PROGRAMME BRIEF

JUNE 2018

Acronmym	Stands for
AG /AGD /AGO	Attorney General / AG Department / AG Office
ARAP	Accountability, Rule of Law and Anti-corruption Programme
CHRAJ	Commission on Human Rights and Administrative Justice
CU	Coordination Unit
DANIDA	Danish International Development Agency
PPD	Public Prosecution Division on the Attorney General Office
DPs	Development Partners
EC	European Commission
EOCO	Economic and Organised Crime Office
EPA	Environmental Protection Agency
EUD	European Union Delegation
FIIAPP	International and Ibero-American Foundation for Administration and Public Policies
FLS / FLST	Front Line Supervisors / FLS Training
GoG	Government of Ghana
GPS	Ghana Police Service
JS	Judicial service
KRA	Key Result Area
LAS	Legal Aid Scheme
NACAP	National Anti-corruption Action Plan
NCCE	National Commission for Civil Education
OSP	Office of the Special Prosecutor
PE	Public Education
PIPS	Police Intelligence and Professional Standards Unit
PPSB	Police Professional Standards Bureau (former PIPS)
PRCU	Public Relations and Complaints Unit
STAAC	Strengthening Action Against Corruption
STAR-Ghana	Strengthening Transparency, Accountability and Responsiveness in Ghana
ToT	Training of Trainers

ARAP Programme Brief – June 2018

Project Title:	Ghana Anti-Corruption, Rule of Law and Accountability Programme (Ghana-ARAP)
Start/Final Dates:	January 2016 – January 2021
Beneficiaries: Ghana citizens	**Direct Stakeholders**: • Commission on Human Rights and Administrative Justice (CHRAJ) • National Commission for Civic Education (NCCE) • Judiciary and Judicial Service (JS) • Public Prosecution Division, PPD, Attorney General Department (AG) • Ghana Police Service (GPS **Indirect Stakeholders:** • Economic Organised Crime Office (EOCO) • Environmental Protection Agency (EPA) • Legal Aid Scheme (LAS) **Implemented by** • FIAPP: ARAP Coordination Unit: €13M under EU/FIIAPP Delegation Agreement • Star Ghana II facility: €4M under EU/DFID Delegation Agreement to implement component 4 of the programme • NCCE through a direct grant to Government of Ghana (2,2 M€), implementing component num. 2
Geographical Coverage:	Nationwide
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THE PROGRAMME

> **Objective:** The programme's overall objective is to promote good governance in Ghana by reducing corruption and improving accountability and compliance with the rule of law, particularly when it comes to anti-corruption, accountability and environmental governance.

Corruption is a complex, multidimensional problem, deeply embedded in social, political and economic dynamics. The complexity of the issue has profound implications for the programme strategy. A multi-level, multi-stakeholder approach is therefore adopted, to support national efforts addressing both the supply and demand side of the accountability and anti-corruption chain.

On the demand side, the focus is on raising awareness among citizens and civil society actors in order to hold the government to account, demand more accountability and tolerate less corruption. Efforts on the supply side seek to enhance the capacity of the criminal justice system to be more accountable and to be better equipped to deal with cases of corruption.

Demand side:
Improved capacity of citizens and civil society to hold the government to account and report more cases of corruption

Supply side:
More accountable institutions that are better equipped in the criminal justice system to fight corruption

As a consequence this will enable citizens to be more active, making requests for information and reporting corruption. State institutions will be more responsive and accountable by responding to those demands, sharing information and prosecuting corruption cases more purposefully.

Expected Results

The programme has two key interlinked results:

Key Result Area 1:

Accountability is enhanced, leading to increased accountability, a reduction in corruption and increased environmental governance. To achieve this result, the main activities are:

1. Build the capacity of civic education providers (NCCE, CHRAJ, CSOs and the media) to conduct campaigns, advocate and lobby for increased accountability and a reduction in corruption.

2. Support the NCCE to conduct joint civic education and awareness on accountability (implemented by NCCE).

3. Support CHRAJ to conduct anti-corruption campaigns and activities in line with NACAP.

4. Support CSOs, the media, Parliament and selected Parliamentary Committees to enhance their accountability, anti-corruption, lobbying and advocacy roles and functions (implemented by STAR-Ghana).
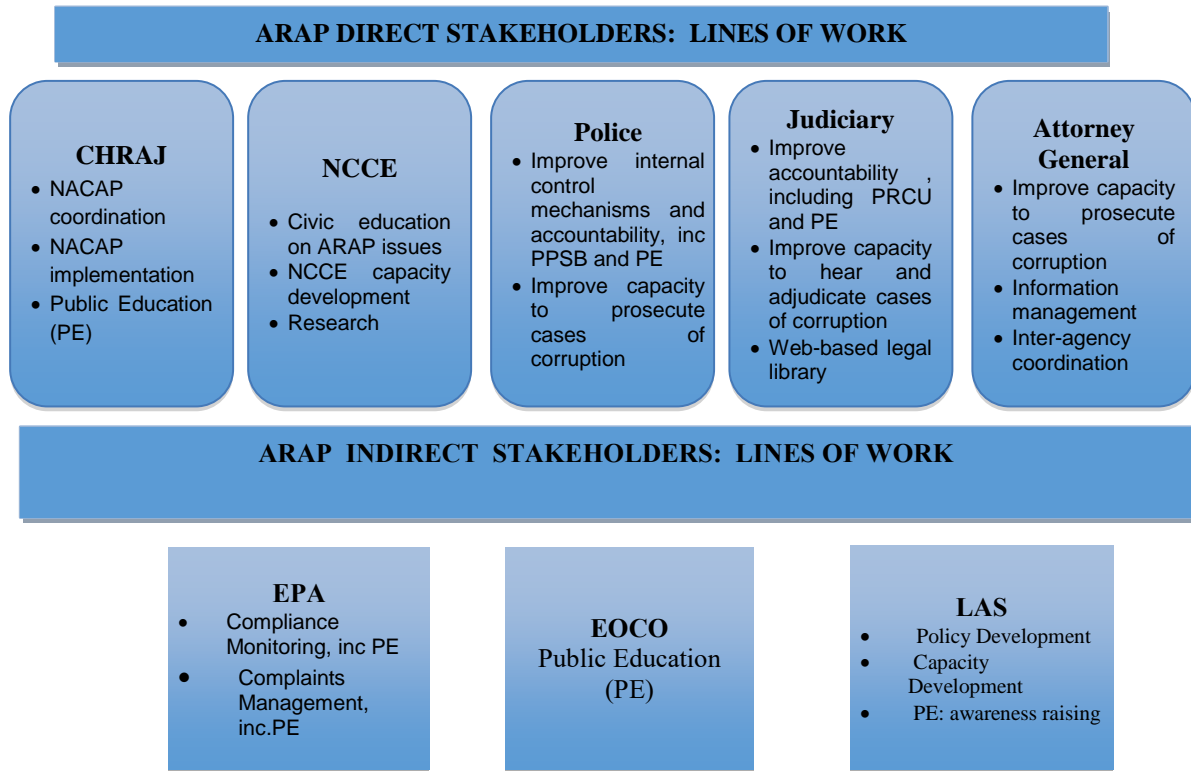
Key Result Area 2:

Compliance with and respect for the rule of law is enhanced, particularly in the areas of accountability and anti-corruption. The main activities under this KRA are:

5. Build the capacity of prosecutors to prosecute corruption and related offences.

6. Build the capacity of the Judiciary to hear and decide corruption cases and related offences, and to hold government to account.

7. Establish a free web-based library/resource centre for all stakeholders and users of the justice system.

8. Support the police and Judiciary to combat corruption amongst their ranks.

PROGRESS AND CURRENT STATUS

Stakeholders and Workstreams

From an institutional approach, key result areas and components can be reorganised into work streams according to the expected outcomes by stakeholder (including indirect stakeholders). The work plan is therefore structured in the following lines of work:

ARAP DIRECT STAKEHOLDERS: LINES OF WORK

CHRAJ
- NACAP coordination
- NACAP implementation
- Public Education (PE)

NCCE
- Civic education on ARAP issues
- NCCE capacity development
- Research

Police
- Improve internal control mechanisms and accountability, inc PPSB and PE
- Improve capacity to prosecute cases of corruption

Judiciary
- Improve accountability, including PRCU and PE
- Improve capacity to hear and adjudicate cases of corruption
- Web-based legal library

Attorney General
- Improve capacity to prosecute cases of corruption
- Information management
- Inter-agency coordination

ARAP INDIRECT STAKEHOLDERS: LINES OF WORK

EPA
- Compliance Monitoring, inc PE
- Complaints Management, inc.PE

EOCO
Public Education (PE)

LAS
- Policy Development
- Capacity Development
- PE: awareness raising

The initial design allowed for the three indirect stakeholders to participate in other stakeholder's activities. However their role has evolved beyond that, becoming actively involved players, identifying their own demands and implementing their own activities.

Thematic Areas

From a substantive point of view, ARAP support to the different stakeholders can also be articulated in three complementary thematic areas:

1. **Prevention**: accountability, professionalism, ethics and internal corruption control

Ensuring that public servants perform their duties with professionalism and ethics, while putting in place strong complaints mechanisms to report ethical misconduct and corruption, is a powerful way of increasing accountability and preventing corruption.

ARAP supports a range of public bodies such as the **Ghana Police Service**, the **Judicial Service** and the **Environmental Protection Agency** towards these efforts.

In the Ghana Police Service, ARAP is supporting (among others) the Police Professional Standards Bureau (PPBS, former PIPS), boosting internal control mechanisms, while strengthening line supervision across the Police Force.

In the Judicial Service, ARAP supports the establishment and roll out of the Public Relations and Complaint Units across all regions of Ghana, where citizens can file their complaints in cases of corruption or misconduct.

Similarly, ARAP has been working with the Environmental Protection Agency (EPA) to enhance complaints management (including public education about how to report) and compliance monitoring, which is also an effective way to **detect breaches of law and opportunities for corruption in the private sector**. Specifically, ARAP is supporting the digitalisation of EPA's compliance monitoring of EPA permit-holders.

Overall, this area of work aims to ensure that public bodies adhere to accessible and user-friendly codes of conduct and standard procedures, enabling citizens to file complaints and reports.

ARAP is also supporting the Commission for Human Rights and Administrative Justice, in its NACAP mandate of working with other institutions to build a culture of ethics and professionalism, as well as to strengthen their reporting and complaining mechanisms.

2. Enforcement: a stronger and more coordinated criminal justice chain

Overall, Ghana's regulatory and legislative anti-corruption framework complies with international standards. The main challenge to date is the implementation and coordination between the different actors working in the criminal justice chain.

As a result, ARAP is supporting CHRAJ in their investigative area, and has been driving efforts to strengthen the prosecution service in particular , both in the **Attorney General Office** and with **Police Prosecutors**, to enhance communication, information sharing and facilitate joint work, with an ongoing focus on corruption. ARAP will also support the Office of Special Prosecutor once established.

Likewise, adjudication in the **Judiciary** is being supported towards a more standardised management of the Courts. The creation of a web-based legal library will make legislation and judgements available not only to the whole Judiciary but also to the rest of the criminal justice system.

ARAP's specific focus on environmental governance is reflected in this area through the development of special tools and capacity building activities, supporting the prosecution and adjudication of environmental offences in the criminal justice chain and the EPA.

3. Cross Cutting Issues

I. Environmental Governance as a Sector Approach

Anti-corruption programmes have proven to work better when focussing on a specific "issue", problem or sector. ARAP has selected environmental governance, a cross-cutting issue which can be approached from both the demand and supply side of accountability and anti-corruption.

ARAP therefore works with the Environmental Protection Agency in areas relating to preventing corruption. Support is particularly given to improve and digitalise their monitoring compliance system, strengthen their complaints management system as well as enforcement (prosecution).

The ARAP/EPA collaboration also focusses on developing strategies on public education for a better, more transparent and responsive environmental governance system in Ghana. To focus such efforts, initial support is focussing on the problem of illegal and non-compliant small-scale mining, which is a major political and environmental issue in Ghana. Newly developed systems will eventually be applied across the EPA's entire environmental portfolio.

Additionally, ARAP is working with institutions in the criminal justice chain to strengthen the legal system's capacity to prosecute and adjudicate environmental crimes, by developing manuals and training modules for investigators, prosecutors and judges.

II.   Public Education

It is now understood, from international experience, that it is very difficult to successfully prevent corruption without changing overall public attitudes, among both adults and children. ARAP therefore supports a broad range of public institutions (CHRAJ, NCCE, GPS, Judicial Services, and EPA) to deliver awareness raising campaigns and public and civic education.

Similar to the other thematic areas, the programme fosters collaboration and joint activities between public education providers, by facilitating shared platforms to coordinate efforts and share critical information. Specifically, a Public Education Working Group brings stakeholders together to discuss, coordinate and work together on different areas. Within this platform, the stakeholders have identified five critical action areas to focus on during the length of the Programme. These included:

i)   Awareness on corruption, public accountability and environmental governance (led by NCCE);
ii)   Public Education on NACAP (led by CHRAJ);
iii)   Public Education in public service delivery (to be developed by STAR-Ghana);
iv)   Public Education and Environmental Governance, (led by EPA);
v)   Public Education and Law Enforcement (led by the Ghana Police Service).

III.   Information Management

Improved Information Management Systems are powerful instruments for a more accountable, transparent and open government, as well as for better informed decision making processes. Lack of data and information hinder a good understanding and analysis of the situation and the impact of measures undertaken. The availability of information and evolution of data enable a stronger evidence-based policy design as well as a better definition of programmes and projects to implement them and address the needs and gaps.

As a result, ARAP is supporting this work stream with many stakeholders, particularly the EPA (developing an e-compliance monitoring system) and the Office of the Attorney General, where an e-case register system has been developed and is being used in all 10 regions across the country. ARAP also works with PPBS (Police Professional Standard Bureau) to develop a comprehensive complaints management e-system, the Judiciary through the Public Relations and Complaint Units (PRCU), as well as CHRAJ in its NACAP progress monitoring platform.

<h1 align="center">MAIN ACTIVITIES AND OUTPUTS AT THIS STAGE</h1>

Commission for Human Rights and Administrative Justice, CHRAJ

ARAP has supported CHRAJ in its mandate regarding NACAP (National Anti-Corruption Plan) coordination. Particularly so in the elaboration of the 2016 NACAP Progress Report and the 2018 Annual Working Plan. An e-tool is also being developed to digitalise the implementation of NACAP by Implementing Partners and to monitor progress. A Communication Strategy has been developed to raise awareness of NACAP (yet to be approved by CHRAJ) and the presentation of the reports in conferences and workshops has been also supported. The ARAP workstream of collaboration for NACAP implementation is starting during 2018, which includes CHRAJ support to other implementing partners through conduct and ethics training, or Service Charters development. Training is also given to CHRAJ to carry out systemic investigations on corruption within State institutions.

National Commission for Civic Education, NCCE

NCCE is an independent implementer of ARAP through direct EU funds for awareness raising (public education campaigns). ARAP CU (FIIAPP) provides them however, with technical assistance in several components and has also funded initial activities, particularly a Research on accountability, anticorruption and environmental governance[1]. To inform the research, a Public Education Working Group has been set up, bringing together a broad range of actors in the anti-corruption chain, to discuss and agree on joint public education strategies.   A survey has since been developed, which was validated and printed in 2017, and research assistants have been trained.   During 2018 ARAP/FIIAPP has provided some technical assistance in the training of public educators and the development of guides and manuals.

Legal Aid Scheme, LAS

An initial needs assessment has been succeeded by the development of a comprehensive manual[2], including training materials, to train lawyers and ADR on basic laws and anti-corruption in Ghana.   A group of selected staff of the Legal Aid Scheme will be trained and equipped (Training of Trainers, ToT) with the skills and knowledge required for conducting nation-wide trainings to all lawyers and LAS staff, on laws which are relevant in the fight against corruption in Ghana. Taking into account an imminent passing of a Law in Legal Aid which will likely transform LAS into an independent Commission, ARAP will support LAS on the development of a comprehensive Policy for legal assistance. LAS will also participate in some public education activities.

Ghana Police Service, GPS

ARAP's engagement with the Ghana Police Service has been geared towards internal control mechanisms, to improve professional standards and strengthen accountability with Ghanaian citizens. On the one hand ARAP has supported PIPS, the Police Intelligence and Professional Standard Unit (currently renamed as Police Professional Standard

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[1] DOC 1: NCCE SURVEY ON PUBLIC PERCEPTION ON THE STATE OF CORRUPTION, PUBLIC ACCOUNTABILITY AND ENVIRONMENTAL GOVERNANCE

[2] DOC 2: LAS. TRAINING MODULES AND MATERIALS ON BASIC LAW AND ANTI-CORRUPTION IN GHANA

Bureau, PPSB) with an initial [functional analysis](#)[3]. This helped develop guidelines ("[Manual of Guidance on Complaints and Discipline Procedures](#)")[4] and deliver training for a more standardised way of dealing with complaints and investigations. A digitalised system of registering and monitoring complaints is being developed and implemented, and IT equipment will be provided accordingly.

On the other hand, from a prevention point of view, ARAP has delivered a [Front Line Supervision Training](#)[5] (FLST) to 40 [Trainers](#)[6], reaching 2,000 inspectors and chief inspectors, which focussed on a Progressive Discipline Procedure and the Local Resolution of Complaints. The aim is to provide FLS with a range of competencies and skills towards better staff management, control, discipline, ethics and performance at field level in order to prevent misconduct and corruption. ARAP has been able to support the initial training for 400 supervisors, along with briefing sessions to the commanders to raise awareness of the importance of such issues.

The main activities for accountability in 2018 include a Police Gender Strategy and a more comprehensive [Police Communication and Public Education Strategy](#)[7]. For the latter, the strategy has been developed and is in the implementation phase. ARAP is already supporting GPS to produce two TV episodes and other materials on Police accountability and anti-corruption, within its Ghana Police Watch TV show.

Finally, regarding enforcement, ARAP has developed a [Functional Analysis of Police Prosecution](#)[8], involving several recommendations. These are mostly related to the professionalism of prosecutors, the need for an early involvement in investigation and the need for a better guidance from the Public Prosecution Division of the Attorney General Department, from whom they received the authority to prosecute. A subsequent action will be to draft the Points to Prove for evidence gathering.

Attorney General's Department, AGD
ARAP has been following closely the process of establishing an Office for the Special Prosecutor, OSP. However ARAP's main support to the AG has focussed on training for prosecutors, including all the State prosecutors, and some police prosecutors and investigators from EOCO and CID (Criminal Investigation Division /Police). In 2017 a three week seminar deepened the knowledge of participants regarding both corruption crimes and environmental crimes, as well as encouraged discussions which raise important [findings and recommendations](#)[9].

In 2018 ARAP has supported the development of a [strategy to improve the standards of police prosecutors](#) [10], to prosecute on the AG`s behalf. It contains a set of proposals and a strategy towards a Prosecution Service, and if approved and adopted by the AG, will

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3 DOC 3: GPS/PIPS. IMPROVING PROFESSIONAL STANDARDS IN THE GHANA POLICE SERVICE: PIPS FUNCTIONAL ANALYSIS

4 DOC 4. GPS/PIPS: MANUAL OF GUIDANCE ON COMPLAINTS AND DISCIPLINE PROCEDURES FOR PIPS

5 DOC 5. GPS. FRONT LINE SUPERVISION TRAINING COURSE

6 DOC 6. GPS. FRONT LINE SUPERVISION DISTANCE LEARNING GUIDE

7 DOC 7. GPS. COMMUNICATION AND PUBLIC EDUCATION STRATEGY

8 DOC 8. GPS. A REPORT ON THE WORK OF POLICE PROSECUTORS

9 DOC 9. AGO. CONCLUSIONS OF THE WORKSHOP ON PROSECUTION OF CORRUPTION

10 DOC 10. AGO. ATTORNEY GENERAL OFFICE STRATEGY TO IMPROVE STANDARDS OF POLICE PROSECUTORS

inform ARAP's future support to the Public Prosecution Division /Office of the Attorney General (PPD /OAG). Likewise, in line with ARAP's focus on environment, a manual on prosecution of environmental offences is being drafted for future training to environmental prosecutors.

Regarding information management, ARAP has supported digitalisation within the PPD. A platform for an e-case register[11] in all regions has been developed. It could however be easily upgraded to a full case management system, where prosecutors would be able to manage their dockets electronically. ARAP has also provided basic IT equipment (computer, printer and internet connection) to each of the 10 regions in the country, and register staff have been trained. As of June, more than 1,000 dockets have been uploaded to the system.

Judiciary and Judicial Service

During 2017, two consultants - a UK Judge and a Ghanaian lawyer - developed a comprehensive report on the role of the Judiciary in the Handling of Corruption Cases in Court[12]. In the preliminary findings, they found that there is room for improvement in the way cases are dealt with. Particularly for example with the organisation of cases, adjournments, case planning, and delays in cases of any disclosure of evidence. Some short term and long term measures which can improve the efficiency and quality of justice delivery have been identified. Once the report is discussed and validated by a group of judges, the strategy will inform ARAP's support.

Regarding information management, an IT expert has been hired to develop the legal e-library. The initial assessment has been completed and the development is being carried out, with a first prototype to be revised by the second half of the year. The tool will be hosted by the Judiciary. Roles and responsibilities regarding uploading information, maintenance support and updating will be crucial in order to ensure a wide access to all relevant stakeholders as well as durability.

To improve the internal control mechanisms and combat internal corruption, ARAP is also supporting the Public Relations and Complains Units (PRCUs) in the Judiciary. DANIDA developed the operational guidelines for the management of complaints[13], and ARAP has supported the delivery of PRCUs to the regions with basic IT equipment (computers, printers, internet access, and telephone lines) and furniture. Training for the staff is also planned once recruited. A platform to digitalise and monitor complaints is also going to be developed in line with other complaints platforms.

Finally, regarding the ARAP's cross-cutting issue of environmental governance, an initial training to judges was delivered in 2017, and a manual on environmental offences adjudication is being developed for future ToT.

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11 DOC 11. AGO. E-CASE REGISTER TRAINING MANUAL

12 DOC 12. JS. THE ROLE OF THE JUDICIARY IN THE HANDLING OF CORRUPTION CASES IN COURT.

13 DOC 13. JS. OPERATIONAL GUIDELINES. PUBLIC RELATIONS AND COMPLAINT UNITS

Environmental Protection Agency, EPA

Considering ARAP's role with all stakeholders, to focus on activities relating to the management of environmental offences (including public education), a specific dialogue has been opened with EPA in order to strengthen that approach. After an in-depth analysis of the environmental sector[14] and a further study focussing more on mining, three main areas have been identified for ARAP to support the EPA: monitoring compliance, complaints management and public education.

A new digitalised compliance monitoring system was developed during two workshops, to trial in a selected district (Dunkwa) and a selected sub-sector (small scale mining), but with the intention of broadening it to EPA's whole portfolio. The e-tools have been developed and tested and will be piloted in three more districts. In addition to the software, ARAP has provided EPA with basic IT equipment to test and pilot the tools, including tablets, computers, internet routers, servers, printers and drones. Regarding the matter of complaints, a workshop is being organised to define roles and responsibilities among the various regulatory agencies, and subsequently establish a public education campaign.

Economic and Organized Crime Office, EOCO

EOCO, as an indirect stakeholder, has being participating until now in other stakeholders activities, particularly the Public Education Working Group, and the prosecutors training. Future plans include ARAP's direct support to EOCO for some Public Education activities.

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For more information The Programme has developed an Activities Information System SIA, which Partners can consult by logging in with a generic Username: arap.stakeholders and Password: arapghana. Documents generated in the activities are available there. http://www.arapghana.eu/sia/web/

Further information is available at **www.arapghana.eu**; or by email at **arapghana@fiiapp.org**

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14 DOC 14. ENVIRONMENT SECTOR ANALYSIS