**ANTI-CORRUPTION PROCESSES IN PUBLIC SECTOR MANAGEMENT OF THE AGED**

**1.0 INTRODUCTION**

In the past, Anti-corruption actions were more rhetorical with minimal results in terms of positive change or reform in institutional behaviour. In this regard, failure had much to do with the complexity, dynamism and pervasiveness of corruption. Where corruption chokes development, some persons with access, systematically distort political and economic decisions which ought to be made in overriding public interest with their personal interests. This makes development assistance and reform plans become hostage to corruption than to provide the ‘cure’ for it. Corruption is certainly one of the greatest obstacles to development resulting in increased demand for good governance world-wide.

Elderly people are often abused through the neglect of their physical and psychological needs by family members and care givers. Some of the aged have challenges of poverty and diseases of old age such as stroke, depression, dementia, Alzheimer’s and Parkinson’s. Due to their frailty, they often have to depend on their families and caregivers for assistance and in the process are abused. In the absence of institutional care, people who are too busy to take care of their aged/incapacitated family members and can afford the services often employ caregivers who may maltreat them. Many of the aged suffer in silence unable to challenge their abusers and where they complain, their wards may take little or no action because of limited options of care for the elderly.

Nigeria has the largest number of elderly people over 60 years of age, south of the Sahara (Ediri. P, 2013), yet there is very little put in place by the government by way of institutions, institutional policies and legislation to cater for the aged.

The burden of care squarely rests on family members regardless of provisions in the 1999 Constitution, Section 14. 2(b), which states explicitly that: “The security and welfare of its people shall be the primary purpose of the government” and Section 16, sub-section 2(d) states that “suitable and adequate shelter; suitable and adequate food; reasonable national minimum living wage; old age care and pensions; unemployment, sick benefits and welfare of the disabled are provided for all citizens.”

While lack of political will and different priorities are underlying factors that can be attributed to Nigeria’s failure to ratify and implement the draft National Ageing Policy (Ediri. P, 2013), a closer look suggests that the major contributory cause is in fact corruption. Corruption levels have risen drastically over the years to permeate practically every sector of the economy and the body polity. It is therefore not surprising that even structures and bodies that should ensure that the elderly are properly catered for are not exempt from corrupt practices. This paper considers the sectors and processes that have pivotal roles in curbing the menace of corruption in Public Sector management of the aged.

**2.0 SECTORS AND PROCESSES**

**A. Pension Management**

In the United Kingdom retirees are regarded as ‘senior citizens’ that are honoured and celebrated. They enjoy several privileges from the society they served meritoriously during their productive years. Similar treatment is accorded to senior citizens in the United States and several other countries. Ideally, workers look forward to the day of their retirement as an occasion to celebrate. The reverse unfortunately is mostly the case in Nigeria where millions of retirees are owed gratuity and retirement benefits for years. The bottom line is that in Nigeria, many workers are apprehensive of retirement and see it as a period of sorrow and pains.

Most Nigerians associate the poor treatment meted to retirees as the main reason many Nigerian workers falsify their age to remain in service longer than required and engage in primitive acquisition of public funds (where there is opportunity) for the “rainy days” after retirement. Before the enactment of the Pension Reform Act 2004, pension administration was beleaguered by late or non-release of pensions, misappropriation and outright diversion of pension funds by Pension Fund Administrators (PFAs). From the foregoing, the following are recommended to further strengthen and reduce corruption vulnerabilities in the process of pension management and administration:

i) Ensuring strict compliance and adherence to the provisions of the Pensions Reform Act, 2014 that created the contributory pension scheme.

ii) Developing capacity to investigate malfeasance in pension management and enforcement of sanctions provided in the Pension Reform Act, 2014.

iii) Creating conducive and enabling environment and level playing ground for the implementation of the Pension Act by stakeholders.

iv) Enforcement through adequate vetting of the Pension Fund Administrators and Fund Custodians is required before licensing.

v) Instituting effective systems and procedures for the enumeration and prompt update of staff emoluments in MDAs (Ministries, Departments and Agencies) is recommended; to ensure prompt contribution of government share and payment of benefits.

vi) Embarking on enlightenment campaigns to develop awareness among stakeholders and beneficiaries on their rights and obligations in order to address likely problems they could face.

vii) Instituting sustainability guarantees to assure stakeholders in the Pension Administration Scheme of the program’s continuity in order to dissuade corrupt tendencies.

**B. Financial Institutions**

Financial Institutions have a critical role to play in preventing the abuse and exploitation of the finances of the aged by monitoring and consequently reporting suspicious activities to relevant authorities. In Nigeria, banks and financial institutions are mandated by extant regulations to report suspicious transactions to the Central Bank of Nigeria (CBN) and Anti-Corruption Agencies (ACAs). There are however, no specific laws that provide for the specific monitoring of “seniors” accounts in order to spot and curtail the perpetration of fraudulent activities. Banks have the potential to be first line institutions of defence against financial abuse of the elderly by identifying the abuse at its onset, before their funds are embezzled. They are in a better position to observe and report suspicious behavior concerning transactions on the elderly funds in account.

The following are recommended to strengthen financial institutions capacity to check abuse of the aged in the management of their funds:

i) Enactment of specific laws that will encourage or require financial institutions/personnel to report suspected financial exploitation and abuse of older persons.

ii) Development of training programmes that will develop the capacity of personnel of financial institutions to recognize and report such cases of exploitation and abuse of the aged.

iii) Awareness programmes to sensitize the elderly on the disadvantages of revealing sensitive financial information to caregivers and people they are not too familiar with to assist them with financial transactions.

iv) Establishment of dedicated toll-free channels of communication such as hotlines and e-mail addresses that will be made available to the elderly for reportage of attempt or perpetration of fraudulent activities on their bank accounts.

v) Reports of cases of financial exploitation should be shared across anti-corruption agencies to engender inter-agency co-operation and synergy in the protection of aged persons.

vi) Setting up of dedicated customer service units in banks to assist senior citizens with their financial transactions/enquiries as a means of protecting them from soliciting the help of potential swindlers in the course of their financial transactions.

**C. Probate Registries.**

Probate Registries are legal channels of dispensing justice in matters of testamentary instruments such as wills or estates. Being that legal documents such as Trusts and Letters of Administration grant third parties enormous decision-making powers, windows are also created for the perpetration of exploitative acts on an unsuspecting aged person. The following measures will serve to provide greater protection to the elderly:

i) Preparation and execution of Legal Instruments (Testaments, Power of Attorney), should be more closely regulated. All legal transactions should be registered and carried out with a lawyer's involvement in the presence of witnesses to ensure the elder's endorsement/signature is voluntary. Formal channels should exist for revoking the authority granted under power of attorney.

ii) Objective review of the laws and rules that govern the operations and administrations of probates in order to curb areas of corruption vulnerability.

iii) Continuous training and sensitization of probate staff on the technicalities of their duties as well as the ills of corrupt practices in the conduct of their duties.

iv) Computerization of probate registry files and documents in order to reduce face to face interaction, response time and corruption vulnerability.

v) Regular Corruption Risk Assessments (CRAs) of Probate Registries need to be carried out to identify and mitigate corruption risks.

vi) Large scale sensitization, ethical re-orientation and regular posting of probate registry staff are recommended. This will help in curbing corrupt acts such as the delay tactics/artificial scarcity of application forms in order to secure pecuniary incentives.

vii) Sanctions and punishment of errant Probate Registry staff should be enforced by relevant ACAs.

**D. Health Institutions.**

The elderly are prone to age related diseases i.e. physical disabilities and mental illnesses, it is therefore essential that they have access to adequate specialized healthcare. The high demand for such specialized health care by the elderly has created avenues for healthcare givers and providers to manipulate health care facilities and services at their expense. This form of corruption can greatly be reduced and ultimately eradicated when the following recommendations are adopted:

i) Training and re-orientation of healthcare givers and service providers on work ethics and standards.

ii) Institution of adequate and effective sanctions for malfeasance and corrupt behavior to reduce the attraction for personal gains for the perpetrators of corrupt acts.

iii) Institution of adequate measures for checks and balances coupled with effective monitoring and evaluation of health resources in Nigeria for easy detection and identification of corruption red flags in the health management sector.

iv) Public disclosure of all available information concerning grants and funds for the establishment of healthcare architecture for the aged. Such disclosures on health care expenditure and programmes for the elderly will enhance checks and balances in health care administration of the aged.

**E. Recreation.**

Recreation has been defined as “any pursuit engaged upon during leisure time other than pursuits to which people are normally highly committed” (Veal A.J., 2004).

Recreational challenges in the rural and urban areas of Nigeria essentially relate to availability of leisure time; attitude to recreation; demand for recreational facilities; and supply and management of recreational facilities.

Fact suggests that Nigerians have generally a negative attitude to recreation, possibly because most of them are ignorant of its health, social and economic benefits such as, reduction of obesity; reduction of the risk of chronic diseases; boosting of the immune system; and increase in life expectancy. It is well known that in Nigerian urban areas, especially there is insignificant effort to provide recreational facilities of all types. Consequently, environmental planners are denied the hard facts on which to base recreational planning. It is, therefore, imperative that:

i) Widespread enlightenment campaigns are carried out periodically by those in charge of social welfare to inform people of the health and social benefits of recreation.

ii) Land areas designated for recreational purposes are not converted to other uses.

iii) Livable wages are paid to public servants, as higher wages would remove necessity for secondary work and thereby create more time for recreation.

iv) Deliberate efforts are made by government to provide organized open spaces for recreational purposes to serve everyone.

v) In addition to government providing open spaces for outdoor recreation, it should also provide a system of structures housing indoor recreational facilities that can cater for the aged and improve their minds and bodies, as well as health and social life.

vi) Organized private sector should be encouraged by government through grants, land provision, tax holidays and rebates to provide modern recreational centers (equipped with both outdoor and indoor facilities). Government alone, even with the best will in the world is unlikely to be able to provide the full range of facilities that would adequately meet the recreational needs of the aged.

vii) Strict sanctions must be meted out to individuals/or group that violates subdivision regulations on parks and recreational grounds.

**F. Prisons.**

The main aim of establishing prisons in all parts of the world including Nigeria is to provide rehabilitation and correctional institutions for those who have violated laws, rules and regulations in the society. However, the extent to which this maxim is true in practice has been a subject of controversy. Most Nigerian prisons are wallowing in decadence in most aspects of their operations. An important rationale for reform of the prison system in Nigeria is to reposition it to meet the needs of the aged while performing its constitutional and expected roles in the society. Such reforms include:

i) Having separate cells for the aged to reduce/eradicate the risk of molestation by the younger inmates.

ii) Improving the (appalling) living conditions which is damaging to the physical and mental well-being of the inmates.

iii) Checking conditions of overcrowding, poor sanitation, lack of food and medicines and denial of contact with families and friends to ensure conformity with UN standards for the treatment of prisoners.

iv) Checking ill treatment of inmates.

v) Putting in place systems to check the attitudinal behavior of prison staff especially to aged inmates.

vi) Ensure a specific reform policy for aged prisoners to be better persons than they were before imprisonment through rehabilitation in order to equip them with new skills or improve on their old ones.

vii) Enlightenment of the inmates on their rights while in detention.

viii) Staff of the Nigerian Prison Service who defaults in service delivery should be subjected to strict sanctions.

**G. Property Management.**

Property management or real estate management is an asset care process that ensures your property is cared for the way you would, even in your absence. Although the Land Use Act, 1978 was meant to usher in new land reforms in Nigeria, it has become defective over the years. Amendment of the Act has become an uphill task because the administration that created it embedded it in the Constitution. Corruption risks and vulnerability in this sector can be managed through:

i) Ensuring that various policies and regulations formulated by the government at all levels to tackle the problems associated with housing are complied with.

ii) Ensuring that all housing programmes implemented by public housing corporations benefit the high, medium and low income groups with no biases.

iii) Ensuring housing development initiatives are made affordable.

iv) Appropriate demarcation of land boundaries and allocation of title holdings in a manner that communities, hamlets, villages, towns etc are recognized.

v) Encouraging and assisting states and local governments to establish adjudication mechanism for land ownership conflict resolutions.

vi) Eliminating long bureaucratic process involved in the allocation of lands in order to ensure timely approval of land allocations and related transactions.

vii) Making the costs of property management affordable or subsidizing such costs for the aged.

viii) Experts and highly skilled persons should be employed to tend to the property management needs of the aged.

ix) Strict sanctions should be meted out on defaulters of extant regulations on property management.

**3.0 RECOMMENDATIONS.**

In addition to the sector specific recommendations in 2.0 above, the public service management of the aged can be improved upon by ensuring the following general measures are in place:

i) The government must assume a definitive universal position/stance that discrimination of the aged is morally and legally unacceptable.

ii) Accountability mechanisms i.e. whistle blowing on infringement on the rights of the aged backed by legally binding protection should be established.

iii) The duties and rights of care-givers and right holders to the aged should be well defined.

iv) The imbalances in the treatment of older people’s economic and social rights should be identified and addressed by a policy or Act of Parliament.

v) Failure to accord the aged deserved rights and privileges in all endeavors by the government, CSOs and general public should be frowned at.

vi) All stakeholders in the care of the aged should be trained to deepen their understanding of the effects of discrimination against the aged and the need to understand the complex and multiple forms of such discriminations. Capacity development will help in investigating and addressing the challenges of abuse of the aged.

vii) A framework to guide policy responses on rights, equity and social justice for the aged should be developed.

viii) Development of educational tools and powerful advocacy on the rights of older people and those that represent them should be encouraged.

ix) Information should be provided in the public domain on the dangers, effects, and consequences of discrimination against the aged.

x) Violations of the rights of older people in any sector of the public service should be seen as corruption and sanctioned.

xi) Synergy should be developed between MDAs, CSOs and Multi-lateral agencies on issues relevant to the protection of the rights of the aged.

xii) Collaborative platforms should be developed with journalists and the media on the rights of the aged so as to build public support and awareness.

xiii) Groups and associations that fight for the rights of the aged should be empowered.

xiv) Enlightenment and education of all tiers/levels of government on the rights of the aged and channels of redress should be instituted.

xv) Processes of collection, collation of facts and evidence of abuse, neglect, and other violations against the aged for documentation and investigation should be developed.

xvi) A strong lobby of law makers who will influence and create laws that guard against violation of the fundamental rights of the old in the public sector should be developed. These laws would act as a security initiative for the aged.

xvii) Effective monitoring of welfare programmes and initiatives established by Government for the aged should be overseen by Anti-graft agencies.

**REFFERENCES**

1. A.J Veal (2004), Definition of Leisure and Recreation: Working Paper No. 4, University of Technology Sydney School of Leisure, Sport and Tourism.

2. Ahmed T. Dagauda and Oyadiran P. Adeyinka,An Analysis of the Impact of the 2004 Pension Policy on the Welfare of the Nigerian Civil Servants: A Case Study Of Selected Federal Ministries. Global Journal of Human Resource Management Vol.1, No. 4, pp.20-55, December 2013;

3. Eastern Partnership-Council of Europe Facility Project on “Good Governance and Fight against Corruption”

Global consultation on WHO Global Strategy and Action Plan on Ageing and Health 29-30th October 2015, Geneva;

4. International Federation on Ageing [www.ifa.fw.org](http://www.ifa.fw.org);

5. Kelly D. Johnson, Financial Crimes Against the Elderly.[www.popcenter.org](http://www.popcenter.org);

6. Kemi Obasola, Lagos Judiciary: Tackling the Rot in Lagos probate administration. December 13, 2010 [www.nigerianbestforum.comn](http://www.nigerianbestforum.comn);

7. Muhammad B. Nuhu, Land Reform in Nigeria: The Nigerian Institution of Estate Surveyors and Valuer’s Perspective - Challenges and Prospects

8. Patience E.U. Mudiare, Abuse of the Aged in Nigeria: Elders Also Cry. American International Journal of Contemporary Research Pgs 79, 81, Vol. 3 No. 9; September 2013.[www.ea-journals.org](http://www.ea-journals.org);

9. Real estate guide newsletter for property news.

10. Sandra L. Hughes (2003), Can Bank Tellers Tell?: Legal Issues Relating To Banks Reporting Financial Abuse Of The Elderly.[www.americanbar.org](http://www.americanbar.org);

WHO world report on Ageing and health- International Federation on Ageing.