

JESUIT CENTRE FOR THEOLOGICAL REFLECTION

A SOCIAL AUDIT ON CHAVUMA POLICE STATION



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1. INTRODUCTION

The Jesuit Centre for Theological Reflection (JCTR), a faith based organization and a ministry of the Society of Jesus (Jesuits), strives to translate into action Christian principles and values related to promoting social justice in Zambia. The quest to promote social justice is well captured in its vision and mission which reads: a just Zambian society guided by faith, where everyone enjoys fullness of life; and from a faith inspired perspective the JCTR promotes justice for all in Zambia, especially for the poor, through research, education, advocacy and consultations respectively.

A Social Audit is the collection and analysis of information from various stakeholders, including beneficiaries or citizens and service providers, and it provide impartial, evidence-based and accurate feedback to service providers on their level of performance regarding a particular project/programme/service. A social audit is a participatory tool that is used to assess the impact of government programmes on the wellbeing of its citizens, citizens' monitoring of projects compels service providers to implement the project in the interest of citizens. JCTR uses this tool regularly in its work of monitoring public financed projects. In this regard, in September, 2019 the JCTR outreach team conducted a Social Audit in Chavuma District, where national resources were used in the construction of Chavuma Police Station for the people of Chavuma and Surrounding areas.

2. BACKGROUND TO THE PROJECT

About 607 kilometers west of Solwezi, headquarter district of the North-Western Province, lies Chavuma, the furthest of the nine districts in the province. Chavuma, which is approximately 1,100 kilometers from Lusaka was declared a district in 1996 by the MMD government then led by the late former President Dr. Frederick Chiluba. The district covers 7,347 square kilometers of land and shares an international boundary with Angola in the north-west and a national boundary with Zambezi district to the south-east. The district lies between 914 and 1,218 meters above sea level.

Chavuma is divided into two parts by the Zambezi River, with the biggest portion being on the western side, which is sparsely populated with undeveloped and hard-to-reach areas. Much of the area is flooded for almost half of the year, between January and May, while the east bank of the Zambezi River is more developed and highly populated as it hosts most of the government

departments. According to the Central Statistical Office 2010 census of population and housing, the district has 37,338 people with one constituency. Chavuma constituency has 13 wards.

The Government of Zambia in 2012 engaged Lamuse Construction Company to construct a police station in Chavuma district at a cost of over K1.3 million. The project was supposed to be completed by November 2013 but to date it is still at 80% completion. Additionally, Lamuse Construction Company was overpaid by K 194, 732.75 in circumstances unknown.

3. STATEMENT OF THE PROBLEM

The government of Zambia in 2012, contracted Lamuse Construction Company, a Zambian owned company to construct a police station in Chavuma. The project was earmarked to be completed in November, 2013. However, the people of Chavuma and surrounding areas still only have access to police services from the one police station in the area situated at Chingi border, which is over 11 kilometers from the central business district (CBD). The project was contracted at K1.3 Million, however, the contractor was overpaid by K194, 732.75. The contractor has also abandoned the site and the building is incomplete and falling apart. Additionally, according to the 2019 yellow book K450, 000 was allocated to the police station even though the initial K1.3 Million had been paid to the contractor in full.

4. OBJECTIVE OF THIS SOCIAL AUDIT

4.1 GENERAL OBJECTIVE

- I. To establish why the project has stalled from 2012 despite the required funds having been released and paying to the contractor

4.2 SPECIFIC OBJECTIVES

- I. To establish how much was allocated to the project.
- II. To establish the sources of the funds.
- III. To establish the timeline for the completion of the police station.
- IV. To establish why the project has stalled.
- V. To establish whether the specifications were followed on the work done so far.

- VI. To determine if the project was a priority for community members and if communities were consulted.
- VII. To establish if the process of identifying the project, contractor and location of the project was participatory.
- VIII. To determine the way forward with the project.

5. RESEARCH QUESTIONS

5.1 GENERAL AUDIT QUESTIONS

- How much was allocated to construct the police station.

5.2 SPECIFIC AUDIT QUESTIONS

- What were the sources of funding
- Was the police station identified as a need or priority of Chavuma community
- How was this need identified
- Who was involved in the identification process
- Did community members participate in the identification process
- How did they participate
- What criterion was used in selecting the participants
- Where there any female/youth participants
- How were they selected
- Where there any funds or materials donated and used at the hospital
- Who was the custodian of these funds and materials?

6 SIGNIFICANCE OF THE STUDY

It was envisioned that the findings from the Social Audit will be useful to both rights holders and duty bearers in understanding resource allocation, disbursement and use in the Chavuma police station as well as future plans with regards the completion of the police station. It is also envisioned that the findings will be used in engaging service providers and local and national authorities in finding solutions to the challenges in the delayed completion. Ultimately the study is expected to contribute to efficient use of public resources and accountability.

7 METHODOLOGY

The research used a qualitative method to collect data. Purposive sampling was employed where questionnaires were administered to the respondents who were deemed appropriate in the research. The researchers also used random interviews and focus group discussion.

7.1 TARGET POPULATION

The target populations in this study were;

Table 1: List of Respondents

No	Institution	Position	Number of people interviewed
1	District Administration	<ul style="list-style-type: none"> District Administration Officer (DAO) 	1
2	Council	<ul style="list-style-type: none"> Council Chairperson Council Economic and Social Planner 	1 1
4	Former and Current Members of Parliament	<ul style="list-style-type: none"> Current MP 	1
5	Former and Current counsellors	<ul style="list-style-type: none"> Councillors 	2
6	The Police	<ul style="list-style-type: none"> Officer in Charge 	1
7	Technical committee constituted and other key stakeholders such as the Ward Development committees through focal groups, church leaders, likeminded civil society	<ul style="list-style-type: none"> FODEP Secretary Reverend Business Houses WDC Member 	1 1 1 1

8	Provincial Administration	<ul style="list-style-type: none"> Declined to be interviewed. 	0
9	Constituency Office	<ul style="list-style-type: none"> Professional Assistant 	1
10	Community Members	<ul style="list-style-type: none"> JCTR working group 	20
11	Heads of Local State Institutions	<ul style="list-style-type: none"> Declined to be interviewed. 	0
		Total	31

8 ETHICAL CONSIDERATIONS

It is among the principles of JCTR to always avoid taking a political stance in its work. The JCTR data collection group was composed of none political players. The team was aware of how political bias would subtract from the objectivity of the audit and risk it being rendered invalid. The team was alert on consistence, accuracy and honesty during such activities. By this, the group believed it would pragmatically insulate itself from the danger of making exaggerations and inferences predetermined by personal opinions.

9 LIMITATIONS

The Audit team had difficulties in getting information from the provincial administration and heads of government departments in the district as these key stakeholders were not willing to be interviewed. Additionally, due to the time the project has taken to be completed, many people who were there since inception of the project are no longer there making it difficult for data collectors to gather adequate information.

10. PRESENTATION OF FINDINGS

The findings of the social audit are summarized in the table below.

Table 2: Presentations of Social Audit Findings

Research Objective	Findings	Source of Information
a. Source of funding for the project	The project was a capital project funded by the central government.	<ul style="list-style-type: none"> • District Administration • Current MP • Council
b. Allocated funds to the police station	The project was earmarked to be completed at a cost of K1.3 Million. However, the contractor was overpaid by K194, 732.75. Additionally, Government allocated K450,000	<ul style="list-style-type: none"> • District Administration • Current MP • Council • 2019 Yellow book
c. Community Participation in identification of project and monitoring progress	<p>Community members were involved during the project identification process as communities felt that there is need to have a police station in the central area because the only available police station was 11kms away.</p> <p>The bidding process was conducted by the provincial administration with no involvement of district administration and stakeholders.</p>	<ul style="list-style-type: none"> • Community Members • Current Councillors • Business people
d. Current status of the Chavuma Police Station	The Police Station is incomplete and has started falling apart e.g. the roof is blown off.	<ul style="list-style-type: none"> • Community Members • Observations • Current MP • District Administration

	<p>Additionally, the contractor has abandoned the project and the site even after being fully paid the contractual K1.3 Million and an over payment of K 194,732.75.</p> <p>Furthermore, the contract did not follow the specifications as outlined. The contractor was supposed to have used metal traces but opted to use planks.</p>	<ul style="list-style-type: none"> • Police
e. Challenges causing the delays in finalizing the Project	<p>The contractor has abandoned the project with full payment. Additionally, the Audit team was denied interviews by both the police and the provincial administration to ascertain why government has not followed up on the contractor.</p>	Audit Team

10 DISCUSSION OF FINDINGS

10.1 Funding sources, allocation and use

After contraction of Lamuse Construction Company a Zambian owned company to construct a police station in Chavuma, in 2012 by the Zambian government at a cost of K1.3 Million, the construction of the project commenced in the same year and was earmarked to be completed in November of 2013. The contractor was paid the full contract amount and findings show overpaid by K194, 732.75. All payments were done through the provincial administration. Additionally, in the 2019 yellow book, K450, 000 was allocated to the same police station even after the contractor had been fully paid. To date the police station still stands incomplete and because of the amount of time that has elapsed the structure is collapsing, currently with the roof top blown off. The daily

Nation newspaper dated 3rd July, 2018 reported that Chavuma District Commissioner Mr. Benjamin Mufunga confirmed the contractor had abandoned the works on the project despite all the monies being paid and that due to the poor works on the project the roof of the infrastructure had been blown off.



View of the blown roof

10.2 Community Participation in the project identification

Community members were involved during the project identification process as they felt there was need for a police station centrally located, with the only available police station situated 11kms from Chavuma CBD. The communities presented their demands through the then member of parliament Hon. Kenneth Konga. The bidding process as well as selection of the contract was done solely by the central government through the provincial administration. The bidding process was done by the provincial administration in Solwezi, with no involvement of the district administration and district stakeholders. Furthermore, the district police command had very scanty information on the project as they were not involved in the bidding as well as planning of the project.

10.3 Current status of the Chavuma Police Station

The police station currently stands incomplete, with only 65% of the work done. However, due to the time that has elapsed the building has started falling apart. Additionally, the contractor has abandoned the project site and as such building materials are being stolen e.g. door frames have been stolen and people have started encroaching on the project land building houses. ZANIS news on 25th January, 2019 reported that the then Minister of Housing and Infrastructure development Mr. Ronald Chitotela after inspecting the police station had said his ministry will engage the office of the Attorney General to commence legal proceedings in order for government to recover the money paid to the contractor. However, to date the money has not been recovered.

In the same vain, in a letter dated 12th September, 2018 from Mr. Paul C. Lusaka, the provincial infrastructure officer written to the contractor directing the contractor to move back on site within 21 days has also not yielded any positive results as the contractor has not moved back to the site. Furthermore, the contractor did not follow the specifications as outlined in the project contract; the contractor was supposed to have used metal traces but opted to use planks to mount the roof. This indicates that there was little or no monitoring of the project from the responsible duty bearers.



Side view of the police station.

10.4 Challenges in finalizing the project

The contractor has abandoned the project with full payment without completing the project. The Audit team was denied interviews by the provincial administration to ascertain why government has not followed up the contractor to ensure the funds paid are recovered and the police station is completed.

11 EFFECT OF FINDINGS ON THE RIGHTS HOLDERS ACCESS TO POLICE SERVICES

All Zambian citizens have a right to quality social services and security of both life and property. However, the findings of the social audit explicitly indicate that rights holders in Chavuma are being denied access to quality police services and security. It is in the nation's interest to place a higher priority on citizen's security of life and property. In the short term, this will result in improved quality of life. It is also in the nation's interest to optimize citizens' rights for two reasons that have longer term implications.

First, the continuing viability of society depends on a citizenry and a work-force that is properly equipped to be productive and committed to serving the nation. Second, failure to improve the security of citizens will have substantial long-term consequences for the population as Chavuma is a boarder district and is prone to have security issues.

12 CONCLUSION AND RECOMMENDATIONS

12.1 Conclusion

JCTR holds a strong view that public projects will always suffer if stakeholders are not proactive, transparent and accountable. There must be enhanced community inclusion from inception, when projects are identified to the ending point when projects are finalized. The duty bearers and other key stakeholders have the obligation to make records available to the public so that there is transparency and accountability at all times; planning, implementation, monitoring and evaluation of public projects to maximize benefits. Both duty bearers and rights holders need to take keen interest in public projects if development is to be seen in these areas. Government should also work at ensuring that contractors given government projects are competent and that the bidding process is done in good faith to ensure non wastage of national resources. From the Audit exercise it is

clear that there has been misappropriation of public funds, funds meant to complete a project that would enable the people of Chavuma access quality police services and security.

12.2 Recommendations

Following this social Audit, the JCTR recommends;

12.2.1 Government

- The government must ensure that the police station is completed, with all the features befitting a district police station to ensure that the people of Chavuma and surrounding areas have access to quality police services and security. Therefore, there is need for government through the ministry of housing and infrastructure development to ensure that a new contractor is contracted.
- Government must ensure that Lamuse Construction Company pays back all the monies paid towards the project as well as proceed with legal actions against the company for obtaining money under false pretense.
- Government must ensure that the information pertaining to all the funds that have been channeled to the project from inception are made public, so as to hold accountable the various stakeholders involved in the project.
- Government security wings must get to the bottom of the matter with regards the over payments to Lamuse Construction Company of over K 194,732.75. The monies must be paid back to the state and the officers involved brought to book.
- Going forward all bidding processes for project must be done in the district to allow district administration and stakeholders to participate and have adequate information hence fostering ownership.
- Government should ensure the ministry of infrastructure development and housing has offices in all districts or regular (Monthly) monitoring visits to ensure quality works on government projects.
- There is need to scrutinize all contractors to ensure they have capacities to handle particular projects, and as a way to curb corruption in the awarding of projects.

12.2.2 Key Stakeholders

- There is need for all stakeholders such as community leaders, churches, CSOs, community based organizations and other concerned leaders to work together in monitoring this project and other projects. This will enhance transparency and accountability of public resources.
- Going forward we are recommending that the communities should always be involved in the identification process, bidding process and implementation of the projects in order to promote the spirit of ownership in the community.

13 REFERENCE

- i. <http://www.zanis.com.zm/?q=article/govt-calls-punitive-measures-erring-contractor>
- ii. <http://www.daily-mail.co.zm/chavuma-fast-developing-district/>
- iii. <https://www.dailynation.info/contractor-allegedly-abandons-works/?fbclid=IwAR30p6DV273UaB6qThgikPHxPnsdTbWBI7EXcLzHYj8KvgQ9aBVN5YEtFhg>.
- iv. <http://www.daily-mail.co.zm/government-urged-to-release-funds-for-chavuma-police/>
- v. Zambia 2010 census of population and housing.
- vi. 2019 Zambia National Budget Yellow book

14 PHOTO GALLERY

14.1 THE INCOMPLETE POLICE STATION





14.2 LETTER TO THE CONTRACTOR.

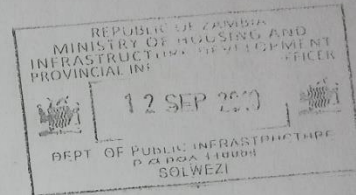
DPI/NWP/236/2012

Expected 2019/18
Letter collected on
the date 12/9/18

PFC
20/9/18

Wednesday September 12, 2018

The Director
Messrs. Lamusa Company Limited
33 - 11th Street
P. O. Box 22466
KITWE



PROJECT: CONSTRUCTION OF CHAVUMA POLICE STATION IN CHAVUMA DISTRICT, NORTH WESTERN PROVINCE, CONTRACT NO. NWPPC/B/039/2012.

Dear Sir,

REF: INSTRUCTION TO MOVE BACK TO SITE (REMOBILISE).

Reference is made to our earlier letter dated 22nd November, 2016 and your responses dated 28th December 2016, 13th February, 2017 and 2nd March 2018 concerning the failure to remobilise.

We wish to draw your attention again to the meeting you had with the Provincial Audit Committee concerning the project through their letter dated 8th February, 2018 in which you acknowledged that you owe the Government of the Republic of Zambia funds through over payment of **K194,732.75** currently with no outstanding claim of executed works.

In view of the above, you claim that your vacating of site since November 2014 was as a result of the employer's failure to pay IPC No.4 amounting to **K338, 987.34** was neither there nor made in good faith.

You have therefore been absent from site for more than (3) years (28 days) without justifiable reasons and approval from the Project Manager which is in Fundamental Breach of Clause 60.2 (a) and (f).

You are therefore instructed to get back to site within 21 days and start to execute works, failure to which; appropriate Contractual Penalties and action shall be taken against you. Our office must be notified of the day and date of mobilization.

You are further advised to provide a valid Performance Bond at 10% of the Contract Sum to my office as per attached sample for onward submission to other stakeholders, in line with Clause 53.1 and Schedule of Works.

All works that were poorly executed and specifications not followed must be redone at your own cost.

In addition, note that effective today Thursday 20/09/2018, the Clerk of Works for this project is Mr Twizaimba (Quantity Surveyor) under the Department of Public Infrastructure (Solwezi).

Kindly take this notification as Urgent and Final.

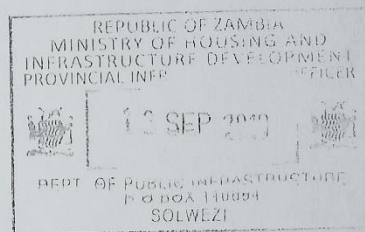
Yours faithfully



Eng. Paul C. Lusaka

Provincial Infrastructure Office (& Project Manager)

NORTH WESTERN PROVINCE



Cc: The Permanent Secretary – **North Western Province**

Cc: The Permanent Secretary – **Ministry of Housing & Infrastructure Development**

Cc: The Director of Public Infrastructure – **Lusaka**

Cc: The Police Commissioner – **North Western Province**

Cc: The District Commissioner - **Chavuma** ✓

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|WITH SUPPORT FROM DIAKONIA ZAMBIA



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