THE ROLE OF ETHICS AND COUNTER CORRUPTION PLANNING IN EFFECTIVE ROAD SAFETY MANAGEMENT

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ABSTRACT

Traffic law enforcement has been acknowledged internationally as one of the top government/justice activities at risk from corruption (Transparency International). The very nature of the activity and its face to face interaction between traffic officer and road user provides the ideal environment for unethical and corrupt behaviour.

This paper examines the causes and effects of corruption within a road safety management context and recommends strategies to counter corruption and provide an environment with a commitment to ethical practice.

INTRODUCTION

A number of recent public inquiries and commissions in a number of countries have identified deficiencies in practices, professional conduct and ethical standards at various levels of government, particularly in the area of law enforcement. This situation has provided an impetus for policing reform and encouraged managers to establish new priorities particularly in relation to personnel and strategic management.

Ethical standards has taken on greater priority in most organisations and will overlay planning and tactics for the future. Revelations of corruption, malpractice and unethical conduct have resulted in initiatives which position policing in a better environment to enhance community confidence in their police service. .

Similar inquiries throughout the western world have identified almost identical problems which in the past have tended to re-emerge on an all too regular basis. Changes to community attitudes and expectations, greater awareness of individual rights, increased news penetration and increased individual accountability are some of the reasons why policing is subjected to intense scrutiny and accountability. Many articles that have been written and research conducted to identify the cause and effect of corruption and this has provided a sound basis for the development of policies and plans for the future particularly in relation to the diverse cultural considerations within police organisations.

Considering the nature of law enforcement, its responsibilities, lines of accountability and the existent organisational culture, it would be true to state that law enforcement is unlike any other industry. However, law enforcement organisations are not dissimilar to other organisations in that all organisations are subject to external and internal forces that have created a need for change.

Previously informal training has placed little theoretical emphasis on ethical standards with an assumption that character building and on the job training coupled with a set of rules and guidelines was sufficient for employees who were reasonably intelligent and capable of determining right from

wrong. Close scrutiny of a number of law enforcement organisations has established that this approach is inadequate for modern policing.

Law enforcement organisations need to adopt a strategic approach to ethical standards if they wish to retain public confidence and enhance professionalism. This involves being able to envisage the consequences for the organisation of what the future can be currently perceived to contain and be flexible enough to change with the existing environment. It is crucial that short term solutions be avoided and appropriate long term strategies are introduced.

Human resource management is the key to achieving the desired ethical standards in any organisation. In the past there has been a tendency to rely on the employees morals and personal values to meet required standards under threat of sanction but clearly those values change in line with the environment.

THE NEED FOR CHANGE

The 1990's was a period of considerable change for society generally and business in particular. Increased demands for efficiency and accountability are just some of the pressures felt by law enforcement organisational management.

Environmental factors have also had considerable influence such as advances in technology, increasing specialisation, increased unemployment, democratic process, population growth and the deterioration in social fabric and values.

Over the past twenty to thirty years, community values have changed. Society has become more concerned with civil liberties, equity and the rights of disadvantaged minority groups. Community expectations have also changed. Citizens expect more from the government and in particular, their law enforcement agencies.

These shifting values and expectations have been reflected in the changing nature of law enforcement. Law enforcement work has moved beyond simply keeping the peace, enforcing the law and conducting investigations. It is now more human service oriented with an emphasis on community partnerships. Law enforcement now fulfils a more complex socially oriented role which is often only tenuously connected to law enforcement.

Law enforcement officers are often a citizen's "first point of contact in times of trouble" and are expected to assist with a diversity of problems. These problems can range from helping animals in distress, dealing with snakes in the back yard to assisting people accidentally locked out of their homes to victims of crime, trauma or misfortune. These constantly changing demands require traffic officers to learn new skills and to place greater emphasis on customer service.

The community will no longer tolerate high levels of crime combined with high levels of official corruption. Government service providers, in particular police and traffic officers, must make the conscious decision to change from within. Managers must take the lead in preventing and detecting corrupt practices in the workplace. And that means managers at all levels.

If government and law enforcement agencies do not generate change from within, then externally appointed investigative bodies and commissions will become the norm and not the exception.

It is the responsibility of managers at all levels, and especially senior and executive managers, to put mechanisms in place within their respective organisations that address shortcomings in ethical and honest behaviour and practice. If international trends are the benchmark, then managers will be

held accountable, not only for the actual performance and achievements of their organisation, but the means by which those outcomes have been realised.

Senior and executive managers must take the initiative and develop and introduce counter corruption strategies in their organisations. It is their responsibility to ensure that every dollar of public funds invested in law enforcement and road safety is channeled towards those activities and that the actions and attitudes of the personnel that they manage reflect the demands and expectations of government and the community.

ORGANISATIONAL CULTURE

Organisational culture, good or bad, exists within all organisations. This culture has significant impact on the way in which an organisation and those who make up that organisation function.

Whilst culture can be used to describe national, religious or racial beliefs, attitudes or values, organisational culture can be defined as a system of shared meaning and understanding that influences how the individual acts within the functions of that organisation.

What is important to understand is the impact of an organisations culture on its operations and the way in which that culture can be used to improve productivity. The nature of the police culture can have positive or detrimental affects on the way in which police personnel carry out their function. Resorting to violence, harassment, corruption and other deviant behaviour will be experienced in police organisations where these kind of activities are an accepted, or enforced, part of the prevailing culture.

Changing of rules and implementation of stronger sanctions against miscreant personnel will often not resolve the behavioural problems because they have a cultural base. The shift must be cultural, and in the majority of cases, involve retraining of the total work force and the implementation of new strategies and procedures for dealing with violent confrontation.

The use of internal groups, and especially informal leaders, in participative and consultative mechanism for addressing problems and establishing acceptable work standards and sanctions is a key step in proactive police management. The value of these groups should not be underestimated in assisting or resisting changes to traditional organisational functions.

There is no doubt that a police culture exists and usually develops out of the need to be operationally dependent on each other particularly in times of crisis. Loyalty is a strong part of the police culture which has a positive side particularly in relation to morale.

The police culture can be dangerous when it engenders a loyalty stronger towards peers than to the organisation or the community. It is misguided loyalty that often is the basis for breaching ethical standards or corruption in a police service. It is this same misguided loyalty that is an obstacle to early revelation of corruption or malpractice.

The problem associated with police loyalty is closely allied to the problem of police cynicism which impacts on police professionalism. Police are about providing the best possible service to the community but cynicism is disruptive and erodes the moral fabric of the organisation.

Police culture and cynicism often emerges from the inevitable confrontation that operational police experience regularly when dealing with certain elements of the community.

A study of two police forces in Australia had interesting results. A key finding of the research was that recruits appeared to modify their views fairly quickly once they became exposed to police work and the attitudes of serving police officers. Work place re-education to meet the realities of the job has long been accepted as a traditional role for stations receiving newly graduated personnel.

The pragmatism demanded by operational policing, far removed from the theory of the classroom, combined with active encouragement from on the job trainers, often diminishes the values and ideals instilled during training. Obviously, the socialisation process spawned by a strong organisational culture, influences police conduct from early in their career.

Research in the United Kingdom has revealed similar experiences with police forces having difficulty in actually achieving that cultural change. Despite expensive consultants, focus groups, presentations and workshops, cultural change appeared at best, slow and painful.

Cultural change is inherently difficult therefore it is important to establish what it is that needs to be changed and then change that which is necessary.
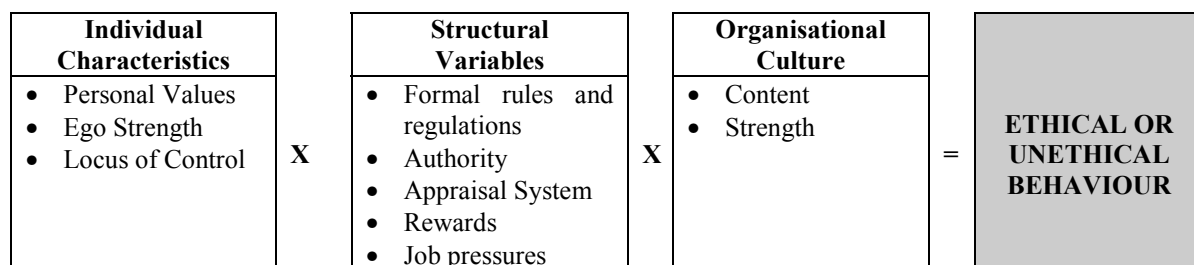
Regardless, the breaking of cultural habits and learning new ways is a difficult process which is likely to be accepted more readily with improved consultation (both internally and externally), communication, training and the development of appropriate human resource strategies based on a detailed understanding of the diverse cultures that exist within the organisation.

ETHICS AND ETHICAL BEHAVIOUR

Ethics can be simply described as a set of rules and principals that define what is right and what is wrong. Often these rules and principals are developed from family, religious and social backgrounds, however, every law enforcement agency must define and promote their definition of acceptable, or ethical, behaviour.

Ethical behaviour is the compliance with accepted rules or norms of behaviour. Ethical behaviour within an organisation can sometimes differ from socially or religiously accepted behaviour in the general community, however, these differences should not extend to areas of honesty and integrity or result in corrupt practice or behavior.

There are a number of factors that will influence the decision making process particularly from an ethical point of view. A prominent management writer, Stephen Robbins, has suggested the following model to summarise those factors:

Individual Characteristics		Structural Variables		Organisational Culture		ETHICAL OR UNETHICAL BEHAVIOUR
• Personal Values • Ego Strength • Locus of Control	X	• Formal rules and regulations • Authority • Appraisal System • Rewards • Job pressures	X	• Content • Strength	=	ETHICAL OR UNETHICAL BEHAVIOUR

Robbins, S. P. (1991) Management (3rd Ed), Prentice Hall, U.S.A., page 134.

As can be seen, individual values and characteristics, taken in isolation, form only one part of the formula that leads to ethical or unethical behaviour. A key component of this formula is organisational culture.

*Individual Characteristics. E*very person enters an organisation with developed personal morals, beliefs and characteristics. These values, beliefs and morals are a reflection of upbringing, schooling, religious beliefs and community expectations. The individuals strength in these beliefs is represented in their ability to maintain their personal position against the odds. The final characteristic, locus of control, is the personal belief in the individual's ability to control their own destiny.

Structural Variables. An organisations structural design helps to shape and guide ethical decision making. A structure that provides strong guidance allows little room for variation, whilst a structure that creates ambiguity allows room to maneuver.

Organisational Culture. This key component has been dealt with in detail previously in this paper.

THE EFFECT OF CORRUPTION ON ROAD SAFETY AND TRAFFIC MANAGEMENT

Traffic law enforcement has been acknowledged internationally as one of the top government/justice activities at risk from corruption (Transparency International). The very nature of the activity and its face to face interaction between traffic officer and road user provides the ideal environment for unethical and corrupt behaviour.

However, in most instances, managers and justice practitioners alike see only the initial action, such as a bribe offered and accepted to avoid a traffic fine, when assessing the risk of corruption within the traffic law enforcement and road safety management sphere. But what are the cascading and long term effects of this behaviour?

At the simplest level, the action undermines the whole road safety strategy.

An integrated road safety strategy involves the coordination of the key components of:

- ◆ Education;
- ◆ Enforcement;
- ◆ Engineering;
- ◆ Public Awareness; and
- ◆ Evaluation.

The road users are educated via specifically designed and implemented programs, or by media exposure, of the levels and types of enforcement that will be adopted as part of the strategy. These education and public awareness programs highlight high risk road user behaviour and the likely consequence, in the form of road trauma and human cost, of that behaviour.

A strategically deployed enforcement plan will target high risk road users and the behaviour that generates that level of risk. The campaign aims to generate cognitive behaviourial change in those road users.

This change will only come about because the perceived risk to the deviant road users that they will be apprehended, a penalty applied and that penalty enforced is so great as to make continuance of the behaviour not worth the consequences.

In the case of systemic corruption at the point of apprehension, this cognitive behaviourial change will not take place. Whilst the risk of being apprehended is still present, the application of the required penalty and its enforcement can be avoided by paying off a corrupt official. The result is the failure of the road safety strategy at a high financial and human cost to the community.

If this examination and extension of the full impact of corruption on road safety and traffic management were explored, particularly in the areas of traffic fines, learner and driver licensing, vehicle registration and roadworthiness and in the freight industry, the true cost to the community would be staggering.

THE ROLE OF MANAGERS IN COUNTERING CORRUPTION

The integrity and ethical standards of all employees are largely responsible for the high esteem in which their organisation is held by the community. Whilst individual commitment is crucial to maintaining a high level of ethical conduct, the role of supervisors and managers is also critical.

Changing the organisational culture to one of ethical behaviour requires the commitment of managers at all level, especially the first line managers and supervisors.

Why is this so? Because it's the managers who set the cultural tone of the organisation. Supervisors especially, are role models in terms of both words and actions though what they do is probably more important than what they say. If managers and supervisors abuse their position and the system, and engage in unethical and corrupt practice, then the personnel they manage will more than likely see this as acceptable behaviour.

Supervisors at all levels must guide subordinates and enforce the highest level of ethical standards and professionalism.

There are a number of ways by which supervisors can actively encourage and promote ethical and honest behaviour. Some of these are:

> *Lead by Example* – In words and actions deliver a strong commitment to honesty, integrity and organisational objectives;

> *Be Outspoken* – Make your feelings on unethical and corrupt behaviour well known. You will attract honest workers and repel the others;

> *Protect Whistleblowers* – If junior personnel come to you with reports of corruption or unethical behaviour, take the appropriate action and protect the personnel with the courage to act honestly;

> *Be Approachable* – Ensure that junior personnel feel that they can come to you and discuss matters or events that they feel uncomfortable about;

> *Be Discreet when Required* – In some instances junior personnel may not wish to be "go public" with their problems. Encourage them to do so, but in some cases you will have to respect their wishes; and

> *Network* – Develop internal and external networks of honest people who share your views and position on integrity and corruption. There is strength in numbers.

On the other hand, with the increasing emphasis on the role and responsibility of supervisors and management in proactive counter corruption activity, supervisors should consider the following implications when confronted with a situation that may be considered to be corrupt or unethical:

♦ Supervisors should hold themselves responsible for the actions and decisions of their subordinates, especially in so far as matters of integrity and ethical standards are concerned;

♦ In any internal investigation concerning the performance of duties, the investigating officer may also consider the actions and involvement of the immediate supervisor(s) of the employee involved, to determine the adequacy of their supervision;

♦ Where the standard of supervision is found to be inappropriate or inadequate, the investigating officer may make recommendations addressing those deficiencies, whether or not the original matter is found to be warranted; and

♦ Where a supervisor is found to have failed to take appropriate action to ensure the ethical conduct of a subordinate, that supervisor may be liable to disciplinary or other appropriate action.

As can be seen, there is a positive onus on supervisors to actively monitor their personnel and to promote ethical behaviour in all circumstances.

It is the ultimate responsibility of management to ensure that ethical behaviour is supported and strengthened as part of a junior officer's on the job training.

CASE STUDY - KWAZULU-NATAL DEPARTMENT OF TRANSPORT

In August 1999, the KwaZulu-Natal Department of Transport embarked on a campaign to educate and train personnel, both sworn and unsworn, within the Provincial Road Traffic Inspectorate in ethics and counter corruption planning.

Initially, a three day workshop was undertaken that involved senior officers and administration personnel at the level of Station and Regional Commanders. An initial learning audit was undertaken at the commencement of the workshop, which sought to establish the level of understanding of ethics that the existed with the participants. Of twenty six attendees, only three were able to put into words what their understanding of ethics actually was.

During the course of the workshop, the personnel were exposed to the basic principals of management, communications, customer service, ethics and counter corruption planning.

A number of case studies were undertaken in a syndicate environment that allowed the participants to explore their own and each others application of ethics taking into account their diverse cultural backgrounds.

At the completion of the workshop, the same learning audit was applied and showed significant improvement in all aspects of the participants' understanding of ethics and ethical practice as it applied to their daily functions.

A number of recommendations were also made by this group which resulted in a further workshop being conducted that concentrated on the operational applications of ethics and counter corruption planning from a management and organisational point of view.

As part of the methodology of this workshop, the participants were introduced to process mapping as a mechanism for risk analysing their daily operational and organisational functions. A number of activities were then mapped and risk management strategies developed to counter any perceived risk of corruption or unethical practice.

One of the key findings of this workshop was that, as a matter of urgency, a counter corruption unit should be established to deal with the issues identified.

Under the auspices of the Chief Director – Transportation and Planning, a project group was formed to develop a detailed business case for the establishment of this unit. This project was given the title of Project Umzingeli (Zulu for The Hunter). The project group met on a number of occasions and a detailed business case and implementation plan.

The recommended structure involves three key components:

♦ Investigations;
♦ Support Services; and
♦ Customer Service Unit.

Investigations Unit

To effectively and efficiently investigate all matters referred to it and to recommend appropriate action as follows:

Case/Complaint	Organisational	Legislative
Criminal	Policy Change	Amendment
Disciplinary	Procedural Change	New Legislation
Civil	Structural	
None		

Support Service Unit

To provide the required level of administrative, technological and analytical support to the Counter Corruption and Ethical Standards Directorate. Includes analytical and intelligence functions combined with information systems required to provide the high level of support needed for effective investigations.

Customer Service Unit

To:

♦ Provide an initial point of contact for all complaints (public, DoT, etc.);

♦ Record, monitor and report on all complaints received;

♦ Recommend priority classifications for all complaints received;

♦ Ensure effective and efficient communications and marketing of the Directorate to all internal and external customers;

♦ Identify organisational, procedural and legislative deficiencies and provide advice on required policy and institutional change;

♦ Develop strategies and plans to effectively counter corruption at all levels; and

♦ Develop proactive strategies so as to require a commitment to ethical standards.

The detailed business plan is currently with the Minister for Transport pending approval to implement. In the short term, external resources are being utilised to investigate reported corruption within the Department.

TRAINING

To commence the cultural change process, a full and total audit of training and training personnel should be undertaken. If commitment to ethical behaviour is to commence at the recruitment stage, them only those personnel with a commitment to those ethics should be assigned to areas that can dynamically influence the development of cultural and ethical values within the organisation.

In the initial stage of the process, rules will be required and compliance to the required level of ethical standards demanded. As the organisational culture accepts these changes, the emphasis must shift from rules to values. A clearly articulated set of organisational values, ethically based and demonstrably adhered to by senior management, must be developed and clearly communicated at every opportunity.

From the lowest level of managerial responsibility, commitment to the highest level of ethical behaviour must be developed and maintained. This commitment must be reinforced at all training and developmental activities and must be frequently and publicly stated as an integral consideration in all decisions on appointment, assignment or promotion.

Managers at all levels – supervisory, middle and senior management – must be given the tools that they need to effect the required changes. It is only through training and development in all aspects of management practice that managers in traffic law enforcement can effect the required and demanded reformation.

A learning organisation is one that does not rely on the teachings of past experience to provide the processes and methodologies required to meet the challenges of today and tomorrow. Creativity and lateral thinking are actively encouraged. Specific systems and processes must be incorporated and certain characteristics must be evident in a true learning organisation.

The climate and culture of the organisation must be conducive to learning. Honesty and trust are vital in order to learn from honest mistakes. Commitment to ethical behaviour will be realised through acceptance of the desirability of police organisations to move to a learning organisation.

CONCLUSION

Ethical behaviour within law enforcement organisations and their area of responsibility can only result from all personnel in that organisation having a shared understanding of what is required.

All members of the respective law enforcement agencies must take a forward looking and active role in promoting and maintaining ethical behaviour within Government. Employees at all levels can significantly assist in creating organisational cultures of ethical and honest behaviour by committing to that behaviour at a personal and professional level.

Cultural change in any organisation is an evolutionary process. Law enforcement organisations, due to their strong military background and traditional reliance on 'esprit de corps' have developed strong vocational cultures.

Changing this culture will require total organisational effort and complete commitment to the values of an ethical culture.

There can be no exceptions.   If commitment cannot be engendered, then compliance must be maintained.

But it is through commitment to the highest level of ethical behaviour by a police service, that the community, of which the members are an integral part, will have justifiable and unchallenged confidence in the integrity of their officers.

It is only through a commitment to ethical practice within the road safety management fraternity, and particularly traffic law enforcement organizations and personnel, can the true strategic intent of the National, Provincial and local road safety plans realize their full potential. It is only through this commitment that the required level of cognitive behaviourial change be achieved in road user behaviour.

An organisational culture of ethical behaviour commences with operational personal on the road where the action is.   When the public understands that they can expect honesty and integrity from their operational law enforcement officers, the demands, both socially and politically, for this behaviour to extend to all levels of government, will be loud and long.

BIBLIOGRAPHY

Braunstein, S. (1992) *Building a More Ethical Police Department*, The Police Chief, January 1992.

Grimpel, C. (1990) *Education versus Experience*, Queensland Police Union Journal, March/April, p.4

Mollen, M. (Mollen Report) (1994) *Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department*, City of New York.

Myers, D.P. and Spencer, T.J. (2000) *Establishment of a Counter Corruption and Ethical Standards Directorate within the KwaZulu-Natal Department of Transport* – Business Case, Unpublished.

Robbins, S. P. (1991) *Management* (3rd Ed), Prentice Hall, U.S.A.

Transparency International (2000) *Source Book*, www.transparency.de.

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ACADEMIC QUALIFICATIONS

> Associate Diploma in Business – Monash University - 1991
> Graduate Cert. Applied Management – Australian Institute of Police Management - 1997
> Graduate Diploma Public Administration – Charles Sturt University – 1998
> MBA – Brentwick University – 1999
> Principals of Hazard Analysis – Swinburne University (TAFE) – 1999
> Applied Hazard Analysis by Critical Check Point – Swinburne University (TAFE) - 1999
> Qualified at the Victoria Police Officers' College "Airlie" - 1989

SUMMARY OF EXPERIENCE AND EXPERTISE

Des Myers has over twenty six years of operational and specialist policing experience with the Victoria Police Force. He has strong operational experience in general community policing, traffic and specialist support services and service improvement initiatives. In his last ten years of service he occupied key positions in a number of major organisational and community projects and was involved in a number of significant change management programs and business process reengineering projects.

He was the Principal Police Adviser to the KwaZulu-Natal Road Safety Project in the Republic of South Africa. He also reviewed the methodology by which Victoria Police deploys its traffic law enforcement resources and developed the terms of reference and customer user requirements for establishment of a statewide traffic policing intelligence unit.

He has also provided ethics and counter corruption training within the Republic of South Africa and has delivered consulting services in Australia, the United States of America, Canada and the Republic of South Africa.

KEY CAPABILITIES

- International Consultant - Police programs, specialising in ethical practice, counter corruption planning and traffic law enforcement
- Design and application of training and management development programs for law enforcement agencies
- Project Management of major organisational projects, critical review of police operational and organisational functions with broad experience across a number of public and private sector functions
- Outstanding communication and interpersonal skills.