

***LEGAL CHALLENGES OF EXAMINATIONS
MALPRACTICE AND LEAKAGES IN BASIC AND
SECONDARY SCHOOLS IN ZAMBIA.***

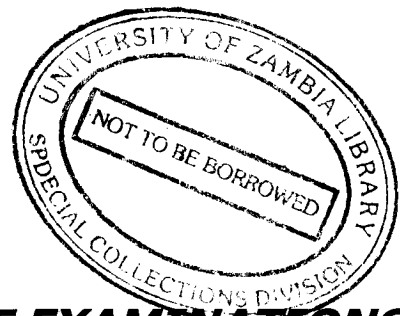
by

JOSEPH NEMBA HANG'ANDU

***AN OBLIGATORY ESSAY SUBMITTED TO THE
FACULTY OF LAW OF THE UNIVERSITY OF
ZAMBIA IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS (LLB)***

*School of Law
University Of Zambia
Lusaka*

November, 2005



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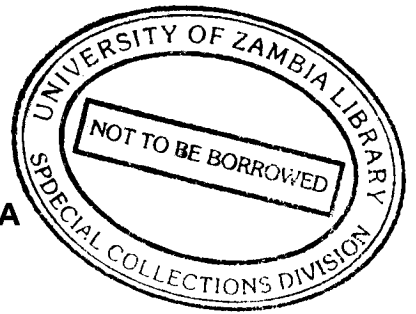
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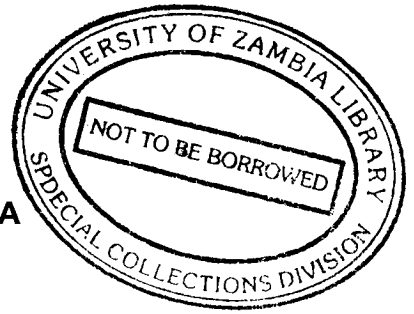
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“Legal Challenges of Examinations Malpractices and Leakages in Basic and Secondary Schools in Zambia” be accepted for examination. I have checked it carefully and I am satisfied that it fulfils the requirements relating to format as laid down in the regulations governing obligatory essays.


Simon E Kuluscha
SUPERVISOR

30th Nov. 2005
DATE

**THE UNIVERSITY OF ZAMBIA
SCHOOL OF LAW
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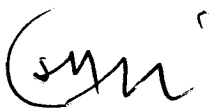
DEDICATION

This essay is dedicated to my family.

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Joseph N Hang'andu

30/11/2005

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Lastly, but not the least, I record my humble appreciation to my wife Jean, who exercised a lot of patience in typing this manuscript.

I am greatly indebted to the Coordinator and the Dean of the School of Law for their professional assistance.

ACRONYMS

APU	-	Academic Production Unit
DEBS	-	District Education Board Secretary
ECZ	-	Examinations Council of Zambia
POE	-	Provincial Education Officer
EBS	-	Education Boards
ELS	-	Examination Leakages
EMS	-	Examination Malpractices
OLS	-	Open Learning Classes
UNZA	-	University of Zambia
MOE	-	Ministry of Education

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ABSTRACT

This essay critically analyses the policies, guidelines, the Examinations Council of Zambia Act No. 15 of 1983 and the regulations on the administration of examinations in Zambia at High School and Basic School level held at Grade 9 and 12.

The issue has been approached from both the legal and administrative points of view. The study inquired into the weaknesses and strengths of the present legal deterrents available. An examination of the impact or effect of the increase in examination centres at Grade 9 and 12 and the concept of Academic Production Unit classes at both basic and secondary school has been done whose principal concern was a critical examination of the implications of these developments in tracing the causes of examination malpractices and leakages in the light of the education reforms. An illustration of the possible causes of leakages and malpractices has been made and why the existing law has failed to curtail the scourge which has a devastating effect on the quality of education even at tertiary education level in Zambia.

TABLE OF CONTENT

	PAGE
Dedication.....	(i)
Disclaimer.....	(ii)
Acknowledgement.....	(iii)
Acrimony.....	(iv)
Abstract.....	(v)

CHAPTER ONE

Introduction.....	1
1.0 Background.....	6
1.1 Other Guidelines.....	10
1.2 Registration of Examination centres.....	11
1.3 Storage of Examination Papers.....	11
1.4 Distribution of Question papers.....	12
1.5 Supervision and Invigilation of Examinations at Grade 9 & 12	13
1.6 Invigilation, packaging of scripts and penalties on tempering	13

CHAPTER TWO

2.0 Introduction.....	16
2.1 Nature of Malpractice at Grade 9.....	16
2.2 Smuggling.....	16
2.3 Record of Examination Malpractices involving officials and Members of the public recorded to police for the period 1999-2004.....	19
2.4 Livingstone 1999.....	20
2.5 In Luapula.....	20
2.6 In Kasama.....	21
2.7 In the year 2001.....	21
2.8 Lusaka 2001.....	21
2.9 Grade 12/GCE Examination Malpractices.....	22
2.10 Disposal of Grade 9 cases reported to ECZ in the 1998-2002.....	23

CHAPTER THREE

3.0 Sources of Leakages.....	26
3.1 Causes of Leakages.....	27
3.2 At what stage do leakages occur?.....	29

3.3	The existing law.....	31
3.4	Business centres.....	34
3.5	Examination Malpractices and Leakages and the issue of Poverty.....	36

CHAPTER FOUR

4.0	Conclusion.....	38
4.1	Economic Reasons.....	39
4.2	Immoral Conduct.....	40
4.3	General Causes of Examination Leakages and Malpractices.....	41
4.4	The stage at which leakages occur.....	43
4.4	Recommendations.....	43
	Citations.....	47
	Selected References.....	48
	Appendixes.....	

LEGAL CHALLENGES OF EXAMINATIONS MALPRACTICE AND LEAKAGES IN BASIC AND SECONDARY SCHOOLS IN ZAMBIA

CHAPTER ONE

INTRODUCTION

At independence on 24th October, 1964 the concept of Basic Schools was foreign in Zambia as there was not a single school of such status in Zambia. What existed at independence in 1964 were primary and secondary schools at pre-tertiary education level. The primary section comprised of Sub-A, which is the current Grade One and lasted up to Standard 6 or Grade 1 to 7 as the system later came to be known.

The secondary level began at Form 1 and lasted up to Form 5 as at 1964. Government examinations were held at Standard Six or Grade 7 for primary and Form II and Form V at secondary and all these were referred to as government centrally set examinations conducted by the Ministry of Education. Standard Six examinations were abolished by the Education Reforms in 1965 to give way to Grade 7 which examination still exists to the present time. Currently the education system in Zambia provides for Grade 7, Grade 9 and Grade 12 examinations all of which are run by the Examinations Council of Zambia (ECZ) a

government institution that was established under Act No. 15 of 1983, Education Act CAP 135 of the Laws of Zambia.

In recent years the education system has undergone modification in form of several education reforms among which is the introduction of Basic School Education which has culminated into tremendous increase in the examination centres as well as candidates sitting for Grade 9 examinations. Coupled with this is the emergence on the scene of Academic Production Unit classes in both basic and secondary schools at Grade 12 level which ultimately has equally greatly increased the number of candidates sitting for Grade 12 examinations. This has not only increased the number of candidates but has also led to the creation of Grade 12 examination centres across the country, all of which are monitored by officials of the Examinations Council of Zambia.

The principal concern of this study, therefore, is to critically examine the implications of these developments in tracing the source and causes of these examination malpractices and leakages in the light of the existing law viz the 1983 Act No. 15 that gives legal force to the ECZ to run examinations. Another consideration will be to illustrate the possible causes of these leakages and malpractices and why the existing law has failed to curtail the scourge which appears to be on the increase year after year based on the empirical data which will be shown and what impact they have made on the available college and

university places and how these colleges or universities have coped with the demand for places.

Since Zambia's independence a number of Education reforms have taken place and these reforms have had their share of impact on the quality of the education system. From 1964 to about 1985, the levels of examinations were conducted in what was known as the Secondary School Sector. Pupils sat for the Form II Junior Secondary Certificate out of which those who qualified to senior secondary class proceeded through to Form V and sat for Cambridge Examination to obtain the required Ordinary Level qualification to enable them enter either college or university. The Cambridge Overseas School Certificate examination was externally set by University of Cambridge such that the same paper which a Form V student or candidate sat in Zambia was the exact question paper pupils in East, Central and Southern Africa sat for.

There is very scant evidence, if any, to show that there were any leakages at either Form II, which was a locally set examination or at Form V Cambridge externally set East, Central and Southern African Examination Local Examinations Syndicate examinations before the enactment of Act No. 15 of 1983.

This was the scenario until the 1980s when the Examinations Council of Zambia Act No. 15 of 1983 whose functions among others under Section 8(1) are:

- (a) To conduct examinations;
- (b) To award certificates or diplomas to candidates who pass examinations conducted by the council;
- (c) Carry out relevant research in examinations
- (d) To advise any public institution on the development and use of any system of testing or examining when requested to do so.
- (e) Formulate syllabuses for examination;
- (f) Promote the international recognition of qualifications conferred by the Council
- (g) Approve or reject appointment of examiners.
- (h) Organise training courses for, or arrange for the training of examiners, markers, supervisors, invigilators and other persons connected with examinations, and
- (i) Invite any person or body either in or outside Zambia to assist the Council in the conduct of examinations.

Against this background, it is noted that the conduct of examinations at Basic and High (Secondary) schools level in Zambia is the baby of the ECZ who are conferred with this legal function.

It is further noted from the Act under Section 13(3) of the Examination Act No. 15 of 1983 that "The Council may appoint, on such terms and conditions as it may determine, such other staff as it considers necessary for the performance of

s functions under this Section." 19(1). Any person who without lawful excuse has in his possession or under his control any examination paper or any part thereof.....shall be guilty of an offence and shall be liable, upon conviction to a fine not exceeding ten thousand Kwacha or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment."

These are salient areas of the Act that have been picked that require critical examination more so as the fact that the Act permits ECZ to delegate the sensitive function of handling examination papers. This provision further complicates the issue and it is the more reason that determining the stage at which examination leakages and malpractices takes root is crucial. This in my view justifies the need to make a critical legal study of the institutions of examination management at Grade 9 and Grade 12 levels where numerous reports have been made concerning leakages and malpractices. One question that boggles one's mind is for example, who sets Grade 9 and Grade 12 examination papers for the blind pupils since they sit the same examination with the sighted pupils? How many people handle the question papers for the blind pupils before they finally write their examination? Is that not a leakage in itself that an examination set by a sighted examiner for the sighted pupils is transcribed into brail or vice versa? These are some of the reasons that have interested my thoughts to do a study on this topic both from the legal and academic point of view, especially based on the statistics on examination leakages and malpractices readily available.

The general policies and regulations governing Grade 9 and 12 examinations in Zambia.

1.0 BACKGROUND

Act No. 15 of 1983 confers legal powers unto the Examinations Council of Zambia (ECZ) to conduct and administer examinations at Basic and High School levels based on the set guide lines. However, it must be remembered that the ECZ is administratively a department of Ministry of Education and the Education Act of 1966 cap 135 empowers the Minister of Education to exercise statutory authority over the entire ministry inclusive of the ECZ.¹ In other words the ECZ could be said to be a semiautonomous government department. This presupposes that the system of Education in Zambia is highly centralised with virtually all decision making power vested in the Ministry of Education Headquarters. The Director of ECZ is answerable to the Permanent Secretary of the Ministry of Education who is the warrant holder as the ECZ does not present a separate budget from that of the Ministry of Education. As such almost all matters regarding planning and management are decided upon by the Ministry Headquarters. Furthermore, the existing levels of answerability and communication channels are Headquarters linked.²

At present, there are 618 basic schools in Zambia which automatically are centres for Grade 9 examinations which are conducted by ECZ and these Grade 9 centres are distributed as follows:

COPPERBELT PROVINCE	87 BASIC SCHOOLS
CENTRAL PROVINCE	48 BASIC SCHOOLS
EASTERN PROVINCE	91 BASIC SCHOOLS
LUAPULA PROVINCE	40 BASIC SCHOOLS
LUSAKA PROVINCE	76 BASIC SCHOOLS
NORTHERN PROVINCE	74 BASIC SCHOOLS
NORTH WESTERN PROVINCE	54 BASIC SCHOOLS
SOUTHERN PROVINCE	84 BASIC SCHOOLS
WESTERN PROVINCE	64 BASIC SCHOOL
TOTAL NO. OF BASIC SCHOOLS	618

In addition to the 618 Basic schools as Grade 9 centres, there is still a further 247 centres for Grade 9 found at the original secondary school centres for Grade 9 bringing the total number of Grade 9 centres to 863. This number is exclusive of private school centres in the country which also are registered examination centres.

The ECZ has also got to contend with the management of the 247 legitimate Grade 12 centres based at High schools (secondary) distributed as follows:

GRADE 12 EXAMINATIONS CENTRES:

CENTRAL PROVINCE	22 High/Secondary Schools				
COPPERBELT PROVINCE	54 High/Secondary Schools				
EASTERN PROVINCE	25 High/Secondary Schools				
LUAPULA PROVINCE	23 High/Secondary Schools				
LUSAKA PROVINCE	26 High/Secondary Schools				
NORTHERN PROVINCE	21 High/Secondary Schools				
NORTH WESTERN PROVINCE	20 High/Secondary Schools				
SOUTHERN PROVINCE	37 High/Secondary Schools				
WESTERN PROVINCE	19 High/Secondary Schools				
TOTAL SECONDARY/HIGH	247	GRADE	12	CENTRES	AT
		SCHOOLS			

These are the automatic Grade 12 or GCE 'O' examination centres that are supervised by the ECZ every November/December.⁴

The role of ECZ is to set the examinations for both Grade 9 and Grade 12. This has been its role since 1983 when the Act was put in place. This was the time when the Cambridge Examination system for GCE 'O' Level Examinations Syndicate system was replaced upon the enactment of Act No. 15 of 1983 so called the Examinations Council of Zambia Act. It is important to stress here that in addition to the 247 GCE 'O' level centres which by virtue of being secondary

(High) schools are automatic examinations centres, there are on the stage other centres that are a result of the introduction of the concept of Academic Production Units (APU) which offer tuition to candidates who simultaneously sit for the Grade 12 examinations either at the existing High school centres or indeed at other authorised centres at Basic schools or private schools. These centres, other than being at High schools are also found in Basic schools which are designated to offer education up to Grade 12 level and yet have been presented to conduct tuition for candidates to sit for the Grade 12 examinations. This occurrence of Academic Production Units is a topical issue which shall be reflected later on in the essay.

As already stated, ECZ is by law the bonafide authority responsible for all manner of conducting examinations and management of examinations at Grade 9 and Grade 12 which jurisdiction evolves from the passage of Act No. 15 of 1983 which culminated into the setting of the following guidelines upon which ECZ manages examinations in the country which are based on the following functions:

1. To ensure proper conduct and security of examinations at all levels.
2. To monitor and control the proper conduct administration and management of examinations in conjunction with the Ministry of Education.
3. To seal loopholes that are likely to cause examination irregularities
4. To ensure smooth processing of examination results.

5. To uphold the credibility both locally and internationally of examinations conducted by the ECZ ⁵

1.1 OTHER GUIDELINES

The ECZ has in place the National Security Committees which among others comprises officials from the Ministry of Educations, Zambia Police, Teachers' Union, ECZ officials who in all number 18 at national level whose principal functions are as follows:

- (a) To produce regulations covering the proper conduct and security of examinations.
- (b) To devise ways and means of inculcating security consciousness among all workers in the Ministry of Education, the ECZ and the general public.
- (c) To work with law enforcement and security agents in implementation of the provisions of Part III of the ECZ Act of 1983.
- (d) To advise the council on matters pertaining to premises, property and examinations materials.
- (e) To serve as the central coordinating mechanism for the provincial, district, local and school/college security committees with regard to the proper conduct and security of examinations.⁶

Similar committees are established at provincial and district levels with a similar composition except for the inclusion of town clerks and council secretaries of respective towns and districts. Provincial and district security committees

comprise 12 members but their functions are the same with most of the national security committee in principle.

Further down at the grassroots level, there is the zonal centre security committee in each zone comprising 8 members. This zonal committee too comprises the officer in charge of Police of the area, Parent Teachers Association, Teacher Unions, Heads of schools in the zone and the committee is chaired by a zonal Head of school.⁷ Even at school level, there is a school security committee.

1.2 REGISTRATION OF EXAMINATIONS CENTRES

The ECZ every year receives applications from Basic and High schools (secondary schools) not later than 30th June of each examination calendar year in which the school intends to present candidates for examination. Each school pays a centre fee after charging candidates examination fees all of which money goes to the ECZ.

1.3 STORAGE OF EXAMINATION PAPER

All school centres are required to have lockable metal boxes to store examinations question papers. The metal boxes must have two locks and two sets of keys to be kept by two different officers. It is a rule that any centre that has no metal box shall not be supplied with examinations question papers by the District Education Board Secretary.⁸

1.4 DISTRIBUTION OF QUESTION PAPERS

The ECZ delivers examinations question papers directly to District Education Board Secretary's office under police escort.

In urban centres, no individual school is allowed to keep question papers in their premises. Question papers for urban schools are kept or stored in zonal centres to be identified by District Board Secretaries.

In rural areas, the District Education Board Secretaries make provisions for the safe custody and security for examinations question papers and material. Distribution of question papers to schools is done by the District Education Board Secretaries under police escort. On receipt of question papers, the Head of the school checks the packets to ensure that they have received the correct quantity of question papers as shown on the delivery note enclosed in one of the boxes; where there is a shortfall of question papers, the Head immediately notifies the District Education Board Secretary who in turn immediately informs both the Provincial Education Officer and the Director of ECZ.⁹

These are the available guidelines set by the ECZ in as far as the logistics of examinations at Grade 9 and 12 are concerned at least up to the date of writing the examination which occurs at all the registered centres through out the country. The ECZ goes further to even provide writing paper to candidates at the

levels under discussion and only writing paper so provided by the ECZ is used for examination purposes.

1.5 SUPERVISION AND INVIGILATION OF EXAMINATIONS AT GRADE 9 AND 12

The Provincial Education Officers appoint supervisors for Grade 7, 9 and 12. The whole responsibility of conducting examinations and security of examination papers is with the Head of school who arranges the sitting plan, ensures that script envelopes are securely delivered to safe storage, ensures that bundles of question papers and materials are intact and that they are kept under lock and key and that under no circumstances shall any person other than the examinations supervisor himself or herself in the presence of the Head have access to the metal box or strong room where examination materials are kept.

1.6 INVIGILATION, PACKAGING OF SCRIPTS AND PENALTIES ON TEMPERING

Invigilators are appointed by the Head of school. The invigilator checks the identity of all the candidates to ensure that there is no impersonation. At the end of the examination; the invigilator packs the candidates' scripts together with the sitting plan and two copies of the marked attendance registers for Grade 9 and 12 candidates and this is done immediately after each examination session. The school retains the original copy of the marked attendance register. The invigilator signs the sealed temper evident envelope as a counter measure

intended to confirm that the sealed tamper-evident envelope was intact and sealed in the presence of candidates in the examination room. Once all this is done, the invigilator immediately delivers the sealed and signed scripts tamper-evident envelopes to the examination supervisor who is at the same time the head of the school. The invigilator reports any evidence of tampered envelopes to the supervisor so that the supervisor prepares a report on the tampered or opened envelopes.¹⁰ Once all this is done, the scripts are delivered to the District Education Board Secretary in case of urban centres as no school is permitted to keep the scripts overnight at their centres.

It can be seen that the rules are so elaborate and there are even penalties slapped against schools that deliver scripts later than expected. Once all these elaborate formalities are performed, the scripts are then sent to approved centres where appointed markers converge to mark either the Grade 9 or 12 scripts. It must be mentioned here that the marking of Grade 9 and 12 scripts is considered as being an activity outside the normal cause of duty for teachers and only those selected markers are allowed to mark and for this they sign individual contracts with the ECZ to mark and be paid a fee per script marked by the ECZ who are legally responsible for whatever happens during the marking period until the publication of results. The marking of scripts is done in accordance with the laid down guidelines and procedures based on subject panels. Each subject panel has a chiefmarker and deputy chiefmarker who are paid a fee by the ECZ for supervising the process of marking by carrying out random checks to ensure

that the set guidelines as well as the marking keys are strictly adhered to. The ECZ sends at least one official to monitor the process at every marking centre. In a nutshell, this is the outline of the general principles and regulations governing the conduct of examinations in Zambia based on the 1983 ECZ Act No. 15 which reposed legal authority unto the ECZ. It will be noted from the foregoing that the guidelines outlined are so elaborate that one expects that all possible loopholes regarding leakages and malpractices are sealed. However, the fact that the scourge is still abundant notwithstanding these guidelines, policies and safeguards, we are prompted to examine the possible causes and sources of this scourge. It is important to note here that the policies and guidelines put in place appear prima-facie adequate. This notwithstanding however, leakages and malpractices are still pronounced as shall be shown in the next chapters where imperial data based on a sample survey randomly conducted from over 60 teachers drawn from all over the country who converged at the University of Zambia for the July/August 2005 Residential School Organised by the Directorate of Distance Education of the University of Zambia; provincial reports obtained from ECZ; and court cases Secured from ECZ on request are the source of the data in the next chapter.

CHAPTER TWO

2.0 INTRODUCTION

This chapter looks at the nature and quantum of leakages and malpractices reported for the period 1998 to 2003. This will include the National Provincial and District distribution of the reported cases of the stated nature. The paper shall also examine the record of examination malpractice cases involving officials and members of the public reported to police for the period 1999 to 2004 record of examination malpractice cases involving pupils reported to police for the period 1999-2004. It will as well discuss the interim report on cases reported to the police of leakages and malpractices as at November 2004 at Grade 12 level secured from ECZ upon written request made.

2.1 NATURE OF MALPRACTICE AT GRADE 9

The leakages and malpractices that are common take the following forms: smuggling, forging, copying, prior knowledge, submitting two scripts, impersonation and pupils being assisted by invigilators during the examination session.

2.2 SMUGGLING

This appears to be the most prominent form of malpractice. Smuggling means that a candidate goes into the examination room with some material that can be used in answering questions in the examination. As will be seen from

Appendix1, a total of 61 cases of candidates smuggling question papers into the examination room at Grade 9 through out the country were reported. Eastern province recorded the highest number of smuggling cases, whereas North Western Province recorded none. No single case of forging was reported through out the country. A good number of cases of assisted pupils were reported. This nature of case entails that the teacher or supervisor assists the candidate by giving answers. Northern Province recorded the highest cases of teachers assisting candidates in 1998 whereas North Western Province recorded none.

As regarding copying, this is where a candidate blatantly walks with some pre-written answers into the examination room and copys from the same. In the year 1998, the country experienced a number of copying cases with Eastern Province recording the highest number of cases followed by Western Province and Lusaka. While Southern, Central and Northern recorded some cases of copying, North Western, Luapula and Copperbelt did not record any cases of copying in 1998.

There were few cases of pupils with prior knowledge in 1998 reported in Eastern, Copperbelt and Lusaka while the rest of the provinces recorded no such cases. Within the same year, only one case of a candidate who submitted 2 scripts was reported in Northern Province. Just as there was only one case of impersonation reported in Southern Province with the rest of the country having no cases of

impersonation. Therefore, as will be seen from Appendix one, a total of 151 various forms of malpractices were reported in 1998 at Grade 9 level in Zambia. What this figure demonstrates is that the evidence of malpractices is real in Zambia and needs to be seriously addressed as it is wide spread across the country.

The incidence of malpractice in the year 1999 based on the same nature of malpractice sample seemed to have decreased as only 79 were reported through out the country. Here again smuggling and copying and assisting pupils are still the dominant forms of malpractice. The only interesting feature is that Eastern Province which seemed to have had greater participation in 1998 in smuggling, copying and assisting pupils in 1999 were only caught in few cases of smuggling and one case of assisting a candidate. But it is noteworthy that Eastern Province in 1999 only shifted from position one to position two in being a culprit province to malpractices of various forms. In the year 2000, the scourge dropped further as only $\frac{1}{4}$ of 1998 cases were reported throughout the country with Central, Northern and Luapula Provinces sharing position one each and here again the incidence of smuggling, assisting and copying is still the predominant form of malpractice. In this year there was no forging, no submitting of 2 scripts and only one incidence of impersonating at Grade 9. In the year 2001 few cases were reported countrywide with Central Province recording the highest number. Very few candidates countrywide submitted double scripts at Grade 9 in 2001 with only 2 who smuggled and 3 who were assisted, and this only involved two

provinces namely Central and Northern. In the year 2002 there were also few cases reported of assisted pupils. These were from Northern, Eastern and Central Provinces. In 2003 the number of examination malpractice cases increased just a bit. What this data attempts to show is that the incidence of malpractice at Grade 9 is quite common although there has been a downward trend based on Appendix 1 to 6.¹¹

What is proven by the outlined data is the fact that malpractices at Grade 9 are real and that both candidates and teachers who supervise these examinations are culprits. The data shows that teachers assist pupils where as pupils themselves apply a number of self help methods to pass the examinations through dishonest means as shown in the Appendixes.

2.3 RECORD OF EXAMINATION MALPRACTICE CASES INVOLVING OFFICIALS AND MEMBERS OF THE PUBLIC REPORTED TO POLICE FOR THE PERIOD 1999 TO 2004

2.3.1 1999 Cases Reported in:

(i) Kitwe and Chingola

Christopher Mbale, a teacher at Chimwemwe Basic School in Kitwe was caught in possession of Grade 7 English and Social Studies examination papers and he was charged for disclosure of examinations answers to pupils. During the same period, in Lusaka,

(ii) Jackson Mwanza, a teacher at Lusaka Boys was charged with loss and misuse of Grade 9 Environmental Science.

- (iii) Mordds Chanda, a Teacher at Kamwala High School was charged with disclosure of Grade 9 Environmental Science Paper 2.
- (iv) C Kabwela, a Teacher at Kizito Basic School in Lusaka was charged with disclosure of Grade 9 maths Paper 2.
- (v) Matilda Ngoma at George Central Lusaka was charged with disclosure of Grade 9 Maths Paper1 and 2, a packet of fifteen (15) question papers in Human and Social Biology went missing from the Head's office at Chakunkula Basic School in Lusaka. The matter was reported to police and the Ministry took administrative action by dismissing the Head.¹²

2.4 LIVINGSTONE 1999

A St Raphael's Secondary school Teacher was charged with loss and misuse of Grade 9 Geography papers 2. During the same year, 1999.

2.5 IN LUAPULA

2.5.1 Four teachers at Samfya Secondary School were arrested for tempering with Grade 12 English Paper 2, which went missing for 66 candidates. The effect of this was that the affected candidates had to resit the examination.

2.5.2 Four teachers at Samfya Secondary School wrote Grade 9 Mathematics paper 2 on behalf of candidates.¹³

2.6 KASAMA

A Teacher at Mungwi Secondary School sold examination papers to seven pupils. He was taken to court where he was imprisoned for 12 months and was also dismissed from his job.

We can therefore see that in the year 1999, the scourge of malpractices affected about five provinces at both Grade 9 and 12 whereby both teachers and pupils were involved in the malpractices.

2.7 IN THE YEAR 2001

Only one case was reported to police in Eastern Province in Petauke District where on the 31st October, 2001, thieves broke into the office of the Head at Minga Day Secondary School and stole Grade 12 examination question papers. A teacher, and three pupils at the same school were arrested by police to help with investigation. This Petauke case brings in a new dimension to the incidence in that it creates the suspicion that members of the public could have been involved. This raises questions as to whether this was done to assist children or done for economic reasons by the culprit.¹⁴

2.8 LUSAKA 2001

2.8.1 A school teacher at Roma Girls Secondary School was issued with a bench warrant for not appearing in court after he had leaked Grade 12 papers which he obtained from Chipata. He was selling Grade 12 question

papers with another teacher at Anoya Zulu Secondary School in Chipata. He appeared in courts and jumped bail conditions so the court issued a bench warrant for the arrest. This case is a good precedence for those involved as it demonstrates what danger one gets into once caught in this type of case.

2.8.2 Two teachers of Libala Secondary School assisted a Grade 9 pupil at Kamwala Secondary School where they were invigilating. They supplied answers for Mathematics Paper 2 and Geography Paper 2 to the girl in exchange for money or sex. The teachers were suspended and were also convicted and conditionally discharged by the court of law.

2.8.3 One female teacher of Chakunkula Basic was arrested after she was found with photocopies and handwritten questions for Grade 9 and 12 examinations in her bedroom which were meant for sale. The case was taken to court.

2.8.4 In the same year 2001, a teacher of Anoya Zulu Secondary School was jailed for 18 months for leaking 2001 Grade 12 papers which spread to Lusaka.¹⁵ Of most significance among the years was the year 2004 where the following report was obtained from ECZ at Grade 12:

2.9 GRADE 12/GCE EXAMINATION MALPRACTICES 1998 TO 2003

The following are the common nature of malpractice at Grade 12 GCE examinations smuggled prewritten materials assisted by some one. Copying from each other, access to question papers prior to examinations, submitting

answer sheets in wrong envelopes, impersonation and submitting two answer-sheet sAppendix 2 shows that in 1998 a huge number of cases based on the above variety was reported. Just as in 2000, in 2001, and an abnormal total of 338 cases were reported at Grade 12 in the year 2002. Luapula recording the most cases followed by Lusaka, Southern, and Copperbelt and majority of those cases were smuggled prewritten material into examination rooms which involved a total of 247 candidates at Grade 12/GCE level.¹⁶ This was alarming to say the least in a single examination year.

In the year 2003, the trend continued with a total of 303 cases reported at Grade 12/GCE again with the evidence of smuggled prewritten material into the examination room standing at 234 out of the 303 cases reported.¹⁷ This proves that the incidence of smuggled materials is highly pronounced and needs to be addressed for the future.

This obviously causes a great amount of worry among educationists and law enforcement agencies who must re-examine the checks done at the entrance into the examination rooms to curb smuggling of materials.

2.10 DISPOSAL OF GRADE 9 CASES REPORTED TO ECZ IN THE YEARS 1998-2002

2.10.1 Cases involving malpractices at all levels take long to be disposed of.

There are three main forms of administrative disposal of the reported

cases i.e A candidate can have all his results nullified in all subjects, nullification of results in one or more subjects or all results can be released if ECZ disciplinary committee is satisfied with the reasons given and if the case is not a police case an administrative decision can be quickly arrived at.

In 1998 all the reported cases were disposed of as shown in table one below which is based on Appendix 1 of the ECZ 1998-2003 disposal of cases that have so far been reported to ECZ. The data reflected in Appendix 1 goes a long way to show how swift ECZ is in disposing of cases reported on examination malpractices.

2.10.2 GRADE 12 CASES FOR THE PERIOD 1998-2003 DISPOSED OFF BASED ON ECZ APPENDIX 1

TABLE ONE

YEAR	NO. REPORTED	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN ONE OR MORE SUBJECTS	RELEASES	DEFERRED	TOTAL
1998	197	173	13	8	3	197
1999	138	123	8	7	-	138
2000	63	52	10	1	-	63
2001	85	85	-	-	-	85
2002	338	330	8	-	-	338
2003	303	284	7	8	4	303

The table above shows an analysis of the trend between 1998 and 2003 and shows how swift the ECZ has been in the disposal of reported cases of examination malpractices at Grade 12. ¹⁸Our concern is what the cases and sources of these examinations malpractices are. This is the effort we make in

the next chapter which will show the qualitative analysis of the social survey conducted through a questionnaire.

The table above shows that in 1998, out of the 197 cases reported, only 3 were deferred where as all the 194 cases were acted upon. This was also the case in 1999 where all the reported cases were disposed of and a similar trend was reflected in the years 2000 to 2002 when all reported cases were cleared except in the year 2003 where only 4 cases were deferred out of the 303 reported. What this means is that, the ECZ administrative disposal machinery of ECZ is quite efficient as only a few cases are deferred purely for administrative reasons.¹⁸ The table above proves to us that ECZ has an efficient system in place that promptly deals with malpractice cases. It is therefore surprising that in spite of the elaborate administrative mechanisms in place, the incidence of malpractices is still highly pronounced. It is for this reason that the next chapter is based on the results of the random survey carried out through a questionnaire.

CHAPTER THREE

SOURCES AND CAUSES OF LEAKAGES

3.0 This chapter, discusses the sources of examination leakages based on the social survey conducted through a random questionnaire involving Distance Education residential school students from a cross section of the country who converged at the University of Zambia during the July/August 2005 Residential School. A total of 45 people were interviewed mainly from the School of Education since the school provides Distance Education courses to serving teachers. The table below shows the provincial, district and school distribution of the people interviewed.

TABLE 2

REGION	NO. OF DISTRICTS	NO. OF SCHOOLS	NO OF PEOPLE INTERVIEWED	NO. OF TEACHERS INTERVIEWED	NO. OF PARENTS INTERVIEWED	NO. OF MALES INTERVIEWED	NO. OF FEMALES INTERVIEWED
CUSAKA	2	4	7	6	1	3	4
NORTHERN	4	4	4	4	0	3	1
WESTERN	4	8	9	8	0	4	5
CENTRAL	2	5	5	0	0	3	2
C/BELT	2	2	2	2	0	1	1
E/WESTERN	4	3	4	3	1	4	0
UAPULA	2	1	2	2	0	1	1
EASTERN	3	2	4	2	2	3	1
SOUTHERN	5	8	8	8	0	5	3
TOTAL	28	37	45	45	5	27	18

• Source – Social Survey questionnaire July/August 2005

The statistics in table 2 above shows that all the nine provinces of Zambia were captured in the survey as tabulated. The table further shows that a total of 23 districts of Zambia were represented giving us a district representation of 32% of the total number of 72 districts in Zambia. This presupposes that the sample survey conducted is truly representative of the situation obtaining in Zambia as suggested by the respondents who constitute representation of about a $\frac{1}{3}$ of the districts in Zambia.

3.1 CAUSES OF LEAKAGES

The survey was conducted in order to answer the question why there are leakages, what their probable sources are and to find out whether people across the country especially teachers know that leakages are a criminal offence. From the survey conducted, almost all the people interviewed respondent that they know that it was a crime. However, of the 45 respondents 40 knew that it was a criminal offence where as 5 said that it was a civil offence. The fact that 88% of the respondents who are mostly teachers as only 5 of those interviewed came from other professions demonstrated that there is adequate sensitisation about the crime. As such, Examinations Council of Zambia cannot be faulted in this respect as this data serves as sufficient evidence that the public relations unit of the ECZ has done adequate publicity in alerting teachers about this crime. It is quite interesting that from the 12% of the people interviewed who are not teachers, one notable figure is a traditional ruler from Kapombo District of North Western Province who I later came to know as Chief Ishindi who was among the

Bachelor of Arts degree 1st year Residential School students in the School of Humanities and Social Sciences. The Honourable Chief demonstrated a clear legal understanding of the incidence of leakages and malpractices than did most teachers. He proposed that the Education Act as well as the Examinations Act be reviewed and amended to cope with the present extent of the scourge of malpractices. This particular respondent was more interesting on the legal aspect where the majority of teachers themselves exhibited ignorance about what the two Acts are. Therefore, it is important from this experience to appeal to the ECZ to hold workshops involving some legal experts to assist in the legal explanation of the ECZ Act and Education Act to enable teachers who manage examinations to operate with a sound basic legal background.

3.2 CAUSES OF LEAKAGES

The majority of the people interviewed were unanimous that the causes of Examination leakages could be placed under the following heads:

- a) Poor security checks by ECZ officials.
- b) Use of teachers from the same school as examination invigilators.
- c) The low salaries and poor conditions of service for teachers.
- d) Corruption and Nepotism.
- e) The emergence on the scene of new examination centres for GCE as a consequence of APU classes.

3.3 AT WHAT STAGE DO LEAKAGES OCCUR?

In response to the above question, the following headings were generally identified as portrayed in Table 3.

TABLE 3 AT WHAT STAGE DO LEAKAGES OCCUR

WHERE	NUMBER	PERCENTAGE
AT ECZ	21	46.66
DURING TRANSPORTATION	3	6.66
AT SCHOOL CENTRES	9	20
BEFORE ACTUAL EXAMINATION	6	13.33
DURING EXAMINATIONS	6	13.33
TOTAL	45	100

• Source – Social Survey questionnaire 2005

The 46.66 who say that leakages occur at ECZ hold the view that these leakages occur during the process of setting examination questions because many people handle the question paper before pupils finally write. There is for example the question of examination papers for the blind pupils which are set by the sighted teachers before the same are transcribed into brail. This is said to be a fertile ground for leakages. Besides, the survey revealed that the use of computers which are connected to internet by ECZ holds them responsible for these leakages as data can quite easily be obtained from the internet. No tangible evidence was highlighted on this view. Although the assertion could be of some merit.

During Transportation

It is interesting to note that only 3 out of 45 people interviewed suggested that leakages occur during transportation. This is commendable given that ECZ depends on various forms of transport to move the question papers. These vehicles that are used for the logistics of question papers are driven by people who don't even work for ECZ and yet the incidence of leakages resulting from transportation is minimal. This is commendable as it only represents 6.66%.

During Examinations

6 out of 45 people interviewed held the view that leakages occur during Examinations thus representing 13.3% as shown in Appendix 1 for the period 1995 to 2003. This must be addressed by ECZ inspectors in collaboration with District standards officers who are the security managers spread across the country.

Leakages at School Centres.

9 out of the 45 said that leakages occur at school centres. This represents 20% of the respondents to the survey. This is quite a high percentage by any standard and needs attention. This is a crucial stage because it is at this stage when examination supervisors who are Head teachers and invigilators who are teachers are involved. This is a very sensitive stage as can be seen from the cases outlined in chapter two where both teachers and pupils are involved. It is at this stage that the incidence of smuggling question papers occurs as well as

the incidence of pre written answer sheets takes place as teachers and pupils connive to commit this offence for various reasons as outlined earlier in the essay.

Before Actual Examinations

6 out of 45 of the people interviewed said leakages occur before actual examinations. This is linked to the school centre and represents 13.3% of the total leakage. This requires urgent attention to curb leakages as this can spread the scourge if not checked. This is a complex stage which ECZ inspectors need to address by way of strict checks before entry into examinations although it is difficult as pupils can memorise the answers before writing and enter the examination room well equipped to conduct what they call a "ceremonial handover."

3.4 THE EXISTING LAW

The Examination Council of Zambia Act prescribes various forms of penalties as seen in Appendix 1. For example the case below shows to what extent the ECZ has attempted to stop the scourge using the existing law.

Parents Weep as three go in over exams

By Charles Mangwato

The Choma Magistrate Court grounds were yesterday turned into a funeral ground when mothers and relatives wailed uncontrollably after the conviction of three young men who were found with this year's Grade Twelve examination paper.

Resident Magistrate Chilombo Phiri sentenced Simambo Mudenda 21 a first year University of Zambia student to 12 months imprisonment with hard labour. Ms. Phiri also handed down nine months custodial sentence with hard labour to Clement Bunyolo, 19 and Moses Luchembe 22, both Grade Twelve pupils at Choma Secondary School.

No sooner had Ms. Phiri read out the verdict than some mothers in court started wailing before trooping out of the court room where they wept uncontrollably before school teachers and the district education officer, Hamoonga Muchoka.

Facts before the court were that Mudenda secured this year's Grade Twelve Geography examination paper and prepared answers which he passed on to his co-accused.

The trio claimed the exam paper came into their possession without knowing that it was a leaked paper and they would die if sent to prison. But Ms. Phiri observed that education standards had gone down in the country because pupils deliberately refused to study, thinking they would get examination papers through leakages.

She said the courts have a duty to mete out stiffer punishment to deter would-be offenders."¹⁹

However, in spite of such severe penalties inflicted upon the culprits, society is still involved in the scourge. The Choma case cited above shows how the existing Examinations law has fared. The law is there but people are simply adamant that when it comes to leakages more and more people are involved. It is important, therefore, to improve logistics for the investigative wing of the ECZ so that the real culprits in this scourge are brought to book. Of significance, the creation of numerous GCE centres in basic schools and private tuition centres must be thoroughly monitored. This is because, some of the teachers at these basic and tuition centres which have become GCE 'O' level centres are also candidates who sit for the same examination with the pupils they teach in that they hope to improve their grades in order to gain entry into college or university

On the other hand, the teachers claim that their salaries are very low and for that reason a good number of them indulge in leakages for monetary reasons. The survey noted that the concept of tuition centres is a notorious cause of examination leakages because for the most part, the teachers at these tuition centres are unqualified and yet they are employed simply to keep the business running. In their effort to attract more students to come to their tuition centres. These teachers leak examination papers simply as a business strategy used to effectively entice pupils to enrol at their centres.

Academic Production Unit Classes.

This phenomena which has come on the scene in Zambia causes teachers to indulge into leakages. This is because teachers who are motivated by the monetary aspect begin to panic at the end of the year and end up leaking examination papers to candidates so that they can keep their teaching place as APU teachers. The concept of APU has come along with vacational or holiday tuition for which pupils pay commercial fees to the very teachers who teach them during the normal term.

3.5 BUSINESS CENTRES

Business centres in towns have also been identified as sources of leakages where teachers connive and indulge in the theft of examination papers which they take to business centres where they hand in as jumbled up question papers which they openly sale because they know that though jumbled are in fact the actual examination papers for the given year. They photocopy these and sale without being suspected. In the year 2004; five Grade 11 pupils and one Grade 12 pupil from Monze Secondary School were caught with this kind of examination matrix in possession of photo copied Grade 12 Geography paper I and Mathematics paper II question papers for 2004. These pupils are still appearing in the subordinate court in Choma in Southern Province. This is an example of how teachers continue to connive with business centres. This is why 20% of the 45 people interviewed said that leakages occur at school centres where the live question papers are stolen or leaked from.

It can therefore, be concluded that the above are the credible stages at which leakages occur and the same can as well be said to be the sources of these leakages for the various reasons outlined. The table below can be said to be a summary of the causes of examination leakages as stated by both teachers and parents interviewed.

TABLE 4

Teachers' Views

CAUSE	% SCORE
• Poor conditions of service	26.3
• Lack of teaching materials	10.3
• Lack of enough teaching staff	7.9
• Lack of further training for teachers	4.5
• Demotivation	16.3
• Lack of incentives	17.7
• Candidates themselves	9.9
• Others e.g. corruption, greediness, lack of allowances, lack of integrity, APU, pressure from parents etc.	7.1

• Source – questionnaire based on Social Survey 2005

Table 5

Parents' Views

CAUSE	% SCORE
• Poor performance of teachers	15.5
• Poor performance by children	23.2
• Lack of enough qualified teachers	11.1
• Fear if failure for their children	29.6
• Stiff competition for school places	18.3
• Others e.g. poor salaries for teachers, perpetual strikes by teachers etc.	2.3

• Source – Questionnaire on Social Survey 2005

The teachers' views, as indicated by the highest scores obtained of 26.3%, 17.7% and 16.3% reveal that EMs and ELs by teachers is chiefly due to the prevailing poor conditions of service, lack of incentives for teachers as well as the demotivation occasioned by lack of incentives.

The community's highest scores on the views obtained of 29.7%, 23% and 18.4% reveal that the concern or the fear of failing of the children makes them indulge into the deplorable ELs and EMs, followed by the observed poor performance by the children and the prevailing stiff competition for school places at high school level which renders their children vulnerable to indulgency in the malpractices. This is exacerbated by the concept of tuition during school holidays which stiffens the competition further.

3.6 EXAMINATION MALPRACTICES AND LEAKAGES AND THE ISSUE OF POVERTY

At the centre of the revealed credible causes of examination malpractices, the study shows that poverty is the key contributing factor. This picture depicted in Table 4 above shows that the whole teacher population interviewed viewed examination malpractices to be closely related to poverty. Poverty has been identified as a major cause of leakages and malpractices as those who leak the examination papers either from ECZ, school centres, business centres do so to raise money from the desperate pupils who want to get leakages at all costs to enable them pass the examinations in order to secure college or university places

which are so competitive. This unfortunately results into the universities accepting undeserving candidates.

CHAPTER FOUR

4.0 CONCLUSION

It is noted from the study undertaken that the law regulating the conduct of ECZ at Grade 9 and 12 in Zambia does exist. We also note that there are mechanisms in place regulating examination malpractices and leakages. It is further noted from the study done that the general view by the majority of the people interviewed is that EMS and ELS are more pronounced at Grade 9 and 12 levels. This information is derived from the ECZ data as outlined in Appendix I cited in the text on page 24 of chapter two.

The study has revealed that the problem of EMS and ELS lies squarely on the Ministry of Education and ECZ. This is because the Zambian education system is centralised. The study has brought to our attention the fact that adequate guidelines are in place and so are measures for storage of examination question papers and that there are strict and adequate logistical arrangements in place before the final conduct of examinations. It is appreciated that there are adequate mechanisms put in place for the supervision and invigilation of the examinations at the levels under discussion.

This notwithstanding, however,, leakages and malpractices are still prevalent as culprits still find their way out to perpetuate this scourge. The problem of leakages and malpractices at Grade 9 and 12 is quite real such that it requires

redress by all concerned. The Ministry of Education (MOE) must lead the way in finding a lasting solution to this national problem as it is so complex to be left to an entity like ECZ to handle in isolation.

Various methods used by the culprits in malpractices and leakages have been revealed by the study. Of significance, smuggling of examination materials into the examination room has been singled out among many as one prominent form of malpractices. This is the information availed to us by ECZ through the report on leakages and malpractices for the period 1998 to 2003.²¹ It has also been brought to light that a good number of pupils involved in these malpractices actually collaborate and connive with teachers for various reasons.²² The revelations are quite saddening as the very teachers who are reposed with the authority to oversee examinations are themselves the culprits as seen in the Eastern Province based on the 1998 ECZ report which shows that a total of 151 cases of various forms of EMS and ELS were reported.²³ There is evidence on page 24 of the essay above however that the incidence had a downward trend between 1999 and 2003, but what is of significance is that the data proves that both pupils and their teachers connive to perpetrate these leakages for various reasons as shown on pages 19 – 21 of the essay in Chapter 2.

4.1 ECONOMIC REASONS

Among the reasons suggested for these malpractices on the part of Teachers are economic. The study revealed that poverty among teachers causes them to

indulge into the leakages of examination papers in order for them to raise income to supplement their meagre salaries. This was one such case observed in the year 2004 at Mount Makulu Basic School in Chilanga where the Headmaster connived with a Deputy Head of a neighbouring school to steal examination question papers in five subjects at Grade 12 level for sale on the Copperbelt. The duo were arrested and the headmaster was found in possession of large amounts of money suspected to have resulted from the proceeds of the leaked question papers. When the matter went before the subordinate court, the duo were acquitted and the state has appealed to the high court.

4.2 IMMORAL CONDUCT

Corruption, nepotism and sexual misconduct were also revealed as a cause of examination malpractices. Although cases of sexual molestation of pupils by teachers in exchange for examination leakages are isolated, the study noted that some greedy and immoral teachers are in the habit of abusing pupils in exchange for question papers. This was reflected in the ECZ report for the period 1999 to 2004 already cited in the text 25. the phenomenon is wide spread countrywide and if not checked can adversely and permanently impact on the entire education system. The work being carried on based on the report on the disposal of cases for both Grade 9 and 12 for the 1998 to 2002 period is commendable. However, more needs to be done to minimise this incidence.

4.3 GENERAL CAUSES OF EXAMINATION LEAKAGES AND MALPRACTICES

The survey conducted revealed that leakages and malpractices are committed not because the culprits do not know that it is a crime. The fact that 88% of the people interviewed know that it is a criminal offence to indulge into EMS and ELS proves that those involved actually deliberately develop the mensrea to commit a felony. This is notwithstanding the fact that ECZ has in place elaborate measures aimed at preventing the recurrence of these malpractices. This is evidenced from the fact that even parents who were interviewed for the most part demonstrated that they know that it is a criminal offence to involve oneself into examination leakages.

The survey revealed that these leakages are for the most part caused by:

- (a) Poor security checks by ECZ officials.

This means that although there are elaborate mechanisms in place, ECZ should tighten the checks further by casting the net wider randomly to cover most parts of the country even before examinations start.

- (b) The use of teachers from the same school/examination centres to invigilate makes teachers vulnerable to leakages.

The teachers have been cited as culprits in the scourge as reflected in the ECZ reports discussed in the text in tables 4 and 5 in chapter 3.

- (c) The low salaries and poor conditions of service for teachers smack poverty and leads teachers to indulge into leakages for them to source money to supplement their income.

This reason was repeatedly mentioned by most teachers interviewed as they singled it out as a major cause of examination leakages and malpractices.

- (d) Corruption and nepotism as demonstrated in the four cases of teachers who leaked examinations in exchange for sexual favours from female pupils.

Proves that examinations can be leaked on grounds of insatiable lust for sex by teachers.

- (e) The Academic Production Unit (APU) classes that have led to the creation of numerous GCE centres lead to malpractices. These centres are a recipe for malpractices because it is from these centres that even teachers who are already in service register for the Grade 12 examination together with the pupils they teach. The supervisors are their own fellow teachers with whom they connive to secure question papers to use for the examination. The result is that when results come out at Grade 12 from such centres, these teachers score even better marks than the fulltime pupils due to the incidence of leakages. This is a plausible cause which requires attention.

4.4 THE STAGE AT WHICH LEAKAGES OCCUR

The study has revealed that leakages occur at various stages. 46.7% of the 45 people interviewed said that these leakages occur at ECZ itself before the question papers reach the examination centres. The study also revealed that school centres are a stage of occurrence as 20% of the people interviewed said leakages occur at school centres. Only 7% of the people interviewed held the view that leakages occur during transportation stage. This presupposes that logistical arrangements in place are adequate to a great extent from this context.

4.5 RECOMMENDATIONS

1. Since the people interviewed were almost unanimous in alleging that leakages occur at source, ECZ must revisit the centralisation policy on examination administration. The old system of having examination officers at provincial and district level whose sole role was to administer examinations logistics, statistics, marking, supervision etc was one effective way ECZ could easily monitor examinations effectively country wide to further reduce the evidence.
2. The current system of placing the examinations function under standards officers whose primary duty is to inspect schools is ineffective because these officers regard the examinations function as a secondary responsibility and as such do not give it the degree of attention it deserves as a national security issue. It would be better if

each District Board has a seconded ECZ official to manage examinations.

3. Based on the findings of the study, it is proposed that MOE sources for donor funding for the holding of workshops throughout the country with the assistance of legal experts who should explain the serious legal implications of examination malpractices as teachers interviewed appeared to treat the issue of the law casually. This view is based on the fact that quite a good number of teachers interviewed did not even know whether examination leakages are a felony. This is a serious crime which the MOE should take up so that there is greater sensitisation among pupils and teachers so that they can know how serious a crime it is to leak examinations or to get involved in the malpractice. This should be treated with utmost seriousness equivalent to the incidence of drug trafficking and poaching and money laundering as leakages can have a devastating effect on the education system.

4. The MOE should revisit the wholesome declaration of every APU class as a GCE centre as these have been seen to connive with business centres in the leakage of examinations as teachers in these APU classes are unqualified to handle grade 12 classes for the most part

especially at Basic School where there are few teachers qualified to teach Grade 12.

5. The ECZ should embark on to the strengthening of the ECZ Act so that it can be at par with the DEC Act, Anti corruption Act, The Zambia Wild Life Act to mention a few which empower these bodies to arrest. ECZ depends on Zambia Police who treat reports of leakages just like any other reports. Strengthening the ECZ Act will empower ECZ officials to arrest and prosecute so long as they have fiat from the DPP.
6. The Education Act cap 135 should be repealed such that ECZ should become an autonomous body as the function of examination administration is so crucial to a developing country since leakages have far reaching consequences which can affect the entire education system in that those who had leakages will secure places at the university and college level thereby barring genuine candidates who score genuine marks from securing entry into the university or college as cut off points are artificially raised as a result of leakages. This will go a long way in curbing examination leakages as the pupils who fluke their way into university might continue the trend at higher level.
7. Some of the people interviewed recommended that ECZ officials based at provincial and district levels must be the ones to monitor and

supervise the examinations rather than leaving the exercise to head teachers who are teachers too and vulnerable as they work with the teachers at the same schools. A deliberate policy therefore must be embraced which will ensure that funding to ECZ is increased so that more personnel are employed and seconded to district and provincial centres by ECZ so that such personnel will be answerable to ECZ unlike the current scenario where an erring teacher involved in examination malpractices has to be disciplined by the Teaching Service Commission which is the employer as ECZ is an outsider and has no authority over a teacher who leaks examinations since teachers are merely contracted to run examinations for an allowance. The ECZ Act should be strengthened so that teachers who handle examinations can be instantly disciplined by ECZ without going through the bureaucracy of the Teaching Service Commission. This means that even the Teaching Service Commission Act must be amended alongside the education Act and ECZ ACTS to be in harmony with the law currently in existence.

CITATIONS

¹Section 13 (3) of ECZ ACT NO. 15 1983.

²MOE Restructuring Document, 2003

³Ibid

⁴Ibid

⁵ECZ Guidelines p. 1

⁶Ibid P2

⁷Ibid P4

⁸Ibid P10

⁹Ibid

¹⁰Ibid P11

¹¹Ibid. Appendix 1

¹²ECZ 1999-2000 Reported Cases

¹³Ibid

¹⁴Ibid

¹⁵Ibid

¹⁶1999-2004 Appendix 2

¹⁷ECZ 1998-2004 Examinations Malpractices Report

¹⁸ECZ 1998-2003 Appendix 2

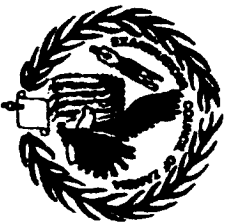
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EXAMINATIONS COUNCILS OF ZAMBIA

1998 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLED	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
Lusaka	04	-	01	-	03	-	-	08
Western	03	11	19	-	-	-	-	33
Central	03	-	06	-	-	-	-	09
Northern	03	-	08	02	-	01	-	14
N/Western	-	-	-	-	-	-	-	-
Luapula	01	-	01	-	-	-	-	02
Southern	05	-	01	04	-	-	01	11
Copperbelt	15	-	01	-	03	-	-	19
Eastern	27	-	02	20	06	-	-	55
Total	61	11	39	26	12	1	1	151



EXAMINATIONS COUNCILS OF ZAMBIA

1999 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLED	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
Lusaka	-	-	-	02	06	01	-	09
Western	-	-	-	09	-	01	-	10
Central	-	-	03	-	-	-	-	03
Northern	01	-	05	01	-	01	-	08
N/Western	-	-	02	-	-	01	-	03
Luapula	05	-	-	02	-	01	-	08
Southern	03	-	17	02	-	-	-	22
Copperbelt	05	-	-	-	-	-	-	05
Eastern	12	-	01	-	-	-	-	13
Total	26	-	28	16	06	05	-	81



EXAMINATIONS COUNCIL OF ZAMBIA

2000 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLED	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
Northern	01	-	07	-	-	-	-	08
Luapula	08	-	-	-	-	-	-	08
Southern	01	-	-	-	05	-	-	06
Eastern	01	-	-	-	-	-	-	01
Copperbelt	-	-	07	-	-	-	-	07
N/Western	-	-	-	02	-	-	-	02
Central	-	-	04	04	-	-	-	08
Western	01	-	-	-	-	-	-	01
Lusaka	-	-	-	-	-	-	01	01
Total	12	-	18	06	05	-	01	42



EXAMINATIONS COUNCILS OF ZAMBIA

2001 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLED	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
Lusaka	-	-	-	-	-	-	-	•
Western	-	-	-	-	-	-	-	•
Central	-	-	03	-	-	05	-	08
Northern	02	-	-	-	-	03	-	05
N/Western	-	-	-	-	-	-	-	•
Luapula	-	-	-	-	-	-	-	•
Southern	-	-	-	-	-	-	-	•
Copperbelt	-	-	-	-	-	-	-	•
Eastern	-	-	-	-	-	-	-	•
Total	02	-	03	-	-	08	-	13



EXAMINATIONS COUNCIL OF ZAMBIA

2002 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLED	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
Lusaka	-	-	-	-	-	-	-	-
Western	-	-	-	-	-	-	-	-
Central	-	-	01	-	-	-	-	01
Northern	-	-	10	-	-	-	-	10
N/Western	-	-	-	-	-	-	-	-
Luapula	-	-	-	-	-	-	-	-
Southern	-	-	-	-	-	-	-	-
Copperbelt	-	-	-	-	-	-	-	-
Eastern	-	-	01	-	-	-	-	01
Total	-	-	12	-	-	-	-	12



EXAMINATIONS COUNCILS OF ZAMBIA

2003 ANALYSIS OF GRADE 9 CASES OF MALPRACTICES

NATURE OF MALPRACTICE

REGION	SMUGGLE D	FORGED	ASSISTED	COPYING	PRIOR KNOWLEDGE	SUBMITTED 2 SCRIPTS	IMPERSONATION	TOTAL
NORTHERN	02	-	04	-	-	-	-	06
LUAPULA	02	-	-	-	-	-	-	02
SOUTHERN	01	-	02	-	-	-	-	03
EASTERN	-	-	-	-	-	-	-	-
COPPERBELT	-	-	-	-	-	-	-	-
NORTHWESTERN	-	-	-	-	-	-	-	-
CENTRAL	-	-	02	-	-	-	-	02
WESTERN	-	-	-	-	-	-	-	-
LUSAKA	01	-	-	-	-	-	-	01
Total	06	-	08	-	-	-	-	14



EXAMINATIONS COUNCIL OF ZAMBIA

1998 GRADE TWELVE/GCE EXAMINATION MALPRACTICE

REGION	SMUGGLED PRE-WRITTEN MATERIAL	SUSPECTED TO HAVE SMUGGLED PRE-WRITTEN MATERIAL	ASSISTED BY SOMEONE	COPYING FROM EACH OTHER	HAD ACCESS TO QUESTION PAPER PRIOR TO EXAM	SUBMITTED ANSWER SCRIPTS IN WRONG ENVELOPES	IMPERSONATION	SUBMITTED TWO ANSWER SCRIPTS	TOTAL
Northern	01	01	-	-	-	01	-	-	03
Luapula	01	-	-	08	-	-	-	-	09
Southern	0	03	-	-	06	-	-	-	09
Eastern	0	-	-	02	12	-	-	-	14
Copperbelt	23	04	02	12	02	02	-	01	46
North-Western	01	01	07	-	-	-	-	-	09
Central	01	-	04	-	01	-	-	-	06
Western	-	10	10	04	32	-	01	-	57
Lusaka	12	06	-	-	26	-	-	-	44
TOTAL	39	25	23	26	79	03	01	01	197



EXAMINATIONS COUNCIL OF ZAMBIA

1999 GRADE TWELVE/GCE EXAMINATION MALPRACTICE

REGION	SMUGGLED PRE-WRITTEN MATERIAL	SUSPECTED TO HAVE SMUGGLED PRE-WRITTEN MATERIAL	ASSISTED BY SOMEONE	COPYING FROM EACH OTHER	HAD ACCESS TO QUESTION PAPER PRIOR TO EXAM	SUBMITTED ANSWER SCRIPTS IN WRONG ENVELOPES	USE OF ABUSIVE LANGUAGE	SUBMITTED CRUMPLED SCRIPTS	SUBMITTED TWO ANSWER SCRIPTS	TOTAL
Northern	03		-	-	-	-	01	-	-	0
Luapula	-	-	-	06	-	-	-	01	-	0
Southern	01	02	02	-	01	-	-	03	-	0
Eastern	09	07	01	-	-	-	-	02	-	1
Copperbelt	06	08	01	-	09	01	-	01	01	2
North-Western	05	07	02	-	-	-	-	-	-	1
Central	01	-	-	-	-	-	-	-	-	0
Western	01	04	01	02	-	-	-	-	-	0
Lusaka	02	03	-	07	28	-	-	03	01	4
TOTAL	28	36	07	15	38	01	01	10	02	13



EXAMINATIONS COUNCIL OF ZAMBIA

2000 GRADE TWELVE/GCE EXAMINATION MALPRACTICE

REGION	SMUGGLED PRE-WRITTEN EXAMINATION MATERIAL INTO EXAMINATION ROOM	SUSPECTED TO HAVE SMUGGLED PRE-WRITTEN MATERIAL INTO EXAMINATION ROOM	ASSISTED BY SOMEONE	COPYING FROM EACH OTHER	SUBMITTED TWO ANSWER SCRIPTS	SCRIPT PACKED IN WRONG PACKETS	TOTAL
Northern	02	02	-	-	-	02	06
Luapula	01	-	-	-	-	-	01
Southern	01	-	02	-	-	-	03
Eastern	-	02	01	05	-	-	08
Copperbelt	02	10	01	-	-	02	15
North/NilWestern	-	-	02	-	01	01	04
Central	13	04	-	-	-	03	20
Western	-	-	-	-	01	-	04
Lusaka	01	02	02	-	-	-	05
Total	20	20	08	05	02	08	63



EXAMINATIONS COUNCIL OF ZAMBIA

2001 GRADE TWELVE/GCE EXAMINATION MALPRACTICE

REGION	SMUGGLED PRENIIWRITTEN EXAMINATION MATERIAL INTO EXAMINATION ROOM	SUSPECTED TO HAVE SMUGGLED PRENIIWRITTEN MATERIAL INTO EXAMINATION ROOM	ASSISTED BY SOMEONE	COPYING FROM EACH OTHER	SUBMITTED TWO ANSWER SCRIPTS	SCRIPT PACKED IN WRONG PACKETS	TOTAL
Northern	23	-	-	-	-	-	23
Luapula	02	-	-	-	-	-	02
Southern	05	-	-	-	-	-	05
Eastern	21	-	-	-	-	-	21
Copperbelt	14	-	-	-	-	-	14
North/NiiWestern	03	-	-	-	-	-	03
Central	02	-	-	-	-	-	02
Western	05	-	-	-	-	-	05
Lusaka	10	-	-	-	-	-	10
Total	85	-	-	-	-	-	85

2002 GRADE TWELVE/GCE EXAMINATION MALPRACTICE CASES

REGION	PRIOR KNOWLEDGE	COPYING FROM EACH OTHER	ASSISTED BY SOMEONE	SUSPECTED TO HAVE SMUGGLED PREWRITTEN EXAMINATION MATERIAL INTO EXAMINATION ROOM	SMUGGLED PRE-WRITTEN MATERIAL INTO THE EXAM ROOM	SUBMITTED TWO ANSWER SCRIPTS	IMPERSONATED	TOTAL
Northern	03	03	-	1	5	02	-	14
Luapula	-	-	-	1	132	-	-	133
Southern	4	-	-	4	29	-	-	37
Eastern	-	-	-	1	9	-	-	10
Copperbelt	-	03	-	7	25	-	01	36
North/Ni/Western	-	-	-	16	2	-	-	18
Central	-	-	-	1	8	-	-	09
Western	02	02	8	2	1	-	-	15
Lusaka	06	02	-	22	36	-	-	66
Total	15	10	8	55	247	02	01	338

2003 GRADE TWELVE/IGCE EXAMINATION MALPRACTICE
 CASES PRESENTED AT THE SC MEETING HELD ON 8TH JUNE, 2004

REGION	SMUGGLED PRE-WRITTEN MATERIAL	SUSPECTED TO HAVE SMUGGLED PRE-WRITTEN MATERIAL	ASSISTED BY SOMEONE	SUBMITTED ANSWER SCRIPTS IN WRONG ENVELOPE	FIRING FIRE WORKS IN THE EXAM ROOM	SUBMITTED TYPE WRITTEN WORK	Buying Clay Pot	Copying from each Other	Same Exam # Different Names	TOTAL
Northern	69	7	-	-	-	-	1	-	-	77
Luapula	30	8	-	-	-	-	-	-	-	38
Southern	5	-	-	-	-	-	-	-	-	5
Eastern	-	4	-	-	-	-	-	--	-	4
Copperbelt	4	6	2	-	1	-	-	-	1	14
North-Western	-	2	3	-	-	-	-	-	-	5
Central	11	10	2	1	-	1	-	2	-	28
Western	21	5	-	1	-	-	-	-	-	27
Lusaka	44	16	5	-	-	-	-	2	-	67
TOTAL	184	58	12	2	1	1	1	4	1	265

Record of Examination Malpractice Cases involving Officials and Members of the Public Reported to Police for the Period 1999 to 2004.

1.0 Reported Cases in 2004

1.1 KAFUE

Chilanga Police Station

The Headmaster of Mt Makulu Basic School Mr. George Mambo and the Deputy Head of Munkolo Basic Mr. Chinyama Brown and the Supervisor of examinations at Mt Makulu Basic School Mr. Fred Munsaka tampered with all examination question papers when they received them on 31st August 2004. A number of examination question papers went missing. Chilanga police handled the matter and the case is in court.

1.2 LUSAKA

Kabwata Police

- (i) Three people by the names of Handavu Milambo, Banji Joseph Handavu and Bwembya Sambo were arrested while photocopying Geography Paper 2 and Physics 5054/2 at Kabwata Market. They are expected to appear in court. They appeared in court on 7th February 2005 and were fined K500,000.00 each after admitting to the charge or in default 12 months imprisonment with hard labour.

Munali Police Post

- (ii) Three teachers of Justin Kabwe Basic School by the names of Julie Mbambala, Bridget Kunda and Dorothy Simwinga and a pupil by the name of Edwin Daka of Munali Boys High School were arrested while photocopying English Paper 2 at Kaunda Square market. They appeared in court on 14th of February 2005. They will appear again on the 14th of March 2005 for continued trial.
- (ii) At University of Zambia student by the name of Benny Mubanga was beaten up and taken to Kabwata Police station by pupils from David Kaunda Technical High School when he attempted to sell them

Mathematics Paper I. He appeared in court on the 8th of February 2005 and was fined K400, 000 or in default 6 months imprisonment after admitting to the charge.

Matero Police Station

- (iii) The owner of photocopier at Lilanda market by the name of Juliet Ngwenya and Rabecca Chewe were arrested when were they found in possession photocopies of Mathematics Paper 2 and English Paper 2. They are believed to have supplied a pupil who was found selling the same paper at Serenje High School. They appeared in court on the 7th February 2005 and the case is coming on 28th March 2005 for continued trial

Chilenje Police Station

- (iv) Five pupils of David Kaunda Technical School A.P.U. by the names of Penrose Chuya, Peggy Munsha, Debora Mvula Samathata Mwale, and Allan Kabinda were arrested while photocopying Mathematics Paper 1 at Chilenge market. The owner of the photocopier Mr. Kasonde Shula was also arrested. They appeared in court on the 28th of January 2005 and were fined K300, 000.00 each or in default 6 months imprisonment after admitting the charge.

1.3 LIVINGSTONE

- (i) Two teachers by names of Keron Simuchelo and Vinilas Kaumba were arrested for assisting candidates in Physics Papers. At Dambwa GCE Centre. They appeared in court on 9th February 2005. They are expected to appear again on 17th March 2005 for continued trial.
- (ii) Two teachers of Ellen Brithel Christian Secondary School by the names of Mackley Kambeu and Siakasonde Levy were arrested for assisting candidates in Geography Paper II. They appeared in court on 14th February 2005. They will appear again on 10th March 2005 for continued trial.

1.4 MONZE

A University of Zambia student by the name of Paul Mwale was arrested in Monze while trying to sell Physics 5054/2, Mathematics Paper 2 and English Paper 2 to Monze Secondary School pupils. Two pupils from David Kaunda A.P.U. Centre by the names of Liector Ngosa and Rodrick Lwempe were picked from Lusaka for having supplied Mathematics Paper 2 to Martin Makondo, a Grade 11 pupil at Monze Secondary School. They appeared in court on the 10th of January 2005 and will appear again on the 10th of March 2005 for continued trial.

1.5 CHOMA

A University of Zambia's student was arrested in Choma while selling photocopies of Geography Paper II, Mathematics Paper II and Physics 5054/2. He was fined K500, 000.00 or in default 6 months imprisonment after admitting the charge.

1.6 LIVINGSTONE

Police arrested a tutor by the name of Fackson Taimo of Chimutete Academy centre for having disclosed Practical Biology Paper 3 to Hellen Kayombo of Ellen Britten Christian Secondary School. He appeared in court on the 14th of February 2005. He will appear again in court on the 16th of March 2005 for continued trial.

1.7 MUFULIRA

- (i) Four adult males by the names of Maroe Ndalameta, Silvester Mwene, Paul Mwene, and Moses Banda were found in possession of photocopies of Biology 5090/1, 5090/2 Science 5124/1, Religious education 2046/1 Geography Paper I, chemistry 5070/2 which they were attempting to sell to pupils in Mufulira. They were arrested and appeared in court on 21st January 2005 and were fined K300, 000.00 each in default 12 months imprisonment with hard labour.
- (ii) Three adult males by the names of Peter Phiri, Jeff Mulenga and Clifford Mwangala were arrested while attempting to sell photocopies of Chemistry 5070/2 to pupils. They appeared in court on the 20th January 2005 and were fined K300, 000.00 each or in default 12 months imprisonment.

1.8 MPIKA

A supervisor by the name of Chanda of Mpika High School opened Geography Paper I instead of Geography Paper II on the 12th November 2004 at Chitulika High School. When he realised the mistake he collected the papers from pupils and in the process one Geography Paper I copy went missing. The Police have discontinued investigations due to lack of sufficient evidence.

1.9 KAPIPI-MPOSHI

At Eleensmere Private School, Standards Officers discovered a polythen bag containing 8 pre-written English Paper 1 answer sheets at the back of the Hall under the door near where one of the candidates was seated. The intention was to replace the answer sheet by the candidate and pass it on to the colleagues. The case was reported to the Police although investigations were discontinued due to lack of sufficient evidence.

1.10 CHONGWE

An Untrained teacher of OLIVETT Institute of learning at Palabana by the name of Kenneth Mwiinga with his sister Matilda Mwiinga who is a Grade 10 pupil at the same Institute wrote Grade 9 examinations on behalf of Zindikilani Mwale and his wife Nelia Mabingo respectively at Dolly Dollar Examination Centre. The Police were tipped when the two culprits were writing the last paper in English Paper III. They appeared in court on the 14th February 2005 and will appear again on the 14th of March 2005.

2.0 Reported Cases in 2003

2.1 LUSAKA

- (i) Two teachers, (Mr. Richard Chanda TS.42706 and Mr. Sitali Macwani TS.88002) were arrested at Munali High School after a photocopy of Principles of Accounts Paper I was traced to Munali Girls High School A.P.U where the two were supervisor and invigilator respectively. The photocopied paper was found with candidates two days before the examination was to be written. The serial number on the photocopied paper indicated that the paper had been packed for Munali Girls High School (A.P.U).

Investigations also revealed that, contrary to the Permanent Secretary's directives that all papers should be kept in one central place for distribution to schools on a daily basis, the papers for Munali High A.P.U were kept in the Head's office. These were being collected and distributed to examination rooms on a daily basis by the two arrested teachers. The Head for Munali High School, Mr. Ntosh, was made to give a police statement. The two teachers had appeared in court and were acquitted, while the Head teacher was demoted and transferred to another school by the Provincial Education Officer.

- (ii) In Chipata Compound, Police had arrested Mosmart Banda who was found giving extra lessons to 120 candidates in a private home. The candidates from several High schools and Private schools in Lusaka were also arrested for being in possession of Grade 12 English and Mathematics materials. Emmasdale Police handled the case and culprits were taken to court.
- (iii) David Sinyinza, a teacher of Kasamba Basic School, was arrested after a tip off from candidates who were caught with pre-written answers in Geography II and Mathematics II at Thorn Park Basic School and Libala High School. The pupils identified Mr. Sinyinza as the supplier of question papers in Lusaka. Emmasdale Police arrested the teacher.
- (iv) Two pupils, Maliot Tembo and Masuzyo Ludaka, of Sutung Modern School, were arrested for impersonation for attempting to write examinations on behalf of James Mwanza and Alice Mwanza respectively who had registered for examinations but left school before examinations started. Maliot and Masuzyo paid K15, 000 each to a teacher who promised to allow them to write the examination although they were not registered. The two were caught red-handed in the examination room. Kanyama Police handled the case.

2.2 MONGU

Kambule High School in Mongu, a teacher who wrote Geography Paper I answers for some Grade 12 candidates was exposed by other candidates who complained to the School Head, the Anti Corruption Commission and the Provincial Education Office. The case was taken to court.

2.3 LUKULU

At Kasheke Basic School in Lukulu, two teachers were arrested for tampering and opening question paper tamper-evident plastic bags. The teachers were suspended and the case was taken to court.

2.4 CHIBOMBO

A teacher of Chibombo High School by the name of Godfrey Mulenga, TS. Number 88431, gave answers in Biology paper three (Practical Paper) to a pupil by the name of Jonathan Cox Banda. Chibombo Police handled the case.

2.5 MONZE

A School Headteacher of Kanundwa Basic School in Monze was arrested for selling Grade 7 Examination Papers. Monze Police handled the case.

2.6 CHIPATA AND KATETE

- (i) A Head teacher, Mr. T. Phiri of Vizenge Primary School (Chipata) and a teacher by the name of Fanwell Banda of Mzime Primary School in Katete were found tampering with Grade 7 pupils answer sheets after the examinations had been done. The two teachers were suspended.
- (ii) An Office Orderly stole Examination Papers at Hillside Secondary School. However he was unable to sell them as he was caught soon after the theft. He ended up burning the papers. Chipata Police handled the case.
- (iii) In Katete District of the Eastern Province there was a report of two teachers who were found tampering with Grade 7 answer sheets after the examinations. The Provincial Education Officer immediately suspended the two teachers.

3.0 Reported Cases in 2002

3.1 KITWE

A Supervisor at Mama Monty Basic School in Kitwe arranged a special room for eight (8) candidates in Grade 9 to write from. The invigilators marked absent these candidates, as they were not in designated rooms. But the Supervisor

3.6 PEMBA

Thieves broke into the Bursar's office at Pemba Secondary School and stole Grade 12 Examination Papers. After intensive investigations, two people were arrested. They were convicted and sentenced to six months imprisonment with hard labour.

3.7 MAZABUKA

Two teachers were arrested for leaking Grade 12 Examination materials in Mazabuka. The court discharged them for lack of sufficient evidence.

3.8 LIVINGSTONE

An office orderly was jailed for 6 months after he broke into the Head master's office at Holy Cross Basic School and stole one copy of Civics, English Paper III, and Environmental Science.

3.9 MONZE

A teacher of Kanundwa Basic School was fined K300, 000.00 or in default 6 months imprisonment for leaking Grade 7 papers.

3.10 MPIKA

Four teachers of Chibansa Basic School were arrested after they were found selling Grade 9 Examination Papers in English to pupils. Three of the teachers were discharged, but the fourth was convicted and jailed for 3 years with hard labour.

4.0 Reported Cases in 2001

4.1 LUSAKA

- (i) A Schoolteacher Mr. Lottie Mbewe of Roma Girls Secondary School was issued with a Bench Warrant for not appearing in Court after he leaked Grade 12 papers, which he obtained from Chipata. He was selling Grade 12 question papers with Mr. Timothy Katoka, a teacher at Anoya Zulu Secondary School, in Chipata. He appeared in court and jumped bail conditions so the court issued a bench warrant for his arrest.

- (ii) Two teachers at Libala Secondary School Mr. Charles Bbenkele and Mr. Destiny Kalusopa assisted a Grade 9 pupil at Kamwala Secondary School where they were invigilating. They supplied answers for Mathematics Paper 2 and Geography Paper 2 to the girl in exchange for money or sex. The girl paid K100, 000. The teachers were suspended. They were also convicted and conditionally discharged by the court of law.
- (iii) One female teacher of Chakunkula Basic School was arrested after she was found with photocopies and handwritten questions for Grade 9 and 12 examinations in her bedroom, which were meant for sale. The case was taken to court

4.2 CHIPATA

A teacher of Anoya Zulu Secondary School Mr. Timothy Katoka was jailed for 18 months for leaking 2001 Grade 12 papers which spread to Lusaka.

5.0 Reported Cases in 2000

5.1 PETAUKE

On the night of 31st October 2001, thieves broke into the Head Teachers' office at Minga Day Secondary School and stole Grade 12 examination question papers. A teacher, Mr. Alec Daka and three pupils at the same school were arrested by the police to help with investigations.

6.0 Reported Cases in 1999

6.1 KITWE AND CHINGOLA

- (i) Christopher Mbale – teacher at Chimwemwe Basic, Kitwe. He was charged with unauthorised possession of Grade 7 English and Social Studies examination papers.
- (ii) Chrispin Chanda – teacher at Maiteneke Basic, Chingola. He was charged with disclosure of Grade 7 examination answers to pupils.

6.2 LUSAKA

- (i) Jackson Mwanza – teacher, Lusaka Boys, Lusaka. He was charged with loss and misuse of Grade 9 Environment Science.
- (ii) Mordds Chenda – teacher, Kamwala High, Lusaka. He was charged with disclosure of Grade 9 Environmental Science Paper 2.
- (iii) C. Kabwela, teacher, Kizito Basic, Lusaka. He was charged with disclosure of Grade 9 Maths Paper 2.
- (iv) Matilda Ngoma, George Central, Lusaka. She was charged with disclosure of Grade 9 Maths Paper 1 and 2.
- (v) A packet of fifteen (15) question papers in Human and Social Biology went missing from the Head’s office at Chakunkula Basic School. The matter was reported to the Police and the Head was dismissed.

6.3 LIVINGSTONE

St. Raphael’s Secondary, Livingstone, teacher charged with loss and misuse of Grade 9 Geography Paper 2.

6.4 LUAPULA

- (i) Four teachers at Samfya Secondary School were arrested for tampering with Grade 12 English Paper 2, which went missing for 66 candidates. The affected candidates had to rewrite another paper.
- (ii) Four teachers at Samfya Secondary School wrote Grade 9 mathematics paper 2 on behalf of candidates

6.5 KASAMA

A teacher, Mr. Mbao, at Mungwi Secondary School sold examination papers to seven pupils. He was taken to court where he was imprisoned for 12 months and was also been dismissed.

Record of Examination Malpractice Cases involving Pupils Reported to Police for the Period 1999 to 2004

1.0 Reported Cases in 2004

1.1 LUSAKA

- (i) Three pupils of Libala High School by the names of Machael Mandona, Evan J. Mtonga and Lubinda Lungowe were arrested when they were found in their possession pre-written notes in Geography II and physics 5054/2 respectively. They appeared in court. On the 14th of January, 2005 and were fined K300,000.00 each or in default 6 months imprisonment when they admitted the charge.
- (ii) Five pupils of Munali Boys High School by the names of Rodwell Witika, Yengwe Yengwe, Michael Katongo Phiri, Simeon Malunga and Chilala Siansobanda were arrested when they were found with photocopies of Physics 5054/2 in their possession. They appeared in court on 14th February 2005. They will appear again on the 30th of March 2005 for continued trial.

Garden Police Post

- (iii) Four pupils from Olympia Park School by the names of Norah Hadebe, Bernard Mwewa, Leah Mwanza and Justina Ntinga were found with pre-written notes and photocopies of Mathematics Paper 2 during the Examination. They were arrested by Garden Police post. They appeared in court on the 9th of February 2005 and admitted the charge and were fined K500,000.00 each or in default 6 months imprisonment.

Chilenje Police Station

- (iv) Five pupils of David Kaunda Technical School A.P.U. by the names of Penrose Chuya, Peggy Munsha, Debora Mvula Samathata Mwale, and Allan Kabinda were arrested while photocopying Mathematics Paper 1 at Chilenje market. The owner of the photocopier Mr Kasonde Shula was also arrested. They appeared in court on the 28th of January 2005 and were fined K300,000.00 each or in default 6 months imprisonment after admitting the charge.

1.2 LIVINGSTONE

- (i) Police arrested three pupils from Linda High School by the names of Luwisha Chongo, Alex Sililo and Billy Mukandanu when they were found in possession of pre-written questions and answers in Mathematics 2 for 2004. They appeared in court on the 10th February 2005 and are expected to appear again on 17th March 2005 for continued trial.
- (ii) Two pupils from Dambwa GCE centre by the names of Michael Mutebela and Abraham Ndabani were arrested for being found in possession of photocopies of Physics Science Paper 2 5124/2. They appeared in court on the 10th of February 2005. They are expected to appear again on 18th March 2005 for continued trial.
- (iii) Two pupils from David Kaunda A.P.U. Centre by the names of Liector Ngosa and Rodrick Lwempe were picked from Lusaka for having supplied Mathematics Paper 2 to Martin Makondo, a Grade 11 pupil at Monze Secondary School. They appeared in court on the 10th of January 2005 and will appear again on the 10th of March 2005 for continued trial.

2.0 Reported Cases in 2003

2.1 LUSAKA

- (i) Two pupils, Maliot Tembo and Masuzyo Ludaka, of Sutung Modern School, were arrested for impersonation for attempting to write examinations on behalf of James Mwanza and Alice Mwanza respectively who had registered for examinations but left school before examinations started. Maliot and Masuzyo paid K15,000 each to a teacher who promised to allow them to write the examination although they were not registered. The two were caught red-handed in the examination room. Kanyama Police handled the case.

2.2 SIAVONGA

At Siavonga High School, five pupils were arrested for being in possession of pre-written notes in Commerce. The pupils were convicted by the court of law. They

were given conditional discharge not to commit a similar offence or they would go for two years imprisonment with hard labour.

2.3 KAWAMBWA

At Mbereshi Basic School in Kawambwa, 22 pupils were arrested for being in possession of unauthorized examination materials, which they had bought from an identified person who had broken into the school strong room and stole question papers in various subjects. Two pupils were fined K50,000.00 each or 4 months imprisonment while 20 pupils were given conditional discharge. The Head and his deputy were suspended awaiting redeployment/demotion to other schools.

3.0 Reported Cases in 2002

3.1 CHOMA

One teacher and 18 pupils of Masuku Secondary School were arrested for being in possession of pre-written notes in Commerce. They were convicted and were given a conditional discharge.

INTERIM REPORT ON REPORTED CASES TO THE POLICE OF LEAKAGES AND MALPRACTICE AS AT 18TH NOVEMBER 2004 AT GRADE 12 LEVEL

1. KAFUE DISTRICT

CHILANGA POLICE STATION

The Headmaster of Mt Makulu Basic School Mr George Mambo and the Deputy Head of Munkolo Basic Mr Chinyama Brown and the Supervisor of examinations at Mt Makulu Basic School Mr Fred Munsaka tampered with all examination question papers when they received them on 31st August 2004. When a search was conducted the following papers were missing from the tamperproof Evident envelopes.-

1.	Mathematics Paper 2	-	3 copies
2.	Geography Paper 1	-	1 copy
3.	Geography Paper 2	-	1 copy
4.	R.F. 20-46/1	-	1 copy
5.	Chemistry 5070/2	-	1 copy
6.	Science 5124/1	-	2 copies
7.	Science 5124/2	-	2 copies
8.	Biology Paper 1	-	2 copies
9.	Biology Paper 2	-	1 copy
10.	Physics 5054/2	-	whole packet missing (5)

According to the investigations carried out so far these missing papers could be the source of Examinations Leakages in the country.

The Police investigators from Southern, Central, Eastern and Copperbelt Provinces have arrested people who were found selling, photocopies of the leaked papers to pupils and the information so far has led to Lusaka as the major source, Police have arrested them and are expected to appear in court.

2. LUSAKA PROVINCE

KABWATA POLICE

- (i) Three people by the names of Handavu Milambo, Banji Joseph Handavu and Bwembya Sambo were arrested while photocopying Geography Paper 2 and Physics 5054/2 at Kabwata Market. They are expected to appear in court.
- (ii) Three pupils of Libala High School by the names of Machael Mandona, Evan J. Mtonga and Lubinda Lungowe were arrested when they were found in their possession pre-written notes in Geography II and physics 5054/2 respectively. They are expected to appear in court.

MUNALI POLICE POST

- (i) Three teachers of Justin Kabwe Basic School by the names of Julie Mbambala, Bridget Kunda and Dorothy Simwinga and a pupil by the name of Edwin Daka of Munali Boys High School were arrested while photocopying English Paper 2 at Kaunda Square market. They are expected to appear in court.
- (ii) Five pupils of Munali Boys High School by the names of Rodwell Witika, Yengwe Yengwe, Michael Katongo Phiri, Simeon Malunga and Chilala Siansobanda were arrested when they were found with photocopies of Physics 5054/2 in their possession. They are expected to appear in court.
- (iii) At University of Zambia student by the name of Benny Mubanga was beaten up and taken to Kabwata Police station by pupils from David Kaunda Technical High School when he attempted to sell them Mathematics Paper I. He is expected to appear in court.

GARDEN POLICE POST

Four pupils from Olympia Park School by the names of Norah Hadebe, Bernard Mwewa, Leah Mwanza and Justina Ntinga were found with pre-written note and photocopies of Mathematics Paper 2 during the Examination. They were arrested by Garden Police post and will appear in court.

MATERO POLICE STATION

The owner of photocopier at Lilanda market by the name of Juliet Ngwenya and Rabbecca Chewe were arrested when they were found in possession, photocopies of Mathematics Paper 2 and English Paper 2. They are believed to have supplied a pupil who was found selling the same paper at Serenje High School. They are expected to appear in court.

CHILENJE POLICE STATION

Five pupils of David Kaunda Technical School A.P.U. by the names of Penrose Chuya, Peggy Munsha, Debora Mvula Samathata Mwale, Allan Kabinda were arrested while photocopying Mathematics Paper 1 at Chilenge market. The owner of the photocopier Mr Kasonde Shula was also arrested. They are expected to appear in court.

7. **SOUTHERN PROVINCE**

Three pupils from Linda High School by the names of Luwisha Chongo, Alex Sililo and Billy Mukandanu were arrested by police when they found in possession pre-written questions and answers in Mathematics 2 for 2004. They are expected to appear in court.

8. Two pupils from Dambwa GCE centre by the names of Michael Mutebela and Abraham Ndabani were arrested for found in possession photocopies of Physics Science Pnaer 2 5124/2. They are expected to appear in court.

9. Two teachers by names of Keron Simuchelo and Vinilas Kaumba were arrested for assisting candidates in Physics Papers. At Dambwa GCE Centre. They are expected to appear in court soon

10. Two teachers of Ellen Brithel Christian Secondary School by the names of Mackley Kambeu and Siakasonde Levy were arrested for assisting candidates in Geography Paper II. They are expected to appear in court.

11. **MONZE**

A University of Zambia student by the name of Paul Mwale was arrested in Monze while trying to sell Physics 5054/2, Mathematics Paper 2 and English Paper 2 to Monze Secondary School pupils. Two pupils from David Kaunda A.P.U. Centre by the names of Liector Ngosa and Rodrick Lwempe were picked from Lusaka for having supplied Mathematics Paper 2 to Martin Makondo, a Grade 11 pupil at Monze Secondary School. They are expected to appear in court

12. **CHOMA**

A University of Zambia's student was arrested in Choma while selling photocopies of Geography Paper II, Mathematics Paper II and Physics 5054/2. The case is still been investigated by the Police.

13. **LIVINGSTONE**

A tutor by the name of Fackson Taimo of Chimutete Academy centre was arrested by Police for having disclosed Practical Biology Paper 3 to Hellen Kayombo of Ellen Britten Christian Secondary School. He is expected to appear in court.

COPPERBELT

14. MUFULIRA

- (i) Two pupils from Kantanshi High School and two adult males by the names of Mebe Lukwesa and Ndalameta Maroe were arrested when they were found in possession of pre-written questions in Physics 5124/2 a photocopy of Biology Paper II and commerce. They are expected to appear in court
- (ii) Four adult males by the names of Maroe Ndalameta, Silvester Mwene, Paul Mwene, Moses Banda were found in possession of photocopies of Biology 5090/1, 5090/2 Science 5124/1, Religious education 2046/1 Geography Paper I, chemistry 5070/2 which they were attempting to sell to pupils in Mufulira. They were arrested and are expected to appear in court soon
- (iii) Three adult males by the names of Peter Phiri, Jeff Mulenga and Clifford Mwangala were arrested while attempting to sell photocopies of Chemistry 5070/2 to pupils. They are expected to appear in court soon.

15. NORTHERN PROVINCE

MPIKA

A supervisor by the name of Chanda of Mpika High School opened Geography Paper I instead of Geography Paper II on the 12th November 2004 at Chitulika High School. When realised the mistake he collected the papers from pupils and in the process one Geography Paper I copy went missing. The Police investigating.

16. EASTERN PROVINCE

A pupil from Anoya Zulu High School was found with Mathematics Paper II. A check on the serial number revealed that the paper was packed for one of schools in Chipatga as a shortfall. Police are investigating the leakage.

P. Chimbwali
SECURITY OFFICER

17/11/2004

7
EXAMINATIONS COUNCIL OF ZAMBIA

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 1998

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	12	2	-	-	14
LUAPULA	1	-	1	-	2
SOUTHERN	6	4	1	-	11
EASTERN	35	4	16	-	55
COPPERBELT	19	-	-	-	19
CENTRAL	7	-	2	-	9
WESTERN	8	-	25	-	33
LUSAKA	8	-	-	-	8
TOTAL	96	10	45	-	151

EXAMINATIONS COUNCIL OF ZAMBIA

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 1999

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	7	1	-	-	8
LUAPULA	8	-	-	-	8
SOUTHERN	20	-	2	-	22
EASTERN	3	-	10	-	13
COPERBELT	4	-	-	-	4
NORTHWESTERN	3	-	-	-	3
CENTRAL	3	-	-	-	3
WESTERN	-	2	8	-	10
LUSAKA	4	2	3	-	9
TOTAL	53	5	23	-	80

EXAMINATIONS COUNCIL OF ZAMBIA

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 2000

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	8	-	-	-	8
LUAPULA	8	-	-	-	8
SOUTHERN	6	-	-	-	6
EASTERN	1	-	-	-	1
COPPERBELT	1	-	6	-	7
NORTHWESTERN	-	2	-	-	2
CENTRAL	4	2	2	-	8
WESTERN	1	-	-	-	1
LISAKA	1	-	-	-	1
TOTAL	30	4	8	-	42

10
EXAMINATIONS COUNCIL OF ZAMBIA

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 2001

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	3	1	1	-	5
LUAPULA	-	-	-	-	-
SOUTHERN	-	-	-	-	-
EASTERN	-	-	-	-	-
COPPERBELT	-	-	-	-	-
NORTHWESTERN	-	-	-	-	-
CENTRAL	8	-	-	-	8
WESTERN	-	-	-	-	-
LUSAKA	-	-	-	-	-
TOTAL	11	1	1	-	13

EXAMINATIONS COUNCIL OF ZAMBIA

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 2002

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	10	-	-	-	10
LUAPULA	-	-	-	-	-
SOUTHERN	-	-	-	-	-
EASTERN	1	-	-	-	1
COPPERBELT	-	-	-	8	8
NORTHWESTERN	-	-	-	-	-
CENTRAL	1	-	-	-	1
WESTERN	-	-	-	-	-
LUSAKA	11	-	-	-	11
TOTAL	23	-	-	8	31

DISPOSAL OF GRADE 9 CASES OF EXAMINATION MALPRACTICE 2003

REGION	NULLIFIED IN ALL SUBJECTS	NULLIFIED IN 1 OR 2 SUBJECTS	RELEASED	PENDING	TOTAL
NORTHERN	6	-	-	-	6
LUAPULA	2	-	-	-	2
SOUTHERN	3	-	-	-	3
EASTERN	-	-	-	-	-
COPPERBELT	-	-	-	-	-
NORTHWESTERN	-	-	-	-	-
CENTRAL	1	-	1	-	2
WESTERN	-	-	-	-	-
LUSAKA	1	-	1	-	1
TOTAL	13	-	1	-	14