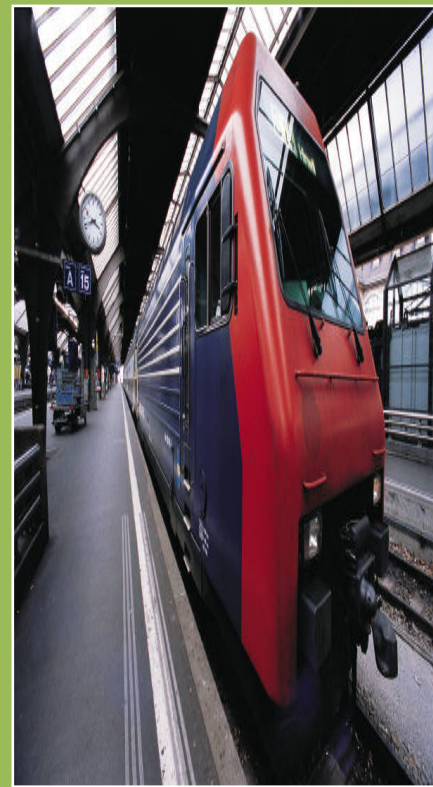


2012

MINISTRY OF JUSTICE
AND ATTORNEY
GENERAL'S
DEPARTMENT

2012 ANNUAL
PROGRESS REPORT



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LIST OF ACRONYMS

APR: Annual Progress Report

GOG: Government of Ghana

GSGDA: Ghana Shared Growth and Development Agenda

HR: Human Resources

M & E: Monitoring and Evaluation

MOJAGD: Ministry of Justice and Attorney-General's Department

N/A: Not Applicable

PPMED: Policy Planning, Monitoring and Evaluation Division

SMTDP: Sector Medium Term Development Plan

1.0 INTRODUCTION

The Ministry of Justice and Attorney-General's Department (MoJAGD) is one of Government's Ministries. The Minister, who also doubles as the Attorney-General is the administrative and political head of the Ministry. The position of the Attorney-General is a creation of the 1992 Constitution. Article 88(1) provides that: "There shall be an Attorney-General of Ghana who shall be a Minister of State and the Principal Legal Advisor to the Government."

The Ministry has Ministerial responsibility for the following bodies:

- The Registrar-General's Department
- The Copyright Office
- The Law Reform Commission
- The Council for Law Reporting
- The General Legal Council (Ghana School of Law)
- The Economic and Organized Crime Office
- The Legal Aid Scheme

The Ministry and its agencies together form the Justice Sector of the Executive arm of Government.

The 2012 Annual Progress Report (APR) provides an assessment of the implementation of policies and strategies outlined in the Sector Medium Term Development Plan (SMTDP), 2010-2013, during the year 2012. The overall goal of the SMTDP is to ensure Justice and Human Rights for all through equitable and easy access to Justice in order to help sustain accelerated growth and poverty reduction towards the achievement of middle income status. Policy measures identified to achieve this overall goal are prioritized in seven policy objectives as follows:

- Develop and retain Human Resources capacity at National, Regional and District levels.
- Increase the capacity of the legal system to enhance speedy and affordable access to justice for all.
- Review 1992 constitution and conflicting Acts of Parliament towards amendment where necessary.
- Promote transparency and accountability and reduce opportunity for rent seeking.
- Effective public awareness creation on laws for the protection of vulnerable and excluded.

- Improve accessibility and use of existing data base for policy formulation, analysis and decision making.
- Upgrade the capacity of the public and civil service for transparent, accountable, efficient, timely, effective performance and service delivery.

1.1 PURPOSE OF THE M&E FOR THE STATED PERIOD

The APR is an assessment tool for indicating progress or otherwise in terms of implementation of the Sector medium Term Development Plan. The purpose therefore is to track progress on the implementation of the 2012 Action Plan, enhance transparency and accountability, improve service delivery and unearth the achievements, constraints and failures of the SMTDP.

The APR gives an overview of the performance of the indicators being monitored, i.e.; the figures and also an understanding of the facts behind the figures. This is to assist the Ministry and its various stakeholders to understand how the policy and programme interventions being undertaken by the Ministry are faring and to inform them as to whether they should be continued, modified or stopped.

The APR also looks at Programmes and Projects that were not undertaken during the stated period (1st January, 2012 – 31st December, 2012), why it was not undertaken and its impact.

1.2 PROCESS INVOLVED AND DIFFICULTIES ENCOUNTERED

1.2.1 PROCESS INVOLVED:

- Request to stakeholders for data and reports
- Collation of reports into composite draft annual progress report by the PPME of the ministry.
- Organization of Stakeholders meeting for validation and approval
- Draft APR was prepared
- Draft APR finalized and disseminated.

1.2.2 DIFFICULTIES ENCOUNTERED:

- Lack of data
- Inadequate Staff
- Inadequate office space and logistics for monitoring & evaluation

1.3 STATUS OF IMPLEMENTATION OF SMTDP

This section provides an assessment of progress made in the implementation of the 2012 action plan as outlined in the Sector Medium Term Development Plan (SMTDP). The Justice sector mainly operates under two thematic areas, thus the Transparent and Accountable Governance and the Human Development, Productivity and Employment.

From the 2012 action plan, The Sector had Sixteen (16) activities under the Human Development, Productivity and Employment thematic area and Forty-Five (45) activities under the Transparent and Accountable Governance thematic area.

In the Human Development, Productivity and Employment thematic area, out of the Sixteen (16) activities, we undertook only Eight (8) of them thus 50%, also in the Transparent and Accountable Governance thematic area, we undertook only Thirty-Six (36) Activities out of the Forty-Five (45) activities thus 80%. Our inability to execute all the activities in the SMTDP was largely due to the delay in release of funds by MoFEP and re-prioritizing of projects.

2.0 M & E ACTIVITIES AND REPORT

The Monitoring and Evaluation (M&E) unit of the Policy Planning Monitoring and Evaluation Division of the Ministry undertook a couple of M&E activities in the year 2012. Highlights of the M&E activities undertaken in 2012 are as follows:

- Reporting on 2011 National Annual Progress Report (APR): We reported on a number of indicators that relate to the sector in the National APR prepared by the National Development Planning Commission. This was done in the first quarter of 2012.
- Collection and Collation of data from the Departments and Agencies under the Ministry on their Monitoring and Evaluation activities. This was done twice in the year.
- Collection and Collation of reports from the Departments and Agencies under the Ministry at the end of the year to facilitate the preparation of the reports.

It is worthy to note that the Ministry also undertook two direct field and outstation monitoring in the year. One was on assessing Human Resource (HR) Capacity in all the Regional offices. The HR monitoring focused on Staff Audit, Competency and skill training needs.

The PPMED also undertook direct monitoring on all projects and buildings of the Ministry across the Country. This monitoring was aimed at assessing the state of the projects and to determine or propose what can be done to improve on them especially the uncompleted ones.

2.1 PROGRAMME/PROJECT STATUS FOR THE YEAR:

The Justice sector is undertaking a couple of programmes and projects across the country. The table below gives a summary of the projects being undertaken, source of funding and status or level of completion.

MDA	PROJECT	CONTRACTOR	BUDGET (GH¢)	EXPENDITURE TO DATE	START DATE	EXPECTED END DATE	SOURCE OF FUNDING	STATUS/ LEVEL OF COMPLETION
Ministry of Justice	10-Storey, 2 tier basement car park Law House.	Messrs Energo projekt (Gh) Ltd.	19,211,820.00	4,850,764.86	15-03-2004	03-01-2012	GoG	On-going
E. O. C. O.	4-Storey Office Complex.	M/S China State Construction Eng. (Ltd)	401,122.00	4,598,549,041.00	23-12-1998	30-11-1999	GoG	On-going
Attorney-General's Dept	Rehabilitation of Bungalow in Bolgatanga.	M/S FA-ELEUM ENT.	118,900.00	113,704.00	1-12-2011	11-02-2012	GoG	Completed
Attorney-General's Dept	Rehabilitation of Bungalow in Roman Ridge, Accra	P. W. D PRESTIG E	127,809.51	66,251.11	01-12-2011	11-02-2012	GoG	On-going
Attorney-General's Dept	Rehabilitation of Office Building in Cape Coast.	M/S Vidto Ent	185,688.68	185,688.68	NOV, 2011	11-03-2012	GoG	Completed
Attorney-General's Dept	Construction of Bungalow in Kumasi	P. W. D KUMASI		28,498.55			GoG	On-going
Ministry of Justice	Justice Sector Baseline Survey Project		40,000.00	44,780.00	JULY, 2012	OCT, 2012	GoG	On-going
Legal Aid Scheme	Construction of Office Building in Kumasi	ADOMKO P	35,000.00	1,114,441.40	JUNE, 1998.	MARCH, 2001.	GoG	On-going

MDA	PROJECT	CONTRACTOR	BUDGET (GH¢)	EXPENDITURE TO DATE	START DATE	EXPECTED END DATE	SOURCE OF FUNDING	STATUS/ LEVEL OF COMPLETION
Legal Aid Scheme	Construction of Office Building in Takoradi	ARMABAGENT.	44,461.55	51,624.55	SEPT. 8 TH , 2005	12 WEEKS FROM DATE OF AWARD	GoG	On-going
Legal Aid Scheme	Construction of Office Building in Ho	DEFIAT DEV'T CO.	88,340.17		JUNE 13, 2007	DEC. 16, 2007	GoG	On-going

2.2 UPDATE ON FUNDING AND DISBURSEMENT SOURCES

2.2.1 UPDATE ON FUNDING SOURCES

SOURCE	AMOUNT (GH¢)
GOG	23,417,318.53
IGF	4,443,375.36
DONOR	0.00
TOTAL	27,860,693.89

2.2.2 UPDATE ON DISBURSEMENT

EXPENDITURE	AMOUNT (GH¢)
COMPENSATION OF EMPLOYEES	15,363,376.29
GOODS AND SERVICES	3,886,446.67
ASSETS	8,300,198.41
TOTAL EXPENDITURE	27,550,021.37

2.3 UPDATES ON INDICATORS AND TRIGGARS

Specific indicators have been developed to monitor the performance of activities in the Sector Medium Term Development Plan (SMTDP) of the Ministry and the National Development Policy Framework, Ghana Shared Growth and Development Agenda (GSGDA)

Below is a tabular presentation of the performance of the indicators in 2012.

2.3.1 INDICATORS FROM SMTDP

OBJECTIVE: Develop and retain Human Resources capacity at National, Regional and District levels.					
INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
Number of Directors recruited	OUTPUT	3	1	0	Target not achieved
Number of interviews for recruitment and promotions conducted	OUTPUT	2	2	0	Target not achieved
Number of courses organized for newly appointed Attorneys	OUTPUT	6	6	0	Target not achieved
Number of Administrative Staff recruited	OUTPUT	N/A	13	86	Target exceeded
Number of support staff for Legal service recruited	OUTCOME	N/A	3	0	Target not achieved
Number of Paralegals recruited	OUTPUT	N/A	0	0	No Paralegals have been recruited as planned in SMTDP that 20 and 25 will be recruited in 2010 and 2011 respectively.
Number of Attorneys who have benefited from internship programmes	OUTCOME	2	1	0	Target not achieved

OBJECTIVE: Increase the capacity of the legal system to enhance speedy and affordable access to justice for all

INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
Percentage of Witness charter set up	OUTPUT	N/A	100%	0%	Target not achieved
Percentage of MoU and Joint Actions towards the implementation of Justice for all	OUTPUT	N/A	70%	N/A	* MoU for the Justice for All Programme was completed in 2011
Number of team of Attorneys for Prison decongestion	OUTPUT	4	15	8	Target not achieved

OBJECTIVE: Promote transparency and accountability and reduce opportunity for rent seeking.

INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
Services of consultant engaged	OUTCOME	3	3	3	Target Achieved
Continuous public education organized	OUTCOME	N/A	4	4	Target Achieved
EOCO annual report printed	OUTPUT	N/A	1	1	Report in final draft yet to be published
Office complex continued	OUTPUT	30%	60%	95%	Target exceeded

OBJECTIVE: Effective public awareness creation on laws for the protection of vulnerable and excluded.					
INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
AG'S Department Logo developed	OUTPUT	N/A	0	0	Target Achieved
Information Education Communication strategy developed	OUTPUT	N/A	60%	0	Target not Achieved
Awareness on registration procedure created	OUTPUT	20%	65%	45%	Target not Achieved
Ministry its Agencies and Departments profiled.	OUTPUT	N/A	50%	0	Target not Achieved
Website and newsletter for legal service set up	OUTPUT	N/A	0	0	Target Achieved
Laws translated into user friendly format	OUTPUT	N/A	10%	0	Target not Achieved

OBJECTIVE: Improve accessibility and use of existing data base for policy formulation, analysis and decision making.

INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
E-library project completed	OUTPUT	N/A	0	0	Target achieved
Law library computerized	OUTPUT	N/A	0	100%	Target achieved
Software for filing and information retrieval system procured and put into use	OUTPUT	N/A	0	0	Target achieved
LAN for regional offices provided	OUTPUT	N/A	100%	10%	Target not achieved
Number of Consultants engaged	OUTPUT	1	0	0	Target achieved
Application forms converted	OUTPUT	N/A	100%	60%	Target not achieved

OBJECTIVE: Upgrade the capacity of the public and civil service for transparent, accountable, efficient, timely, effective performance and service delivery.

INDICATORS	INDICATOR TYPE	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
Ten storey Law House continued	OUTPUT	40%	90%	0%	No work was done on the building in 2012 due to financial constraints.
Number of bungalows refurbished	OUTPUT	N/A	3	2	Target not achieved
Front office constructed	OUTPUT	N/A	0	0	Target achieved
Two storey office completed	OUTPUT	N/A	90%	0	No work was done on the building in 2012 due to financial constraints.
Number of offices rented	OUTPUT	1	4	0	No office rented in 2012 due to financial constraints.
Kumasi and Takoradi offices furnished	OUTPUT	N/A	80%	0	Target not achieved
Number of plots acquired	OUTPUT	N/A	2	1	Target not achieved
Office accommodation constructed	OUTPUT	N/A	50%	0	Target not achieved
Number of laptop computers procured	OUTPUT	2	4	3	Target not achieved

2.3.2 INDICATORS FROM GSGDA

INDICATORS	BASELINE 2009	TARGET 2012	2012 ACTUAL	PROGRESS TOWARDS TARGET
FOCUS AREA: FIGHTING CORRUPTION AND ECONOMIC CRIMES				
Number of corruption cases recorded by State anti-corruption institutions including CHRAJ and EOCO	No of Corruption cases received and investigated: 40%	N/A	40%	Steady Progress
FOCUS AREA: ENHANCING RULE OF LAW AND JUSTICE				
Number of Lawyers called to the bar	168	205	230	Target achieved
Percentage of cases recorded under the Legal Aid Scheme	Recorded: 6612 Resolved: 3,703	N/A	Recorded: Resolved:8,767	

2.4 UPDATE ON CRITICAL DEVELOPMENT AND POVERTY ISSUES

The Justice for All Programme: This is an initiative of the Ministry of Justice and Attorney-General's Department and other Stakeholders in the Criminal Justice delivery. The aim of the programme is to bring justice to the doorstep of all remand prisoners who have overstayed their term of sentence as prescribed by legislation, have been detained indefinitely without trial and to decongest the overcrowded prisons. The programme focuses on four thematic areas: the Remand Review Project, the Sentencing Review Project, the Prosecutors Capacity Building Programme and the Systems and Procedures Analysis Project.

In 2012, the following were done under the Justice for All Programme:

- Seven Courts were set up in the prisons purposely for Prison decongestion under the Justice for All Programme.
- A total of fifty-nine (59) remand prisoners were discharged from the Nsawam Medium Security Prisons under the Justice for All Programme.
- Sixty-two (62) others were granted bail and twenty-seven (27) were refused bail.

2.5 EVALUATION AND PARTICIPATORY M & E

There was a terminal evaluation of all the reports and data received from both primary and secondary sources. The evaluation was carried out by all the Stakeholders using the focus group method.

The evaluation proved the Justice sector is not performing as expected especially in the provision of infrastructure for effective service delivery.

It also came up that there is an overdependence of the Legal Service on the Civil Servants in the administration of the Legal Service and as such affecting the smooth running of the Legal Service. They suggested that the Legal Service recruits their administrative staff who will receive remuneration and motivation analogous to that of Attorneys in the Legal Service in the shortest possible time.

In the course of the evaluation the Stakeholders realized the need to respond promptly to request of data and information for M & E purposes from the Ministry's Policy Planning Monitoring and Evaluation Division.

3.0 THE WAY FORWARD

In the year 2013, the Ministry will undertake direct random monitoring of Attorneys in court by research officers to observe attendance of Attorneys and their general conduct and performance in court without the Attorneys knowing their being monitored. This has become necessary due to reports that some Attorneys do not go to court to discharge their duties hence contributing to increasing illegitimate judgment debts awarded against the State.

3.1 KEY ISSUES ADDRESSED

- Monitoring mechanism and programme for the year developed: Previously, the Ministry did not have a programme for monitoring and a mechanism for monitoring, but now there has been a monitoring mechanism and programme developed.
- Annual Progress Report 2012 Prepared: The development of the Monitoring Mechanism and Programme facilitated the preparation of the Ministry's 2012 APR which is the first within the 2010-2013 medium term.

3.2 KEY ISSUES YET TO BE ADDRESSED

- For the effective and efficient running of the Monitoring and Evaluation system in the sector, more attention must be given to M&E in the Sector. This can be achieved by making the Leadership of the Sector understand the importance of Monitoring and Evaluation in the Sector.
- Logistics for M&E especially office space is still a challenge, this is mostly due to lack of political will and understanding of Staff on M & E issues, many people see M & E activities as witch hunting hence withhold certain relevant information from us.

3.3 RECOMMENDATIONS

It is strongly recommended that, The Policy Planning Monitoring and Evaluation Division (PPMED) of the Ministry requires more staff to effectively perform as required, yet they are faced with a problem of limited office accommodation. This issue can be duly addressed by completing the ten (10) storey and two (2) tier basement car park Law House building besides the recruitment of personnel and transfer of a few experienced persons to add to the limited Staff in the Ministry will enhance performance.

The PPMED also require logistics and dedicated funds for their activities especially the country wide monitoring which must be undertaken at least twice a year.

The process of Monitoring and Evaluation seeks to deepen efficiency, reduce waste, increase productivity and value addition in the civil service. It is a culture that must be encouraged and promoted by both civil servants and politicians alike. It must not be seen as witch-hunting but a planning and development process that facilitates the work of government.