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FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF POLITICS AND PUBLIC MANAGEMENT

**AN ANALYSIS ON THE EFFECTIVENESS OF THE THE ROLE OF PARLIAMENT
IN STRENGTHENING POLICE ACCOUNTABILTY IN ZIMBABWE, 2013-2017.**

GILBERT CHIRENGENDURE

(146660B)

SUPERVISOR DR MUDE

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DEDICATION

I dedicate this dissertation to my late mother, Mrs R Chirengendure who passed on when I was in grade five. She instilled a sense of appreciation in me at an early age; the one that I will cherish for the rest of my life. She was a peasant farmer and with the little we had, he made us feel as if we had a lot. She taught us how to look after ourselves and above all to respect people, especially the elderly. My mother was a proud woman and she made me proud too. Were it not for this good foundation that she instilled in me at a tender age and her unselfish commitment to moral behaviour, I could not have been able to sit and write this dissertation today. I regard her as one of my role models. If she was alive today, I am sure she would be prouder than ever to see her child's achievement.

Rest in eternal peace MOM.

Declaration

I,do hereby declare that this dissertation is a result of my own work investigation and research, except to the extent indicated in the acknowledgements, references and comments included in the body of the report, and that it has not been submitted in part or in full for any other degree to any other university.

Student Signature.....

Date

Supervisor Signature.....

Date

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ABBREVIATIONS

AMB - Ambassador

AU - African Union

CG - Commissioner General

CS - Civil Society

ECOSOC - Economic and Social Council of the United Nations

Hon - Honourable

IPU - Inter-Parliamentary Union

IRED - InfraRed Emitting Diode

MDC T – Movement for Democratic Change Tsvangirai

MP- Member of Parliament

NA - National Assembly

NGO - Non-Governmental Organization

PRC - Parliamentary Reform Committee

PS - Permanent Secretary

SADC - Southern African Development Community

SADCC - Southern African Development Coordination Conference

SADC-PF - Southern African Development Community Parliamentary Forum

SRO - Standing Rules and Orders

UN - United Nations

UNDP - United Nations Development Programmes

ZANU PF-Zimbabwe African National Union – Patriotic Front

ZBC - Zimbabwe Broadcasting Corporation

ABSTRACT

Police Accountability is critically important as it seeks to enhance a culture of police accountability and constitutionalism in Zimbabwe. This is very instructive in that it aptly recognises the instrumental role played by Parliament in cultivating the culture of accountable national governance systems in our national institutions such as the Police Service. As encapsulated in the Preambular statement of the Constitution of Zimbabwe, the people of Zimbabwe cherish "...freedom, equality, peace, justice, tolerance, prosperity and patriotism in search of new frontiers under a common destiny". This research is divided into six chapters.

In bringing up the information this paper will bring up the information on the problem statement, justification of the study, research methodologies and the theoretical and literature review of the study. This is the chapter introduction of the data of the entire exposition which is to be accomplished as the examination will be completed. This chapter reviews the Parliament and Police services in Africa, outlining its legal framework, its compositions and how they interact with each other. This chapter will also give references to other parliament and police services Africa, particularly South Africa, Namibia and Kenya showing how their Parliamentary committees execute their daily operations and ensure Police Accountability through the Parliamentary Democracy. It is in this context that this paper describes the historical background of Parliament of Zimbabwe, its structure, role and function from Rhodesian Parliament up to Zimbabwean Parliament and also Parliamentary Reforms in Zimbabwe in the 21st century taking a gander at the strategies and projects that has been started from 2000. This paper will be reviewing the role that can be played by Parliament of Zimbabwe to strengthen Police Accountability in Zimbabwe. Pointing out its oversight role, Law and policy making which act as guidelines to Police operations, Police budget Processes, Fiscal Management by the Parliament, Reports by Honorable Members through Motions and Questions in the Parliament. The last chapter will give the conclusions and recommendations on the study of the oversight role of the Parliament over the Police Services in Zimbabwe. It sought to identify the contributing factors inhibiting or enabling the smooth cooperation and coordination between Parliament and Police Services in Zimbabwe. Finally, recommendations thereof will be presented

CHAPTER ONE

INTRODUCTION

Introduction

The police services in Zimbabwe assume a vital part in guaranteeing public order and security. Governed by the rule of law and guided by the standards of human rights, the police is obliged to maintain and execute the laws delivered by the properly constituted legislative Assembly. Parliament is another essential element of a majority rule. According to Dyke (200) the Parliament has a command to speak to the general population and obediently seek after issues of open intrigue. As fairly chose agents of the general population, parliament is entrusted with managing the state mechanical assemblies approved to endure weapons for the security of the state and its kin, all the more particularly the military, police, insight administrations, and civilian armies. It is parliament's part incorporating into Zimbabwe to guarantee that the security division is compelling and responsible. This examination will clarify the part of Parliament of Zimbabwe in making capable police administrations.

As the essential office for law requirement, the police work at closeness to general society and applies critical impact over the security of people and groups through its practices and execution. Consequently, guaranteeing responsibility of both the people and all departments of the police is a major condition for good administration of the security part in popularity based social orders. The parliament, as the most elevated delegate body in a vote based framework, and its boards of trustees assume a noteworthy part in keeping up police responsibility. This has been underlined in global and provincial traditions and code of behaviors. To be sure, in numerous nations, as this distribution will illustrate, parliaments apply their non specific elements of law-production, oversight and spending control to the association and working of the police. While parliament isn't the main outer responsibility system, outside the official and outside the police, it is a standout amongst the most essential gatherings for open responsibility of the police.

In display day legislative issues and history, a parliament is a regulatory, picked gathering of government. All around, a front line parliament has three limits: portrayal, making laws, and functioning as a guard dog to all administration divisions and parastatals (Lewis 1993) For the

reason for this examination, the parliament of Zimbabwe is the situation of reference. The Parliament of Zimbabwe is comprised of two houses to be specific the National Assembly and the Senate. The Senate being the upper chamber which comprises of legislators who are politically designated by their political Parties while the National Assembly is the Lower Chamber which comprise of MP who are specifically chosen by the general population.

Huyghebeart (2003) states that police Service is a totally helpful national law enforcement authority utilized to authorize the law, secure property, and purpose of constraint regular issue. Their powers consolidate the legitimized use of slightest power as showed by the Constitution and the Police Act. The term is most ordinarily associated with the police organizations of a sovereign express that are affirmed to hone the police vitality of that state inside a portrayed legal or territorial district of commitment. Police Services are as often as possible portrayed as being separate from military or diverse affiliations connected with the protection of the state against outside intercessions.

Compelling police responsibility includes distinguishing and rebuffing the individuals who have submitted unfortunate behavior, and guaranteeing responsibility after the demonstration. Since cops follow up based on mandates, responsibility incorporates duty regarding the heading, control or tirelessness practiced previously and amid tasks to guarantee recognition of the law and approaches and of human rights. This is known as responsibility before the demonstration, which additionally incorporates the thought that the police are acting as per the expressed prerequisites of the overall population or their delegates. At the end of the day, successful responsibility includes:

Direction for the police on what to do and how to do it (before the demonstration)

Supervision of the police and consciousness of the requirement for responsibility (amid the demonstration) Remediating uncalled for police activities and exclusions (after the demonstration)

Input and chances to think about lessons learned (after the demonstration)

Parliament assumes an extremely urgent part in everyday government business. The Parliament go about as the discussion for Public Debates, Representation and the Oversight. The part of Parliament is cherished in the constitution of Zimbabwe segment 119 which gives that Parliament must secure this Constitution and advance majority rule administration in Zimbabwe. Parliament has energy to guarantee that the arrangements of this Constitution are maintained and that the State and all establishments and offices of government at each level demonstration unavoidably and in the national intrigue. Authoritative oversight of the official. For the reasons for subsection (2), all organizations and offices of the State and government at each level are responsible to Parliament.

Background of the Study

The work performed by parliament is diverse and fundamentally cumbersome. Along these lines, the time at the role of Parliament to perform such work is restricted mostly in the security sector. It is hence that the work of Parliament is to a great extent performed by what is called Parliamentary Committees. The Zimbabwean Parliament, which involves the National Assembly and the Senate, has a few committees that oversee deferent government departments. One such Committees, which is the concentration of this examination of the Police Services in Zimbabwe is the Parliamentary Portfolio Committee on Defense Home Affairs and Security Services from the national assembly and the Thematic Committee of Peace and Security from the senate.

The Parliamentary oversight over the Police Services is one of the foundations towards the advancement of Parliamentary democracy. Oversight or supervision in such manner is intended to consider the Police Services responsible and guarantee that it actualizes open strategies in a successful way. Other than Parliament's administrative capacity, it is through oversight that Parliament guarantees an adjustment of energy and affirms its part as the protector of individuals' interests (Rockman, 1984: 22).

As per Schick (1976), the investigation of authoritative oversight is centered around four fundamental inquiries: what is oversight, why is it useful for a political framework, by what means would oversight be able to be worked out, and what its effect is. Huyghebeart (2003) noticed that oversight isn't only supervision of the official branch of government yet additionally the supervision of the authoritative branch of government. In the parliamentary frameworks, where the Ministry of Home Affairs has the ability to present any bill and taking all necessary the procedure through which a bill progresses toward becoming law.

This point, has an undeniable ramifications, specifically that few of the exercises and errands that a governing body performs can be seen as oversight exercises. As indicated by West and Cooper (1989) regardless of whether oversight is seen as a supervision of government exercises that can be performed both ex post and ex stake, researchers have conceded to the way that compelling oversight, its useful for the best possible working of a vote based political framework. The two researchers additionally contend that powerful oversight is advantageous for a political framework, the two important reasons for Parliament oversight to the Police Services in Zimbabwe propounded by (West and Cooper, 1989:23) are right off the bat, in light of the fact that the oversight movement can really add to enhancing the nature of the strategies/programs started by the administration; furthermore, in light of the fact that as government approaches are approved by the authoritative branch, such arrangements obtain more noteworthy authenticity

Statement of the Problem

The parliamentary oversight of the Police Services is one of the foundations towards the advancement of parliamentary majority rules system. Oversight or supervision in such manner is intended to consider the Police Services responsible and guarantee that it actualizes open strategies in a successful way. Regardless of that, individuals from the Standing Committees on, Defense and Security who should play out this part need essential aptitude in the Police Services, along these lines disintegrating parliamentary majority rules system and successful execution of open arrangements. It is against this foundation that the study/research examines the role of parliament of Zimbabwe in ensuring accountability by the Police Services in Zimbabwe.

Objectives of the Study

To examine the roles and functions of the Zimbabwean parliament in creating accountable police services.

To examine the extent to which the Zimbabwean parliament improves/creates/ensures accountability in the police serves.

Research Questions

What is the role of the Zimbabwean parliament in creating accountable police services?

To what extent the Zimbabwean parliament improves/creates/ensures accountability in the police serves?

Justification of the Study

Following back from the principal sitting of Parliament on the space amongst Limpopo and Zambezi, there are number of things which were in Parliament which worth to be recorded. It is the Parliament of Rhodesia which prompted the introduction of the British Southern African Police. The British Southern African Police was guided by the British Southern Police Act and the Act was detailed in the Parliament. As indicated by the British Southern Police Act, the Police Commissioner should introduce a report before the Parliament.

The happening to another legislature between this territories, acquires a few changes the Police compel, for instance the difference in name from BSAPolice to ZRP. The Zimbabwe Republic Police Act likewise went through the Parliament of Zimbabwe.

According to PRC Report (2000) the Parliament of Zimbabwe received the Parliamentary which realized the introduction of different Portfolio and Thematic Committees. The Parliamentary Rules and Regulations Standing Order number 8.10 states that at the initiation of each Session, there must be the same number of Committees to be assigned in a recommended government department/ministry by Committee on Standing Rules and Orders. Each and every Committee must familiarize with all government department they supervise

In Zimbabwe today, there is an uncontrolled debasement, carelessness and manhandle of office by the Zimbabwe Republic Police Officers. The politicization of the Police administrations where the Police Officer are there to serve the interests of the Ruling Party not that one of the Country (Mansard 2017). Nelson Chamisa (Kuwadzana East Legislature) in his motion on Human Rights abuse by the Police States that in the current Tajamuka. This was the democratic development where individuals were endeavoring to lay their grievances to the administration, he mentioned the mishandle of protected human rights by the Zimbabwe Republic Police this was according to the Parliament and it stayed quiet. To add on since the establishment of the recently Zimbabwean Constitution in 2013, The Zimbabwe Republic police Act and the Public Order Security Act are yet to be lined up with the present constitution. The operations of the Zimbabwe Republic police are as yet guided by the suppressive coat of the antiquated law, a thing which should be tended to by the Parliament. As indicated by my exploration, I have seen

than the Parliament have a major part to make the dependable police benefit in Zimbabwe, be that as it may it is all the more a toothless pooch than its creative ability and there is nobody who completed an examination on that field so I chose to have a knowledgeable research that field and show how the Parliament of Zimbabwe can make a mindful police benefits in Zimbabwe.

The investigation of the Zimbabwean Parliament's oversight part finished the Police Services is imperative since it will clarify the connection between parliament, Police Services and communication amongst parliament and conventional residents to upgrade balanced governance of the lawmaking body.

THEORETICAL FRAMEWORK

This study uses the institutional theory to provide the theoretical basis for the research. The Institutional Theory, a hypothesis on more profound and resilient aspect of a social structure (Scott, 1995). It considers the procedures in which structures, including plans, rules and standards are made. Different parts of institutional theory, gives a clarity in which all these components are made and adapted over space and time; and how they fall into decline and disuse. The Institutional Theory also explains the interaction between the Police services and how they cooperate on a daily basis. More so, Bain (1974) defined the institutional theory as a traditional approach to employment and industrial relations has been to regard it as the study of the rules governing employment, and the ways in which the rules are changed, interpreted and administered.

Research Methodology

Research design

The research adopted a qualitative research method to gain relevant information on the oversight Parliament over Police Services in the country.

The qualitative method is descriptive and can reveal the nature of certain situations, settings, processes, relationship systems and people. This research method enables a researcher to gain new insights and information on a specific topic to be researched (Leedy and Ormrod, 2005, p. 97). Akpo (2006) states that the design of the research provides answers to the research questions. The research design spells out the type of research that would be suitable, the persons or situations from which to collect the data, the type of data needed, and how to collect and analyse the data (Akpo, 2006). The research design can be summarised as an outline of all procedures to be used and the reasons for using them. The research design presents in technical

terms, how the researcher proceeded in addressing the research questions and objectives. Qualitative research is not easily defined although it has certain features that distinguish it from quantitative research method (Struwig and Stead, 2003).

Sampling

The study applied the technique of non-probability sampling when selecting sampling units. The study targeted 20 respondents and the researcher used his discretion to select sampling unit based on own conveniences. The sampling units for the study were as follows: the Chairperson of the Parliamentary Portfolio Committee on Defence Home Affairs and Security Services and two of its members from opposition parties and Service Chiefs from the Ministries of Foreign Affairs , Defence and Security, Home Affairs and Zimbabwe Central Intelligence Services , interviewees from the University of Zimbabwe (UZ) ; Midlands State University and Zimbabwe Peace and Security Programme who have knowledge on the topic and NonGovernmental Organization Forum interviewees from Zimbabwean Broadcasting Corporation (ZBC), the Zimbabwean newspaper, and interviewees from the members of the Community Policing Committee (CPC) Neighbor Hood.

Sources of Data

The research used both primary and secondary sources. Primary sources provide a direct description of the study by the person who actually observes and witnesses the occurrence. The data is gathered from the original source and hence more reliable such as from questionnaires and interviews.

Secondary sources are those that have already been collected such as reports and documents both from within and out, memos, literature, record books, and analysis reports. Secondary data is justifiable because it is less expensive and less time is consumed.

Data Collection Methods

Interviews

Interviews according oxford is the conversation in person between a researcher and someone who have the information on the contextual subject. In this research, interviews were used and are the best method of generating data. Interviews will one way to capture people's knowledge

through interactive talking and discussions as to excavate facts from which to construct my arguments.

In- depth Interviews

In depth interviews gave room to the interviewer to seek clarity on issues misunderstood and even to take the information back to issues discussed earlier for further elaboration.

Interviews were be conducted in conversational form in what is referred to as the interactive–relational approach. McBurney (1994) states that, the effectiveness of the interactive–relational approach in interviewing as compared with the purely fact finding approach which he regards as not effective because it ignores the dynamics between the interview and the interviewee.

As an attempt to understand the discourse on the role of Parliament in strengthen Police accountability in Zimbabwe, interviews are the best method of data collection. Designing of semi-structured interviews will enable the researcher to investigate not only on how and why respondents present their views but also to understand different and sometimes contradictory layers of meaning.

Questionnaires

The number of proposed respondents made it difficult to obtain data by interviews only, thus questionnaires were to be distributed. According to Jackson (2011) questionnaires are most used when there is a desire to gain information from a large sample of people used is a questionnaire so as to solicit information. They are two types of questionnaires closed and open-ended questionnaires. Closed questionnaires however limit participants since they only choose from the given options without room for further explanations. With open ended questionnaires participants will be given room for explanation and this will help the researcher to have more understanding on why there are problems within the cooperative. Therefore it is more effective to use both approaches of questionnaires.

Focus Group Discussions

Interaction of the researcher with the Parliamentarians and other experts is used as a technique to therefore find out if the measures done were effective and to note of certain loopholes. This urges the study to be broadly defined since it goes in-depth with discussing the key issues of the research topic (Longley and Davidson 1998).

Targeted Population

The target population refers to a group of individuals that have one or more characteristics in common that are of interest to the researcher (McBurney: 1994). The population for this study will be composed of officials from the Ministry of Defence, Ministry of State Security, Ministry of Justice Legal and Parliamentary Affairs, Ministry of Home Affairs, Ministry of Foreign Affairs, civil society groups and media practitioners. The Government Ministries were chosen because they are directly linked to the impartation of the measures done by the Parliament of Zimbabwe to create a better Police Services in Zimbabwe. In addition, the Ministry of Home Affairs also has a direct bearing towards the Zimbabwe Republic Police. On the other hand, civil society groups such as International Organization for Migration, Zimbabwe Lawyers for Human Rights, Transparency International Zimbabwe, Catholic Commission for Justice and Peace and Zimbabwe Liberation Platform form the target population of this study. Media institutions which included those from the public, private and foreign media form part of the target population.

Sampling

Sampling is a whereby the researcher will be taking a finite part of a statistical population whose properties are studied to gain information about the whole. A sample is a small proportion of a population selected for observation and analysis (Jackson: 2011). It can be defined as a set of respondents selected from a larger population for the purposes of a research.

Purposive Sample

This is whereby researchers use their own judgment in selecting the sample, which can yield considerable data. The collected data is based on the researcher's own judgments to the data collection process and to select government institutions which have a direct link with human rights, home affairs and the Parliament of Zimbabwe people. Purposive sampling means "selecting participants for their ability to provide rich information." Graziano and Raulin (2000).

Limitations of the Study.

Lack of valuable and accurate official statistics on Parliament oversight to the police services. Limitation on the ability to interview a number of Governmental Officials. Delaying of permission to interview government officials such as the Ministers and directors of certain organizations Due to fear of victimization some respondents will be afraid to reveal information

freely. Time constraints, managing both work and college issues. The problem will be solved by engaging into appointment by Supervisor and to provide self-schedule for research, typing and carrying out research. Privacy and Security Secrecy in some of the government offices.

Delimitations

The study limited itself to certain specific Government Ministries and organizations which has to do with Parliamentary role on creating responsible Police Service in Zimbabwe. Respondents were drawn from Government officials.

ORGANISATION OF THE STUDY

The research is divided six parts which are:

Chapter 1 – Introduction

The part will be focusing on the problem statement, justification of the study, research methodologies and the theoretical and literature review of the study. This is the chapter introduction of the data of the entire exposition which is to be accomplished as the examination will be completed

Chapter 2 – Parliament and police services in Africa

This chapter reviews the Parliament and Police services in Africa, outlining its legal framework, its compositions and how they interact with each other. This chapter will also give references to other parliament and police services Africa, particularly South Africa, Namibia and Kenya showing how their Parliamentary committees executes their daily operations and ensure Police Accountability through the Parliamentary Democracy.

Chapter 3 – overview of the Zimbabwean parliament

It is in this context that this paper describes the historical background of Parliament of Zimbabwe, its structure, role and function from Rhodesian Parliament up to Zimbabwean Parliament.

Chapter 4 - Parliamentary reforms in Zimbabwe in the 21st century

The section comprise of the Parliamentary Reforms in Zimbabwe in the 21st century taking a gander at the strategies and projects that has been started from 2000

Chapter 5 – The role of parliament in creating accountable police services in Zimbabwe

This chapter will be reviewing the role that can be played by Parliament of Zimbabwe to strengthen Police Accountability in Zimbabwe. Pointing out its oversight role, Law and policy making which act as guidelines to Police operations, Police budget Processes, Fiscal Management by the Parliament, Reports by Honorable Members through Motions and Questions in the Parliament

Chapter 6 – Recommendations and conclusion

This chapter will give the conclusions and recommendations on the study of the oversight role of the Parliament over the Police Services in Zimbabwe. It sought to identify the contributing factors inhibiting or enabling the smooth cooperation and coordination between Parliament and Police Services in Zimbabwe. Finally, recommendations thereof will be presented

CHAPTER TWO

PARLIAMENT AND POLICE SERVICES IN SOUTHERN AFRICA

Introduction

This chapter reviews the Parliament and Police services in Africa, outlining its legal framework, its compositions and how they interact with each other. This chapter will also give references to other parliament and police services Africa, particularly South Africa, Namibia and Kenya showing how their Parliamentary committees executes their daily operations and ensure Police Accountability through the Parliamentary Democracy.

SADC Mechanisms and Organisations for Policing and Security

Ibrahim (2012) states that SADC is a territorial .fiscal. group, and fills in as a building .bit of the African .Standing. Power. The SADC systems for controlling and watch obliged with the parts of the African. Peace. what's more, Security Architecture. SADC structures are generally coordinated with AU frameworks, for example the AU Defense and Security Policy. The SADC's pioneer (the Southern African Development Coordination Conference) was set up in 1980 to look for after methodologies went for money related opportunity and blend of national economies, adding to the present support between the countries in the locale including the Frontline States.

The introduction of Sadc in 1992 and its organs, Defense and Security came in to presence in the late 1996 (Schreiner and Linn 2006). The Organ worked without a legitimate structure and clear objectives until the point when the Protocol on Politics was passed by SADC. SADC has two comparative controlling systems and structures in particular the Regional Indicative Strategic Development Plan (RISDP) and SIPO, these techniques don't 'banter with' each other. Trapans, (2002) states that SIPO can be seen as a moderate of states (policing, understanding and heads of state) and the RISDP is a whole deal structure to achieve social and money related progression and destitution destruction in the Southern African district.

The SADC Organ is accountable for propelling peace and security in the SADC region. It is supervised through a Troika Summit – the official, moving toward head and warm executive – which reports to the SADC Summit director. The SADC Summit and the Organ Troika Summit are on a very basic level random structures (Lewis 1996). SIPO I was the execution prepare for

the SADC Protocol on Politics, Defense and Security Cooperation. It was attracted up the region of 2002 and 2004 by a leading group of trustees of 'securocrats' who portrayed security completely, including relocation and human security points, and what's more between and intrastate trade off. SIPO I supported joint effort among police and state security organizations (learning) around such issues as cross-periphery bad behavior and gathering policing.

It moreover Lewis (1996) contended that normal to propel the change of vote based foundations and sharpens, and to empower the acknowledgment of comprehensive human rights. Following five years, it was fought that the earth had changed; that SIPO had not been executed adequately; that part states should will to encounter peer review at general interims; and that particular advocate concerns had not been participated in the course of action. SIPO II was done in 2010 and recognized by the SADC Summit in 2012. SIPO I combined policing in its Public Security Sector part; SIPO II has its own specific Police Sector segment. SARPCCO's union, in 2006, into the SADC security structures, offering an explanation to the SADC official on Politics, Defense and Security, made more space open in SIPO II for policing. As indicated by Limon and McKay (1997) the Police Sector part of SIPO II perceives the inconvenience of overseeing bad behavior and cross-edge bad behavior, and battles for generously more important interest between police in the zone on a managing premise. It discusses the centrality of sets of acknowledged principles and finds the police section unequivocally inside a human rights framework under all inclusive law.

SADC Parliamentary Forum

SSADC Parliamentary Forum was formed in September 1997 after the SADC meeting which was held in Malawi. The SADC meeting of September 1997 bring about the basic principles and guidelines of SADC PF 'to set up a Parliamentary Consultative Assembly. The SADC PF was established to deal with the Parliamentary issues of the regional block and also as an easiest way of International and regional convention ratification. (Hans et al 2003). SADC PF is made up of MPs from 14 SADC Member countries. Each and every country will send a number of MPs to the SADC Parliamentary Forum. Mudenda (2016) states that the Members of Parliament delegation to SADC PF must come from all Political Parties represented in the parliament and they must come from both houses namely National Assembly and the Senate. SADC PF allows Members of Parliaments (MPs) to consider and trade on issues of customary interest; Promote the synchronization, endorsement, subduing and execution of SADC traditions and settlements at

the national level; and Promotes the norms of human rights, greater part runs framework, peace and security, commonplace blend, human and social headway, money related organization and sexual introduction consistency through total obligation inside the SADC locale.

IRED. (2002) contended that the principle goal of SADC PF to enable and support part states and their chambers to manage made by the security division (tallying the police) by considering the Executive in charge of the summons, parts and missions of the security region. In addition, the lawmaking body will make and bolster laws, fundamentals and bearings of the individual security part associations and will develop and charge specific Committees to hone oversight in light of a legitimate concern for the gathering and routinely report thereto. As they picked specialists of the all-inclusive community of their countries, MPs have an essential part to play.

The Southern African Regional Police Chiefs Co-operation Organisation (SARPCCO)

SARPCCO has 15 part states, which are all additionally individuals from the SADC. More prominent provincial participation through SARPCCO can possibly produce a rising arrangement of shared objectives, projects, practices and benchmarks for policing in southern Africa – a sort of policing which is educated by popularity based standards and regard for human rights (Dissel and Frank 2012). This is unequivocally bolstered by Objective 4 of the Police Sector part of SIPO II, which peruses to advance the improvement of just organizations and practices inside the regions of State Parties and support the recognition of general human rights as accommodated in the Charters and Conventions of AU and UN. SARPCCO act as the mother body of the Police Service in SADC countries.

Practical Tools for Parliamentary Oversight: The South African Police Service and the Standardised Monitoring Tool

Dissel and Tait S (2011) states that South African government divisions and their clerics are mindful to portfolio sheets of trustees in the National Assembly, and to pick boards in the National Council of Provinces. The oversight work of the portfolio sheets is sorted out against a study of the workplace's money related arrangement and execution. Once the yearly spending arrangement has been tabled in February reliably, every division tables its departmental spending design and yearly execution outline with appropriate execution markers. Approximately a half year later, every division tables its yearly report for the past cash related year. Lewis (1996) specified that fifteen years back, the Portfolio Committee on Police would get all senior police

boss to examine the police office spending design and execution configuration, hold hearings and make request. The entire system was over into equivalent amounts of a day. The path toward flame broiling the yearly report later in the year moreover took about a vast segment of a day. Around at that point, the Committee had only a solitary researcher and one secretary. In 2013, the Portfolio Committee on Police had two examiners, a substance specialist with a doctorate in the field, a leading body of trustees secretary and a warning gathering right hand. The Committee contributes vitality toward the beginning of consistently intending to base on what will roll out a continuing improvement in people's lives in that year. The police incorporates around 200 000 staff and the yearly spending arrangement is generally ZAR 67 billion (Annelize van Wyk 2014). Pros make ask about papers and outside masters include issues of concern. This enables the Committee to be of one identity across finished fanatic principals once hearings on the monetary arrangement and yearly plan begin. The Committee support staff people enable the Committee people to associate with tremendous measures of information with the objective that they can interview each program of the course of action and its money related arrangement in fine detail. The path toward examining the money related arrangement and yearly execution plan now regularly takes five whole days. Interrogating the yearly report in like manner takes five whole days. This level of ordered round of questioning is the thing that enables the Committee to do its movement of oversight so sufficiently. The Committee can subpoena individuals if crucial, request the Minister from Police oral request in the National Assembly, and place request in the National Assembly to the Minister for made answer. A couple of years back, the Committee focused on the working of new police central station in obstructed zones since it expected to bring the South African Police Services (SAPS) closer to the all inclusive community. Through working with researchers and making parliamentary request, Committee people could reveal massive corruption in the working of stations (Annelize van Wyk 2014). An examination was impelled and the working of stations is by and by supervised by wander officers working under strict due dates. Standard site visits happen. In 2012, the Committee focused on specialist organizations (Limon and McKay1997). It held an 'examiner trade' with masters and criminologists to find what they need to complete their jobs fittingly. The consequence of this intervention was that, in 2013, all SAPS examiners had a cell phone, a camera and a workstation, and there was one vehicle for every two criminologists. Right when the Committee makes recommendations, it presents them to the National Assembly with the objective that they

transform into an assurance of Parliament. (Limon and McKay1997) argued that the Committee moreover summons the SAPS each quarter to speak to its spending and illuminate any deviations. Parliamentary gatherings have starting late picked up the capacity to change spending designs and can use their recommendations to the National Treasury as a technique for honing weight on workplaces. Since 2005, the Portfolio Committee on Police has been using a standardized review for visits to police home office to ensure all the more capable and made oversight. This infers the Committee can amass its own particular information rather than depending just on information gave by the SAPS. The contraption also enables the Committee to recognize issues, make proposition for improving police working and screen progress after some time at a station, in an area or in a locale. The mechanical assembly in like manner assists with keeping up movement in the Portfolio Committee on Police's work from one five-year term in Parliament to the accompanying. The instrument was at first made with outside help, and thereafter exchanged words about and grasped by Parliament. Visits have been made to stations in all regions except for the Free State. No police boss may decrease to allow a Portfolio Committee visit, paying little mind to whether it is pronounced or not. The survey is isolated into four portions.

Station organization, including the experience of the station pioneer; the measurement profile of the zone; the bad behavior profile of the area; the level of planning of the station director and other getting ready requirements, for instance, paying little mind to whether the station has field planning officers; how well station requests et cetera are bestowed to people working at the station; general structure and satellite working environments; and accomplice correspondence, for example with affiliations and gathering policing fora. Gathering advantage center, including the physical condition of the building and accessibility; the utilization of course of action and institution (for instance the Domestic Violence Act, Child Justice Act, Firearms Control Act and Second Hand Goods Act); general staffing and personnel issues, for instance, opening and leave; the level of planning provided for people working at the station; disciplinary and grievance frameworks, consolidating relationship with the Independent Police Investigative Directorate (IPID) and open disagreements; the state of vehicle openness at station level; and operational rigging, as impervious vests.

Longley and Davidson (1998) states that station operational fragments, including the examiner branch of a station, including the workplaces, planning, vehicles, caseloads, missing dockets, witnesses, bad behavior scene organization and general relationship with first respondents; holding cells, including the general condition of cells, paying little heed to whether adolescents are held in holding cells, uncovered passings while in care and escapes from police guardianship; general bad behavior neutralizing activity works out; Section 13 (affirm) stores; the state of record stores; specific units; and the execution of zone policing.

Organization movement perceptions, the fragment that records the impressions of individuals at the station by establishing request about the general connection of the police in the locale. It is suggested that no less than four people be met. The Committee exhibitions so unequivocally that cops trust it and give it fragile information. Misleading Parliament is an offense meriting up to a year in prison. In its oversight, the Committee goes up against the experts who are tried and true; this isn't input of the organization or a person from the authority. The Committee is an oversight body that works with uprightness and without fear or support.

SADC PF Program to Strengthen Police Oversight and Accountability

Following the presentations made and talks as consolidated over, the workshop in the midst of its second and third day included further exchanges on the open entryways for SADC PF and key accomplices to add to intense police oversight in the southern African zone while moreover endeavoring to design frameworks and proposals in such manner. Nine key interventions on sustaining police oversight at the national and regional level were raised and powerfully refined and hardened over the workshop: Build up a manual for parliamentary oversight of policing. Develop the cutoff of parliamentary warning gatherings to endeavor feasible police oversight. Support sorting out among portfolio warning gatherings accountable for police oversight. Dissel and Tait S (2011) Reaffirm the centrality of the SARPCCO Code of Conduct; endeavor care raising about the Code and screen the utilization of the Code. Adequately progress and screen the affirmation of the deals indicated in SIPO II. . Desire the SADC PF to propel its inspiration viably, particularly regarding police oversight. . Reinforce the establishment of a SADC Parliament. . Make ace bearing notes on best practice and benchmarks for police human rights planning and nonmilitary work force oversight of policing. Propel the consolidation of CSOs in police oversight and collect working relations with CSOs. These intervention domains were elucidated in an action outline and got in a cross section joined as Appendix A. It was agreed that

the utilization configuration would be furthermore made after the workshop and the individuals similarly requested help exercises around there (Longley and Davidson 1998)..

Conclusion

The SADC PF consistence with general and common understandings affecting the Police Services in SADC; regardless, the usage of this order by the Parliament is fragile. Establishment that executes conventions and settlements is drafted to show that Parliament, be reliably taught of consistence. Regardless, this noteworthy essential does not extend to various fragile law instruments influencing on policing, for instance, the Southern African Regional Police Commissioners' Cooperation Organization (SARPCCO) Code of Conduct for Police, or the African Commission on Human and Peoples' Rights (ACHPR) Guidelines on the Conditions of Arrest, Police Custody and Pre-trial Detentions. The International Law is an imperative piece of the legal arrangement of Zimbabwe, and Parliament should get a more generous part to track progress in utilization. The Police should in like manner be made aware of material general instruments. The Department of Monitoring and Evaluation in the Presidency should in like manner be encouraged to join watching overall terrain and commonplace instruments inside their business. Parliament's relationship with bodies, for instance, SADC, the African Union and the ACHPR can be moreover improved by including sorted out responsibilities for the specialists dealing with report back to the correlated Committee/s in Parliament. The South African Police Service Act is up 'til now in perspective of the break Constitution of South Africa. An essential study of the Act, moreover to adjust it to the last Constitution, is in advance. The review of the Act gives an ideal opportunity to approve the oversight by Parliament of approvals and the execution of general understandings and settlements by the SAPS. By and by there is no real essential on the SAPS to give insights with respect to the utilization of these.

CHAPTER THREE

PARLIAMENT OF ZIMBABWE

Introduction

Zimbabwe is a constitutional democracy. The three pillars of State, *viz* the Executive, the Judiciary and the Legislature, therefore, derive their existence, mandate and authority from the Constitution. For the proper functioning of the State, these pillars have complementary and coordinate roles in line with the principle of separation of powers. It is in this context that this paper describes the role and function of Parliament, specifically its oversight function and the mandate of Parliamentary Committees.

Historical background of Parliament of Zimbabwe



On the 18th of April 1980, Zimbabwe attained independence from British colonial rule. Democratic rule emerged with the first elections in March 1980 and the convening of the First Parliament in May of the same year. The Parliamentary system has undergone many changes since independence. Starting as a bicameral Parliament in 1980, it changed into a unicameral system during the second Parliament before its reintroduction as bicameral in 2005. A bicameral Parliament consists of the Upper and Lower Houses. The Upper House is the Senate which is presided over by the President of the Senate, Honorable Edna Madzongwe and the Lower House is presided over by the Speaker of the House of Assembly, Honorable Jacob Francis Mudenda.

In early 1898, the British South Africa Company (BSAC) bought the partially finished building for use as a debating chamber by the Legislative Assembly (Nathan 1990). The chamber was

considered too small for the 1924 parliament and was enlarged in 1937. By 1969, the height of the building had been raised to six storey and in 1989 it was renovated to accommodate an additional fifty members, as a result of the abolition of the bicameral system in preference to the unicameral chamber.

In an Interview with Parliament of Zimbabwe principal Clerk Mr P Daniel he said the history of the Parliament of Zimbabwe may be discussed according to the following Constitutional developments;

- The 1924 Constitution;
- The 1961 Constitution;
- The 1965 Unilateral Declaration of Independence (UDI);
- The 1969 Constitution;
- The 1979 Constitution of Zimbabwe-Rhodesia;
- The Lancaster House Agreement of 1979 leading to the general elections and independence of Zimbabwe in 1980.

1.2 Post-Independence Parliament

From 1980 the administration of Parliament saw a number of changes, which included the review of the maternity leave, and the establishment of a Workers' Committee, Research Department and a Parliament Clinic.

During the 1980s Parliament deliberately embarked on changes such as the recruitment of War Veterans and African advancement meant to reflect the new political dispensation, the change of the nomenclature of designations of personnel at Parliament for example Messengers to Office Orderlies, Night Watchman to Security Officers, and Doorkeepers to Housekeepers. This was undertaken with the view to give respectability to the positions. There was also a shift to the recruitment of permanent staff in Departments such as the Hansard Department, which had largely been staffed by part time and personnel. In order to eliminate the apparent duplication of service among the various departments, where there were at one stage about 20 departments, the Administration of Parliament undertook a Job Evaluation exercise in 1995 to assess the organizational structure. This resulted in the streamlining of the original departments and came up with a new set up which saw the creation of Directorates, headed by Principal Directors. The Parliamentary Reforms in 1999 ushered a new era that included the setting up of Portfolio

Committees, to enable Parliament to effectively and efficiently perform its Oversight, Representation and Legislative mandate, among other developments (Zvoma 2006).

This built on departmental committees whose origin was in the 1980s and 1990s, divided into four clusters namely Service, Security, Technical and Financial. The Parliament continued to be bicameral. The House of Assembly had one hundred members with eighty blacks and twenty reserved white seats elected from twenty constituencies by white voters. The Senate had forty members. In 1990 the Parliament of Zimbabwe changed to a unicameral system up to 1999 after which the Senate was abolished.

By 2005, the legal and political environment was such that the situation was right for the reintroduction of a bicameral system according to constitution of Zimbabwe (2013). Daniels (2018) argued that the two important developments acted as catalysts in this regard. First, government had, during the unicameral era, carried out extensive law reform through the repeal of colonial legislation and the enactment of new laws. Secondly, the Parliamentary Reform Process, which began in the 4th Parliament, sought to enhance the effectiveness of Parliament by creating avenues for public involvement in the legislative process. The re-introduction of a bicameral system with Senators directly elected by citizens was seen as a way of further enhancing the reform of the Parliamentary system.

A bicameral Parliament is an important element of the system of checks and balances, which is an essential part of any constitutional democracy. In other words, the two Houses of Parliament are essential as each House is empowered to act as a check on the powers of the other House and also balances the powers of the other House. In such a relationship, the possibilities of abuse of power are greatly diminished.

The existence of two Houses of Parliament is also an advantage in that apart from acting as a check and balance on each other's powers, the two Houses also provide a review mechanism for each other's actions and decisions. For example, errors and omissions made by one House can be identified and rectified in the other House. Bad policies advocated by one House are reviewed and refined in the other House. Bicameral Parliament has the capacity to formally represent diverse constituencies (regional, class, ethnic, etc.). With two Houses, there is enhanced oversight of the Executive. Abrupt change of laws is rendered difficult thereby minimizing the chances for social upheavals caused by the introduction of new policies to a public that is ill prepared for the change. The system also enhances further scrutiny of policies.

The amendment number eighteen of 2007, of the Constitution of Zimbabwe provided for ninety three senators, six elected from each ten provinces, ten Provincial Governors, President and Deputy President of the Council of Chiefs. Under the same amendment the House of Assembly was expanded to two hundred and ten members and this is the current state of the Parliament of Zimbabwe.

The Parliament of Zimbabwe Hand Book (2005) states that as a way of reaching out to the people Parliament has Constituency Information Centers (PCICs) which act as agents of parliament and stores information concerning parliamentary literature and statistics about infrastructure in the constituency as well as a constituency profile. Parliament of Zimbabwe has since independence instituted a series of reforms in order to make the institution relevant to new dispensation ushered in by independence

The mandate of the Parliament is derived from Section 119 of the Constitution of Zimbabwe which states that, 'Parliament may make laws for the peace, order and good government of Zimbabwe'. This obliges Parliamentarians to be the vanguard of democratic governance in Zimbabwe. Parliamentarians have a duty to protect the Constitution and ensure all rights contained therein are realized by citizens. Parliamentarians can do this using the three functions stated above namely the legislative, oversight and representative function.

Vision, Mission, Values and Mandate:

Vision:

To be an effective, participatory, gender -sensitive and democratic Parliament that responds to the needs and aspiration of people.

Mission:

To make laws for good governance of nation through the effective representation of people, providing oversight on the Executive Arm of government, other public institutions, including parastatals and scrutinizing finances and resources.

Values:



Fig 1: shows the Parliament of Zimbabwe values

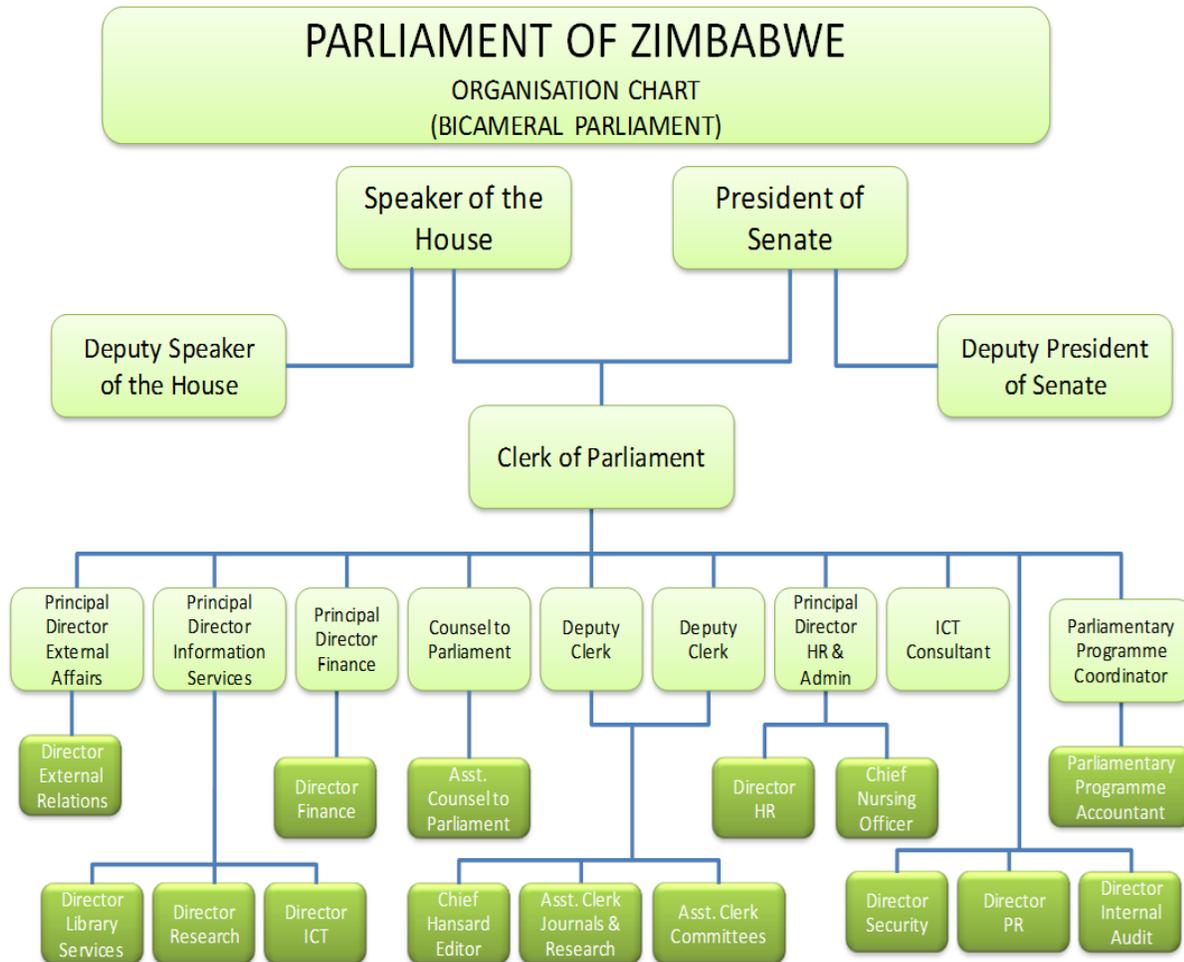


Fig 2: shows the Parliament of Zimbabwe organogram

3.1 Composition of Parliament

The composition of Parliament of Zimbabwe is mentioned in the Section 118 of the Constitution, Parliament shall consist of two Houses, namely, the Senate and the National Assembly.

3.2 Mandate. of .Parliament

The command of Parliament is gotten from area 119(1) of the Constitution, which states:

"Parliament must ensure this Constitution and advance equitable administration in Zimbabwe."

This arrangement gives Parliament, the capacities covering all zones of Executive activity and the command to fortify administration frameworks by censuring the Executive for the way it decides and executes Public Policy and projects. The oversight part is presented on Parliament and classified by Senate Standing Order 149(2) and National of Assembly Standing Order 159(2).

3.3 Role and Functions of Parliament

The Role of Parliament was appropriately depicted by the Parliamentary Reform Committee (2000), which expressed in its Foundation Report that "the Role of Parliament is to legislate, to investigate the arrangements and exercises of the Executive, to consider the Executive answerable for its activities and to go about as a discussion for popularity based cooperation by all individuals from society". Epitomized in this announcement are the parts perceived in many assemblies world over, and these are:

- a) Legislative;
- b) Executive oversight;
- c) Representation; and
- d) A Forum for Public Debate.

Section 49 of the Zimbabwean Constitution gave the Parliament the power to make laws to decide and direct the privileges, insusceptibilities and powers of Parliament. Parliament instituted the Privileges, Immunities and Powers of Parliament Act [Chapter 2.08] (hereinafter alluded to as the Act). According to Makumbe (2003:3) Parliamentary privileges gives a unique right delighted in by Parliament as a body, individuals as people and witnesses who show up before Parliament. That this privilege is a part of law in Zimbabwe according to section 4 of the Privileges, Immunities and Powers of Parliament Act Chapter 2.08. Parliament also gets its powers from Standing Orders that are made in accordance with the section 139 of the Constitution of Zimbabwe (2013). On account of *Biti and Another v the Minister of Justice, Legal and Parliamentary Affairs*, The Supreme Court attracted consideration regarding the way that Schedule 6(4)(12) of the Constitution gives Standing Orders the status of law. In light of the over, the goal of this paper is to layout the capacities and forces of Parliament, with a specific accentuation on how Parliament, through its councils, practices its oversight work.

3.4 Legislative

Makumbe (2003) states that the Parliament plays out its authoritative part by passing Bills that are liable to consent by the Head of State. Any Bill, with the exception of a "Cash Bill", can be presented in either House. Cash Bills must be presented in the National of Assembly however should be considered by the two Houses.

3.5 Executive Oversight

Oversight - the audit, checking, and supervision of day to day operations and exercises take an assortment of structures and use different strategies. This reaches from particular examinations by select boards of trustees to yearly apportionments hearings. Oversight is upheld by an assortment of specialists. The Constitution, open law, and chamber and Committee rules and it is a basic part of the arrangement of balanced governance between the Legislature and the Executive. Kaiser (2006) states that oversight, as an outgrowth of the arrangement of balanced governance, in a perfect world serves various covering destinations and purposes which may include Improve the productivity, economy, and viability of administrative operations;• Evaluate programs and performance• Detect and avoid poor organization, squander, manhandle, self-assertive and impulsive conduct, or illicit and unlawful conduct;• Protect common freedoms and sacred rights; Inform the overall population and guarantee that official approaches reflect open interest;• Gather data to grow new authoritative proposition or correct existing statutes;• Ensure regulatory consistence with administrative intent;• Prevent official infringement on administrative specialist and privileges Parliament performs Executive Oversight by examining government strategies, projects, and use designs. This is done, in addition to other things, by making contributions to, supporting and observing the national spending plan. Parliament, through its arrangement of House of Assembly Portfolio and the as of late settled Senate Thematic Committees, screens all administration strategies and projects to guarantee productive utilization of national assets. Furthermore, singular individuals can bring up issues or move movements that identify with government strategies and projects. In a protected vote based system, for example, Zimbabwe, the Executive is responsible to Parliament as a body chose to speak to the general population. It is Parliament's obligation to ponder on and pass laws, to investigate government projects and consumption and to make the Executive responsible. In any case, Parliament must not try to administer on the grounds that that is the obligation of the

Executive. The President and Cabinet are in charge of Government Administration; the execution of open strategy and projects normally explained through Parliament. This connection amongst Legislature and the Executive, in this way, approaches the Executive to counsel Parliament and be open about its designs and projects.

Historical Evolution of the Committee System

The Committee framework in the Parliament of Zimbabwe has been developing since Independence. From 1980 to 1989, the Parliament of Zimbabwe worked with one Estimates Committee, which was isolated into sub-advisory groups to carryout Parliament's oversight on more services. These Sub-Committees analyzed the utilization of open assets. They managed things of consumption in government services that brought about inefficient or pointless use. Their capacity was to make services responsible for reserves assigned from the fiscus and to guarantee that assets were utilized for their expected reason. Each sub-board of trustees thought about crafted by two government divisions or Ministries per session. This was viewed as lacking, as a few services were never investigated amid the life of a Parliament. From 1990 to 2000, the Board System developed into what were alluded to as Departmental Committees. These were separated into four groups with all services and government offices falling under one of the four bunches in particular, Service, Security, Technical and Financial and Economic Development Committees. Their terms of reference continued as before as those of the Estimates Committee. It was imagined that the four Departmental Committees would increment considerably the quantity of services investigated in the life of a Parliament. In any case, with time this framework demonstrated lacking as these Committees couldn't viably screen every one of the services. The Parliamentary Reform Committee (PRC) in its Foundation Report (May 1998), watched that Parliament as an aggregate body can't adequately complete the Executive oversight work. The Parliamentary Reform Committee, hence, suggested that the unicameral Parliament designates this capacity to an all around facilitated Portfolio Committee framework which is better situated to viably do this capacity. Parliament of Zimbabwe. (2006). Manual for Public Participation in the Law making Process contended that a working board of trustees framework could make open asset assignments and strategy making more straightforward and open. Portfolio Committees give a road to residents and urban associations to add to the arrangement making and investigation process, through composed entries or by partaking out in the open hearings. The

terms of reference of Portfolio Committees are accommodated in House of Assembly S.O.159. These investigative councils can be isolated into Pre-Audit Committees (19 Portfolio Committees) and a Post Audit Committee (Public Accounts Committee). The 19 Portfolio Committees are named after the administration offices they shadow. There are six Thematic Committees in the Senate. These cover expansive territories instead of Portfolio Committees. With impact from the earliest starting point of the First Session of the Seventh Parliament, Parliament moved far from the Joint Portfolio Committees embraced in 2005. Thematic and Portfolio Committees were set up for the Senate and House of Assembly separately.

Thematic Committees are a formation of changes to react to the reintroduction of the bicameral framework and as a major aspect of endeavors to make isolate characters for the two Houses in accordance with the act of other bicameral wards. Thematic Committees, similar to the House of Assembly Portfolio Committees, furnish the Senate with a chance to consider issues inside and out and enable more individuals to partake in banter before the House. It was visualized that the majority of work by the Senate would in this way be done in the Thematic Committees. Panels are a critical vehicle through which Parliament all the more successfully does its administrative, portrayal and oversight capacities (Maffio 2002). Their reports are tabled and discussed in the individual Houses. Parliament assumes an oversight part mostly through its Portfolio and Thematic Committees. These Committees are commanded to screen, research, ask into and make suggestions identifying with any part of the administrative program, spending plan, arrangement or some other issue it might think about significant. As to monetary oversight Section 102 of the Lancaster house Constitution particularly gives that no cash might be pulled back from the Consolidated Revenue Fund without the approval of Parliament. The Minister in charge of fund is obliged to lay before Parliament the national budget for it to be discussed, corrected, approval or rejected.

The Parliamentary Legal Committee

The arrangement, organization and elements of the Parliamentary Legal Committee are accommodated by Sections 40A and 40B of Zimbabwean Constitution. The Parliamentary Legal Committee is a Constitutional guard dog whose errand is to analyze each Bill other than a Constitutional Bill and answer to Parliament whether the Bill contains any arrangements, which,

if ordered, would disregard the Bill of Rights, or any arrangement of the Constitution. The Committee likewise analyzes each correction to a Bill that has been proposed by either House. It additionally looks at all the statutory instruments distributed in the Government Gazette (Makumbe 2003). The Parliamentary Legal Committee is comprised of individuals from the two Houses. The Committee is selected by the Standing Rules and Orders Committee as far as Section 151 of the Constitution. It comprises of individuals, other than individuals from the Cabinet, clergymen or common governors, not being under three in number. It is additionally a prerequisite of the Constitution that most of the individuals from the board of trustees ought to be legitimately qualified. The reports of the panel are submitted to and considered by the House in which the Bill is presented or the revision under thought is made.

Effectiveness of the Committee System

The adequacy of Committees in practicing the Executive oversight work depends mostly on the forces concurred them by the Standing Orders. S. O. 159 of the House of Assembly accommodates forces of Select Committees and parts (a, b) of a similar Standing Order express that Select Committees have the power 'to summon any individual to show up before it to give prove on pledge or certification and to create any records required by it'. These forces can be practiced on a Vice President, the Prime Minister, Deputy Prime Minister, Ministers (and Governors) whose portfolio is secured by the councils. Standing Orders additionally give that inability to show up before a select council to give confirm is regarded to be in disdain of Parliament. The Ministry of Finance (MOF) acknowledges the pretended by Portfolio Committees in the re-designed spending process. The MOF understands that the part of Parliament is to reinforce the Executive capacity and that there is a need to impart to MPs, who are currently more engaged in view of the connection between the MOF and Committees of Parliament. Further to this, services welcome the Quarterly Budget Reviews as they have made a road for sharing difficulties and encounters on the whole and to talk about approaches to enhance execution of government programs guaranteeing powerful utilization of assets appropriated by Parliament. The MOF is, without a doubt, accepting proposals from Parliament. Confirmation of this is the current authorization of the Public Finance Management Bill which organizes the spending audit process created as a component of parliamentary changes.

The Budget Process

In May 1998, the PRC suggested the setting up of the Budget Committee whose command was to 'partake in the plan of the national spending plan, examination of the preparatory draft spending plan from the Executive and consistent observing of spending usage'. In a similar vein the general population fund act likewise prescribed the foundation of the Public Accounts Committee to complete post review investigation and incentive for cash reviews. The reception of the PRC suggestions has brought about the Budget Committee playing out a facilitator part in the Budget Review Process, which can be comprehensively separated into two sections;

Pre-Budget Process

Definition/creating of the national spending plan. As indicated by Parliamentary Standing Rules and Orders number 7 of 2013, The Minister Responsible for the Ministry of Finance will come and Present the financial plan in the National Assembly. It is the part of Members of Parliament to take a nearer eye on the financial backing creating process. The Portfolio Committee on Finance and Economic Development must direct Public Hearing, counseling individuals on what they are hoping to find in the financial plan before the creating of the financial plan. After the Consultations, the Chairperson to the Committee will table a report which will be wrangled in the Parliament.

b) Post Budget Process

Level headed discussion, changes and endorsement of the national spending plan by Parliament

Observing usage of the national spending plan

Pre-Budget Process: Formulation of the National Budget

Area 103 (1) of the Constitution of Zimbabwe approves the Minister to lay, before the

National of Assembly, evaluations of income and use of Zimbabwe for that monetary year, prior or not later than thirty days after the beginning of each money related year. In this way, it is the part of the Executive to detail and table the national spending plan before the House of

Assembly. Be that as it may, before the tabling of the income and use appraises by the Minister of Finance, the Budget Review Process accommodates Ministries or government divisions to counsel Parliament, through its Portfolio Committees, urban culture associations and the general population amid the procedure of spending offers definition. Accordingly, draft spending offers and needs for the following spending plan are talked about with Portfolio Committees and other intrigued partners before they are submitted to Treasury. This ordinarily happens inside the primary quarter of every year.

3.7 Post Budget Process

The monetary allowance is generally displayed before the House of Assembly in November or early December of every year. After the introduction of the financial plan, Portfolio Committees welcome government authorities, intrigued partners and individuals from the general population to talk about the evaluations of use. The motivation behind these gatherings is to investigate the proposed gauges against the needs concurred in the pre-spending process. It likewise gives an open door for part services to reprioritize and get suggestions to. Note that the evaluations of income and use are exhibited in the National of Assembly as per Section Constitution of Zimbabwe. virement stores.

Further, the gatherings enable Members of Parliament to make important commitments amid spending banter in the Houses. Since not all MPs have the ability to comprehend the financial plan and other specialized issues, Parliament embraced the suggestion of the Parliamentary Reform Committee, which expressed that boards of trustees ought to have the capacity to supplement in house examine limit by drawing in "the aptitudes of expert consultants to help with specific lawful, money related and specialized enquiries" Barring asset limitations, most if not all councils connect with authority counsels to help with breaking down the ramifications of the financial plan on the tasks of government divisions and in the arrangement of reports⁷. This is notwithstanding the regulatory help administrations of Committee Clerks and an analyst joined to every Committee, who both help the Committees in drafting reports for introduction in the House of Parliament.

3.8 Budget Debate in Parliament

Spending banter in Parliament is separated into two sections: General Debate and Debate in the Committee of Supply.

3.8 General Debate

Amid general verbal confrontation, the Budget Committee drives banter by exhibiting its provide details regarding the general spending plan, fundamentally concentrating on the wide financial and money related measures proposed in the financial plan. Not long after the introduction by the Chairperson of the Budget Committee, other Portfolio Committee Chairpersons add to wrangle by exhibiting their individual part reports. Different Members may likewise add to discuss amid this stage.

3.9 Committee of Supply

According to Parliamentary standing Rules and Regulation No 8 of 2013, In the National Assembly, verbal confrontation and endorsement of each Vote is done in the Committee of Supply. Amid this stage, Portfolio Committees have a chance to banter, in detail, their part distributions. Proposals to fervent assets starting with one spending thing then onto the next might be proposed and faced off regarding. In this manner each Vote is passed, with or without change. At the point when the Committee of Supply passes all the Vote assignments, the Chairperson of the Committee of Supply will report the procedures to the Speaker, who puts the report for selection before the House⁸. Upon the reception of the report, the Minister of Finance acquaints the Appropriation Bill with offer impact to the report of the Committee of Supply. At the finish of the considerable number of procedures, the National of Assembly transmits the monetary allowance to the Senate that, thus, banter about and may just influence Parliament to can just move reserves starting with one spending thing then onto the next however can't expand the general size of the financial plan. Be that as it may, in the sixth Parliament Portfolio Committees were helped by Parliament scientists and Committee Clerks. This is a consequence of the on work preparing done in the fifth Parliament. This is known as the Report Stage proposals for thought. The Constitution and Standing Orders accommodate the transmitting of messages between the House of Assembly and the Senate.

3.10 Monitoring Implementation of the Budget

Portfolio Committees practice Executive oversight in different courses, one of which is through their commitment in the spending plan and usage. The Budget Review Process' real goal is to advance significant investment by Parliament, municipal society associations and the overall population in the spending definition and usage process. This took after far reaching worries that the part of Parliament had been consigned to that of elastic stamping the national spending plan detailed by the Executive. Aside from adding to the detailing of the national spending plan, Portfolio Committees likewise screen spending execution by government divisions on a quarterly premise. This empowers Parliament and its Portfolio Committees to authorize Executive responsibility on the utilization of open assets and usage of open projects. Government Ministries get ready quarterly spending reports and submit them to the individual Portfolio Committees for examination. The boards of trustees, with the help of in house and outside specialists, do an intensive examination of the quarterly spending execution reports before calling the administration authorities for a talk of the execution amid the quarter.

Conclusion

Parliament and the Executive have equivalent and arrange parts. The rule of division of forces as typified in our Constitution obviously demonstrates that the Executive settles on choices for the State and that Parliament can censure the Executive for its activities. There ought to be no showdown between the two yet the relationship requires an organized approach. At that point the Department for Policy Implementation in the President's Office was set up after the acknowledgment that there is a hole amongst Planning and Implementation. It was, thusly, the duty of the Department for Policy Implementation to do a hole investigation by checking on at work designs, accessible assets and an evaluation of the accomplishments made toward the finish of every period. It is critical to discover courses through which Parliament and the Department for Policy Implementation can supplement each other in tending to the hole amongst Planning and Implementation. It is Parliament's view that the Department for Policy Implementation can take an interest in some of Parliament's exercises. One such action is9 Paragraph 2 and 3 to Schedule 4 of the Constitution accommodates method and determination of contradictions over a proposed Bill between the Senate and House of Assembly. The yearly withdraw of the Liaison and Coordination Committee (LCC), a gathering for all Chairpersons of Committees. Issues

influencing Portfolio Committees in releasing their command are normally examined at such a gatherings. Along these lines, the Minister and the Principal Director for the Department for Policy Implementation can take an interest at such a gathering by imparting encounters to the LCC and proposing what ought to be finished.

CHAPTER FOUR

PARLIAMENTARY REFORMS IN ZIMBABWE

Introduction

In 1996 Parliament of Zimbabwe set out on a complete change program intended to fortify the limit of MPs to contribute all the more successfully to Parliamentary procedures, to enhance inner frameworks and systems of the house increment, open cooperation in the Legislative procedure and improve the oversight part of the House with extraordinary accentuation on advancing more noteworthy proficiency in the administration of Public assets.

Although the Parliamentary Reforms began at Independence in April 1980, they were largely embraced in an improvised way. In any case, the Legislature turned out to be progressively mindful that it was still generally saw by people in general just like a remote organization which was sick ' prepared and deficiently resourced to successfully speak to the constituents. Besides, there was a mainstream discernment that Parliament was excessively feeble, making it impossible to bring the Executive Branch of the state to represent its activities and for open assets. Consequently, with an end goal to address these worries, the organization set up a Parliamentary Reform Committee (PRC) in October 1996.

Parliamentary Reform Committee (PRC)

The PRC was entrusted to examine and make proposals on the accompanying issues:

The training and system of the House in connection to open business; The advisory group framework; The Legislative procedure; Metro support in Parliamentary business; The states of work and bolster administrations for Members and staff of Parliament; and Clothing standard dignity.

The Committee occupied with exceptional across the nation meetings with the general population and municipal associations. The Committee additionally embraced broad relative research on best practices in chose African, European and Asian Parliamentary majority rules systems. In 1999, the PRC presented its Final Report affirming that Parliament was in fact, seen as a remote organization which did not include the general population in its business, and that it was excessively frail, making it impossible to practice oversight over the Executive wing of Government. The Committee likewise found that the general population felt that the Legislature

did not have the assets to successfully speak to the general population and that there was a critical requirement for changes which include.

The Report additionally contained boundless proposals to additionally fortify the part of Parliament in national administration. The suggestions concentrated on the need to: Enhance interior frameworks and methods of the Legislature; Reinforce the limit of MPs to contribute all the more adequately to Parliamentary procedures; Increment open cooperation in the administrative procedure; and Improve the oversight part of the House with unique accentuation on advancing more prominent effectiveness in the administration of open assets.

The execution of the changes began vigorously in January 1999 when the task entitled Technical Support for Parliamentary Reforms was propelled. This was trailed by the beginning of another undertaking called Technical Support for Parliament ' Constituency Relations in July 2002. The two tasks were figured and actualized with specialized and money related help from UNDP, USAID, the State University of New York ' Zimbabwe (SUNY-Zimbabwe), the Swedish International Developmentâ Cooperation Authority (SIDA), the Konrad Adenauer Foundation (KAF), Friedrich Ebert Stiftung (FES) and the African Capacity Building Foundation (ACBF).

Objectives of Parliamentary Reforms

The objectives of Parliamentary Reforms according to PRC report of July 200 as it is cited in the Hansard volume 6 is to reinforce the limit of Members and officers of Parliament to accept more prominent strategy definition undertakings; To build up approach based Portfolio Committees, including the Budget Committee, with substantive terms of reference, operational rules and working standards; and To raise the deceivability and profile of Parliament as an improvement strategy molding, plan and usage establishment. To set up 120 Parliament ' Constituency Information Centers (PCICs) to give free access to Parliament's site, the Hansard, and other Parliamentary productions.

Meanwhile, in June 2002, Parliament, with specialized and money related help from the UNDP, named a Capacity Assessment Team (CAT) of specialists to survey the limit of the Legislature to completely actualize the changes, and to influence proposals for the following period of the change to process. The CAT displayed its report in May 2003 and this report was received by Parliament in October 2003. The CAT recognized with extraordinary fulfillment the advance made in executing the changes, particularly in the particular suggestions of the PRC.

Achievements of Parliamentary Reform Programme

A portion of the more huge accomplishments of the program incorporate the accompanying:

Foundation of Parliament Constituency Information Centers (PCICs) in more than 90% of the 120 Constituencies spoke to in the House of Assembly. These focuses are staffed by full-time Office Assistants on Parliament's Payroll and are outfitted with PCs and all the typical office frill.

The presentation of a re-designed Budget Review Process which intends to advance more important investment by Parliament, urban culture and the overall population in the Budget Formulation and Implementation Process through Pre-and - Post - Budget Workshops and observing by Portfolio Committees.

The foundation of 12 composed Porfolio Committees with nitty gritty Terms of Reference and shadowing each Government Ministry.

The setting up of the Business of the National Assemby and the Business of the Senate Committees to sort out the sessions and sittings and in addition dealing with the day by day Business of the two Houses and additionally deciding time points of confinement of open deliberation. The Senate Business Committee involves the President of the Senate, the Deputy President of the Senate, the Government Chief Whip, the Opposition Chief Whip, the Leader of Government Business and the Leader of the Opposition. The House of Assembly Business of the House Committee involves the Speaker, the Deputy Speaker, the Leader of Government Business, the Government Chief Whip, the Opposition Chief Whip and the Leader of the Opposition.

The presentation of Parliamentary week after week question time without take note. With respect to open support in Parliamentary Business, 29 open hearings on Bills have been held and Youth Parliamentary Fora have been assembled at 79 Secondary schools in each of the 10 Provinces of the nation. Parliament has likewise displayed every year at the Zimbabwe International Trade Fair (ZITF), the Harare Agricultural Show (HAS) and different Provincial.

Notwithstanding, one of the real difficulties experienced by Parliament amid the principal period of the program was the need to secure all the more financing to expand accessible Government assets and benefactor bolster. To address this test, and upon suggestions by the Capacity

Assessment Team, Parliament received a Multi-giver Program approach whereby an UNDP - Managed Basked Fund Account was opened with the goal that different benefactors would be welcome to contribute. Singular givers can pick either to contribute assets to be utilized at Parliament's watchfulness in close interview with the UNDP, or to support certain particular exercises of their decision.

Following broad interviews inside Parliament and amongst Parliament and the UNDP and different partners, it was settled that there was have to build up a more fitting project structure to encourage the following period of the change procedure. Such a structure would consider the advance made, the difficulties experienced and the lessons learnt from the primary stage. To this end, the Three - Year Rolling Multi - giver Parliamentary Support Program, January 2005 - December 2007 was defined and received.

Conclusion

Following extensive consultations within Parliament and between Parliament and the UNDP and other stakeholders, it was resolved that there was need to develop a more appropriate programme framework to facilitate the next phase of the reform process. Such a framework would take into account the progress made, the challenges experienced and the lessons learnt from the first phase. To this end, the Three - Year Rolling Multi - donor Parliamentary Support Programme, January 2005 - December 2007 was formulated and adopted. This multi-donor support helped the Parliament of Zimbabwe to take a closer look on the implementation of the program as well as helping it to come up with proper assessment of the program.

CHAPTER FIVE

THE ROLE OF PARLIAMENT IS STRENGTHENING POLICE ACCOUNTABILITY IN ZIMBABWE

Introduction

Police Accountability is critically important as it seeks to enhance a culture of police accountability and constitutionalism in Zimbabwe. This is very instructive in that it aptly recognises the instrumental role played by Parliament in cultivating the culture of accountable national governance systems in our national institutions such as the Police Service. As encapsulated in the Preambular statement of the Constitution of Zimbabwe, the people of Zimbabwe cherish “...freedom, equality, peace, justice, tolerance, prosperity and patriotism in search of new frontiers under a common destiny”. The Parliament of Zimbabwe must work hand in glove with the Zimbabwe Republic Police accordingly so as to ensure and strengthen Police accountability in Zimbabwe. This chapter will be reviewing the role that can be played by Parliament of Zimbabwe to strengthen Police Accountability in Zimbabwe. Pointing out its oversight role, Law and policy making which act as guidelines to Police operations, Police budget Processes, Fiscal Management by the Parliament, Reports by Honorable Members through Motions and Questions in the Parliament and others.

Police Accountability and its instruments in Zimbabwe

The world over, the Police Service is fundamentally an instrumental institution of government in the maintenance of law and order. According to 2013 constitution of Zimbabwe The Police Service has certain powers, namely, the power to arrest, detain and the power to use reasonable force whenever it is absolutely necessary to do so. It is precisely this monopoly of the use of controlled force and the power to arrest and detain that places the police in a unique and invidious position within the democratic State, hence the need for adequate checks and balances in order to attain Police accountability. In this respect, it is an imperative that the Police Service religiously pays particular attention to be absolutely accountable in so far as the rights of arrested and detained persons are concerned. Section 50 of Zimbabwean 2013 Constitution.

These are salutary human rights based constitutional provisions at the heart of upholding the human dignity of arrested and detained persons. In strengthen Police accountability in Zimbabwe, Parliament must constantly visit police cells and detention facilities to ascertain the humane habitability of these centres as demanded by the ferocious constitutional provisions.

Effective police accountability involves many different actors representing the different layers of modern-day democracies, including government representatives, Parliament, the Judiciary, Civil Society Actors and independent oversight bodies such as national human rights institutions. Police Service accountability must be understood, appreciated and contextualised within the ambit role of the security services. As pertinently captured in section 207(2) of the Constitution of Zimbabwe:

“The security services are subject to the authority of this Constitution, the President and Cabinet and are subject to parliamentary oversight”.

This means Parliament, must exercise a microscopic analysis of the operations of the Police Service which is an integral part of the security services so that it consistently carries out its mandate within the dictates of the Constitution, the Police Act and general law. Accountability to Parliament augurs well with the traditionally recognised constitutional principles of legality and the rule of law. Section 3(2)(f) of the Constitution of Zimbabwe eloquently espouses the fundamental tenet that the State and all institutions of government must have:

“...respect for the people of Zimbabwe, from whom the authority to govern is derived.”

There is no better way of exhibiting respect for the people of Zimbabwe than submitting oneself to the scrutiny by Parliament which is a sacrosanct organ of State that embodies the collective conscience and will of the people of Zimbabwe. The people of Zimbabwe value peace, tranquillity, order and democratic governance which the Police Service must always strive to solemnly guard in consummating its constitutional mandate.

The first port of call is that Parliament of Zimbabwe must capacitate its Committees so that they can deeply understand their constitutional obligations *vis-à-vis* police accountability. It is that requirement r expectation necessitating one to own up to some contemplated action or that which has been undertaken and be responsible to own up for that action. Thus, the Police Service, as a creature of the Constitution, is accountable to Parliament for the manner in which it enforces the law and utilises public resources to achieve the same. The responsibilities of the Police Service

are rooted in Section 219 (1) of the supreme law which states that: “(1) There is a Police Service which is responsible for—

- (a) detecting, investigating and preventing crime;
- (b) preserving the internal security of Zimbabwe;
- (c) protecting and securing the lives and property of the people;
- (d) maintaining law and order; and
- (e) upholding this Constitution and enforcing the law without fear or favour...”

Subsequently, Section 219(3) of the Constitution adds that the Police Service:

“must be non-partisan, and it must be national in character, patriotic, professional and subordinate to the civilian authority as established by this Constitution”.

In this regard, Parliament, as the ultimate elected civilian authority, must ensure that the Police Service is acting in tandem with the powers and authority bestowed on it by the Supreme law. Any negative deviation from the above constitutional authority should attract censure and condemnation by the court of the public. Indeed, the Police is an institution which is creature of the Constitution and is consequently duty bound to exude loyalty to the Constitution before all else. To that extent, Parliament has the responsibility to enhance constitutionalism and accountability in the Police Service. That is why Section 299 of the Constitution provides that:

“(1) Parliament must monitor and oversee expenditure by the State and all Commissions and institutions and agencies of government at every level, including statutory bodies, government-controlled entities, provincial and metropolitan councils and local authorities, in order to ensure that—

- (a) all revenue is accounted for;
- (b) all expenditure has been properly incurred; and
- (c) any limits and conditions on appropriations have been observed.”

Parliament of Zimbabwe must ensure that Police Service (ZRP) is complying with the above Constitutional provisions. This is a duty which must be exercised without fear, favour or prejudice. These Parliamentary Committees should enquire as to whether or not the Police

Service has accounted for all revenue received from Treasury and to what degree of economy the expenditure has been properly expended within the given limits.

Further to the above, section 119 of the Constitution provides that:

“(1) Parliament must protect this Constitution and promote democratic governance in Zimbabwe.
(2) Parliament has power to ensure that the provisions of this Constitution are upheld and that the State and all institutions and agencies of government at every level act constitutionally and in the national interest.

(3) For the purposes of subsection (2), all institutions and agencies of the State and government at every level are accountable to Parliament”. It, therefore, Parliament, to demand of the Police Service strict adherence to the above Constitutional provisions. It is expected that the Police Service will not denude Parliament of its power and authority to protect the Constitution whenever the Police Service acts perfunctorily.

However, the Police Service cannot achieve excellence in policing on its own accord. Commissions, such as the Anti-Corruption Commission can leverage the Police Service enforcement of law and order efforts. For instance, section 255(1) of the Constitution states that the functions of the Zimbabwe Anti-Corruption Commission are as follows:

- “(a) to investigate and expose cases of corruption in the public and private sectors;*
- (b) to combat corruption, theft, misappropriation, abuse of power and other improper conduct in the public and private sectors;*
- (c) to promote honesty, financial discipline and transparency in the public and private sectors;*
- (d) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;*
- (e) to direct the Commissioner-General of Police to investigate cases of suspected corruption and to report to the Commission on the results of any such investigation...”*

Furthermore, Section 251(2) of the Constitution of Zimbabwe peremptorily directs that the “*Commissioner-General of Police must comply with any directive given to him or her by the Zimbabwe Anti-Corruption Commission under subsection (1) (e)*”. Relatedly, Section 243(1)(h) of the Constitution empowers the Zimbabwe Human Rights Commission to:

“(h) to direct the Commissioner-General of Police to investigate cases of suspected criminal violations of human rights or freedoms and to report to the Commission on the results of any such investigation”. Thus, the Police Service is not alone in attesting to its accountability. It is encouraged to vigorously share synergies with supporting institutions, inclusive of the Judiciary and the Public Prosecuting Authority.

Such institutions provide sound checks and balances in the Police Service exercise of its noble responsibilities. The Parliament should endeavor to understand these interactive police processes as enshrined in the Constitution in order to achieve robust Police accountability and oversight. After all, Parliament has a sanctified duty to protect the Constitution and promote democratic governance in Zimbabwe through its Committee processes which are the heart of Parliamentary effectiveness.

According to the Speaker of Parliament Advocate Mudenda (2016) a country can have a good Police service, but if it is not adequately resourced by way of capital and human resources, it may not achieve the herculean task of maintaining law and order. The Police Service requires specialised training in forensic investigations. It also needs a sound Information and Communications Technology infrastructure that can be used in the investigation and detection of cyber-crimes. It is desirable for the Police Service to boast of an effective legal department that should help the police officers in understanding the intricacies of legal jargon. Resources should be marshaled to allow police officers to attend international programmes on policing that will enable them to learn global best practices in policing. Police stations should exude the highest degree of ambience enhanced by the provision of attractive uniforms which are consonant with the befitting dignity of twenty first century police officers. The Office environment must be salubrious and not what we see where charge offices are adorned with broken chairs and dilapidated typewriters. Some charge offices have lost the wall colour of their original paint. Surely the corporate world should exercise its corporate social responsibility to rescue this pitiful situation. This corporate social responsibility must include the construction of appropriate police accommodation. What more of the chipping in to bolster the transport needs of the police?

Parliament must, therefore, ensure that the Police Service is adequately funded to enable it to carry out its constitutional mandate in dignity. Section 305(4) of the Constitution gives Parliament the power to appropriate resources. The Parliament of Zimbabwe must see to it that

the Police Service is reasonably funded. Insufficient funding for the Police Service will of necessity attenuate its proficiencies and accountability.

To bring effect to other provisions of the Constitution, there is need for Parliament to spearhead the process of ensuring that an Independent Complaints Mechanism against Members of the security services has been put in place. An Act of Parliament should be in place as stipulated in Section 210 of the Constitution states that “An Act of Parliament must provide an effective and independent mechanism for receiving and investigating complaints from members of the public about misconduct on the part of members of the security services, and for remedying any harm caused by such misconduct”.

Parliamentary Police oversight

There is a widespread belief that security policy is a natural duty of the executive as they have the necessary knowledge and can act quickly. According to Dahl (2003), parliament was regarded as a less suitable institution for dealing with security issues, especially given its often time consuming procedures and lack of full access to the necessary expertise and information. However, parliament is entrusted with reviewing and monitoring the executive. Dahl (2003) pinpoints four reasons why such oversight in security matters is crucial:

1) A foundation of democracy to prevent autocratic rule and Human Rights abuse by the Police

According to Georges Clémenceau “War is a much too serious matter to be entrusted to the military”, this statement tells us that in a democracy, the parliament is has a big role to play through representation and it must be involved in the execution and operations of every government operations. Government without parliamentary oversight to the Police Services should, is regarded as a country without democratic rule The most fundamental and persistent problem in politics is to avoid autocratic rule.

As the Police Services deals with one of the state’s core tasks, a system of checks and balances is needed to counterbalance the executive’s power. Parliamentary oversight of the Police Services is thus an essential element of power sharing at state level and, if effective, sets limits on the power of the executive or president (Dahl, 2003).

Monetary representation

. Through all budget process in Zimbabwe, the Parliament is one of the Arm of Government which is responsible for the national budgeting system. According to the National Constitution, it is the Parliament that approved all the flow and the money expenditure in every situation. In this regard, it is the and duties of Parliament approves all legislature that have something to do with money. (Dahl, 2003, p. 76).

2) Policy considerations

The Parliament of Zimbabwe was given the mandate to make any laws and National Policies by the constitution of Zimbabwe section 119. All Laws and Policies have to pass through the parliament for approval. Police Act and the Public Order Security which are the major tools in Police Operations were approved by the Parliament, (Dahl, 2003). It is also the power of Parliament of Zimbabwe to consider all international laws and policies and to discuss whether they are going to be ratified or not.

3) A bridge to the public

The most critical duty and roles of the Parliamentarians is to represent people, They must meet with the people on Public Forums and personal interactions to discuss matters at hand. In 2016 two different MPs tabled two different motions but with the same content. Hon Mandipaka(ZANU PF Buhera West Legislator) who moved a motion against the Tajamuka human activist saying that these activists harassed the ZRP while the Kwadzana East and MDC T Legislator (Hon Chamisa) said that the Police were the ones who was abusing the people. It is on these occasions where the Parliament is supposed to work as a bridge between the Police Service and the general populace. Through the Parliamentary reforms, Parliament of Zimbabwe is now open to each and every Zimbabwean Citizen. It is also cited in the new Zimbabwean Constitution of 2013 that advocate for the majority of people to pass their grievances to the parliament through petitions. Members of Parliament constantly meet with people on a day to day basis through Public hearing and personal interactions. After meeting with all these people and the Zimbabwe Republic Police, the Parliamentarians must raise all these concerns in the Parliament so that they will be discussed in the house and come up with strong laws and policies that will create good relationships between the Police and the people of Zimbabwe (Dahl, 2003).

Establishment of parliamentary committees

According to Mudenda (2016) The Zimbabwean Constitution is the weapon of governance in Zimbabwe. The Constitution of Zimbabwe gives the Parliament an authority to establish the Committees that will oversee different Government Ministries. Constitution. Section 152 of the Zimbabwean Constitution make provision for parliament to establish parliamentary committees to enable it to conducts business and procedures. Constitution argues that the Parliamentary Standing Committttee must appoint chairpersons and allocate Members of Parliament to each and every committee according to their professions and areas of interests. The Parliament of Zimbabwe have nineteen Portfolio Committees and Five Thematic Committees. Roles and duties of these Committees are provided by the Parliamentary Standing Rules and Regulations. In the Parliament of Zimbabwe there are two committees that are responsible for the operations of Police Services namely, the Portfolio Committee on Defence, Home Affairs and Security Services and the Thematic Committee on Peace and Security. However other Committees are not limited to call the Polices Services whenever they need clarification for example the Portfolio Committee on Mines and Mineral called the Zimbabwe Republic Chief Commander to explain on missing Diamonds in Chiyadzwa and also the Portfolio Committee on Transport and Infrastructure once called the ZRP to explain on roadblock corruption by the members of Police Services.

The Portfolio Committee and Zimbabwe Republic Police

The functions of the Parliamentary Portfolio Committees on Defence Home Affairs and Security Services concentrate on the affairs and operations of the Zimbabwe Republic Police. The relationship between the Parliamentary Committees and the Zimbabwe Republic Police is that one of mother and daughter. According to PRC report in 1999, the Committee must be aware on daily operations of the Zimbabwe Republic Police. It is the duty of the Portfolio Committee on Defence Home Affairs and Security Services together with the Thematic Committee to scrutinize and revise all Law, Acts and Policies that guides the executions of the Police Services in Zimbabwe.

The Parliamentary Committees have the powers to call the Police Service Chiefs to give explain on areas where clarity is needed. According to section 212 of Zimbabwean Constitution, the Police General Must present a report which will be tabled in the Parliament. All these reports must go to the parliament through the Committee.

Moreso, the other relationship between the ZRP and the Parliamentary Committees is seen in the budget process. Before the deliverance of the National Budget by the Ministry of Finance, the Parliament of Zimbabwe will engage the Police Service Chiefs as a way to consider their expectations in the budget and also to hear if they are satisfied by the allocations they were given by the Ministry. This is the most critical stage of enforcing Police accountability since the most factor that is causing corruption is the lack of funding in Zimbabwe Republic Police. After the budget allocations, the Committee will then compile a report that will be tabled in the Parliament. The Zimbabwe Republic Police is also forced by the Constitution to present quarterly financial statements to the Committee(Nujoma 1993).

Research capacity

In conducting oversight, a Portfolio Committee relies on information received from the very body that it must oversee. The result is that the body under scrutiny has the power to influence the type and quality of information it provides to the Committee. The Committee's ability to verify the accuracy of the information is difficult given issues of access and capacity.

During the early years of democracy, one Committee Researcher and one Committee Clerk supported the Committee. The Committee researcher was responsible for a cluster of committees. In-depth research, while important, was an almost impossible task.

Over the years the Committee's research capacity has increased, and the utilisation of the researchers and their research products has evolved and improved significantly. By the inauguration of the Eight Parliament, the Portfolio Committee was supported by a Committee Clerk, Committee researchers and two interns attached to the Committee

The Committee researchers' written briefs include critical analyses and evaluations of documentation submitted to it, and have become part of the Committee's expected output. The increased research capacity means that researchers can now evaluate and critically analyse all documents prior to their presentation to the Committee by state departments. These research briefs include contextualization of information by, for example, analysing the Annual Report in the light of the budget, annual performance plans and quarterly spending, and highlighting areas of strength, weakness and deviation. Accordingly, Committee Members are better empowered to interact with the information in a meaningful manner.

By the Fourth Parliament, the researchers were well established as an essential part of the Committee's work. The Committee's programme includes scheduled sessions for the researchers to verbally brief the Committee. In practice, this often means that, prior to meetings between the Portfolio Committee and ZRP, Committee Members will meet with the researchers. During these briefings, the researchers summarise their findings, highlight any shortcomings, contradictions and achievements, as well as identifying possible questions to be put to the Police Services or the Department by the Committee. The Committee will also use the opportunity to strategise its approach going into the meeting.

These verbal briefings by the researchers play an important part in ensuring the effective oversight functioning of the Portfolio Committee on Defence, Home Affairs and Security Services. The briefings allow the Committee to prepare for the meeting. They also serve as a political equaliser: after a briefing by the researchers, Members are often united in their focus on the pertinent issues, rather than being dominated by opposing political discussion.

Enhanced research capacity also means that the Committee can proactively request in-depth research projects. In practical terms, when the Portfolio Committee identifies an area of concern, research can be completed on the issue before parties are called to appear before the Committee. An example of this proactive work was the research undertaken on suspected corruption on Roadblocks in July 2017. The committee conducted a tour to the six selected provinces where the committee was interacting with the Police Provincial Head and other Police Officers then meet on their way. This proactive research also revealed that stations built under the management of the ZRP took longer and cost significantly more than those projects managed by the Department of Public Works.

The Portfolio Committee exposed potentially serious corruption within the Zimbabwe Republic Police Roadblocks and on the Building environment (Tomlinson PPU Flats, CID HQ and others) ZRP were forced to rethink its approach of assuming building responsibilities, which is the domain of the Ministry of Local Government. The Committee's investigations to the Police Projects in 2017 strengthen the Police effectiveness and responsibilities.

Also outside the Committee system the Parliament exercises its Police Oversight in both houses, the National Assembly and the Senate through motions and questions. Every Member of

Parliament is entitled to take responsibility of the Police Stations and Police Bases in his/her Constituency. If the Hon Member witnessed a malicious movement or any wrong doing by the Police, that Hon member must report that to the minister responsible for Police (Minister for Home Affairs) in Parliament and also ask the minister in a Parliament during Question and Answers segment.

More so, Police oversight by Parliament can be done in the Parliament through Motions, Hon Chamisa, Kuwadzana East and MDC T legislator once moved a motion against the Police, when the Police abused human rights by spraying chemical waters to people who were demonstrating against corruption, This saw the Parliament engages in a discussion and enables the Parliament to come up with corrective measures on this matter.

Challenges for parliamentary oversight of the Police Services

Flori (2003) states that in sharp contrast between the desirability of parliamentary oversight of the Police Services, the actual affairs of parliamentary police oversight in Zimbabwe, the ZRP is the security department of the country that focus more on domestic issues. Due to security issues, there are secrecy laws which prevent the Parliament to get full information on the execution and operations of Zimbabwe Republic Police for example the National Security Secrecy Act. Most of ZRP Chief are now manipulating these Laws to hide their corruption and abuse of office (Flori, 2003, p. 55).

Trapans, (2002) argued that the Police Services is a highly multifaceted field, in which parliaments have to oversee issues such as weapons procurement, arms control and the readiness or preparedness of the Police Operations. Not all parliamentarians have sufficient knowledge and expertise to deal with these issues in an effective manner. Nor may they have the time and opportunity to develop them, since their terms as parliamentarians are time-bound and access to expert resources within the country and abroad may be lacking.

Huntington (1991) states that one of the challenges towards effective parliamentary oversight is the question of whether the actually practice its oversight function to government activities and whether the oversight function has an impact in the third world political. For him it is correct to speak of actual oversight when legislatures have the powers and instruments to oversee government activities regardless of whether these powers and instruments are properly used. In Zimbabwe the Parliament is regarded as a bull dog without teeth which constantly bark and bark without any corrective measures to be taken against the offenders of the Law. For example the

Ruling Party always used the police service for their personal glory. In November 2016 the country witnessed an embarrassing abuse of human by the Zimbabwe Republic Police who sprayed the chemical water and beat people who were exercising their constitutional right of expression and partition to the Parliament. The Citizens were not even allowed access to the Parliament by the ZRP who blocked their way. The Portfolio Committee on Defence, Home affairs and Security Service did nothing toward this because that system was in favor of the Ruling Party.

Tools and mechanisms for parliamentary oversight

Huyghebeart (2003) underlines that the legislatures may adopt several tools to oversee the actions of the executives such as hearings in committees, hearings in the plenary assembly, the creation of inquiry committees, parliamentary questions, question time, the interpellations and the ombudsman. This scholar has noted, however, that the presence of the oversight tool is necessary but insufficient condition for effective oversight. Effective oversight, as was observed, depends not only on the availability of oversight tools, but also on additional conditions. Effective oversight may depend on the specific oversight powers given to the parliament, whether parliament has the ability to modify legislation as eluded by Loewenberg and Patterson (1979). Effective oversight may depend on the specific oversight powers given to the parliament, on whether the parliament has the ability to modify legislation. It is also important for parliaments and parliamentarians to be given proper information to perform their oversight tasks adequately on the role of individual MPs, on the role of committee chairs, on the saliency of issues and on how aggressively the opposition performs its role (Rockman: 1984, p. 5).

More so, the Parliament must revisit the all the legal frameworks that guides the operations of the Police Services in Zimbabwe. The Operations of the Police Services in Zimbabwe is being controlled by the Acts of Parliament which includes the Police Act, Public Order Security Act, Criminal codification Act and the Constitution of Zimbabwe. These acts were made and enacted way back before the enactment of the National Constitution and they need to be alienated to the National Constitution by the the Parliament. However since 2013 the parliamentary Portfolio Committee on Defence Home Affairs and Security Services did no action towards the

realignment of these acts to the Supreme Law of the Land. Hence the Committee failing to execute its oversight role to the Police Services.

According to Pelizzo and Stapenhurst (2006), the international organisations have done some studies towards strengthening and improving parliaments' oversight capabilities to see whether oversight is beneficial to the functioning of a given political regime. The studies found that most countries have some instruments to oversee the actions of the government and that legislature in parliamentary regimes have on average a greater number of oversight tools than legislatures in presidential and semi-presidential regimes. They further emphasised that the number of oversight tools that a legislature can employ to oversee the executive provides an indication of the oversight potential of that legislature, but it does not provide any indication as to whether that oversight potential is then translated in effective oversight. This is why they argued that some countries may have a great oversight potential and yet be non-democratic. In these countries, legislatures have several oversight tools at their disposal but they are either unwilling or unable to use them effectively or to use them at all. This is why in some countries like Gabon, Indonesia and Zambia, the oversight potential does not seem to have any effect on the democratic quality of the regime (Pelizzo and Stapenhurst, 2006).

However, the evidence presented in these international organisations' publications was at best suggestive. It showed that, on average, liberal-democratic regime had more oversight tools and oversight potential than formally or quasi-democratic regimes and in turn, had a greater oversight potential than non-democratic regimes. But the fact that more democratic regimes tend to have, on average, more oversight tool than less democratic regimes does not tell us the adoption of a larger number of oversight tools is a consequence or a cause of the higher democratic quality in a given country (Pelizzo and Stapenhurst, 2006:12).

Parliamentary-Police Oversight Practice in Zimbabwe

The data to be presented here is the analysis of Committee meetings and Parliamentary Proceedings. In the Beginning of eight parliament, in accordance with the Parliamentary standing rules and Orders number 8, Hon Muderedzwa was appointed to chair the Portfolio Committee on Defence, Home Affairs and Security Services while Hon Sen Chikati was given the thematic

committee on Peace and Security. These two committees were given the mandate to oversee the security department including the Police Services.

In the begging of the Eight Parliament, the MPs were familiarizing themselves with the Police department. On 29 September 2016-3 October 2016, the two Committees held a Committee workshop on Parliamentary Police Oversight. It is on this workshop where the MPs were enlightened on how to execute its constitutional role over the Police Services (ZRP) in Zimbabwe. Just after the Workshop, The Committee visited the Police Headquarters for Briefing with the Police Service Chiefs and later visited the Police Service projects. It was on that visits that saw the members of Parliament realizing a lot of corruptions that were hidden in Police Project according to Hnsard of 23 January 2017. In a briefing with the Police General, the Police General said he was aware of corrupt Police Officers and also told the Committee that, the Zimbabwe Republic Police did not tolerate corruption in the department and there are other Police officers who lost their jobs due to corruption. In May 2017, the Committee engaged on familiarization tour on Police Roadblocks. Before the tour, the Police General Dr Chihuri was trying to stop the Committee to Visit the Police in Provinces around the country.

Conclusion

In conclusion, this chapter has provided a better understanding of the concept of the Police Services and assessed the oversight role of the Parliamentary Portfolio Committee on Defence Home Affairs and Security Services over the Police Services in Zimbabwe. It has been realised that many researchers relate or align parliamentary oversight with accountability. This can be concluded that parliamentary accountability is crucial to enhance the parliamentary standing committees' oversight role over the Police Services.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

Introduction

This chapter presents the conclusions and recommendations on the study of the oversight role of the Parliament over the Police Services in Zimbabwe. It sought to identify the contributing factors inhibiting or enabling the smooth cooperation and coordination between Parliament and Police Services in Zimbabwe. Finally, recommendations thereof will be presented.

It should be indicated that conducting this kind of research where there is not enough materials on the topic was a difficult undertaking. It was discovered that some of the key informants such as Members of Parliament, permanent Secretaries/accounting officers and service chiefs of the affected institutions were not available for interview for various reasons depending on their schedules, which resulted in some appointments being cancelled. Despite all these challenges, the researcher managed to come up with the following conclusions and recommendations to serve as a tool to enhance interactions between Parliament and Police Services in Zimbabwe.

Recommendations

The following are recommended based on the findings of the study:

That members of Parliament should be given adequate training on the security aspects to enable them to make meaningful contributions when discussing security-related issues. That the members of the public and junior officials of line security ministries be well informed on the concept of the Police Services and the oversight role of the Parliament through its committees. In this regard the Parliament must ensure that all members of Parliament are well equipped with vital information during the commencement of each and every Parliament. The Government of Zimbabwe must have the minimum qualification of one to be a Member of Parliament so that he/she will be able to understand the roles and duties of Police Service.

That Zimbabwe considers reducing budgetary allocation for security ministries and allocate sufficient budget to social ministries and agencies in order to address the issues of unemployment, poverty, hunger, water shortage, flood, drought, etcetera, which are a serious concern to the nation.

That Parliamentary Portfolio Committee on Defence Home Affairs and Security Services cover rural areas also when conducting public hearings and parliamentary outreach programmes. It has been reported that in most cases when the Parliamentary Committees conducting their oversight roles, they will be more focusing on urban areas where they easily access. The Parliament must visit Rural areas for comparison and clarity sake

Since members of parliament are expected, among others, to make public policy statements and in some cases at international forums, the study found a need for political parties in Zimbabwe, which are sending members to parliament based on their party lists, to consider introducing minimum academic entry requirements so that they can easily interact in parliament, meetings, conferences and seminars in official language.

The study has been particularly focusing on the oversight role of the Parliamentary Portfolio Committee on Defence Home Affairs and Security Services over the Police Services in order to develop better strategies to harmonise interactions between the two. It is important to note that the majority of the people who are stakeholders in the Police Services such as members of the public and junior officials of the security in the OMAs, who could make meaningful contributions to the whole spectrum of the Police Services, did not know what “*Police Services*” entails as they associate the concept with police and defence forces only. Not only that, they also are not aware of the oversight role of Parliamentary Portfolio Committee on Defence Home Affairs and Security Services over the Police Services in Zimbabwe.

Finally, while parliament has a mechanism to give basic parliamentary course to the new Members of Parliament according to Parliamentary Reforms of 2005, the author’s view is that it should engage the Ministry of Education to include basic parliamentary course in the school curriculum so that learners get acquainted with basic parliamentary terminologies while at primary schools. This will enable future members of parliament to better understand the parliamentary terminologies, including the concept of the Police Services and many others. It will also assist them to follow the current global security challenges and enhance effective and efficient interaction with other law makers at national, regional and international meetings and conferences.

Conclusions

The challenges being faced the Parliament of Zimbabwe in taking a stab at more grounded oversight can be tended to a limited extent through successful joint effort with the numerous elements with whom the Parliament interacts. The parliamentary ability to direct oversight can be upgraded by engaging the advisory groups on police (inside their protected commands) to lead oversight in a correlative way that strengthens the oversight led in the Parliament.

The associations that exist between the Parliament and Civil society associations can be reinforced and new organizations ought to be created and sustained. On the off chance that civil society associations increment and widen their cooperation with the political gatherings spoke to in Parliament, with the Portfolio Committees, and with singular Members of Parliament, a typical understanding and shared concentration can create.

Members of Parliament serving on the committees that oversee the police should be empowered to understand the police and be given the skills and tools to facilitate oversight.

Successful political oversight of the Zimbabwe Republic Police isn't debatable (Analyze 2014). Given the uncommon forces gave by law to Police Services, it is both vital and defended. Oversight that enhances the manner by which the police behave will make trust and regard for the police. Trust and regard will make a superior connection between the police and the group and add to a more secure society.

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Appendix B: Marking Guide

MIDLANDS STATE UNIVERSITY

FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF POLITICS AND PUBLIC MANAGEMENT

GUIDELINE FOR MARKING DISSERTATION

ITEM UNDER OBSERVATION	COMMENTS	SCORE
Title [10 marks] <ul style="list-style-type: none">• Is the title clear and precise?• Does the title expose the problem under investigation?		
Abstract/Introduction [10 marks] <ul style="list-style-type: none">• Does the abstract successfully bridge the gap between the title and subject?• Does the student demonstrate knowledgeability about the nature, problem and purpose of study?• Have the objectives of the study been clearly stated?• How relevant is the literature reviewed and theories used?		
Content [50 marks] <ul style="list-style-type: none">• Are the chapters well laid out and coherent?• Does the work show the use of relevant research methods?• Is the evidence authentic?• Is there evidence of		

research?		
Conclusion/ Recommendation [10 marks] <ul style="list-style-type: none"> • Has the work been resented? • Does the conclusion answer the objectives? 		
Reference [10 marks] <ul style="list-style-type: none"> • Have the references been accurately presented? • Has the referencing style been consistent? 		
Layout, Presentation and Editorial Assessment [10 marks] <ul style="list-style-type: none"> • Is there continuity in the style of writing? • Is there correct use of English in terms of consistency? 		
TOTAL SCORE (100 MARKS)		

Signature of the Supervisor.....Comment on Submission.....

Signature of the Marker.....Date.....

Signature of the Moderator.....Date.....