



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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Interviewee: Tymon Katlholo

Interviewer: Gabriel Kuris

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KURIS: I am here with Mr. Tymon Katlholo in Gaborone, Botswana, on the 19th of March, 2013. So you have been involved in DCEC (Directorate on Corruption and Economic Crime) from the beginning. Right?

KATLHOLO: *Precisely.*

KURIS: Can you tell me a bit about how you started working there? About your background at DCEC?

KATLHOLO: *You might be aware that we had a couple of scandals in the late '90s, no early '90s, late '80s. The first one was to do with land allocation in the periurban areas of Gaborone. The second major one that actually shook the country had more to do with the national housing agency, Botswana Housing Corporation. During that time I was the national head of the Criminal Investigation Department. This was in 1992.*

What had happened was that the chief executive of this housing corporation got killed in a car accident. He was coming from Lobatse, which is about 75 kilometers south of here. On the way, he failed to negotiate a curve and rolled. He died on the spot. He was found by one of the police chiefs, who was coming from his home village. This was at midnight. He was the first to discover the accident. He was carrying his radio, walkie-talkie. He called the police from Ramotswa, which is about 40km or 30km from here, to attend the accident.

When they retrieved the body and searched the car for any valuables to keep them safely, in the glove compartment of that car, they retrieved about 8,000 pula in cash. Back in those days, 8,000 pula was a lot of money. Of course, that triggered an avalanche of questions. Why would the chief executive be carrying such a large sums of money in this era of technology, where you can go to the nearest ATM and get whatever amount of money you want.

KURIS: You don't need to keep it in your glove compartment.

KATLHOLO: *Naturally—I mean, this was a high-ranking official—there were a lot of speculations. Some people were saying that he was killed; others were saying and making all sort of sensitive and sensational stories all that which did not really make good sense, the true story being that this was a pure road accident. He just lost control, rolled and crashed.*

As the national head of the Criminal Investigation Department, I was informed. Because of that indicator, and because of the intelligence that we had been gathering over time, we had to seal off the Botswana Housing Corporation headquarters, because this was a weekend. We had to make sure that nobody goes there. On Monday, we started now searching the whole building. We started with his office, where we could pick up little coins—25, 30, 50 pula coins. They amounted to 120 pula, littered all over the office.

The second question as a detective that came to mind was: This guy was so affluent, but what was the source of his wealth? We invited the Accountant General and opened his official safe. What do we see in the official safe? 218,000 pula in cash.

KURIS: That was his personal—?

KATLHOLO: *Yes. When we examined the serial numbers of the notes—because the money was in 20 pula notes, they sequentially matched with the serial numbers of the cash that was found in the car. So, one could reasonably draw an inference and assume that the money that was found in the car was part of the money that was found in the safe. That is how everything unfolded.*

Of course, we were involved with some investigations. All together, we pushed about twelve prosecutions.

KURIS: Then there was a public outcry and it led to the establishment—.

KATLHOLO: *There was a public concern and that led to the establishment of the DCEC.*

KURIS: So you moved over to DCEC from the police?

KATLHOLO: *Yes. We had to recruit some expatriates to come and assist us. We needed both the international and local experience and expertise. I became the founding Deputy Director of the DCEC.*

KURIS: There were thirty deputy directors then?

KATLHOLO: *No, just one. The rest were assistant directors. Eventually, we had two deputy directors for operations and strategic development. I became deputy director for Strategic Development.*

KURIS: OK. When was that? Do you remember?

KATLHOLO: *That was in 1996. In April 1997, I took over as the director.*

KURIS: What were some of the challenges that you faced when you became director of the DCEC?

KATLHOLO: *Corruption has what you call public opprobrium. Nobody wants to be associated with corruption. Even if it is for a good cause, even if you say, “OK, let us prevent corruption,” some people would still perceive that as a challenge to their integrity. That was the biggest challenge in the fight against corruption generally.*

The second challenge was that a lot of people would not distinguish between a corrupt decision and a wrong decision. In any case, there is a thin line between a wrong decision and a corrupt decision. You don’t see that until you scratch the surface or made some further investigation into an allegation. You get what I mean?

KURIS: Yes.

KATLHOLO: *In the majority of cases, we were inundated with a lot of cases that did not relate to corrupt practices. But, of course, people were entitled to express their views and report their suspicions. That was a plus on our behalf. If we did not get those reports, we would not even know the extent of the problem that we were dealing with. So it was good for us—we needed all that information. This way, we could take out the chaff and remain with the grains. That was a big challenge to be able to deal with such a large volume of complaints, which had nothing to do with corruption. The other change was how to quickly make people understand and*

distinguished what really constituted corruption. To the ordinary person, any wrong-doing or wrong decision is corruption, even if done in good faith.

KURIS: How did you deal with that? What did you decide to do?

KATLHOLO: *It was a catch-22 situation. It was a catch-22 situation in the sense that you wanted people to come forward. But then, you would be inundated with those unrelated report. On the other hand, you did not want to discourage them, because if they stayed away, you would not get the information that you needed and that which could be beneficial to investigation. You get my point?*

KURIS: Yes.

KATLHOLO: *So we had to live with the situation as it was. We would encourage everything, and continue to ensure safety.*

KURIS: What procedures did you develop to filter the complaints internally, to separate the wheat from the chaff?

KATLHOLO: *We had what we called the classification system. That classification system had about eight or nine characteristics. Reports would come, and we had what I would call a board, which was chaired by the director, look at these reports one by one and scrutinize them against the Corruption and Economic Crime Act to determine if the reports contained some elements of corruption. If a report was anonymous, it would be ANC, Anonymous No Corruption; or, it would be TCP, Traceable Corruption, which was pursuable. It meant that we would pursue that case.*

If a report was traceable, meaning that we knew the source, but then turned out to involve no corruption, the case would be non- pursuable. We can trace the source; there is no corruption, and therefore, it cannot be pursued. Then, we would decide on a referral to the ombudsman or whatever government department that was relevant to. These were the kinds of procedures that we adopted to sift the chaff from the grins.

KURIS: Was this procedure developed under your leadership or did this come earlier from Graham Stockwell's time?

KATLHOLO: *No, we developed it from here and I must say Stockwell and other expatriate colleagues had a lot of impact and contributed significantly. Of course, we also benchmarked it from Hong Kong.*

KURIS: Do you remember around when you started using the system?

KATLHOLO: *From the word "go", since inception and I believe the system is still being used.*

KURIS: Yes, I just talked to the director about this today actually. So what were some of your goals when you became director?

KATLHOLO: *Some of my goals were to raise the awareness and also to come up with some preventive measures—look at the systems, the procedures that were in government offices. To inculcates a sense of integrity, professionalism and due regard for serving the public interest. These are key issues in any setting, as they*

promote transparency and enhance efficiency in the public domain and have the tendency to expose wrong-doing much earlier than it is late. You cannot combat what you cannot see, nor can you combat that which the public does not have the political will to assist. So we had to educate the public more often, deliberately made corruption a public debate to make sure that people keep it under watch and scrutiny, to expose it. Therefore, we had a lot of workshops, public lectures and all that stuff to raise the awareness. Secondly, we encouraged the buying in of our out-reach preventive and public education programmes. We produced poster, likening corruption to some catastrophes that the nation had experienced in the recent past, i.e. the out-break of cattle lung disease in the northern part of the country, which had resulted in the destruction of the cattle herds in that area. We had to build confidence in the works of the agency.

Sometimes, I would say, we did so to our own detriment, because then we became, as a department, a victim of our own success.

KURIS: How so?

KATLHOLO: *Because there was a lot of awareness, there were also a lot of criticisms. So that is why I say we became a victim of our own success. What people could see was not the number of cases we were able to put before the court, but certain individuals in the hieghrhache of the society that we were unable to arrest, irrespective of whether they were guilty of any crime or not. This perception still prevails even now. The public perception is that you are not fighting corruption until and unless you have nipped somebody high. That is, until you have dealt with the so-called big fish. That is when they' will say, "OK, now you are on the right track."*

Even then, we are still not winning, because some will say, "no, no, no, this is done for other reasons, political reasons" or something like that. So it is a no-win situation. So that was a big challenge, and I think it remains a challenge even today.

KURIS: So what is your response to that? What do you tell these critics when they say that you don't go after big fish or that everything is all political?

KATLHOLO: *This is my quote: corruption is corruption, whether the fish is small or big. They belong to the same biological family I think what the society should appreciate is that you do not take some somebody to court or investigate them for the sake of it but because there is a reasonable cause for doing so.*

KURIS: Ichthyology. Same fish.

KATLHOLO: *Same fish. To me it doesn't make any difference. Whether corruption is committed by the so-called "small fish, the medium fish, or big fish", it remains corruption, because the effects are the same. Quite often, I used to give an example of somebody who had obtained a driver's license, say, paid 50 pula to obtain a driver's license. He gets onto a road, comes to an intersection, and causes an accident, a pile-up accident. One of the cars even catches fire. At the end of the day, you have five, six people dead. So what difference is there between him and someone else who had stolen 20 million? On the one hand, you have lost life because of 50 pula. On the other hand, you have lost 20 million, because somebody was greedy. The effect and consequences in both*

cases are the same, negative. This is the message that I kept on drumming and drumming up. But, eventually, we had some cases involving higher officials. Even then, that still was not satisfying.

KURIS: That started around 2007, towards the end of your term that there were some bigger fish?

KATLHOLO: *No, we had some cases even before that.*

KURIS: Yes?

KATLHOLO: *We had a case that involved the Director of Roads in 1997 and another one involving the Acting Permanent Secretary for Finance. We had another one involving the Permanent Secretary for the local government.*

KURIS: These are pretty big fish.

KATLHOLO: *So the momentum was building up. Of course, another big case that we had was that which involved the chief Executive of our mining company Debswana*

KURIS: That was the one in 2007, I think.

KATLHOLO: *It actually started in 2004. The investigation started in 2004 and went on until the guy was arraigned in 2007. So, we had quite a few cases.*

KURIS: Did these major investigations create special challenges?

KATLHOLO: *Yes, they did. Especially, if you look at all the big cases that we have had, there was not a single case that went to court without people hiding behind procedures that investigations were unprocedural or hiding behind constitutional issues before you actually start the trial. In fact, one other case that I remember involved the city council, where the city council was defrauded of some 21 million for cleaning a 1.7 km area. Just to de-bush that area, they wanted to claim 21 million. We were involved in that case, running helter-skelter between the high court and the magistrate court, sometimes on very much unrelated issues before discussing the actual facts at hand.*

Before we started that trial, because we had seized the check that was paid to that company, we had to go through a restraining order process: go to the high court, come back, go to Court of Appeals, and come back. The trial was eventually started, but the process was just too long.

In the Debswana case, again, some people raised constitutional issues that, because the same lawyers that were for Debswana represented the accused person, there was a conflict of interest. It went to the high court, the high court ruled in favour of the defense on the basis that a person was entitled to a lawyer of his own choice, so there was very little that we could do about. That also delayed the trial apart from the protracted type of investigation. These were the challenges that we faced.

KURIS: For all these cases because the DCEC cannot prosecute you had to cooperate very closely with the DPP (Directorate of Public Prosecution).

KATLHOLO: Yes.

KURIS: How did you work on that relationship? How did you overcome that difficulty of having to work with this other body?

KATLHOLO: *There was a lot of cooperation between my office and that of the DPP. We were working towards the same objective. I can't remember of a single situation or case in which the DPP turned me down when I believed quite strongly that there was a case, and recommended a prosecution. If they did, they would give very valid reasons as to why they could not proceed.*

Sometimes we even had to engage them during the course of the investigation. In the Debswana case, I had to involve them in the early stage of the investigation to raise with them certain issues. There were some cross-border legal issues that we could not handle alone as an organisation.

KURIS: To make sure—?

KATLHOLO: *That's right. There were issues of extra-territorial jurisdiction that we had to deal with. We had to get evidence from the UK (United Kingdom), we had to get evidence from Australia. We had to look for evidence in China. In those cases, we really needed them much closer to us.*

KURIS: Did you have an MOU (Memorandum of Understanding) with them or did you just work personally with them? How did you collaborate on these issues?

KATLHOLO: *We had to sign what we called a Service Standard or service level agreement with them. They were serving us, and we were serving them. We had to come up with a service standard.*

KURIS: Still on the subject of investigations, I know that another public criticism has been that the DCEC cannot be independent enough, because it is part of the Office of the President, and the president appoints the director. What is your response to that criticism? How do you demonstrate the independence of the DCEC?

KATLHOLO: *The independence of the DCEC must be looked from the perspective of its ability to make decisions to investigate or to not investigate. I can't remember of a single day on which I had launched an investigation, and then anybody in authority—not even the president or a minister—had called to tell me that I should not investigate this or any particular case. So the independence of the DCEC must be seen from that perspective: the decision to and the prerogative to investigate remains the domain of the DCEC. If DCEC curtailed an investigation, it was out of its own volition, and not because it had been directed to do so.*

Of course, I'm not saying that it was all a bed of roses. The one thing I argued during my tenure is that we needed to entrench the office of the DCEC in the constitution so that the appointment of the director became constitutional. I also argued that the appointee must have a security of his tenure.

KURIS: Yes, I understand that.

KATLHOLO: *Because if that is not the case, his tenure in the office is just dependent on the good will of the head of state. We need more protection than that, like the DPP, the attorney general and the ombudsman. So that remains a challenge even*

today. It was a challenge even then, but of course, there was a lot of discipline in terms of the people who were involved in that relationship. You get my point?

KURIS: Yes.

KATLHOLO: Of course, some people said that the independence of the DCEC would only be possible if it reported to the Parliament. Maybe they had a point, but I also have my own issues about that. I have been to some jurisdictions where the head of the anti-corruption commission reported to parliament. But before the commission could launch any investigation, a select committee of the Parliament was expected to make certain decisions. In the majority of cases, they were hamstrung, compromising the commission's ability to carry out investigations.

KURIS: A lot of my case studies so far have been mostly about how bodies that are under the control of parliament, and what happens when they start arresting members of parliament and parliament doesn't like that very much. I can understand your concerns.

KATLHOLO: Yes. But during my tenure, if I needed something, I would just pick up the telephone and make an appointment with the president. I would explain to him what my issue was and how I planned to go about it, and he would just give me the blessing.

KURIS: During your tenure was the DCEC under the Office of the President? No, it was under the Security Ministry right? The Security and Justice Ministry? No?

KATLHOLO: No, it was directly under the Office of the President. I reported directly to the president.

KURIS: OK.

KATLHOLO: Of course, the ministers still held some political responsibility and accountability for the DCEC, but in terms of the reporting protocol, they would not have any qualms with me if I went to the president, because according to the Act, the DCEC director reports to the president. That is, the director must produce his report, unedited by anyone by March 31st. He must express his or her own opinion in the report and present it to the president. Then the question is, what then happens to the report after the president received it?

KURIS: Should it go public?

KATLHOLO: Yes. Once I submitted my report to the president, I could make that report public. I didn't even have to seek his permission to do so. The minister, assuming his political portfolio responsibility, now took it before parliament and let it be discussed. If parliament decided not to debate it, it was up to them. But if they decided to debate it, it is well and good.

KURIS: One more question on these political issues and then on to less controversial ground I think.

KATLHOLO: Yes.

KURIS: As you investigated more and more defendants, do you experience any pushback, any resistance from the defendants, their allies, or maybe from people

in power? A lot of other agencies spend a lot of time fighting against resistance. Did you have a lot of this resistance?

KATLHOLO: *Not that much. If you look at the Corruption and Economic Crime Act the DCEC has a lot of power. They exercise quasi-judicial powers. The director can summon someone to the DCEC, and if he or she doesn't come, the director can apply for a warrant of arrest to compel him or her to come to the DCEC. So those who were summoned had very little options. I still believe they have very little options even nowadays.*

KURIS: As the director, did you have to do that yourself or could you delegate that responsibility to other investigators?

KATLHOLO: *That is delegated but the authority had to come from the director, in writing.*

KURIS: Do you need a court warrant for these actions or only in some cases?

KATLHOLO: *Only in some cases. You could search without a warrant. You could also obtain a warrant to conduct a search. You could arrest without a warrant. You could also obtain a warrant and then arrest. You could look at somebody's bank account without going through the courts. So these are some of the powers that the director had.*

KURIS: So it depended on whether they were emergency?

KATLHOLO: Yes.

KURIS: Can you freeze assets?

KATLHOLO: *Yes, based on the Proceeds of Serious Crimes Act. One of the challenges that we had was dealing with the ancillary issues of freezing assets and obtaining restraining orders before cases actually went to trial.*

KURIS: OK, now let's turn to preventive activities. I think this is one area where the DCEC is path breaking. I think during your term the preventive activities of the DCEC expanded quite dramatically.

KATLHOLO: Yes.

KURIS: Can you tell me about some of the things that the agency started doing?

KATLHOLO: *Well, we had what you call assignment studies. We would go into a department, look at their procedures identify loopholes and advise them on remedial measures.*

KURIS: When did you start doing this?

KATLHOLO: *From the word "go". For example, the government had a program called Financial Assistance Policy. The government would set up a social scheme to assist people financially in setting up small businesses. However, that scheme was abused a great deal. We conducted a study on it and made some recommendations that led to its closure.*

Another strategy that we had come up with was establishing anticorruption committees within ministries.

KURIS: Where did the idea come from for these assignment studies, and the anticorruption committees? Do you remember how you started doing this?

KATLHOLO: *We realized that sometimes when we conducted assignment studies and made recommendations, there was little or no follow up on those recommendations. There were no sanctionary measures for not following up on those recommendations because we did not want to make people feel antagonized. We wanted people to adopt these recommendations as part and parcel of their daily operations to improve certain practices rather than to coerce them into improving. Otherwise, they would not cooperate. That is how the idea of anticorruption committees was born.*

KURIS: Was it hard to get the cooperation of these ministries? Was it hard to get them to take these things seriously?

KATLHOLO: *You just had to get them to take these things seriously. When we conducted studies, they gave us full cooperation. But when it came to implementing recommendations, things could be quite challenging.*

KURIS: How did you overcome that challenge? Through these committees and through other things, how did you work on it?

KATLHOLO: *Once the DCEC came up with a study, the study would go to the permanent secretary of the ministry, who would then cascade it to the anti-corruption committee. The committee would work on the recommendations.*

KURIS: So it becomes an internal thing.

KATLHOLO: *Yes, it becomes an internal thing.*

KURIS: Are there any other preventive activities that I should know about, that you're proud of? Educational activities maybe?

KATLHOLO: *We had some programs for schools to educate the youth. We came up with this idea, the Rra Boammaruri. I wonder if you have heard about that.*

KURIS: Is that the cow?

KATLHOLO: *Yes, the cow. That was one of the ideas we came up with. We also had a stall at the International Trade Fair where teachers and the general public would come to ask questions.*

KURIS: How did Mr. Integrity, the cow, come up with this idea?

KATLHOLO: *We had engaged an advertising company during our early days, to expedite the campaign. We worked with them to come up with these concepts and ideas. In the process we came up with this idea about Rra Boammaruri to visits schools. The feedback that we got from the schools that we had visited was quite interesting. One parent called me one day and said, "What is this Rra Boammaruri? My child is telling me that you guys brought a cow with horns that was telling people not to become corrupt?"*

I said, OK, if that is the case, the message is being delivered. We also held small essay writing competitions. We would come up with some questions, and give them to schools. Whoever came up with the best essay on fraud or corruption prevention would receive a reward. Those are some of the initiatives we put in place.

KURIS: Now Botswana is a big, sparsely populated country.

KATLHOLO: Yes.

KURIS: How did you deal with this challenge of reaching the places where the mainstream media doesn't reach?

KATLHOLO: *It was quite a challenge, but we had to do it. We divided the country into two—the south and the north operational areas. The north would be taken care of at the northern site and the south, at the southern site. That is how we did it.*

KURIS: The north was based in the Francistown office?

KATLHOLO: *Yes, the Francistown office. But as you may be aware, eventually we established yet another regional office in Maun.*

KURIS: That was in 2008?

KATLHOLO: *It was 2008, when we set up the offices. This was during my last days in the office—2007 and 2008.*

KURIS: Francistown was already in place by '97 or '98.

KATLHOLO: Yes.

KURIS: I also heard that you guys would do road shows?

KATLHOLO: *Yes, we did do road shows. For instance, we put up banners—just leave them by the roadside with the messages we wanted to deliver. Sometimes our office posters were based on national catastrophes. In the northwest, we had an outbreak of cattle lung disease and all the cattle had to be killed.*

KURIS: I remember.

KATLHOLO: *We came up with a poster that said, "Corruption—it is like a cow with lung disease. It does not have a future." We used that slogan to reach out to people. People caught it very fast.*

KURIS: Did people's understanding of corruption change? Do you think that people in Botswana understand corruption differently now than they did when you first started?

KATLHOLO: *It is still a challenge.*

KURIS: So public perception is still a challenge?

KATLHOLO: *Public perception is still a challenge. People still think that when an allegation of corruption is made and a person is taken to court, the accused must also go to prison. They don't think that the accused is innocent until proven guilty. Rather, when a person gets acquitted, people start to say that the system is useless—they don't seem to understand that the standard is very high or that to prove the case you need strong evidence which sometimes is not always readily available in corruption cases because of the secretive nature of the transactions. We must prove that one is guilty beyond reasonable doubt. In reality, even the slightest doubt in the prosecution's case will accrue to the accused person.*

KURIS: It must be very frustrating for you. A lot of the acquittals, especially recently, have been based on technicalities.

KATLHOLO: *Rather than facts—yes, you are right. That is why our emphasis from the word “go”, has been on prevention and awareness. If we relied too much on criminal sanctions, we would have been on a very shaky ground. The accused could come up with a very lame excuse, but as long as it seemed reasonable in the judges' eyes, he could be acquitted. That was the first challenge.*

The second challenge was that the criminal process usually takes a long time. Investigation on cases that have just been completed started some five, six years ago and it is only now that they are before the courts. In this regard, there were many challenges: there could be a lapse of memory on the part of witnesses; some witnesses might be dead; some might not be in the country. Do you see my point?

KURIS: Yes.

KATLHOLO: *There was a host of those challenges. That is why our approach was to improve service delivery and raise the productivity level so as to minimize opportunities for corruption. Raising the productivity level in the process means having the right values in the right place, and the right skills in the workplace. It also means having the right processes and the right numbers in the workplace. People would be doing the right things at the right time. So that was our approach.*

KURIS: Are there any preventive reforms that you are especially proud of? Is there any kind of department or agency or organization that made reforms based on your recommendations that you think worked pretty well?

KATLHOLO: *I can't think of any. I think the reforms that came through did so by accident, like the performance management system. It was put in place at the same time as the establishment of the DCEC. But if you look at the concept of performance management, the reform is there to raise the performance level. It is there to up-skill the workforce. It is there to promote transparency in the decision-making processes. It is there to foster accountability.*

What is it that you need to prevent corruption? You need only three things: transparency, accountability and professionalism. Because you have these things now, they translate into good governance. When you have good governance, you have checks and balances. Because you have elevated your performance to that level, there is very little room for corruption.

KURIS: Did the DCEC work then to take advantage of that reform?

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- KATLHOLO:** *Yes, because that is why we kept on emphasizing the importance of good systems—the performance management system, the process reengineering system, and so on. These are anticorruption strategies. What is corruption, really? Corruption is about lack of delivery. Corruption is about lack of productivity and mismanagement. So improve your leadership processes, your accountability processes, your transparency process. Enhance your professionalism. Then you are set.*
- KURIS:** In some other countries I've been to, they've said that during times of economic stagnation or crisis, the public has been more into anticorruption. They found an opportunity to fight corruption, be stronger. Has that been true here? That the economy over the last decade or so was not very strong, went through some ups and downs. Has that affected corruption, the perception of corruption?
- KATLHOLO:** *I lost it somewhere.*
- KURIS:** It was not very well framed. In other countries the perceptions of corruption have changed with the economy. When everything is going well, nobody sees any corruption or it is not as big an issue. Then when the economy sours suddenly people see more corruption, they get angrier about corruption. Has that been true here?
- KATLHOLO:** *Yes, I think that is true. I was looking at some cases that took place in the UK. One would argue that there is no corruption in the UK, but certainly there is corruption. The point is that corruption in the UK is covered by the strength of the pound. You see? Because of the strength of the pound, people are not able to see corrupt practices.*
- Maybe the same can be said for the United States and for Japan. But if you scratch the surface, you find that there is actually corruption.*
- KURIS:** Yes.
- KATLHOLO:** *When the economy is shaky, because resources are limited, the demand starts to exceed the supply. And now people are able to see corrupt practices. I think that is real.*
- KURIS:** It seems that perceptions of corruption in Botswana have increased, not according to Transparency International but the Afrobarometer polls, the public in Botswana seems to perceive more corruption. What would explain that? Why has perception gone up?
- KATLHOLO:** *If you look at our governance indicators—good-governance indicators—there is an issue of voice and accountability. They have diminished. There is a perception that we have become more lenient on issues of transparency and accountability. People now believe that a lot of things are done in secret, and corruption takes place or thrives under the cloak of secrecy. That is what is creating that perception.*
- As a matter of fact, secrecy promotes impunity. Once there is impunity, corruption will creep in.*

KURIS: So reflecting back in general on your leadership what are you most proud of? Do you have regrets about it? Is there anything you wish you could have done differently?

KATLHOLO: *I don't know.*

KURIS: I just thought I'd ask. Just as a last question, what are some areas for improvement of the DCEC and of Botswana's anticorruption system? What are some reforms that would be helpful or things that the DCEC could work on?

KATLHOLO: *We implemented a case management system in 2000. I think we need to reform the computerized case management system. Also we need to empower regional offices because the workload is really increasing. More importantly—this is very critical—we need to work on attaining the security of tenure for the Director's appointment. As long as it is not there, people will still perceive the DCEC as less independent. I think this lack of security of tenure is a great source of the perception that we are less independent.*

KURIS: When you left office I believe it was the end of your term, right?

KATLHOLO: *No, I just retired. I was permanent and pensionable. I was 56. I had wanted to retire earlier than that but because of the new changes that were coming in, I delayed my retirement until 2009.*

KURIS: The director succeeded you, Ms. Seretse, was your deputy beforehand?

KATLHOLO: *She came in as a Corruption Prevention Officer when I was the deputy director. She rose through the ranks until she became my deputy.*

KURIS: You guys must have had a pretty good relationship. You worked together for a long time.

KATLHOLO: *That's true.*

KURIS: Was there anything in particular you tried to pass on to her? Any lessons that you had learned that you wanted her to follow?

KATLHOLO: *Well, that she must always keep her head above the water.*

KURIS: Great.

KATLHOLO: *That she will be frustrated by some of the decisions made but what she should understand is that she is there to serve the public interest. Serving the public interest should be the guiding principle more than serving anyone's interest. She must be prepared to put her head on the block to serve the public interest. I think you understand what I mean.*

KURIS: Yes. Now, as part of that, Botswana has a very combative media. They're very feisty. Did you give her any lessons on that? What did you learn about how you relate with the media?

KATLHOLO: *I think I related very well. My philosophy is that you don't have to avoid the media, you have to manage the media. Once you do that, they tend to understand you. They would pick up on some of the investigations being*

conducted and come back to inquire about them. I would say, I tell them the obvious and less sensitive and impress upon them that I cannot give any details until these the cases have reached a certain level of investigation, the reason being to protect the integrity of the investigation and the reputation of people against whom the allegation may have been made. They appreciated that.

KURIS: OK.

KATLHOLO: *Occasionally, I would call a press briefing, just to brief them on what we had done in the past six months or twelve months. I let them ask questions and answered all those questions. I let them make those insinuations and then I'll answer those questions. In that way, the media was very supportive. You cannot dispense them. They are quite an important stakeholders in the fight against corruption.*

KURIS: Did you get a lot of tips from the media? Did you get a lot of information that was useful?

KATLHOLO: *Yes. Sometimes I would come across some information that I did not have before. Then, I would pick it up and start working on it. It is only sometimes that you want to find out about their source that you will have some challenges. Quite often and quite understandable, so they will be very reluctant to share their source*

KURIS: Interesting.

KATLHOLO: *I just wanted to show you the first case that I worked on in the DCEC. I have retired from active service, but I am still promoting anticorruption prevention.*

KURIS: That is the work you are doing here?

KATLHOLO: *Yes, that is the work I'm doing here. I have developed about twenty-two programs on fraud and corruption prevention.*

KURIS: Interesting. You implement them here in Botswana or around the world?

KATLHOLO: *Yes, I have been to Cameroon. I have been to Nigeria twice.*

KURIS: Do you have any ideas for other strong anticorruption agencies that I can go visit? Are there any other agencies that you admire?

KATLHOLO: *The Namibian one. They came to benchmark from us. I think it was working relatively well. I haven't been in touch with the head there now for two years, but up until the time I left, they were doing very well.*

KURIS: I was wondering about them. I was thinking about going in there but I think I read that their anticorruption law was overturned in court pretty recently. I don't know how much of an impact that had, but maybe I'll try to look into that more. It does seem very similar. There was the same critic about the "small fish."

KURIS: OK, thanks. As an expert I appreciate your opinion.

KATLHOLO: One important thing is that as an anticorruption agency, you have to strike a balance. You have got to make sure that you don't slip into political mudslinging because that can be very dangerous.

KURIS: When you were the head of the DCEC how did you work to avoid this? What did you do to stay out of politics?

KATLHOLO: My guide was the Corruption and Economic Crime Act.

KURIS: So if you stick to the law—

KATLHOLO: Stick to the law, that's it. Again, I did not align with any political party. I am still not aligned with any political party. Of course, I exercise my constitutional right to vote like any other citizen. As the head, once you are identified with a particular political party, the anticorruption agency's future comes to an end.

So you must at all times be apolitical.

KURIS: Excellent, thank you very much.