the top of the police command. Huberts, Kaptein and Lasthuizen (2007) argues that yet, of all measures that can be taken to prevent integrity violations, the behaviour of management remains the most important. Pagon (2003) argues that if police officers experience inconsistent behaviour from their supervisors, preferential treatment of some officers and/or citizens, solidarity with, and cover-ups for, the officers who violate standards of their profession, they will sooner or later become cynical regarding the value and appropriateness of ethical conduct in their organisation. It is what is experienced and not what is said which, becomes the norm of the organisation.

2.1.3. Failure to Outline and Enforce Limits on Political and Personal Influences

Policing activities are done within the political, economic, social and technological environments. Punch (1985) identifies enormous powers bestowed on the police to enable them to discharge their duties; which powers includes searches, arrests, and detentions of persons. Naturally this attracts the attention of politicians and other influential who may seek to coerce the police to use the powers in pursuit of their selfish ends.

In order to protect both the public and the police the Zimbabwe Constitution (Amendment No 20) of 2013, which is the supreme law of the land, and other laws and regulations governing the manner in which police authority in the enforcement of laws limit the political and personal influences which may be exercised on /or by the police.

Section 208(2) of the Zimbabwe Constitution sets the limits by forbidding members of the security forces from being active members of political parties or engaging in acts of showing favour (or disfavour) of a political organisation during the performance of their duties. Paragraph 48 of the Schedule to the Police Act, Chapter 11: 10 (as read with sections 29 and 34 of the same Act) makes it a disciplinary offence for a member of the ZRP to actively participate in politics and this includes showing favour or disfavour to a political organisation during the performance of police duties.

While the above legal provisions are meant to provide shield from undue political influences, their effectiveness is dependent on level of professionalism exhibited by senior leadership. False accusations of incompetence can still be made by unscrupulous politicians or influential members of society when professional police officers refuse to bend to their personal whims. Professional police commanders would investigate before taking negative action against accused officers.

2.1.4. Absence of Clearly Stated and Enforced Policies on Professionalism

Pagon (2003) argues that core virtues of policing arising out of police ethics, such as honesty, trustworthiness, prudence, fairness, courage, wisdom and integrity should form part of the 'modern' policing philosophy and this is reflected in the policies on professional conduct. He distinguishes 'modern' policing philosophy from the 'traditional' police virtues of obedience, uncritical loyalty and authoritativeness where professionalism is not evident. The policies on professionalism should be experienced during the day to day duties of the police officers.

The dichotomy between 'modern' policing philosophy based on the police ethics and the 'traditional' quasi-military police culture has not been easy to reconcile in most police organisations. While the police ethics encourage police officers to enforce the law without fear or favour, the quasi-military culture makes the same officers passive recipients of orders from superior officers who exercise authoritarian control. Some policies have tended to conflict with practice. For example; while the ZRP in its Service Charter states that it is committed to enforcing the law without fear or favour (ZRP Service Charter, 1995), subordinate officers may find it difficult to disobey an order from a superior officer not to arrest a certain individual. Lack of protection of a subordinate officer from retributive action of a superior may encourage selective application of the law.

In its change programme (known as the Zimbabwe Police Organisation Development Programme) the ZRP introduced a number of tools of ensuring quality service to its stakeholders. These tools include strategic, tactical and service plans at national, provincial and station levels respectively; and police operational standards such as attending to a telephone call within three rings attending to a scene of serious crime within ten minutes in an urban setting and two hours in a rural setting; and reduction of annual growth of crime by 2%. Enforcement of such standards without due regard to environmental factors outside the control of individual officers may cause problems.

It can be summarised that internal accountability is internally driven, and requires a police management determined to ensure that the systems and procedures within the police organisation itself aimed at curbing police abuse of office are adhered to.

2.2. External Accountability

External accountability involves the concept of oversight which connotes supervision and control by institutions external to the police organisation itself to prevent abuse of powers bestowed on the police (Igbuzor, 2008). In its discussion on police external accountability, UNODC Handbook on Police accountability and integrity (2011) advocates for independent police oversight bodies with following mandates:

1. Dealing with complaints;
2. General oversight: operational and policy compliance review;
3. Direction setting: policy input and priority setting;
4. Personnel management issues: "hiring and firing";
5. Oversight over detention facilities

Section 207(2) of the Zimbabwe Constitution Amendment (No 20) of 2013 subject members of the security forces (who include police) to the authority of the Constitution, the President and Cabinet and also subjects them to parliamentary oversight. The ZRP is thus accountable to the executive (government), parliament and the general public. Being a constitutional creation the ZRP must be viewed by the public as operating within the parameters set by the Constitution.

It is when the police contradict what the constitution of their countries state, regarding human rights of all citizens that the police begin to lack legitimacy and the public begin to lose faith in the police and consequently the government (Berg 2005:3)

Section 221 (1), of the Zimbabwe Constitution Amendment (No. 20), 2013, places the command and control of the ZRP under the command of a Commissioner General of Police. However, the Commissioner General is subordinated to the Minister responsible for the police from whom he must get any general written policy directives. The subordination of the Commissioner General to civilian control is an important element of police accountability as it is a check mechanism on the power of the Commissioner General of Police and is in line with corporate governance principles.

Section 222 of the Constitution of Zimbabwe Amendment (No.20), 2013 establishes a body with such a mandate and is known as the Police Service Commission. The functions of the Police Service Commission include fixing and regulating conditions of service for members of the police, ensuring good administration and efficiency of the police, advising the President and Minister on police related issues and fostering harmony and understanding between the police service and civilians (section 223 of the Constitution of Zimbabwe Amendment (No.20), 2013). Police Service Commission restricts the powers of the Commissioner General in his/her administration of the organisation by providing officers with an appellate body where they can submit grievances on the manner they would have been administratively dealt with.

The Zimbabwe Constitution Amendment (No. 20), 2013, Part I, contains a number of provisions on human rights many of which require the police for their protection. One topical provision is section 50 of the Constitution which deals with the rights of arrested and detained persons. Under subsection 9 of the same section the Constitution gives an entitlement to the person illegally arrested or detained to sue the actual police officer who would have committed the misdemeanour for compensation. This subsection is meant to

act as a deterrent against human rights abuses by the police. Zambia and Mauritius have similar provisions in their National Constitutions.

The ZRP is accountable to parliament in terms of section 13 of the Police Act, Chapter 11:10 which obligate the Commissioner General of Police to submit annual reports to parliament, through the Minister, at the end of each calendar year. The report is scrutinised and debated, and the Commissioner General is made answerable for any issues arising out of his/ her administration of the organisation. Magistrates and judges are also empowered by the Criminal Procedure and Evidence Act, Chapter 11:01 to inspect police detention facilities to ensure that the human rights of those in detention are upheld

In its Service Charter (1995), which has since been re-launched on an annual basis the ZRP made promises to the public on how they would discharge their duties and these are commitment to provide:

- a) the most effective and efficient service;
- b) professionalism in dealings with the public;
- c) accountability and transparency in operations;
- d) diligence and courtesy in the discharge of duties; and
- e) honesty and integrity

What is apparent from the reviewed literature is that the ZRP, being a public institution, must be accountable to the public. It is through this accountability for their actions and socially acceptable behaviour as they discharge their duties that their compliance with corporate governance and good ethics is measured.

3. Methodology

3.0. Research Paradigm

The philosophical underpinning of this study was the interpretive paradigm, which makes assumptions that: reality lies within human experience; is space, time and situation bound; is socially constructed; is subjective; and is value bound and value laden (Chilisa and Preece, 2005). It uses the qualitative research procedures in the collection, analysis and interpretation of data; and is informed by people's experiences in their natural settings using a variety of techniques such as interviews and observations.

In this study, the application of corporate governance and business ethics principles to the ZRP was studied at police stations, where they were being experienced in their natural state and within the existing social context (Krathwohl, 1993; Leedy, 2006). The focus was on perceptions of the ZRP front line managers, police junior officers and the public, at police stations, on police accountability to its stakeholders.

Criticisms of qualitative research are mainly based on the false premise that the same tests for validity, reliability and objectivity used in quantitative research should be used for qualitative research. However, Chilisa and Preece (2005) agree with the views of Lincoln and Guba (1985) that for qualitative research credibility and transferability save the purpose of internal and external validity respectively, dependability that of reliability while conformity save that of objectivity.

The credibility of this study was enhanced through prolonged and substantial engagement of participants, triangulation and reflexivity. The assumption was that the more time the researcher spent in the field, the greater the rapport that was built to allow participants to volunteer more sensitive information (Chilisa and Preece, 2005). The researcher was the main data collection instrument in this research and meanings attached by the researcher to symbolic or social context of expressions used may have affected the study. In this study the researcher maintained a diary of all events and experiences on recording, analysis and interpretation of data; and the impact of those experiences on the researcher.

3.1. Research Design

A case study research design was chosen for this study. A case study is an empirical investigation of a particular contemporary phenomenon within real life context using multiple sources of evidence (Yin, 1991; Robson 1997; Patton and Appelbaum, 2003). In a case study a particular individual, program, or event is studied in depth for a defined period of time (Leedy, 2006). Gummesson (2006) contends that the case study strategy allows the researcher to search for variables and concepts that absorb the core of a phenomenon without disfiguring its nature by making some of the variables static ("ceteris paribus") to allow for mathematical calculations. It offers an opportunity for a holistic view of a process as opposed to a reductionist-fragmented view that is associated with the quantitative approach (Patton and Appelbaum, 2003).

The design chosen, i.e. case study supports the interpretive paradigm, which supports the qualitative data gathering techniques, and was the philosophical approach chosen underpinning the study. Investigating accountability practises of the ZRP front line managers and perceptions of the public on the same issues required that data be gathered from a natural setting where different contributions and meanings that participants place could be expressed. This is in line with the belief that the truth and reality are not universal but socially constructed and given meaning by people.

The major limitation for a case study design is said to be that it is difficult to generalise findings to other situations, especially where a single case is involved (Leedy, 2006; Creswell, 2009). However, in this study multiple cases were studied comprising four focus groups and officer in charge stations and selected members of the public at ten police stations. The multiple cases allowed for triangulation of data gathered from one case with that from other cases and this enhanced credibility of the study.

3.2. Sampling Methods

The ZRP comprise of 10 operational provinces, divided into 300 police stations. Two provinces; namely, Midlands and Mashonaland East Provinces were purposively selected. Midlands province has 29 police stations while Mashonaland East has 20 and these two provinces with 49 police stations formed the sample for the study.

Although the selection of the two provinces for the study was purposive and non-probabilistic, the researcher satisfied what Babbie (1989:172) contends to be the purpose of sampling when he notes that:

The ultimate purpose of sampling is to select a set of elements from a population in such a way that descriptions of those elements accurately portray the parameters of the total population from which the elements are selected.

Police provinces in Zimbabwe were generic in that they were structured in the same way and governed by the same rules and performance expectations. The police stations were headed by either Chief Inspectors or Inspectors (depending on the sizes of the police stations) who were the frontline managers who managed service delivery to the consumers of police service, the public.

A total of five police stations from each of the two provinces were randomly selected for personal interviews of officers in charge and five members of the public randomly selected from a list of members of the public who had made reports to the police during the preceding six months. Officers in charge of the remaining police stations were split into two groups in each province forming four focus groups.

3.3. Data Collection Methods

The study used multiple methods of data collection to enhance its credibility. The data collection methods used in the study, were focus group interviews, face-to-face personal interviews and observations of police officers in their work setting.

A focus group interview is a discussion in which multiple research participants simultaneously produce data on a specified issue (Chilisa and Preece, 2005). A total of 39 police stations were divided into 4 focus groups; two in each province. According to Sarantakos (1998), the basic assumption underlying the use of the focus group interviews method was that a group environment would encourage discussions, and spontaneous expression of real and emotional views on the subject under discussion. The group interaction generated in the focus group interviews provided opportunities for other group members (officers in charge of police stations) to challenge views held by others thereby allowing for more realistic perception of issues under discussion. The facilitator's role was guiding rather than controlling the discussion.

The focus group interviews were followed by observations of officers in charge of police stations and their staff at the ten sampled police stations as they discharged their duties.

An observation method of gathering data involves watching what people do and listening to what they say as they carry out targeted tasks. In this study the researcher was a participant observer and made it known to the participants that they were being observed (Chilisa and Preece, 2005). In security organisations such as police organisations it is difficult to participate without being a member of the team or to do clandestine observation without risking being accused of spying. In this study the researcher is a known officer of the ZRP and it would have been difficult to disguise him.

The disadvantage was that the researcher, as an observer; was prevented from playing his real role as a senior police officer, which included correcting situations where the frontline managers may not have been performing properly. Restraint was not easy, especially in situations where non-performance could seriously prejudice the ZRP image and human rights of citizens. Intervention was used as the last resort. The researcher wrote down notes on issues observed.

Once the observation was completed it was followed by face-to-face personal interviews of officers in charge of police stations and five selected members of the public at each of the ten sampled police stations. Robson (1997) describes an interview as a conversation with a purpose. The purpose here was to verify and confirm observations made by putting research questions to the participants. The major advantages of the interview as a method of gathering data lie in the flexibility in that clarifications can be sort on answers and that one can observe body language which confirm or otherwise the answers given (Chilisa and Preece, 2005; Leedy, 2006). The challenge, however, lies in getting cooperation and trust of the participants. The researcher highlighted the purpose of the research and its likely benefits to the organisation to win the cooperation of the participants.

Face to face interviews were done initially using pre-determined questions and responses documented. These questions were followed by other questions emerging from the responses to the initial questions to clarify issues raised or follow up to themes, which may have emerged from observations. Open-ended questions were used to allow for explanations.

3.4. Data Analysis

The findings were grounded in the data collected. A grounded theory approach is one where the researcher commences the study not armed with a theory but with a mind open to the possibilities of the data and the perspectives of the subjects (Hyde, 2000). The term 'grounded' refers to the idea that the theory that emerges is derived from the data gathered in the field and not from research literature (Leedy, 2006).

Data analysis was done as it were gathered to identify any emerging themes. Chilisa and Preece (2005) identify it as one striking difference between quantitative and qualitative where unlike in the former where analysis is done at the end the later it occurs throughout data collection. Emerging themes from the observations and the interviews were coded to create meaningful findings. Discerning contributions were identified and noted.

4. Data Presentation and Interpretation

4.0. Introduction

The findings discussed hereunder are a result of focus group interviews of officers in charge of police stations; personal interviews of selected officers in charge of police stations and members of the public; and observations of the researcher in the provinces of Midlands and Mashonaland East between the periods April, 2013 and April, 2015.

The following were the findings of the research:

4.1. Demographical Data

4.1.1. Gender Composition of Officers in Charge of Police Stations

Figure 1 show the gender composition of the officers in charge of police stations who were interviewed:

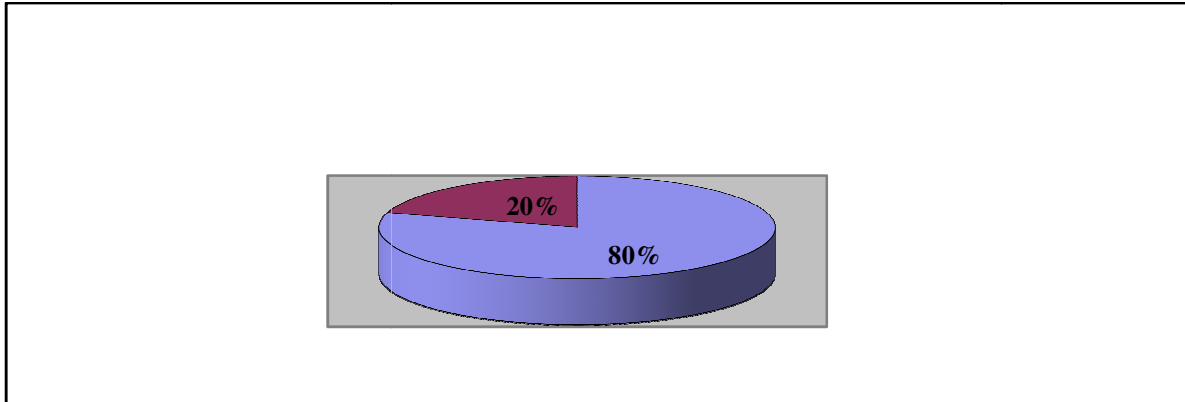


Figure 1: Gender Distribution of Officers in Charge of Police stations

A total of 49 officers in charge of police stations were interviewed out of which 10 were female and the rest males. Female officers constitute 20% of those interviewed and 7 of them were in the Midlands Province. Officers in charge of police stations, being first line managers in the ZRP, direct and supervise police operations. The gender disparity which exists among police officers holding the position of officer in charge of a police station maybe a factor when one considers some of the macho policing tactics used by the police which tactics are often a source of public complaints.

4.1.2. Gender Distribution of Members of the Public Interviewed

Figure two shows the gender distribution of members of the public interviewed at the various police stations in both the Midlands and Mashonaland East provinces:

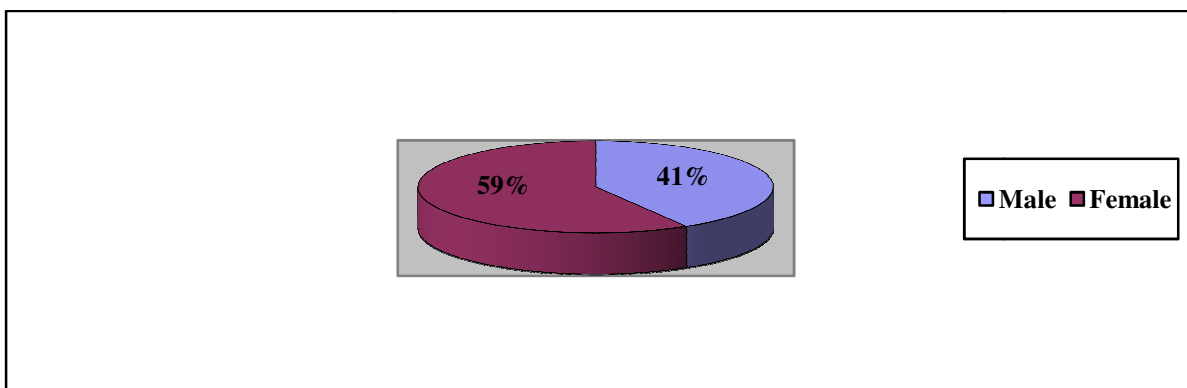


Figure 2: Gender Distribution of members of the public interviewed

Out of a total of 147 sampled members of the public who had made reports to the police officers over the preceding six months 87 were female representing 59% while the rest were male. This may be a reflection of differences in terms of sensitivity to issues affecting men and women; with women being reflected as more likely to report issues to the police as a civil authority than men.

4.1.3. Policing Experience

The figure 3 shows the period ranges the participants had been members of the ZRP:

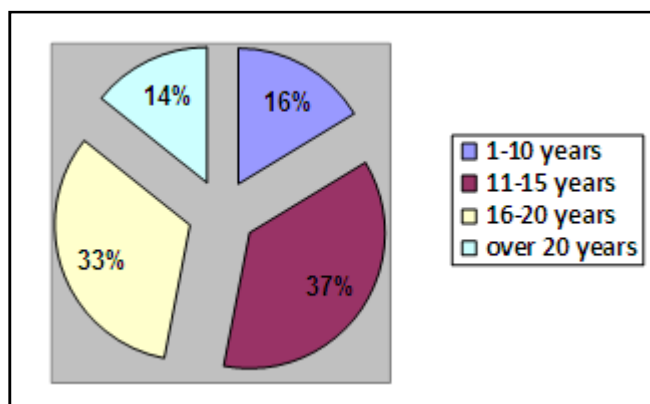


Figure 3: Length of Police Service

Only 14% of the officers in charge of police stations had been members of the ZRP for periods of 10 years and below; while the majority (86%) had been for 11 years and more. In fact, 70% had been there for between 11 and 20 years while only 16 % have been there for over 20 years. The majority of officers in charge are expected to be not just experienced but still energetic to do the job.

4.1.4. Experience in office of Officer in Charge

Figure 4 shows periods the interviewed officers have been in charge of police stations

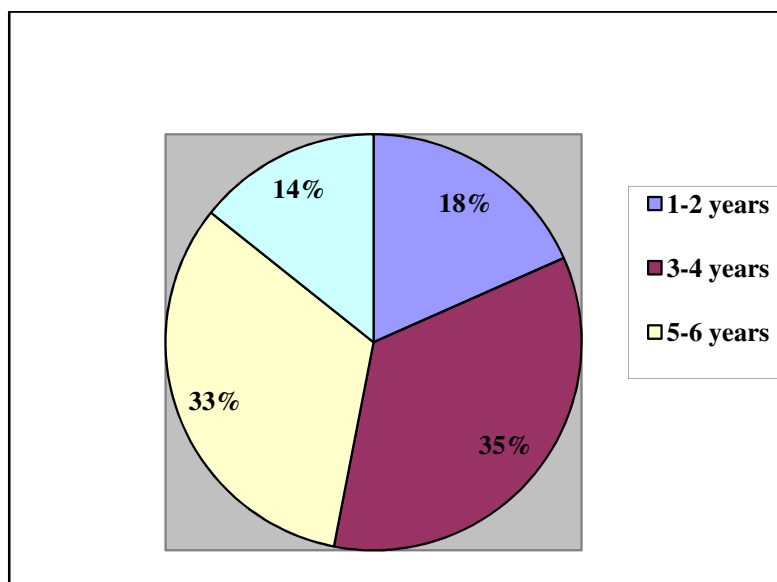


Figure 4: Period in charge of Police Station

Only 18 % of the officers had been in charge of police stations for periods of 2 years and below. The majority (82%) can be regarded as having adequate experience of performing in the office of the officer in charge of the police station and therefore their responses can be relied upon.

4.2. Understanding Police Role

Knowledge and understanding of the role the police in the Zimbabwean society is critical to both the ZRP officers and the public if they are to appropriately rate the quality of police service being delivered by ZRP to the public.

4.2.1. General Understanding of Police Role

The Participants were requested to explain what they understood the role of the ZRP to be. Generally, the interviewed police supervisors showed an understanding of the police role as provided by section 219 of the Zimbabwe Constitution Amendment (No. 20), 2013 which included investigation of crime and maintenance of law and order. The public, on the other hand, while acknowledging the functions of the police as in the Zimbabwe Constitution included issues such as assistance in cases of aggressive dangerous animals, lunatics and resolving disputes likely to result in violence.

It was evident that the public expected more to be done for them by their police in addition to what is written in the Zimbabwe Constitution. This may be a source of discord between the ZRP and the public when the ZRP fails to go an extra mile as shown by a statement from one of the police participants who said:

Surely we cannot spend police resources on none core activities of which we are not even evaluated by our superiors. There are other government departments meant for some of these issues being brought to police charge offices which could be done by others. They (public) should know what requires police attention.

The focusing on set targets by police management without due regard to the wishes of the public resulted in the police exerting effort to satisfy their own "police goals" rather than the security needs of the public. Satisfaction of public expectations meets the purpose of the creation of a police organization; is in accordance with accountability requirements; and resonates well with the famous statement by the then Prime Minister of Zimbabwe, His Excellence Robert Mugabe (quoted in Herald 13 May 1985) when he said that police need to identify themselves with the aspirations of the people from whom they derive legitimacy.

During focus group interviews the police participants were keen to discuss the powers given to them by the Constitution but rather reluctant on the limitations placed on such powers (about 30% of police participants viewed the limitations as obstructive during police operations). This is unfortunate given the fact that the limitations are meant to safeguard the public from abuse of the bestowed powers. This group of officers is likely to be reluctant to investigate junior officers with allegations of 'crossing the line'; e.g. who beat suspects to obtain confessions. There was also a general consensus on participants from the public that the limitations placed on the powers of the police as they discharge their duties needed to be observed since it was alleged that some police officers were becoming a law unto themselves.

4.2.2. Indicators that the ZRP is discharging its Role

During interviews of selected members of the public they were asked what they considered to be indicators that police were performing their roles. There was a general consensus that they wanted to see the police visible in their neighbourhoods as an assurance that they were ready to protect them and their property. They complained that police were not being seen patrolling their neighbourhoods they were very visible along the roads carrying out roadblocks where they extorted money from motorists.

The police participants on the other hand regarded meeting set performance targets and level of complaints against police as indicative of satisfactorily discharging their policing role. However, they lamented the shortage of both material and human resources to ensure police visibility in the neighbourhoods as required by the public but admitted being very visible at roadblocks in order to meet the fines targets given to them by their superiors. During the study the researcher observed 5 roadblocks where police officers had used their own private motor vehicles to travel to a roadblock site. The police supervisors were aware of such roadblocks and stressed that it was an imperative for them to meet set traffic fines collection targets. Corruption incidences to recoup the private resources used could not be ruled out in such instances.

There was a general consensus between the police participants and the public participants that the level of public satisfaction as shown in complaints against the police was also an indicator as to whether the police were discharging their role properly. However, what was contentious was to whom such complaints should be made. The police participants felt that any misconduct involving their subordinate members were to be reported to them while the participating members of the public wanted such reports to be made to the superior officers of the local police commanders.

There were allegations of 'cover up' by local officers in charge of police stations to protect their juniors and themselves because the misconduct was mainly caused by their poor supervision and in some cases of corruption they were also beneficiaries. A total of 12 public participants complained that they did not get feedback on the outcome of investigations on cases where they reported to local police commanders. It was alleged that in cases where the public got outcomes of investigations the local police commanders absolved their subordinates of any wrong doing in a majority of cases. What was evident was that the public did not have confidence in the impartiality of the local officers in charge of police stations in handling complaints against their subordinates.

4.3. ZRP Accountability to Zimbabwean Public

Accountability lies at the centre of corporate governance and business ethics in the ZRP. The ZRP must not only discharge its constitutional mandate but to do so the satisfaction of the government and the public who are the consumers of its services. The public involvement and a reflection of such involvement in the prioritization of such issues reflect such accountability.

4.3.1. Prioritization of issues by Police during Service Delivery Process

Both the police participants and the public were asked to rank, in terms of importance, the five (5) different standards of performance which police promised the public that they would use in the discharge their duties in their Police Service Charter (1995). The five standards of performance ZRP made promises to the public on how they would discharge their duties are commitment to provide:

- (a) the most effective and efficient service;
- (b) professionalism in dealings with the public;
- (c) accountability and transparency in operations;
- (d) diligence and courtesy in the discharge of duties; and
- (e) honesty and integrity.

The rankings were on a scale of 1 to 5; five standing for critically important, four very important, three important, two necessary but not important and 1 unnecessary. It was heartening to note that none of the participants ranked any of the five performance standard as

either necessary but not important (2) or unnecessary (1). Figure 3 below therefore shows the rankings preferences in terms of criticality of the performance standard.

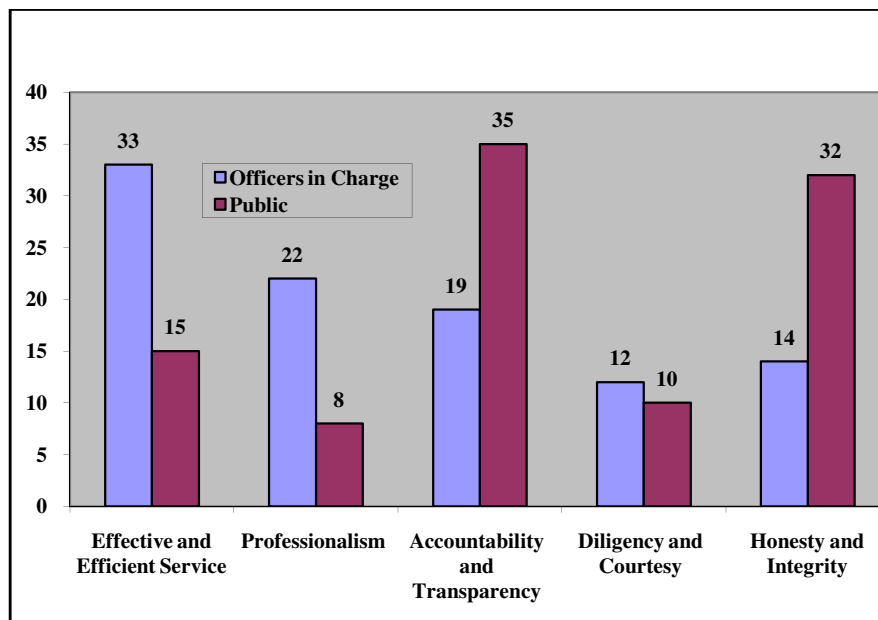


Figure 5: Performance Preference Rating

The differences in responses to this question highlight the dilemma faced in the evaluation of police performance. While the majority of police supervisors were pre-occupied with effectiveness and efficiency, and professionalism in the discharge of police duties (33% and 22% respectively giving a combined 55%); the public preferred accountability and transparency, and honesty and integrity (35% and 32% respectively giving a combined 67%). Only 15% of the public thought police should prioritize efficiency and effectiveness as compared to 33% police supervisors. What was also found to be interesting is the fact that while professionalism was ranked second on ratings by police supervisors; it received the lowest ranking from members of the public. There is thus a gap between what the public want their police to prioritize and what the police supervisors perceive as key priorities.

A police organization exists to provide a police service to the public and police supervisors should therefore prioritize public aspirations. A total of 35% of members of the public considered accountability and transparency to be key to police service delivery; while only 19% of police supervisors felt the same. While service production processes are important, the service consumer requirements are more important to avoid a situation where the production processes are excellent and yet the product does not meet consumer requirements. These responses confirm the earlier responses to questions relating to understanding of police role where it was showed that ZRP police supervisors differed with the public on the ingredients of the product they produce. The police supervisors did not prioritize accountability to the public and this has a bearing on complaints against police by the public.

4.3.2. Public Involvement in Goal Setting

During focus group interviews participants were asked to discuss the necessity of involving community leaders in identifying policing challenges in their areas. The participants identified community leaders as prominent local politicians, government officials, business people, traditional leaders, and religious leaders. Such liaison was said to be done through visits to community leaders, and public meetings. While all the participants attached importance to liaison with community leaders, 15% of them had own reasons for such liaison. One such participant had this to say:

An officer in charge must have support of the public. Every effort should be made to gain the confidence of community leaders because they can cause you to be transferred from the station if they don't like you through complaints to Police Headquarters. Many officers have been victims of these types of transfers where they have chosen to ignore concerns of these community leaders.

Fear of personal reprisals in the event of negative reports appeared to be what drove the participant to communicate with community leaders and not the general need gains community cooperation in police endeavours. This group of participants was mainly skeptical of political and business leaders whom they accused of victimizing hardworking, honest officers in pursuit of their personal interests. Indeed, Ashour (2004) recognizes political and personal influences as one of the major causes of lack of police accountability. However, gaining the support and cooperation of community leaders is still important to achieve policing goals. Community leaders are the voice of the general public and their approval of the quality of police service is a measure of whether or not the ZRP is producing acceptable level of police service.

4.4. Corporate Governance Monitoring Tools used by ZRP Officers in Charge Stations

Discussions with the police participants on performance monitoring tools showed that the ZRP had developed very elaborate monitoring tools for line managers to check onto the performance of subordinates. It ZRP had annual service plans at national and

police station level in which policing goals and priorities of the year were spelled out in addition to a strategic plan covering a period of up to 5 years. These plans were supported by performance standards some of which were as follows:

- i. Recording time taken before a person who visits the police charge office is attended.
- ii. Recording of time taken between the time reports are received and time such scenes of the reports were attended to.
- iii. Setting of times taken to investigate cases.
- iv. Setting up of suggestion boxes.
- v. Conducting of public surveys

In all cases there would be a standard set against which the achievement was to be compared. Evaluations were conducted at police station level and achievements displayed on charts. Validations of evaluations were done at district, and provincial levels.

4.4.1. Monitoring and Evaluation of Police Performance at Police Stations

The ZRP had an inspectorate unit at national level headed by a group of five police commissioners in the office of the Commissioner General of police known as the national support group (NSG) which checks on the implementation of policies and procedures at all levels within the ZRP. This team of commissioners visits stations, districts and provinces monitoring implementation and achievements on set targets. Properly implemented such monitoring tools would result in efficiency and effectiveness of the organization, and indeed good internal accountability.

However, observations made at police stations visited showed that some of the 'achievements' made were unrealistic. For example, almost all crime scenes were said to be attended to on time and yet the organization had an acute shortage of transport: the vehicle station ration in the two provinces was one motor vehicle for every three police stations. What was evident was that the so called sample was a selection of cases where the police attended to the reports within the stipulated time. All public opinion surveys done at the police stations visited showed above 90% satisfaction by the public of police service but yet complaints against police were being voiced in the media and also to complaints desk ZRP headquarters.

The police participants admitted to tampering with the figures to avoid censure by superior officers who insisted on unachievable targets. "The NSG has terrorized us to the extent that anything is possible with them if you want to keep your job", said one participant. This scenario, where line management colludes with subordinates to cheat an inspectorate unit created to ensure proper performance, is indeed dangerous for an organisation. The fear of consequences for failure to meet set targets was great to the extent that the purpose of such control measures was lost resulting in cheating.

While there was a general lack of logistical support at the police stations the targets set in the annual plans appeared not to recognize such challenges. The participants were being told 'to think outside the box' since the targets were said to be "non-negotiable". Unfortunately, in certain cases the 'thinking outside the box' meant manipulation of figures to give a false picture.

Communication between the police participants and their subordinates appeared poor as some subordinates did not understand why they were forbidden to do certain activities while on duty as shown by the comments of two constables who were found drinking beer while in uniform. On being asked if their officer in charge would approve their drinking beer in police uniform they had this to say in shona: "Ndeyekwakeiyo. Isutisutirimundima, tinodavokupombonoka." The statement translated into English reads: "It is his problem. We are the ones in the field and also need to relax."

This raised the question of whether the ZRP frontline managers clarified the reasons why certain activities were forbidden in the organization. It appears subordinate police officers viewed adherence to ethical behaviours as one of the ways police management used to 'oppress' them. Compliance with corporate governance and business ethics principles and an understanding of their police role is critical if the ZRP is to avoid the misdemeanors quoted in the Commonwealth Human Rights Initiative & the Kenya Human Rights Commission Report (2006) discussed earlier on.

4.4.2. Perceptions on what Needs to be done to enhance corporate governance and business ethics in the ZRP

Police participants wanted government intervention to improve their conditions of service and to be resourced with 'tools of the trade' such as motor vehicles, stationary, etc. They were convinced that they had adequate training to be able to do the job but what were missing were resources. The public on the other hand wanted the police to focus more on protecting them and their property instead of 'fund raising' for the government through traffic fines. The public also bemoaned alleged rampant corruption by police officers, especially those performing traffic duties. While the adequacy of police training can be questioned given their failure to articulate policing needs of the public, the public also require knowing that police enforcement of traffic law is important if there is to be a reduction of road accidents in their communities.

5. Discussions and Conclusions

In view of the above findings what follows is a discussion of the findings and drawing of appropriate conclusions on the use of cooperate governance and business ethics in the Zimbabwe Republic Police.

- The selected sample of police participants had the experience of performing police duties both at operational and supervisory levels and their responses to questions can therefore be relied upon. The participant members of the public were randomly selected from people who had made reports to ZRP within the last 6 months and their reflections on their encounter with the ZRP could be expected to be still vivid in their minds.
- The police participants and members of the public who participated in the study did not have the same understanding of the policing role of the ZRP. While the police participants understood the police role to be strictly in accordance with section 209

of the Zimbabwe constitution (Amendment No.20) of 2013 the public definition was wider, including social responsibility where there is no legal obligation for the police to act. The lack of congruence in the understanding of police role reflects limited interaction between the public as consumers of police service and the ZRP as providers of the service. The public may develop a negative perception on the ZRP where they fail to act by reason of the cases falling outside the normal police mandate as stated in the Constitution.

- There was a disconnection between police participants and members of the public who participated in the study on key considerations in the evaluation of police service. While the public viewed accountability and transparency as key issues the police participants were concerned their efficiency and effectiveness in meeting the goals they would have set for themselves. An efficient and effective ZRP which is not transparent and accountable is not acceptable to the Zimbabwean public. Jarrar and Schiuma (2007) and Verbeeten (2008) advanced notions that policing should be within a socially constructed system of norms, values and beliefs of the public and variance by the ZRP may be construed as lack of accountability.
- Although there was a general agreement by police participants on the need to consult community leaders when setting policing priorities, it would appear its only done as a formality as confirmed in the existence of different perceptions on priorities. The inadequate communication has not only led to different perceptions on priorities but lack of trust. The interviewed members of the public did not trust local police supervisors to investigate their complainants against subordinates. If indeed the police supervisors were prioritising professionalism as indicated in figure 3 then this would not be the case. It is the loss of trust (according to Berg 2005) which leads the public to seek alternative means of protection and justice and threatens corporate governance and business ethics.
- The ZRP has an elaborate set of performance monitoring tools which tools are unfortunately not being effectively utilised mainly due poor supervisory techniques emanating from the quasi-military tradition of authoritarian culture which is at variance with proper performance management principles and exacerbated by poor logistical support. The fear of reprisals by police supervisors went to the extent of colluding with subordinates to falsify documents so as to be seen to be complying with the standard expectations of the organisation. The efficiency and effectiveness which the ZRP participants sought to project was likely not to be accompanied by public satisfaction since it would be a false one.
- The general lack of resources, poor working conditions and unrealistic demands by the senior command element of the ZRP have resulted frustrations resulting in situations where line managers do not insist on achievement of the overall organisational goals. The adage that that 'one cannot give what one does not have' is true as regards motivation of subordinates.
- Although there were sufficient legislative provisions in the Zimbabwean law to encourage corporate governance and business ethics there was a poor application of corporate governance principles and business ethics in the ZRP at Police station level.

6. Recommendations

The following recommendations are made from the findings and conclusions:

1. The ZRP should improve the quality of its interaction with the public in order to identify the true aspirations of the public and avoid presumptive goal setting behaviour.
2. The evaluation of Police Stations should be based on set realistic goals in line with resource availability to avoid a distorted performance picture as a result of cheating.
3. Future research should involve more police provinces and subordinate police officers as a follow up to this research which has unravelled an area of internal and external accountability within the ZRP, an area which has had little research attention.

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Appendix 'A'

Topic: Police Accountability: Application of Corporate Governance Principles and Business Ethics to the Zimbabwe Republic Police.

- Interview Guide for Personal and Focus Group Interviews with Police Officers In Charge Of Police Stations

1. Demographic Questions

1. How long have participants been in the ZRP?
2. How long have participants been officers in charge of police stations?

2. Research Questions

1. State what you understand to be the role of the police in the Zimbabwean society?
2. Kindly state what would indicate to you that your subordinates are satisfactorily discharging their policing role.
3. In its Service Charter ZRP has made a number of promises to the public which include enforcing the law (a) diligently, (b) impartially, (c) without fear or favour, and (d) with honesty and integrity. Kindly rank in terms of levels importance attached to these premises on a scale of 1 to 5; five standing for critically important, four very important, three important, two necessary but not important and 1 unnecessary.
4. Is there any need to involve community leaders when the ZRP is crafting its policing plans? If so kindly state the reasons for doing so.
5. What is your general view of members of the public who make complaints against police? Kindly comment what your attitude would be towards a complaint against your subordinate to your superior instead of yourself.
6. The ZRP has policing standards regarding their service to the public which includes time police should respond to public calls for assistance (made either by telephone, letter or in person); waiting time between the making of the report and police arrival at a scene of crime and maximum time taken to investigate various categories of time and yet the public complaints in these areas continue to be received. What challenges (if any) have you faced in ensuring that police standards on service delivery are achieved?
7. What should be done to enhance corporate governance and business ethics in the ZRP?

Appendix 'B'

Topic: Police Accountability: Application of Corporate Governance Principles and Business Ethics to The Zimbabwe Republic Police: Case Study of Midlands and Mashonaland East Provinces April, 2013- April, 2014.

- Interview Guide for Personal Interviews with Selected Members of the Public at Police Stations

3. Demographic Questions

1. State your sex, i.e. male or female
2. What is your age group?

4. Research Questions

3. In your view, what is the role of the police in the Zimbabwean society?
4. Have you in any way have had to deal with police over the past 6 months? If so state the nature/ reason for such interaction.
5. Kindly rate the extent to which the ZRP is meeting your expectations in terms of the services it provides on a scale of 1-5: five for excellent service; four very good; three good; two poor and one very poor.
6. What role can the public play to make police officers accountable to the populations they serve?
7. If you had a complaint against a local police officer would you report to the officer's local commander or seek a higher office at either provincial or national police headquarters.