

Baseline Study on Human Rights, Access to Justice and Services, Accountability and Local Governance in Ghana

Full Report

December 2013

DANIDA



and

The Royal Danish Embassy in Accra

Implemented by:

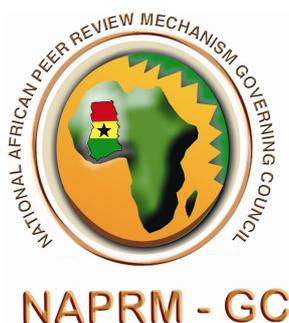


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Map of Ghana showing regions



Abbreviations

AMA	Accra Metropolitan Assembly
APRM	African Peer Review Mechanism
CHRAJ	Commission on Human Rights and Administrative Justice
CRC	Convention on the Rights of the Child
DOVVSU	Domestic Violence and Victim Support Unit
EA	Enumeration area
ECOWAS	Economic Community Of West African States
FGM	Female genital mutilation
GSS	Ghana Statistical Service
IT	Information Technology
KMA	Kumasi Metropolitan Assembly
M&E	monitoring and evaluation
MMDAs	Metropolitan, Municipal and District Assemblies
MMDCE	Metropolitan/Municipal and District Chief Executives
MP	Member of Parliament
NAPRM-GC	National African Peer Review Mechanism Governing Council
NGO	Non-governmental organisation
PHC	Population and Housing Census
PLHIV	People living with HIV/Aids
PWDs	People with Disabilities
RDE	Royal Danish Embassy
RSGGP	(Danida) Right to Services and Good Governance Programme
UNDP	United Nations Development Programme

Part 1 - Background

1. Introduction

The study on which this report is based was conducted in large part to determine missing baseline data for the new Danida Right to Services and Good Governance Programme (RSGGP) for Ghana that will run from January 2014 to December 2019. The programme is based on two previous Danida programmes and will have three components:

- Component 1: Institutional Support will provide support to the Commission on Human Rights and Administrative Justice (CHRAJ) aimed at implementing its strategic plan; and the Judicial Service with the aim of enhancing access to justice for the poor.
- Component 2: Support to Service Delivery and Local Governance supports two partner institutions: the District Development Facility with the aim of raising Metropolitan, Municipal and District Assemblies (MMDAs) capacity to provide quality local services through increasing the discretionary funding available for harmonised, coherent and transparent investments and targeted capacity building activities at local government level; and the Local Government Service Secretariat with the aim of providing capacity building to support decentralised services.
- Component 3: Support to Civil Society through STAR-Ghana aims to enable civil society organisations to enhance the inclusion and participation of citizens in public decision-making, influence agendas on human rights, justice, good governance, and access to social services, and strengthen the accountability at the local government level.

Of course the survey has much wider relevance than only for the RSGGP and the results are very relevant for all of those individuals, organisations and institutions working in similar areas.

The survey was conducted by the Royal Danish Embassy (RDE) and implemented by the National African Peer Review Mechanism Governing Council (NAPRM-GC) and Greg Moran and Associates. The NAPRM-GC has been conducting a similar survey on an annual basis and many of the questions included in this survey cover similar issues to previous surveys conducted by NAPRM-GC. However, the questionnaire has also been revised to ensure that all missing baseline data in the logframe for the RSGGP has been found.

The survey also includes questions deliberately linked to surveys conducted by others – especially the Afrobarometer survey that is conducted in Ghana (and in various other African countries) every four years or so, and the recently conducted UNDP Baseline Survey of the Justice Sector of Ghana (2012). This will allow for the survey results to be compared with any similar surveys to be conducted during the life of the Programme. But more importantly, since the Afrobarometer survey in particular is only conducted periodically, it does not allow for annual progress and impact to be measured. To allow for progress to be monitored and impact of the RSGGP programme to be assessed and evaluated on an annual basis, follow-up surveys will be

conducted by the RDE and NAPRM-GC at the end of each year. By including similar questions to those in the Afrobarometer survey in the current survey, progress in all of these areas can now be annually measured.

2. Methodology

a. Survey Team

The survey was implemented by:

Greg Moran and Associates:

- Greg Moran, Senior International Human Rights and Governance Expert.

NAPRM-GC:

- Samuel Cudjoe, Monitoring and Evaluation Expert.
- Kofi Agyeman Duah, Statistician.
- Nii Okai Quaye, Information Technology (IT) Expert.

b. Sampling Frame and Units

A two-stage stratified random sampling design was adopted in the Survey. The first stage involved the selection of the enumeration areas (EAs) in each of the stratum (region). The households in the selected EAs constituted the secondary sampling unit in the second stage of the sampling design. The survey used the Ghana Statistical Service (GSS) list of EAs from the selected 33 districts together with their respective population and household sizes. This list of EAs was defined at the primary sampling units.

The unit of measurement for the survey was adult household members aged 18 years and older.

c. Sample size, allocation and the sampling procedure

The 2010 Population and Housing Census (PHC) was considered in the selection of the sample size for the survey. In calculating the sample size, an appropriate mathematical formula, using several factors and specified values from PHC and previous or similar surveys was considered.

Table 1: Required households sample size by region (proportion of persons aged 18 years and older as indicator)¹

Region	2010 Census population (18 years and older for the 31 selected districts) distribution ¹	2010 census percent population (18 years and older for the 31 selected districts) distribution	Population share	Proportion ate Allocation of selected EAs	Number of Households selected per EA
Western	124,795	2.7	9.6	39	390
Central	204,267	4.3	8.9	36	360
Greater Accra	1,588,450	33.7	16.3	66	660
Volta	269,451	5.7	8.6	35	350
Eastern	259,444	5.5	10.7	43	430
Ashanti	1,514,213	32.2	19.4	79	790
Brong Ahafo	156,785	3.3	9.4	38	380
Northern	219,609	4.7	10.1	41	410
Upper East	183,238	3.9	4.2	17	170
Upper West	188,612	4.0	2.8	12	120
National	4,708,864	100.0	100.0	406	4060

The minimum sample size by probability proportional to size for the least populated region, Upper East, was 120 households or 12 EAs. This sample size required a minimum of 800 households per district. But such a sample size would not provide sufficient data to estimate plausible parameters for larger metropolians like Kumasi and Accra. As a result, the sample design is adjusted in such a way that there would be enough households for all districts and sub-metros in the Accra Metropolitan Assembly (AMA) and Kumasi Metropolitan Assembly (KMA) to meet the requirements. Therefore a minimum of a first stage sample size of 1,280 EAs and 25,600 respondents were considered for the survey. The final adjusted sample and allocation is shown in Table 2.

Table 2: Final Households Sample Allocation per District ²

REGION	DISTRICT	Pop 18 yrs and older	No. of househ olds	District share (hh)	Number of selected EAs per District	Number of Selected respondent s per District
WESTERN	NZEMA EAST Municipal	31,828	13,509	0.007	40	800
	SHAMA	42,441	19,291	0.010	40	800
	TARKWA NSUAEM	50,526	21,713	0.011	40	800

¹ Source: GSS (May 2012), 2010 Population and Housing Census Summary Results of Final Report.

² Source: Computed from: GSS (May 2012), 2010 Population and Housing Census Summary Results of Final Report.

REGION	DISTRICT	Pop 18 yrs and older	No. of households	District share (hh)	Number of selected EAs per District	Number of Selected respondents per District
CENTRAL	AJUMAKO/ENYAN/ESSIAN	70,887	35,106	0.019	40	800
	GOMOA WEST	70,597	32,715	0.017	40	800
	AGONA WEST	62,783	29,478	0.016	40	800
GT. ACCRA	AMA	1,214,414	501,956	0.265	50	1000
	TEMA	256,110	97,597	0.052	10	200
	ADENTA	49,666	20,478	0.011	40	800
	DANGBE EAST	68,260	27,273	0.014	40	800
VOLTA	AKATSI	71,454	33,762	0.018	40	800
	HO	165,595	73,703	0.039	40	800
	KADJEBI	32,402	13,303	0.007	40	800
EASTERN	SUHUM KRABOA COALTAL	91,883	40,413	0.021	40	800
	NEW JUABEN MUNICIPAL	115,597	49,474	0.026	40	800
	KWAHU WEST	51,964	23,296	0.012	40	800
ASHANTI	KMA	1,222,814	512,767	0.271	50	1000
	OBUASI MUNICIPAL	94,837	41,312	0.022	10	200
	ASANTE AKIM NORTH	75,838	32,400	0.017	40	800
	ATWIMA NWABIAGYA	81,174	35,205	0.019	40	800
	OFFINSO MUNICIPAL	39,550	15,376	0.008	40	800
BRONG AHAFO	DORMAA EAST	27,173	11,722	0.006	40	800
	SUNYANI MUNICIPAL	76,355	28,434	0.015	40	800
	ATEBUBU AMANTIN	53,257	20,349	0.011	40	800
NORTHERN	CENTRAL GONJA	41,581	11,413	0.006	40	800
	YENDI	98,616	21,563	0.011	40	800
	MAMPRUSI WEST	79,412	19,646	0.010	40	800
UPPER EAST	BUILSA	49,525	16,915	0.009	40	800
	BOLGATANG A MUNICIPAL	73,815	26,706	0.014	40	800
	TALENSI NABDAM	59,898	21,716	0.011	40	800

REGION	DISTRICT	Pop 18 yrs and older	No. of households	District share (hh)	Number of selected EAs per District	Number of Selected respondents per District
UPPER WEST	WA WEST	81,348	11,486	0.006	40	800
	WA MUNICIPAL	62,654	18,891	0.010	40	800
	JIRAPA	44,610	13,911	0.007	40	800
TOTAL		4,708,864	1,892,879	1.000	1,280	25,600

d. Selection of EAs and Households

The EAs were selected from each of the 33 districts sub-metros independently using the systematic sampling procedure. This resulted in the selection of a total of 1,280 EAs. In each EA, 20 households were selected where individuals would be interviewed. This implied a total of 25,600 respondents to be targeted.

e. Selection of Eligible Respondents within the Households

To obtain a minimum of 25,600 adult (18 years and older) respondents, the Kish Grid was used by the interviewers to select one household member aged 18 years and older to administer the questionnaire. From the table, the number of people in the household is identified, and a random number is chosen to select a particular person for the interview.

If the randomly selected household member was not available, enumerators were allowed to interview another available household member. This was due to the limited time allocated for the completion of the survey, September 15 – 30 October 2013.

f. Recruitment and training of enumerators

Enumerators and supervisors were members of the District APRM Oversight Committees who had extensive experience in conducting household surveys and who spoke the local language(s) of the selected districts. A total of 140 enumerators and supervisors were recruited and trained. The two-day training focused on:

- Objectives of the survey
- Roles and responsibilities of enumerators, supervisors, IT specialist, statistician
- Question by question explanations
- Respondent selection
- Ethics of surveys
- Expectations and deliverables of the team

g. Organisation of fieldwork

Mobile data collection was adopted using smartphones. The enumerators administered the questionnaires using phones, which allowed real-time delivery of the interviews that had been completed.

In each of the selected districts, the team leader presented introductory letters to the Metropolitan/Municipal and District Chief Executives (MMDCE) and introduced the members of the team. Where the MMDCE was not available the letters were presented to the Presiding Members or the Coordinating Directors. At the EAs the teams were introduced to Assembly members and Unit Committee members and in some instances to the traditional head.

Organisation of teams

Enumerators were organised into groups of 3-4 and one supervisor per district. The supervisor was responsible for allocating work to the enumerators, conducting back-checks and quality control measures and holding regular debriefing sessions with enumerators and the monitoring and evaluation (M&E) expert, IT expert and statistician.

h. Quality control processes

The following quality control measures were put in place:

- The M&E expert, IT specialist and statistician accompanied the teams during the first four weeks of the survey. This was to ensure that enumerators selected households and respondents as well as conducted the interviews as they had been educated to do. The team participated in 3,570 interviews (representing 15% of the total number of successful interviews conducted)
- The supervisors conducted back-checks to validate that enumerators had visited the EA, the household and conducted the interview. They also validated some of the responses that were appearing on the server. A total of 6,108 (26%) back-checks were undertaken.
- Regular checking of the data submitted. Since the data was submitted in real-time (though in some cases there were delays due to unavailability of internet coverage), the M&E expert, IT specialist and statistician checked the data and gave feedback to the teams.

i. Data processing

The data was transported from the server to Excel where responses to “Other” were coded. The data was then transported to SPSS where data analysis was undertaken. Frequency analysis and primary cross tabulations were generated based on gender, age, education, locality (urban or rural), regional and district.

j. Survey limitations

Overall the survey experienced minimal challenges, although the following were encountered which might have influenced responses and delivery times of data:

- Phone breakdowns: a number of phones suffered “freezing” which delayed data submission dates
- Despite explaining the purpose of the survey, some respondents were of the view that the survey was meant to praise or criticize the performance of government and this influenced their responses.
- Some respondents indicated that the survey would not benefit them and so refused to participate or refused to answer some questions.
- The survey was conducted during the raining period and this delayed travelling times to certain EAs.

k. Response rate

None of the above challenges had any major impact on the survey or the validity of the responses received. A total of 23,815 respondents were interviewed out of an expected 25,600, representing a response rate of 93.0%.³

Table 4: Response rate from survey districts ⁴

#	District	Expected	Actual	% of Total Actual	Response rate%
1	Bolgatanga	800	720	3.0	90.0
2	Kassena Nankana	800	758	3.2	94.8
3	Talensi Nabdam	800	516	2.2	64.5
4	Jirapa	800	533	2.2	66.6
5	Wa West	800	403	1.7	50.4
6	Wa Municipal	800	621	2.6	77.6
7	West Mamprusi]	800	801	3.4	100.1
8	Central Gonja	800	801	3.4	100.1
9	Tamale	800	519	2.2	64.9
10	Asante Akim North	800	802	3.4	100.3
11	Offinso	800	863	3.6	107.9
12	Ejura Sekyedumase	800	802	3.4	100.3
13	Obuasi	200	748	3.1	93.5
14	KMA	1000	1220	5.1	122.0
15	Sunyani	800	602	2.5	75.3
17	Atebubu Amantin	800	577	2.4	72.1
18	Kwahu West	800	771	3.2	96.4
19	Atiwa	800	750	3.1	93.8
20	New Juabeng	800	735	3.1	91.9
#	District	Expected	Actual	% of Total Actual	Response rate%
22	Akatsi	800	571	2.4	71.4
23	Ho	800	828	3.5	103.5
24	Adenta	800	684	2.9	85.5
25	Ashiaman	800	809	3.4	101.1
26	Accra Metro	1000	1595	6.7	159.5

³ As per the workplan for the project, data collection was undertaken from September 15 to October 30, 2013. At the end of the period a total of 19,862 responses had been received. The data collection period was extended by an additional week to November 9 and a total of 23,815 responses were received by that date. Due to time constraints to complete the project by December 16, the data that had been received by this date was used for the analysis. Subsequently, an additional 1,393 responses were submitted by the enumerators bringing the total to 25,208.

⁴ Source: Survey data, 2013: Demographic characteristics of respondents

27	Tema	200	528	2.2	264.0
28	Gomoa West	800	559	2.3	69.9
29	Mfantseman	800	663	2.8	82.9
30	Agona West	800	793	3.3	99.1
31	Shama	800	476	2.0	59.5
32	Tarkwa	800	816	3.4	102.0
33	Nzema East	800	555	2.3	69.4
		25,600	23815	100.0	93.0

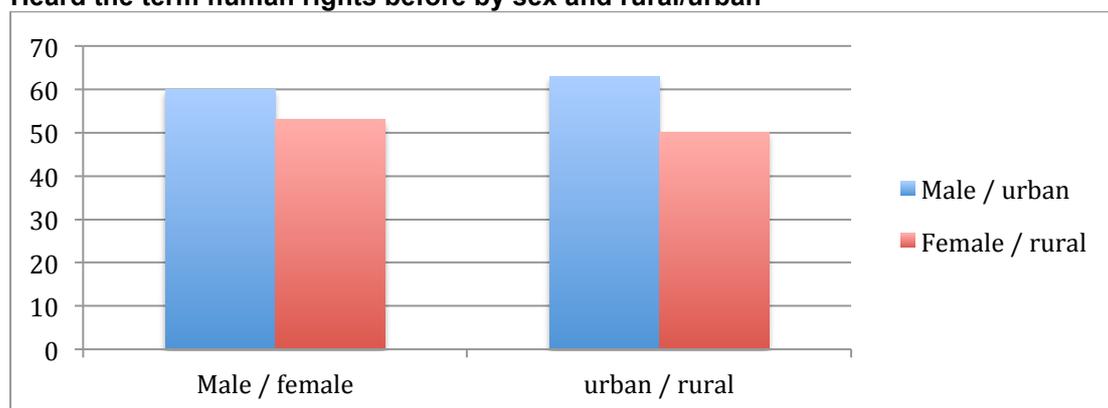
Part 2 - Survey results

1. Human rights

a. Human rights understanding

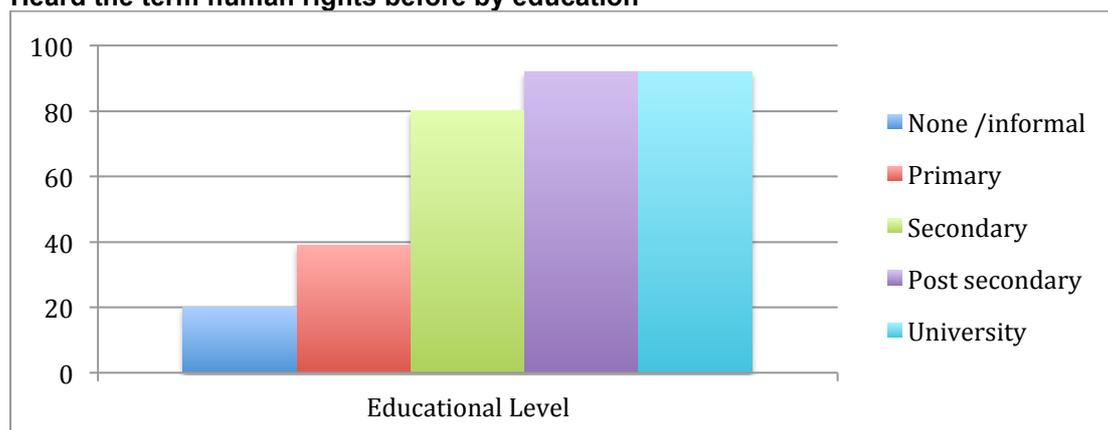
According to the survey, 57% of respondents had heard the term 'human rights' before. 43% had either not heard it (38%) or did not know (5%). Men (60%) those in urban areas (63%) were more likely to have heard the term than women (53%) and rural dwellers (50%).

Heard the term human rights before by sex and rural/urban

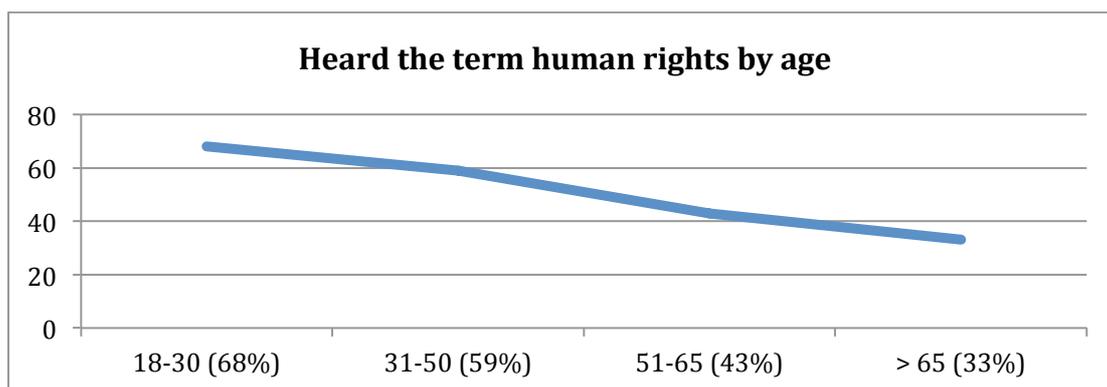


Education clearly plays a role, with 92% of those with post secondary or university level education far more likely to have heard the term than those with no education (20%) or primary level education (39%).

Heard the term human rights before by education



Age also played a role, with younger Ghanaians far more likely to have heard the term than older members of society.



On the other hand, high numbers reported not having heard the term (38%) or that they did not know (5%), suggesting 43% of Ghanaians were not familiar with the term at all. For example:

- 42% of women had not heard the term compared to 34% of men, while a further 5% of both men and women did not know.
- 43% of those in rural areas had not heard the term compared to 33% in urban areas, although a further 4% of those in urban areas answered 'don't know'.
- Those with no or informal education were least familiar with the term: 74% had not heard it while a further 6% did not know.

Comparison with UNDP 2012 Baseline Survey

These figures appear to conflict with the UNDP *2012 Baseline Survey of the Justice Sector of Ghana*, which found that: 'Overall, ninety-two percent (92%) of respondents were aware of their human rights. These respondents understood human rights as "rights accruing to them by virtue of their being human". Only eighteen percent (8%) of respondents had no knowledge of human rights'.⁵

However, the UNDP survey asked 'Are you aware of your human rights, freedoms and responsibilities?'. There is thus a possibility that some respondents may have answered 'yes' if they had heard either or both of the terms 'freedoms' or 'responsibilities' even though they had never heard the term 'human rights' before. And it may be that enumerators in the UNDP study explained the term 'human rights' to people who may have been familiar with the concept but not the term itself, or that they used a well-known right (such as the right to life) to explain the term to those who weren't immediately familiar with it. The current study sought to measure **understanding** of human rights, which could only be measured by asking those familiar with the term how they understand it – any explanation would have made the questions that follow redundant since people may well have been given some of the answers as part of the explanation. The fact that only 57% of people knew the term should not therefore be seen as showing limited understanding of the concepts around human rights, although they do indicate that anyone conducting human rights education and awareness should always include a very brief explanation of the term and its translated versions. In any event, a total of 13,645 respondents had heard the term which creates a sufficiently large sample of the population for the results to questions that followed to be representative of the understanding generally.

⁵ At page 14.

When asked to explain what human rights are, the most common first response was ‘rights that everyone has’ mentioned by 58% of respondents. The second most common first responses were ‘things that protect our freedoms’ and ‘my rights as a person (9% each). The most common second responses were ‘basic rights we all have’ (32%), ‘rights we have from birth (23%), the ‘right to vote in elections (15%) and ‘rights that cannot be taken away from us (13%). And as third responses, ‘to express opinions freely’ (49%), freedom of movement (20%) and ‘rights we have from birth’ (14%). Although people tend to resort to an example of a right when asked for multiple answers, there is clear evidence of at least some understanding of the basic meaning of human rights amongst those who had heard of the term.

b. Can you list any rights?

When asked what human rights they were aware of, the most common responses were:

- Education (13%).
- To vote (13%).
- Freedom of speech (12%).
- Life (10%).
- Right to health (8%).
- Freedom of religion and worship (6%).
- Freedom of association (6%).
- Freedom of movement (5%).

The list provides an interesting mix of civil, political, culture and socio-economic rights.

c. Where did you learn about human rights?

Illustrating its importance as a communication and education tool, radio is by far the most common source of information about human rights, with 58% reporting having learned about human rights on the radio. The next most common place respondents first hear about human rights was at school (16%) or university (10%). Only 3% had first learned about human rights from CHRAJ. Of course, it does suggest that CHRAJ could do more in this area, but responses must be seen in context, since the question asked where people **first** heard about human rights rather than whether they had ever heard about them CHRAJ. And as indicated below, when asked which institution is responsible for protecting human rights in Ghana, CHRAJ was the most common response.

d. Do you have to do anything to ‘earn’ your rights?

To determine levels of understanding of one of the key principles of human rights, the 13 645 who had heard of the term were then asked whether they had to do anything to earn their rights. 76% answered human rights do not need to be earned and that one has them simply by being human. Answers

were very similar between men and women (76% and 75% respectively) and across all age groups.

Table 5: Understanding that human rights do not need to be earned by age

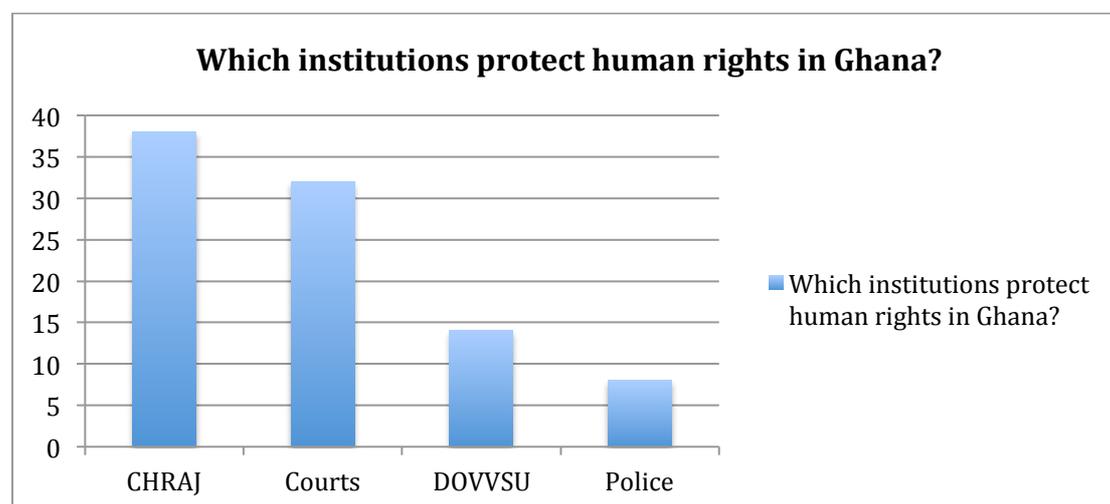
Age			
18-30	31-50	51-65	>65
75%	77%	75%	79%

Once again, education played a role, with those with no or informal education (69%) answering correctly compared to those with post secondary (82%) and university education (79%). The next highest recorded answer – that one needs to be educated to ‘earn’ one’s rights – was only provided by 10% of respondents, with those with no formal education most likely to answer this way (13%).

e. Protecting human rights

Respondents who were aware of the term were asked what the main law is protecting human rights. Almost all (93%) correctly identified the Constitution with no marked differences between men (93%) and women (92%). Those with post secondary (97%) or university level education (98%) were more likely than those with primary (83) or no formal education (85%). Nonetheless, even those with no or no formal education scored remarkably well.

When asked which institutions were responsible for protecting human rights, the most common response was CHRAJ (38%) followed by the Courts (32%), the Domestic Violence and Victim Support Units (14%) and the police (8%).



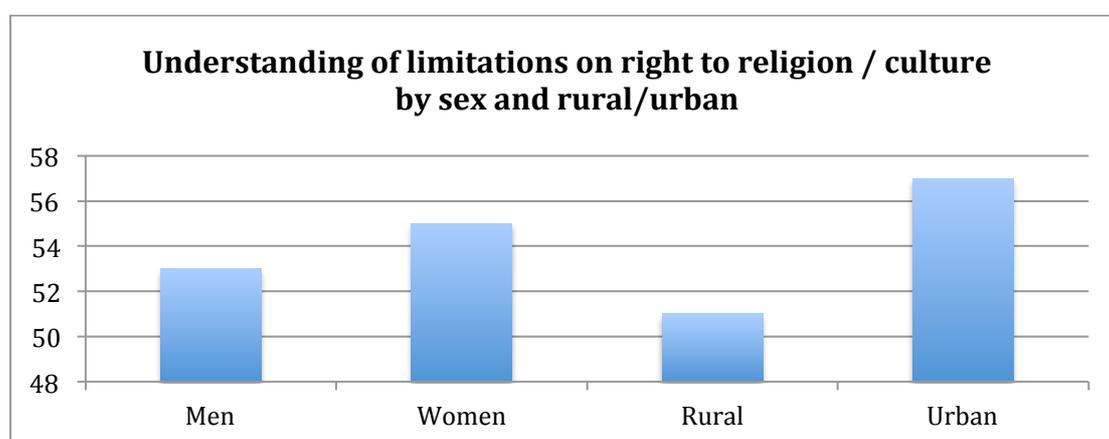
CHRAJ was more commonly mentioned in urban areas (40%) than in rural areas (35%), and far more commonly by those with post secondary (56%) and university levels of education (50%) than those with no those with primary (27%), secondary (29%) or no education (30%).

f. Limitations

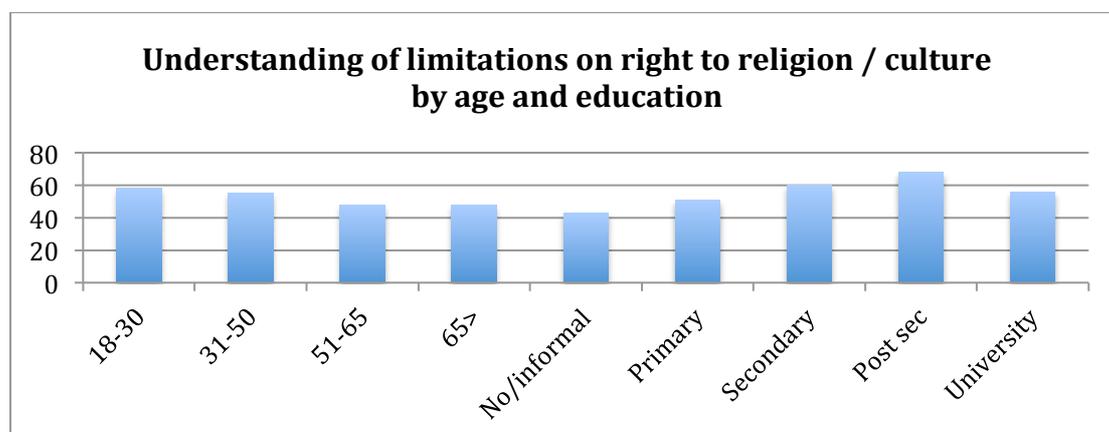
To test understanding that most human rights can be limited when it is reasonable and justifiable to do so, respondents were asked two questions: whether people were allowed to follow a religious or cultural practice even if it harmed someone else; and whether the right to freedom of expression allows the media to say whatever they want or whether there are limits on the right.⁶

With regard to the first question, more than half (54%) answered correctly that one cannot follow a religious or cultural practice that may cause harm to others, but 28% answered that one can sometimes, depending on how harmful the practice is.

Slightly more women (55%) were likely to answer that any harmful cultural practice should be disallowed despite the right to follow one's own culture or religion than men (53%). And those in urban areas (57%) were also more likely to answer correctly than those in rural areas (51%).



Marked differences in understanding across different educational levels and age groups was also evident:



⁶ The two rights that most human rights academics and practitioners agree may never be limited are the rights to be free from slavery and torture.

When asked whether the right to freedom of expression allows the media to say whatever they want or whether there are limits on the right, an interesting picture emerges with 30% answering that the media cannot say anything that would endanger government, while 14% believed they could say whatever they want generally, 32% reported they could say anything as long as it is the truth, and 10% answered there should be no limits if it is about corruption. Of course all of the answers are right to some extent, but they do indicate strong differences of opinion regarding freedom of expression and in what circumstances the right may be limited. Only 2% believed the media could not criticise government at all.

Some misunderstanding was noted amongst those with lower levels of education – 21% of those with no or informal education believing it is an unfettered right and only 28% of the same group answering that they can say whatever they like as long as it is the truth. All-in-all though, it seems that understanding of the fact that rights have limitations, and what legitimate limits there may be, needs to be improved.

g. Rights and responsibilities

To test whether people understand that human rights come with responsibilities, respondents were reminded that they have the right to equality in Ghana, and were then asked what this means when it comes to how they should treat other people. The majority answered correctly that this meant they should treat other people fairly (56%), that they should not discriminate against others (17%) or that they should not treat others unfairly.

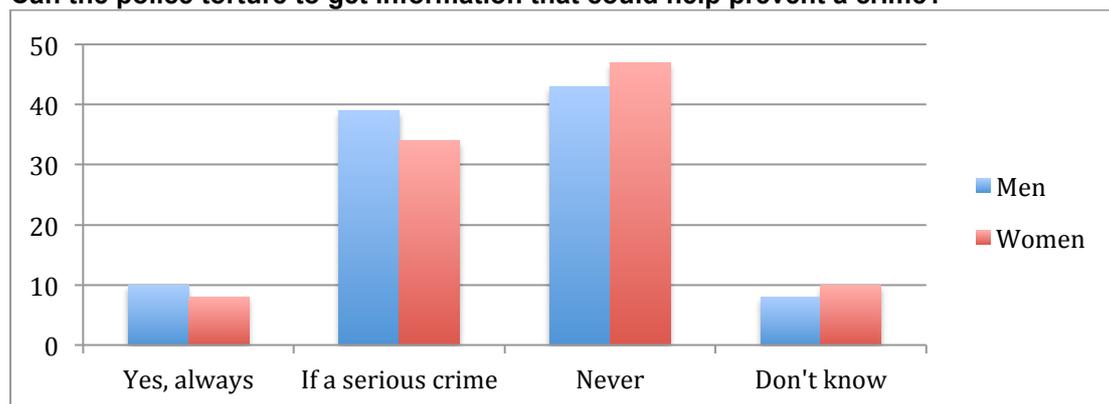
h. Torture

Ghana is a signatory to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Article 14 of the Constitution specifically outlaws torture and cruel and inhuman or degrading treatment or punishment.⁷ CHRAJ in particular has had a continuous focus on this and regularly visits places of detention to monitor human rights, including the rights in Article 14.

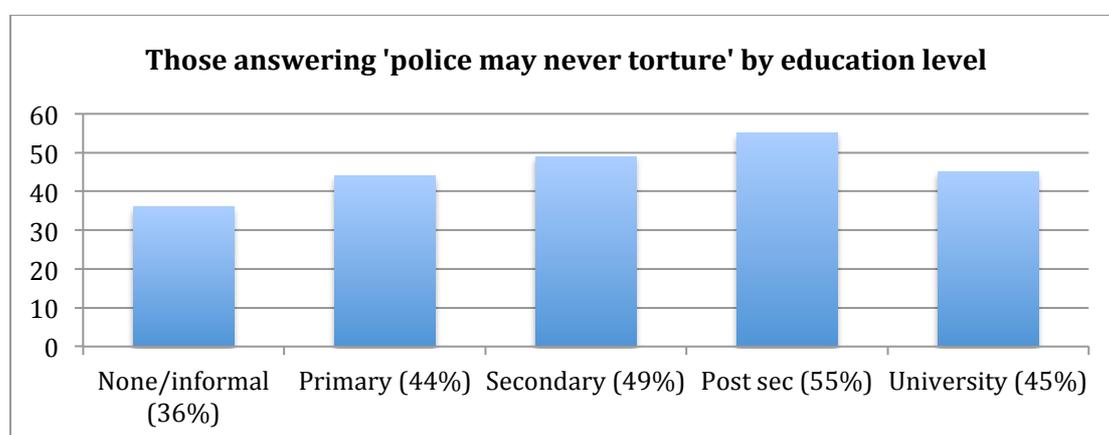
Respondents were asked whether the police are allowed to torture a suspect to help prevent a crime. Although nearly half (45%) correctly replied that the police may never resort to torture, 37% felt they could do so if they were trying to prevent a serious crime, while an additional 9% felt they could always do so, regardless of the seriousness of the crime. 9% answered that they did not know, while men were less likely to understand the absolute prohibition of torture than women.

⁷ Ghana ratified the Convention Against Torture on 7 September 2000. However, it has not yet ratified the Optional Protocol to the Convention that aims to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.

Can the police torture to get information that could help prevent a crime?



The age of the respondent seemed to play no role, with all answering more or less the same to within 3%. Those with university level (45%), secondary (49%) or post secondary level education (55%) were more likely to answer 'never' than those with no or informal (36%) or primary levels (44%).



Despite reports of torture by the police recorded elsewhere, 41% of respondents answered that police do not torture or mete out inhumane treatment to suspects, although 31% did not know and 26% answered that stubborn suspects are manhandled.⁸ When asked whether torture or cruel and inhuman treatment by the police had increased or decreased over the past three years, 33% believe it has increased a bit or a lot, 40% believe it has decreased a bit or a lot, while an additional 21% believe levels have remained the same. For those working on reducing or eliminating torture, more than half (54%) believe the situation has stayed the same or deteriorated, which provides an excellent baseline against which to measure progress.

⁸ See for example the US State Department Human Rights report for 2012, which states that 'there were credible reports that police beat and otherwise abused suspects, prisoners, and other citizens. Severe beatings of suspects in police custody reportedly occurred throughout the country but generally were unreported in official channels. Police generally denied allegations or claimed that the level of force used was justified. During the year several non-governmental organisations (NGOs), lawyers, and civil society organizations publicly criticized police use of excessive force'. (Page 2).



No major differences were noted between men and women, although 42% of those between 18-30 felt it had reduced either a little or a lot compared to 41% of those between 31-50, 35% of those from 51-65, and 36% of those over 65. Those in urban areas (44%) and those with university level education (41%) were more likely to answer that it had increased a bit or a lot than any other group.

When asked whether prison officials torture or mete out inhumane treatment to prisoners, 37% answered 'no', with those with post secondary (42%) or university level education (47%) most likely to answer this way, while 16% answered that, yes, very stubborn prisoners are manhandled. However, 43% did not know (somewhat understandably perhaps, since these type of violations are far more likely to take place out of the public's view).

When asked whether they thought torture or cruel and inhumane treatment by prison officials had increased or decreased over the previous three years:



For those (such as CHRAJ) working on reducing violations of human rights in prisons, a total of 53% of Ghanaians believe torture in prisons has stayed the same or increased over the past three years.

Importantly for the new Danida programme, when asked where they would report torture or inhumane treatment by the police, military or prison personnel, 32% stated they would report it to CHRAJ, with the next highest being the police (21%) or a Court (10%). Knowledge of CHRAJ's role in this regard was highest amongst those with university level education (55%) whilst the lowest was amongst those with no or informal education (17%). Some differences were noted between men (34%) and women (29%), but levels of understanding were exactly the same between those in rural and urban areas (32%).

UN Special Rapporteur on Torture

The UN Special Rapporteur visited Ghana during November 2013 and hopes to release his report of the visit in February 2014. According to a report on the Al Jazeera website:

'Squalid conditions, poor food and overcrowding in Ghana's prisons amount to "cruel, inhuman and degrading treatment," a UN special representative has said. The comments by Juan Mendez - UN special rapporteur on torture - on Thursday came in the wake of a Human Rights Watch report released last year that criticised mental health care in Ghana for its reliance on forced confinement in harsh conditions. During his six-day trip, Mendez visited prisons, mental hospitals and "prayer camps" around the West African country of 25 million.

"The overcrowding in some of the places that we visited is particularly severe," said Mendez, an Argentinian human rights lawyer who himself was subjected to torture in his own country during the 1970s. "If there is inadequate food, if there is inadequate medical treatment, if there are unsanitary conditions, those are by definition cruel, inhuman and degrading treatment" and in violation of the UN Convention Against Torture.⁹

i. Harmful cultural practices

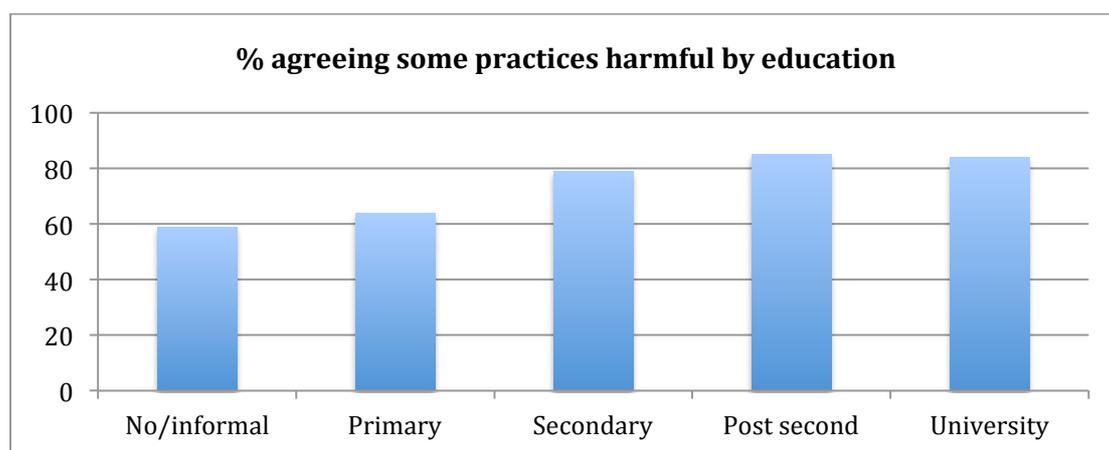
Ghana ratified the Convention on the Elimination of all forms of Discrimination Against Women on 2 January 1986. Article 39 of the Constitution that deals with customary values provides that the State must ensure that traditional practices that are injurious to a person's health and well-being are abolished. Various other rights in the Bill of Rights may also be violated by such practices, including the right to Human Dignity (Article 15) and the provision in Article 16 (1) prohibiting any form of slavery or servitude, including the practice of *trokosi* (ritual servitude).¹⁰ Ghana also has specific laws prohibiting

⁹ <http://www.aljazeera.com/news/africa/2013/11/un-official-ghana-jails-cruel-inhuman-2013111564627505652.html>

¹⁰ According to the *trokosi* tradition practiced in south-eastern Ghana, virgin girls are given to village priests as a way of appeasing the gods for crimes committed by family members. The word *trokosi* in the Ewe language means "slaves of the gods." Once given to the priest, a girl becomes his property and is made to carry out domestic chores such as cooking and washing, as well as farming and fetching water. After the onset of menstruation, the bondage also involves sexual servitude. In addition to the 1998 law specifically criminalizing the *trokosi* practice as a form of slavery, the *trokosi* practice violates the Ghanaian Constitution, specifically Article 14, which provides that "Every person has a right to personal liberty" and Article 16, which provides, "No person shall be held in slavery and servitude or be required to perform forced labor." According to various estimates, there are a little over 5,000 *trokosi*

some practices including the Criminal Code 1960 (29) that outlaws female genital mutilation. Yet despite this, such practices continue.

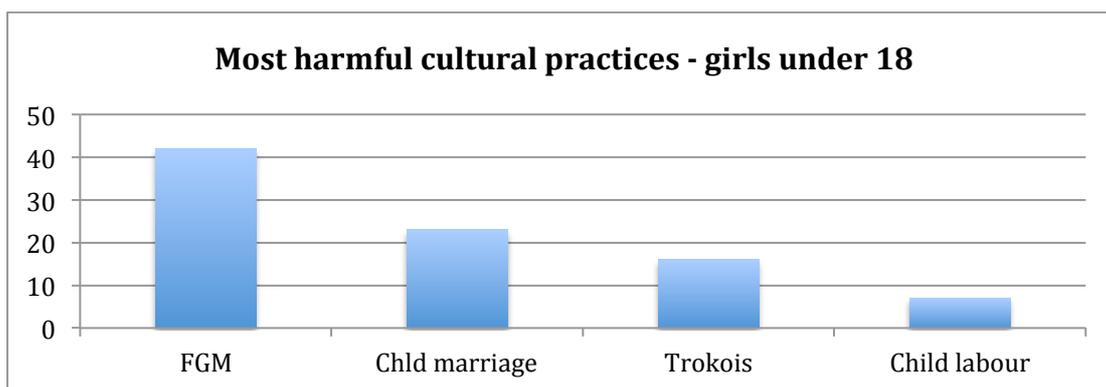
Linked to the earlier question on whether rights (such as the right to follow your own culture) could be limited in some circumstances, respondents were asked whether they agreed that some cultural or religious practices could be harmful to girls. Almost three quarters (72%) agreed that they could. There were slight differences between men (71%) and women (73%), more pronounced between urban (74%) and rural (69%), but the biggest differences were once again across educational levels:



Despite progress made in reducing the practice and incidence of female genital mutilation (FGM) recently reported by Unicef,¹¹ 42% of respondents believe this remains the most harmful cultural practice for **girls under 18**, with 23% answering child marriage, 16% trokosi, and 7% child labour. Answers were relatively similar across all groups, although those with no or informal education (34%), those with primary level education (35%) and those over 51 (38%) were less likely to see FGM as an harmful practice when compared to the national average. In fact, those with no or informal education were just as likely to see child marriage (33%) as a problem compared to FGM (34%).

slaves within Ghana alone (the custom also being practiced in Togo and Benin). (Sources: Equality Now: <http://www.equalitynow.org/node/185>, and Sarah C. Aird: Ghana's Slaves to the Gods: <http://www.wcl.american.edu/hrbrief/v7i11/ghana.htm>).

¹¹ According to the 2013 UNICEF report on Female Genital Mutilation (FGM), Ghana has recorded a positive decline in FGM, placing it in the 'very low prevalence' group of countries (together with Togo, Niger and Cameroon). A national average of 4% of Ghanaian girls and women 15-49 years have gone through the practice against which Ghana passed a law in 1994, with amendments in 2007. While the percentage is lower than many other countries, this still translates to several hundred thousand women and girls and that there are areas of the country, for example, the Upper West region, where FGM is much more prevalent with 16% of all girls aged 15-19 years having been cut.



According to a US State Department Report, FGM is most prevalent in the Upper East Region but is also practiced in remote parts of the Northern Region, Upper West Region and northern Volta Region. In the southern part of Ghana it is practiced among migrants from the North Eastern and North Western parts of Ghana, from Mali, Togo, Niger, Burkina Faso and other neighbouring countries.¹² Perhaps reflecting this, two regions where the practice of FGM is more prevalent than others, Upper East (78%) and Upper West (82%) were more likely to agree that there are some cultural or religious practices that are harmful to women and girls than the national average of 72%. But two were just as likely to answer this way as the national average: Northern (70%) and Brong Ahafo (73%). Oddly, Greater Accra (55%) was least likely to agree, although it also had by far the highest percentage (23%) that did not know.

When the answers to the question 'which practices are particularly harmful for girls under 18' are disaggregated by region:

- FGM was most commonly mentioned in Brong Ahafo (54%), Ashanti (53%) and Upper West (52%). It was least common in Western (28%) and Eastern (29%).
- Child marriage was most commonly mentioned in Northern (44%) and Upper East (35%). It was least commonly mentioned in Western and Greater Accra (14% in each region).¹³
- Trokosi was most commonly mentioned in Greater Accra (29%), Western (28%) and (Volta 25%). It was least commonly mentioned in Upper West (3%) and Upper East (6%).

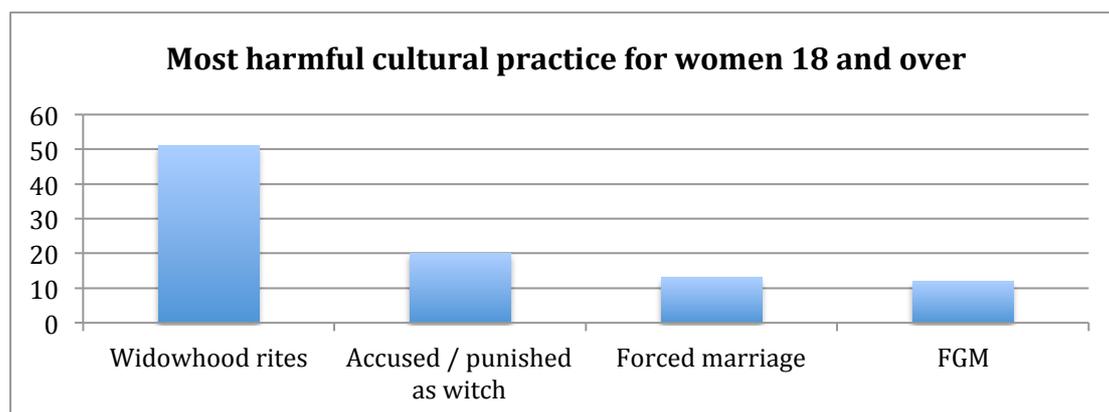
When it comes to the most harmful practices for **women of 18 and older**, slightly more than half (51%) believe widowhood rites to be worst. Views were fairly similar according to all groups, although there were marked differences between urban (55%) and perhaps more traditional rural dwellers (44%).

¹² United States Department of State, *Ghana: Report on Female Genital Mutilation (FGM) or Female Genital Cutting (FGC)*, 1 June 2001, available at: <http://www.refworld.org/docid/46d57878c.html>.

¹³ According to the Unicef Multiple Indicator Cluster Survey Summary of Findings (2011), 'the proportion of women aged 15-49 years married before the age of 15 and 18 are respectively 4% and 27%. Such marriages (below the age of 15) are higher in rural areas (8%) than in urban areas (4%). Women with higher education and from wealthiest backgrounds are less likely to get married before the age of 15 years'. (Page 19)

Views also changed according to age group, with older members of society less likely to see this as a problem than younger groups, which would suggest that attitudes are changing in this area.

The next most harmful practice for women over 18 was listed as being accused or punished as a witch, with 20% answering this way. Opinions were very similar across all groups, although such practices were slightly more commonly mentioned by those over 65 (25%). Next on the list were forced marriage (13%) and FGM (12%).

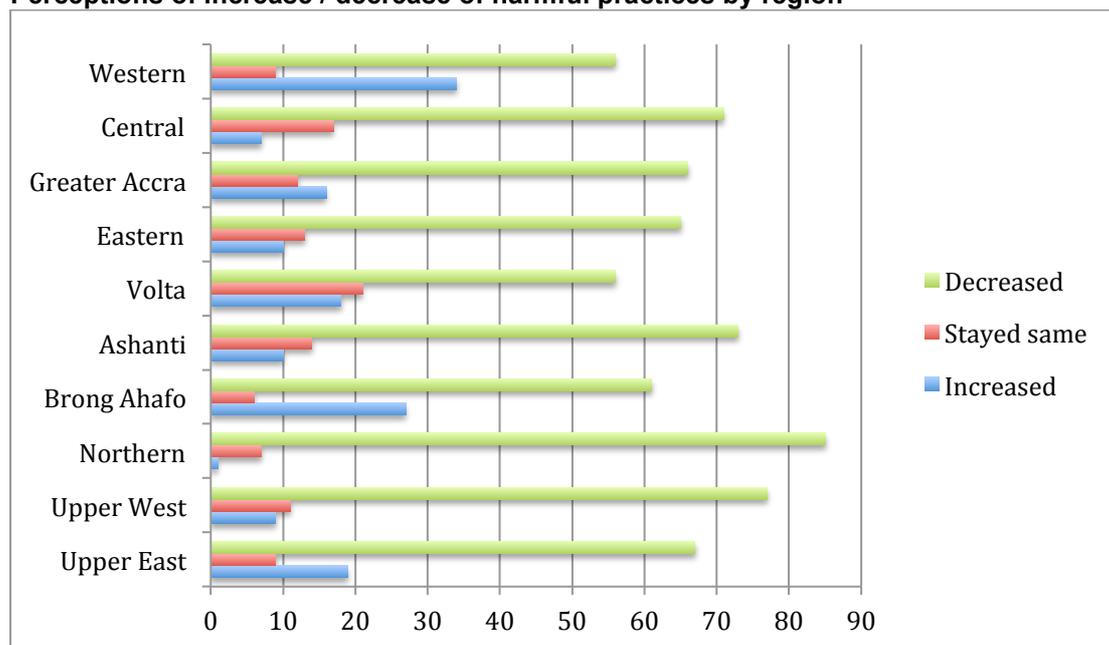


When disaggregated by region:

- The most likely to rate widowhood rites as the most harmful practice were the Eastern and Upper West regions (61%) and Upper East (57%). Least likely to rate this the most harmful were Northern (40%) and Volta and Western (41%).
- Most likely to rate being accused or punished as a witch were Northern (34%) and Central (29%). Least likely were Western (10%), Upper West (11%) and Volta (13%).
- Most likely to rate forced marriage were Volta (31%) and Northern (22%). Least likely were Eastern (5%), Central (7%), Upper East (8%) and Western (8%).
- Most likely to rate FGM as the most harmful practice were those in the Western Region (39%) followed by Greater Accra (14%). Least likely were those in the Northern (3%) and Upper West (4%).

Mirroring the Unicef study on FGM, the majority of respondents generally felt that the incidence of harmful practices has either reduced a bit (42%) or a lot (25%), with only 12% answering that it had stayed the same and 16% that it has increased a bit or a lot. Responses differed quite markedly across regions, as illustrated in the graph on the following page:

Perceptions of increase / decrease of harmful practices by region



From this, it would seem that those in the Western Region (34%) and Brong Ahafo (27%) were most likely to report that the incidence of harmful cultural or religious practices have increased a bit or a lot, whereas those in Northern (85%) and Upper West (77%) were most likely to report such practices have decreased a bit or a lot. Those in Volta were most likely to report that it has stayed the same (21%).

Where to report

According to 41% of respondents, victims of harmful cultural or religious practices should report this to the Domestic Violence and Victim Support Unit (DOVVSU).¹⁴ Men (43%) were more likely to answer this way than women (38%), as were those in rural areas (43%) compared to urban dwellers (39%). And marked differences were found across those with different levels of education; the highest response coming from those with university level education (63%) and the lowest amongst those with no or informal education (21%).

33% would report to the police, with similarities across all groups – the greatest percentage answering this way being those with primary education (39%) and those in urban areas (38%), while the least likely to answer this way are those in rural areas.

Of course, answers to this question should be seen in combination with the earlier question about the most harmful cultural practice for girls, where 42% answered FGM. FGM is clearly a form of domestic violence contemplated by the Domestic Violence Act (732, 2007), which includes ‘subjecting another

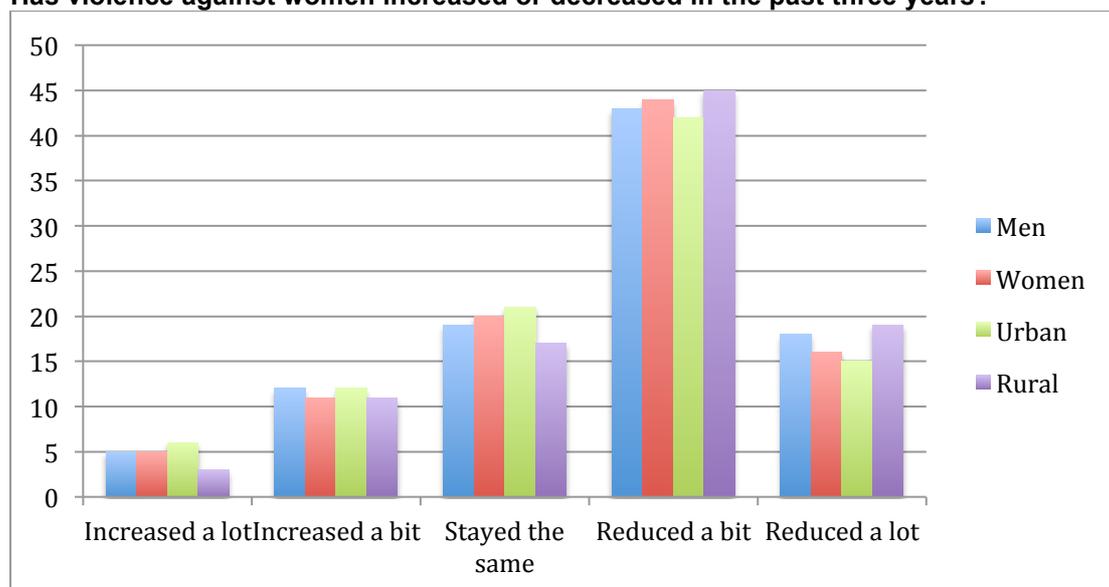
¹⁴ The DOVVSU is a specialised unit within the Ghana Police Service established in 1998 to address the rising number of cases of abuse and violence against women and children and to research characteristics and trends of crimes against women and children.

person to torture or other cruel, inhuman or degrading treatment or punishment' in the definition of domestic violence.¹⁵ Such crimes should therefore be reported to the police or DOVVSU - anyone reporting such acts to a CHRAJ would also be referred to the police or DOVVSU. However, the fact that only 8% stated they would report harmful cultural or religious practices is a bit of a worry given that CHRAJ has a particular focus on this issue and that harmful practices include practices that are not crimes (such as payment of bride price or dowry).

j. Violence against women and children

When asked whether violence against women and children has increased or decreased over the previous three years, 17% felt it had increased a lot or a bit, with 19% answering it had stayed the same. Most though (60%) felt it had decreased a bit (43%) or a lot (17%). Again, responses were remarkably similar between men and women and those in rural and urban areas, although those in rural areas are more hopeful with only 3% believing it has increased a lot, and 19% believing it has reduced a lot.

Has violence against women increased or decreased in the past three years?



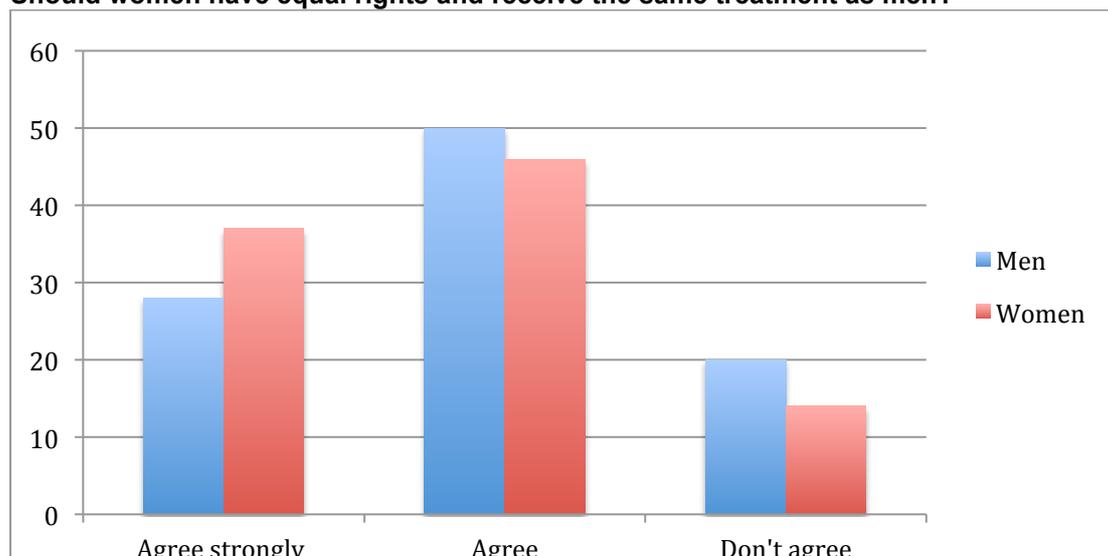
k. Equality and discrimination

Women

Should women have equal rights and receive the same treatment as men? A substantial majority (80%) of Ghanaians would either agree (48%) or agree strongly (32%) with this. Although agreement is generally high, subtle differences are noted between men and women:

¹⁵ Section 1 (b) (i) of the Act

Should women have equal rights and receive the same treatment as men?



Worryingly, a fifth (20%) of men still believe women should **not** be treated equally, while 14% of women answered this way too. Such attitudes were most common amongst those over 65 (24%) and those with no or informal education (22%), and (interestingly) slightly higher amongst urban dwellers (18%) when compared to those in rural areas (16%).

Similar responses were found to the statement that women are, and should always be, subject to traditional law and customs with 65% disagreeing with the statement. Women (68%) were more likely to answer this way than men (62%) while older members of society were also less likely to answer this way than younger members.¹⁶ More of those in urban areas (69%) also disagreed with the statement than those in rural areas (60%), while the most likely to disagree are those with post-secondary level education (76%).

On the other hand, 31% either agreed (24%) or agreed strongly (7%) with the statement, with 35% of those between 51-65 and 34% of those over 65 likely to answer this way. Those in rural areas (36%) were also more likely to agree that women are, and should always be, subject to traditional law and customs than those in urban areas (28%). Worryingly, 33% of those with at least some university education were also likely to agree or agree strongly with the statement, while 34% of men either agreed or agreed strongly compared to 28% of women.

¹⁶ 18-30: 68%. 31-50: 64%. 51-65: 61%. Older than 65: 61%.

Comparison with Afrobarometer Round 5 (2012)

Similar statements were included in the Afrobarometer study, which found:

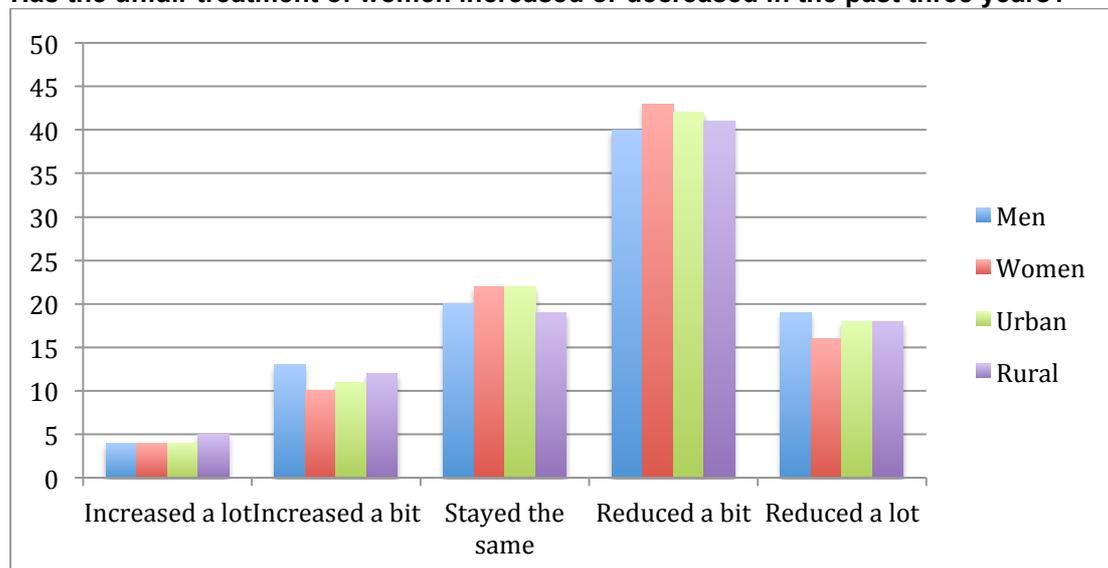
- 85% agreed strongly (57%) or agreed (28%) with the statement that women should have equal rights and receive the same treatment as men do. 89% of women agreed or agreed strongly with the statement compared to men, while 86% of those in urban areas agreed compared to 83% of those in rural areas.
- Only 15% of respondents in the Afrobarometer survey agreed (7%) or agreed strongly (8%) with the statement that women are, and should always be, subject to traditional law and customs. Women (13%) and those in urban areas (14%) were less likely to agree than men (17%) and those in rural areas (16%).

Differences in responses can be attributed to the fact that respondents in the Afrobarometer study were required to choose between the two statements (hence 85% agreeing with one and 15% with the other), whereas in the current study, the questions were posed separately.

Has the unfair treatment of women increased or decreased in the past three years?

Respondents generally felt that the unfair treatment of women has decreased over the past three years, with 59% answering that it had decreased a bit (41%) or a lot (18%). On the other hand, 21% felt it had stayed the same while 16% felt it had increased a bit or a lot.

Has the unfair treatment of women increased or decreased in the past three years?

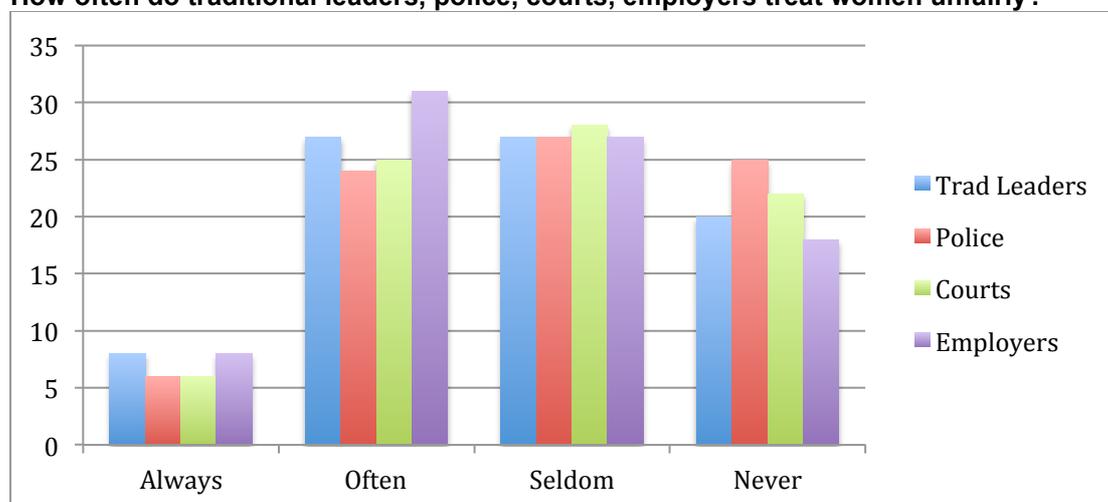


As can be seen from the above graph, opinions were fairly similar across men and women and rural and urban dwellers, although women were less likely to answer that it has decreased a lot than other groups. The most likely to report that discrimination and inequality has increased a lot were those with university education (7%), while those with post secondary education were the most positive - 22% answering that it has decreased a lot.

Respondents were then asked how often women in Ghana are treated unfairly by various role players.

- 35% believed women were always (8%) or often (27%) treated unfairly by traditional leaders. Those with some university education (44%) were most likely to answer often or always as opposed to 33% of those with primary or secondary levels of education. On the other hand, nearly half (47%) answered traditional leaders were seldom (27%) or never (20%) guilty of such behaviour. Such views were most commonly found amongst those with primary or secondary levels of education (50%) and there were slight differences between men (49%) and women (45%), but views were generally similar across all groups.
- 30% were of the opinion that women were always (6%) or often (24%) treated unfairly by the police. Those with university level education were most likely to answer this way (35%), while those with post secondary education were least likely (26%). Men and women answered in the same proportion (30%), while those in rural areas (31%) were only marginally more likely to answer this way than those in urban areas (28%). Conversely, more than half of respondents (52%) believed police seldom (27%) or never (25%) treat women unfairly or unequally, with men (54%) more likely to answer this than women (50%) while this was the experience of 56% of rural dwellers compared to 48% of those in urban areas.
- 31% of respondents believe the courts discriminate against women and that they either always (6%) or often (25%) treat them unfairly. Answers were similar between men and women (31% and 33% respectively) and rural (31%) and urban (32%), with those with university level education (37%) most likely to answer this way. Exactly half (50%) believe the courts seldom (28%) or never (22%) treat women unequally. 52% of men and 47% of women answered this way, while 51% of those in urban areas answered this compared to 48% of rural dwellers. But answers were generally similar across all groups.
- When it comes to discrimination at work, 39% of respondents felt that women were always (8%) or often (31%) treated unfairly by their employers. Men and women answered similarly (38% and 39% respectively), but there were marked differences between those in urban areas (41%) and rural areas (35%). Those with university level education were much more likely to believe that employers discriminate than others, with 50% answering this way. 45% believe employers seldom (27%) if ever (18%) discriminate, with men (46%) more likely to answer this way than women (42%).

How often do traditional leaders, police, courts, employers treat women unfairly?



Although on average 17% answered that they do not know to each of these questions, the results clearly indicate fairly high levels of perceptions of discriminations against women amongst all of the institutions or individuals listed. Perceptions of discrimination are somewhat predictably higher amongst women than men, and in urban areas compared to urban areas, but encouragingly, there are significant levels of understanding of the types of discrimination women face across all groups. Discrimination in the workplace is of greatest concern.

Comparison with Afrobarometer Round 5 (2012)

Afrobarometer surveyed people's perceptions about unfair treatment by:

- Traditional leaders. 33% believed traditional leaders never treated women unequally, 28% that they did so rarely, 29% often and 7% always, which corresponds very well with the results in the current survey.
- Police and courts. For some reason, Afrobarometer combine these, which does not allow for much analysis of whether problems exist amongst the police or amongst the courts. Nonetheless, 34% believed the police and courts never treat women unfairly, 32% that they do so rarely, 24% that they do so often, and 6% that they always do so, which corresponds fairly well with the results in the current survey (where police and courts were dealt with separately).
- Similar results were found with employers in both the Afrobarometer and current studies, again indicating that this is perhaps where most unfair treatment of women takes place. Although 29% believed employers never treat women unfairly and 29% that they do so rarely, 29% believed they do so often and 10% always.

People with disabilities (PWDs)

Has discrimination against people with disabilities (PWDs) increased or stayed the same over the past three years? 23% believe it has increased a bit (13%) or a lot (10%), 17% that it has stayed the same and 54% that it has reduced a bit (36%) or a lot (18%).

People living with HIV/Aids (PLHIV)

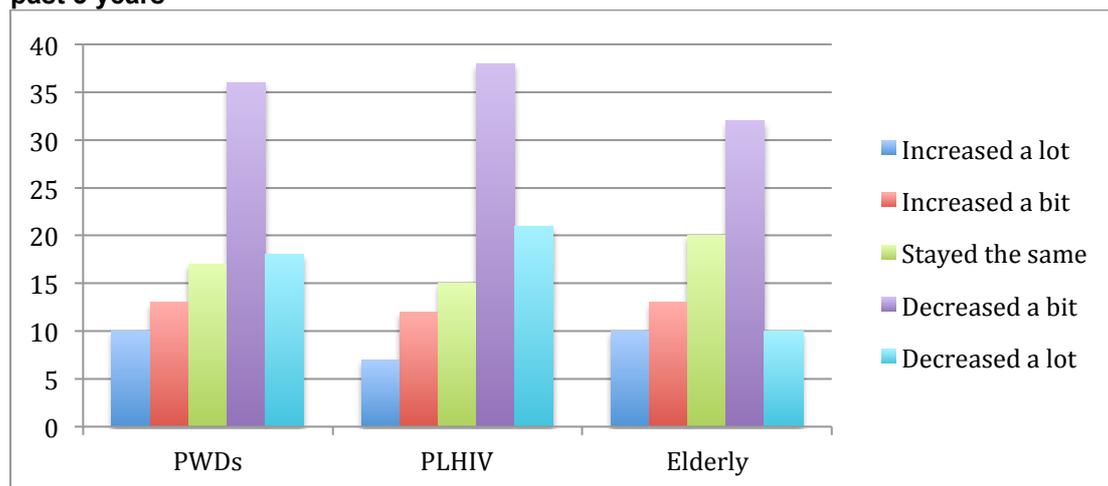
Discrimination against people living with HIV/Aids (PLHIV) was also perceived to have decreased in the previous three years, with 59% of the opinion it has reduced a bit (38%) or a lot (21%) compared to 19% who believe it has increased either a bit or a lot, and 15% who believe it has stayed the same. Those with no or informal education were least likely to think it has reduced (50%) while those in the age group 51-65 were most likely to think it has increased a bit or a lot (25%). There were negligible differences between men and women (59% of each group answering that it has decreased while 20% of men and 18% of women believe it has increased) but fairly marked differences between rural and urban – 17% of rural dwellers believing discrimination has increased compared to 22% of urbanites, while 62% of those in rural areas believe it has decreased compared to 56% in urban areas.

Violations of the rights of elderly people

When it comes to the elderly and their rights at state old age facilities, it appears that people believe this too is decreasing (42% answering it has decreased a bit or a lot over the past three years), but significant numbers

believe it has stayed the same (32%) or increased a bit or a lot (23%). Perhaps understandably, older members of society are more likely to believe it has increased than younger members: 25% of those over 65 and 28% of those between 51-65 believe it has increased compared to 21% of those in both the 18-30 and 31-50 age groups. Differences are also noted between rural and urban dwellers, with 21% of those in rural areas believing it has increased a bit or a lot compared to 24% of rural dwellers. However, 14% did not know enough to answer the question.

Discrimination against PWDs, PLHIV and violations of the rights of the elderly over past 3 years



Discrimination – where to report:

Respondents were asked where they would report it if they applied for a job and were rejected because of their religious beliefs. CHRAJ was most commonly mentioned (41%). Men (43%) were more likely to answer this way while those with post secondary (63%) or university level education (68%) were by far the most likely to be aware of CHRAJ's role in this regard. Although 19% would report it to the police (not really appropriate), 18% would not report it at all, which tends to suggest unawareness that such practices are forbidden and that there are institutions available to assist should such a thing happen. Those with no formal education (24%) or primary level education (23%) were most likely to answer this way. Interestingly, only 3% would report to the National Labour Commission.¹⁷

I. Child rights and child labour

Ghana ratified the Convention on the Rights of the Child (CRC) on 5 February 1990 but has yet to ratify the two optional protocols to the CRC.¹⁸ It ratified the African Charter on the Rights and Welfare of the Child on 10 June 2005.

¹⁷The Commission was established under the Labour Act (651, 2003) and inaugurated on 6 April 2005 to provide for the settlement of labour dispute through negotiation, mediation and arbitration.

¹⁸The two optional protocols were adopted on 25 May 2000. The First Optional Protocol restricts the involvement of children in military conflicts, and the Second Optional Protocol prohibits the sale of children, child prostitution and child pornography.

Article 16 of the Constitution prohibits forced labour, slavery, and servitude and also states that children have the right to be protected from engaging in work that constitutes a threat to their health, education, and development.¹⁹ In addition, The Children's Act sets the minimum age for employment at 15 in both the formal and informal labour sectors. The same Act prohibits children younger than age 18 from engaging in hazardous activities including work in mines or quarries, at sea, or in venues likely to expose children to immoral behaviour. Ghana has also issued a Hazardous Child Labour Activity Framework for the Cocoa Sector, which prohibits children younger than age 18 from engaging in various hazardous activities in cocoa include felling trees, burning bushes, applying chemicals, carrying overly heavy loads, using machetes for weeding, and working on a farm for more than 3 hours per day or more than 18 hours per week. The government has also taken steps to reduce it through the Ghana Child Labour Monitoring System and through the Livelihood Empowerment Against Poverty cash transfer programme that makes monetary grants to households conditional upon the children attending school and not engaging in child labour. Ghana adopted the ECOWAS Regional Action Plan for the elimination of child labour in West Africa and provides services to children through programs to reduce the worst forms of child labour in cocoa-producing regions and fishing villages.²⁰

When asked whether these rights are respected in Ghana, 63% of respondents agreed that violations of child rights have decreased a bit (44%) or a lot (19%). When disaggregated, some interesting differences emerge:

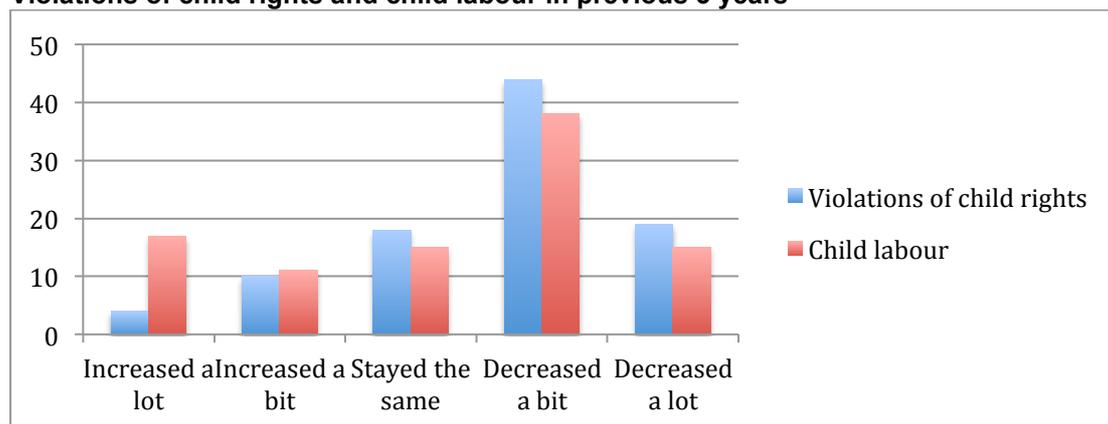
- Men (16%) are more likely to report that the situation has deteriorated a bit or a lot compared to women (12%). Although there are similarities between rural (14%) and urban dwellers (15%), those with some university education were far more pessimistic in this regard – 23% answering that violations have increased a bit or a lot.
- 66% of rural dwellers believe the situation has improved, with 66% answering it has reduced a bit or a lot compared to 60% of urbanites. Those with secondary or post secondary education were the most optimistic, with 68% of each group believing violations have decreased a bit or a lot.

When it comes to child labour, 15% of respondents were of the opinion that the incidence of child labour has stayed the same and 28% that it has increased a bit (11%) or a lot (17%). Although more than half (53%) believe the incidence has decreased somewhat, it is still perceived as a major problem in Ghana when compared to child rights in general.

¹⁹ Article 28 (2)

²⁰ United States Bureau of International Labor Affairs, Ghana 2012 Findings on the Worst Forms of Child Labour (which can be found at <http://www.dol.gov/ilab/reports/child-labor/ghana.htm>).

Violations of child rights and child labour in previous 3 years

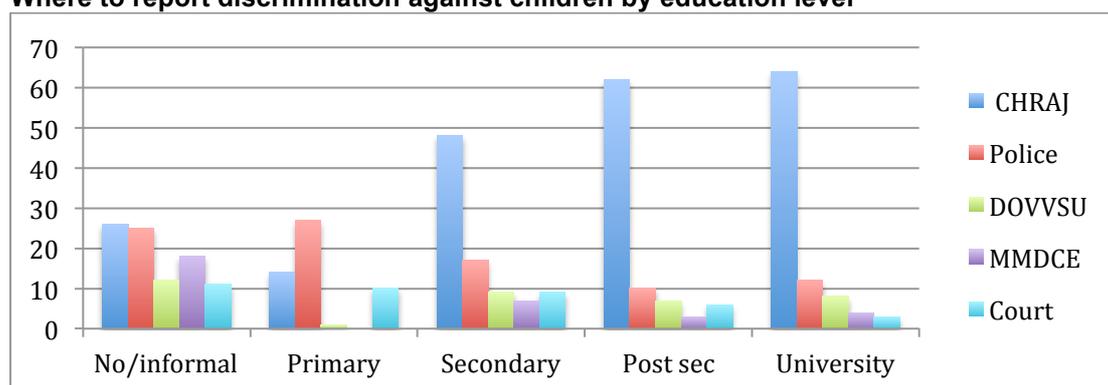


These findings are supported by other research: For example, according to the United States Bureau of International Labour Affairs, in 2012, Ghana made a moderate advancement in efforts to eliminate the worst forms of child labour, but children continue to be engaged in the worst forms of child labour, especially in dangerous activities in the agriculture and fishing sectors.²¹

Reporting violations of child rights

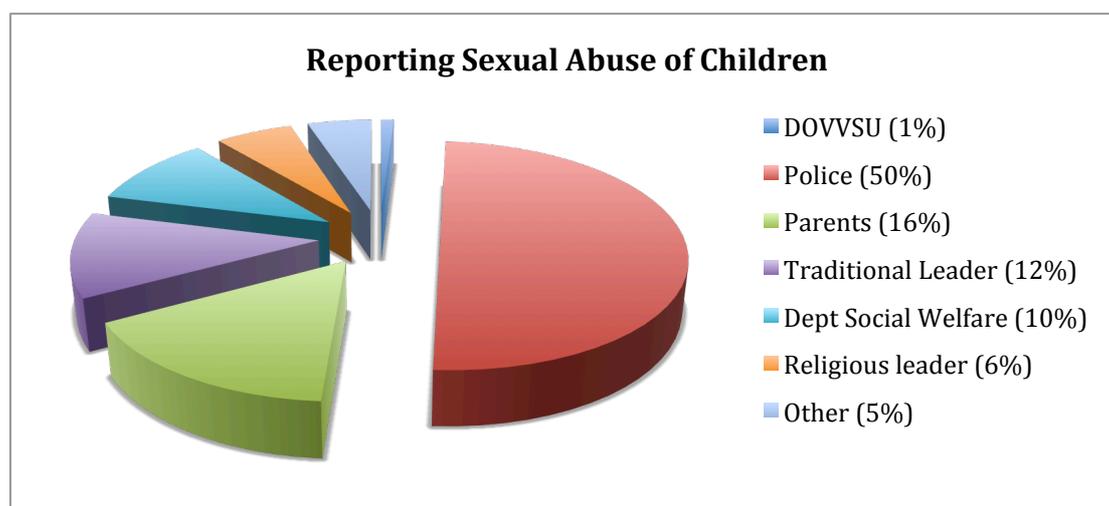
When asked where they would report discrimination by school authorities against a child because of their religion, the most common choice of institution by some distance was CHRAJ, with 41% answering this. 18% would report it to the police and 10% to the DOVVSU. Although there was virtually no difference between those in urban and rural areas, men seemed more aware of CHRAJ's role in this regard than women (44% and 38% identifying CHRAJ respectively). Understanding of CHRAJ's role was considerably higher amongst those with post secondary education (62%) and those with some university level (64%) and lower amongst those with no or informal education (26%) and those with primary level (14%) education.

Where to report discrimination against children by education level



²¹ *Ibid.* The Bureau's tool measures one of five possible assessments: Significant Advancement, Moderate Advancement, Minimal Advancement, No Advancement, or No Assessment. A country will score a moderate advancement in eliminating the worst forms of child labour if it took suggested actions or made other meaningful efforts during the reporting period in some relevant areas covering laws and regulations, coordination and enforcement, policies, and social programmes.

Where would people report sexual abuse of children? Despite some understanding of the DOVVSU shown in response to an earlier question on violence against women, respondents across the board seem unaware of their role in such cases, with only 1% mentioning them. Half of respondents (50%) would report it to the police followed by the parents of the child (16%), a traditional leader (12%), the Department of Social Welfare (10%) or a religious leader (6%). Encouragingly, almost no respondents (0.2%) stated that they would not report it.



m. Reporting human rights violations

In addition to specific questions as to where torture by the police and prisons and discrimination against women, children and others would be reported, respondents were asked which institution has been specifically set up to deal with complaints of human rights violations generally. CHRAJ was the most commonly mentioned (40%) followed by the Courts (29%). Women and men answered almost the same (39% and 40% respectively) and there were slight differences between those in rural (38%) and urban areas (41%) when it came to CHRAJ, but marked differences when it came to education, with those with post-secondary (51%) and university (47%) far more likely to mention CHRAJ than those with no or informal (32%), primary (35%) or secondary levels of education (43%). However, it is suspected that if the option of the courts had been excluded, CHRAJ would probably have scored even higher.

2. Socio-economic rights

a. Health

Although not included in the actual Bill of Rights (Chapter 5 of the Constitution), the 'right to good health care' is included in the Directive Principles of State Policy in Chapter 6. Article 34 (2) in particular requires the President to 'report to Parliament at least once a year (on) all the steps taken

to ensure the realisation of the policy objectives contained in this Chapter and, in particular, the realisation of basic human rights, a healthy economy, the right to work, the right to good health care and the right to education.’

Even though not expressly included as a right, Ghanaians generally believe poor and vulnerable people should have a right to health care provided by the state rather than leaving it to government to decide, with 79% answering this way. This belief was:

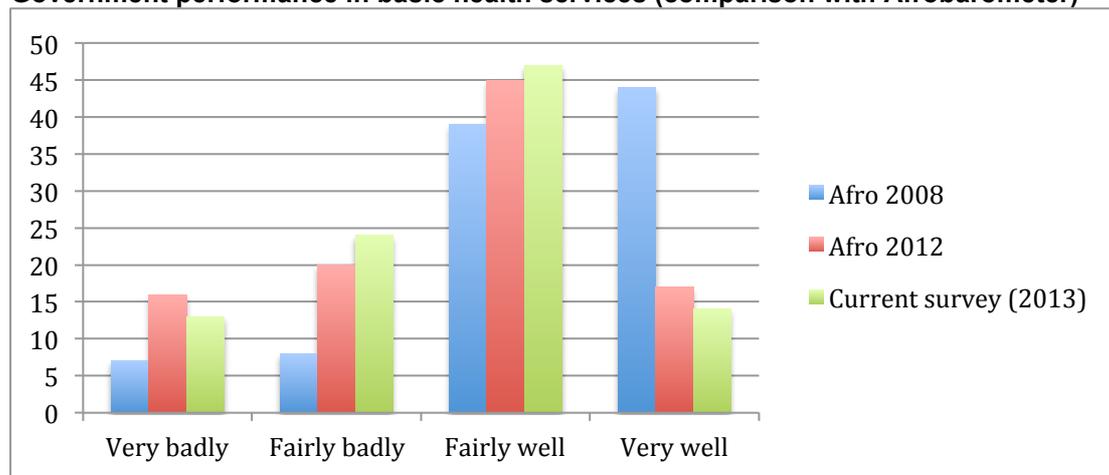
- Slightly higher amongst women and those in urban areas (80% respectively) than amongst men and rural dwellers (78%).
- Highest amongst those with post secondary (88%) and university level education (87%). Education levels played a role generally, with only 70% of those with no or informal education and 75% of those with some primary or secondary education of this opinion.

When asked how they think **government generally** is doing in this area, 47% answered fairly well and 14% very well compared to 24% who answered fairly badly and 13% very badly. No major differences were noted amongst male and female respondents, but those in urban areas were far happier with government (64% believing they are doing fairly or very well) than those in rural areas, where only 55% answered this way. Older people were also far less satisfied than the national average, with 42% of those older than 65 and 40% of those between 51 and 65 believing government is doing fairly or very badly compared to the national average of 37%.

Comparison with Afrobarometer Rounds 4 and 5

These responses compare very well with those in the Afrobarometer Round 5 study (2012), where 16% of respondents believed government was doing very badly, 20% fairly badly, 45% fairly well and 17% very well. It should be noted though that, when compared with the results of Afrobarometer Round 4 (2008), they also show a steady decline in satisfaction since 2008.²²

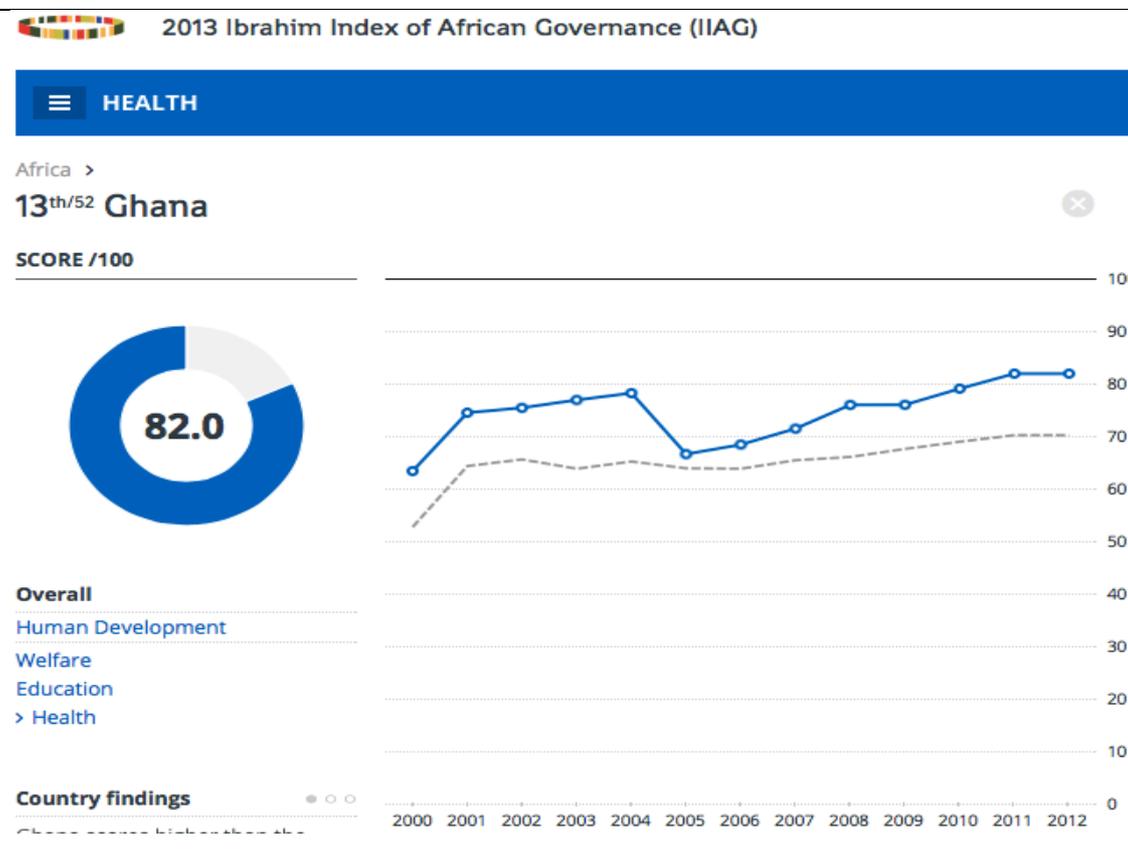
Government performance in basic health services (comparison with Afrobarometer)



²² Afrobarometer Round 4 (2008) responses were very badly (7%), fairly badly (8%), fairly well (39%) and very well (44%)

Comparison with Mo Ibrahim Index of African Governance (2013)

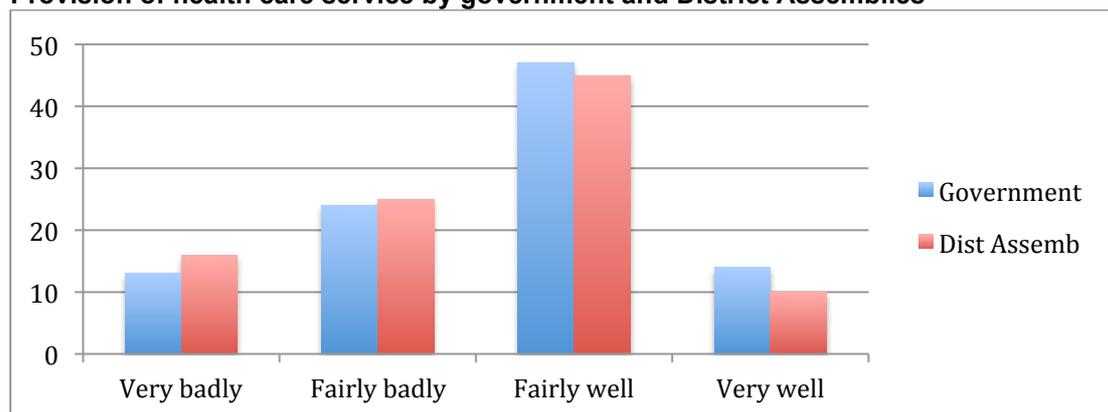
Responses also link with the Mo Ibrahim Index of African Governance indicators for health in Ghana.²³ According to the latest indices (2013), Ghana ranks 13th in Africa with a score of 82%. While not great, this is a substantial increase of 18.5% over the 13 years the index charts.



When asked how well **District Assemblies** are doing in providing basic health care services, respondents were slightly less satisfied: 45% believe them to be doing fairly well and 10% very well, but 41% felt they are doing fairly (25%) or very badly (16%). Again, there were no major differences between men and women, but some differences between rural and urban dwellers, with 43% of those in rural areas answering they are doing fairly or very badly compared to 39% of those in urban areas. But while older people are less satisfied than younger respondents, the differences were not as marked as in the previous question: 40% of those in the 18-30 and 31-50 age groups answered this way compared to 42% of those in the 51-65 age group and 45% of those over 65.

²³ Established in 2007, the index is a comprehensive collection of quantitative data on governance in Africa. Governance is defined by the Mo Ibrahim Foundation as the provision of the political, social and economic public goods and services that a citizen has the right to expect from the state, and that a state has the responsibility to deliver to its citizens.

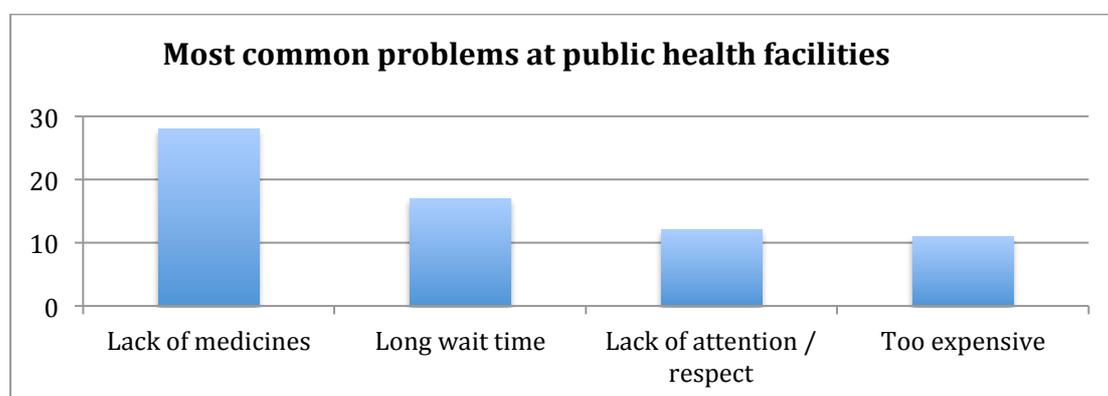
Provision of health care service by government and District Assemblies



When asked whether there were sufficient health care facilities in their community, 25% answered more or less with 14% answering absolutely. Conversely, 48% believed there were not really enough facilities with a further 11% answering 'not at all'. Those living in rural areas were somewhat less satisfied than their urban counterparts: 36% of those in rural areas believe there are more or less or absolutely enough facilities compared to 41% in urban areas; while 62% of those in rural areas answered not really or not at all enough facilities compared to 57% in urban areas. Differences between men and women were almost non-existent.

What problems are encountered at local public health facilities? The most commonly reported were:

- Lack of medicines (28%). More often reported by those in rural areas (34%) than urban areas (24%) and by those with university (33%) and no or informal education (32%).
- Long waiting times (17%). This appears to be more of a problem in urban areas (19%) than in rural areas (14%) and slightly more of a problem for women (18%) than men (16%). Those most likely to report it were those with secondary or post secondary education (20% in each case).
- Lack of attention or respect from staff (12%). Women and men experienced this the same way (12%) while those in urban areas (14%) considered it more of a problem than those in rural areas (10%).
- Services too expensive (11%). Men and women again reported this equally (11%) while it was slightly more of a problem in urban areas (12%) than rural areas (10%).



Comparison with Afrobarometer Round 5 (2012)

These findings correspond fairly well with the Afrobarometer study; although the percentages vary, it appears that the same problems are commonly experienced:

- 43% of respondents experienced long waiting times at public clinics or hospitals once or twice, a few times, or often in the previous 12 months.
- 32% experienced lack of medicines or supplies at public clinics or hospitals once or twice, a few times, or often.
- 29% experienced lack of attention or respect from staff once or twice, a few times, or often.
- 20% experienced services that were too expensive.

To try to gain further insight into these, various questions were also introduced into the current survey for those who have visited a public health facility in the previous six months to determine where problems lie:

- Communication by health personnel appears to be satisfactory, with 36% of respondents believing they communicate well, 32% very well and 8% excellently. Only 18% thought they communicate not that well and 2% answering 'badly'.
- Nearly half (49%) of respondents believe they are usually (36%) or always (13%) treated respectfully by health personnel, whereas 44% reported this happens sometimes and 4% never.
- Satisfaction with frontline health staff was lower, with 41% reporting that they are usually (30%) or always (11%) treated respectfully, while 49% answered 'sometimes' and 6% 'never'.

When it comes to how well MMDAs are doing in maintaining health standards, respondents were very dissatisfied with their performance when it comes to chop-bars and restaurants – 51% answering fairly badly and 17% very badly. Only 26% thought they were doing fairly well and only 1% very well. The picture is better in relation to markets, where 44% believe MMDAs are doing fairly well and 6% very well compared to 29% who believe they are doing fairly badly and 17% very badly.

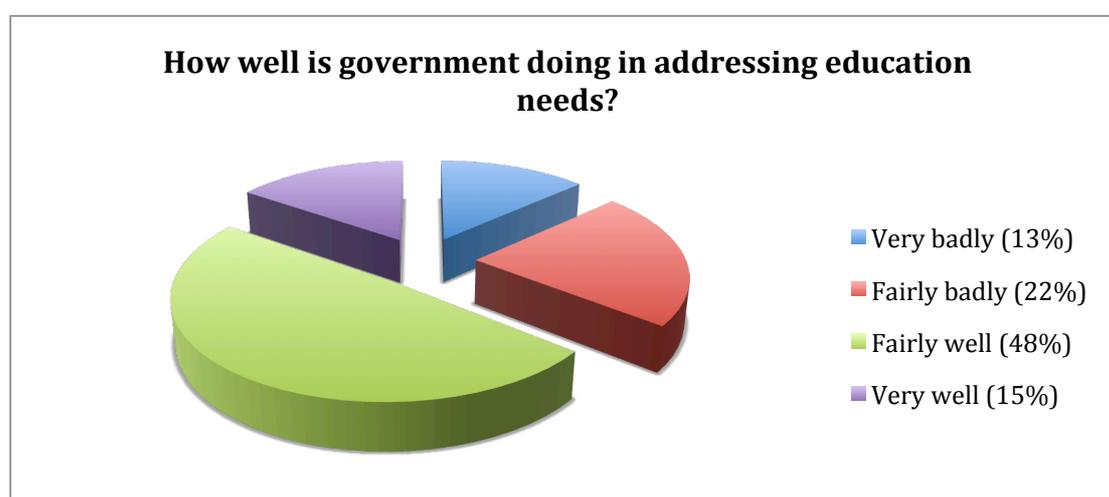
b. Housing

More than three-quarters of respondents (78%) believe the poor and vulnerable should have a right to housing while 17% believe it should be left to government to decide. Men (77%) and women (78%) were almost in total agreement, and there were slight differences between those in urban areas (79%) and those in rural areas (76%). The biggest difference of opinion was between those with post secondary or university level education (85% of each believing this should be a right) and those with lower levels (71% of those with no or primary education, 75% of those with primary, and 80% of those with some secondary education). But when asked how well government is doing in this regard, 68% were dissatisfied with 29% stating they are doing fairly badly and 39% very badly. Only 22% felt they were doing fairly well and 3% very well. Views were more or less the same between those in urban areas (67% answering fairly or very badly) and those in rural areas (70%), while those with post-secondary education were least satisfied – 44% answering very

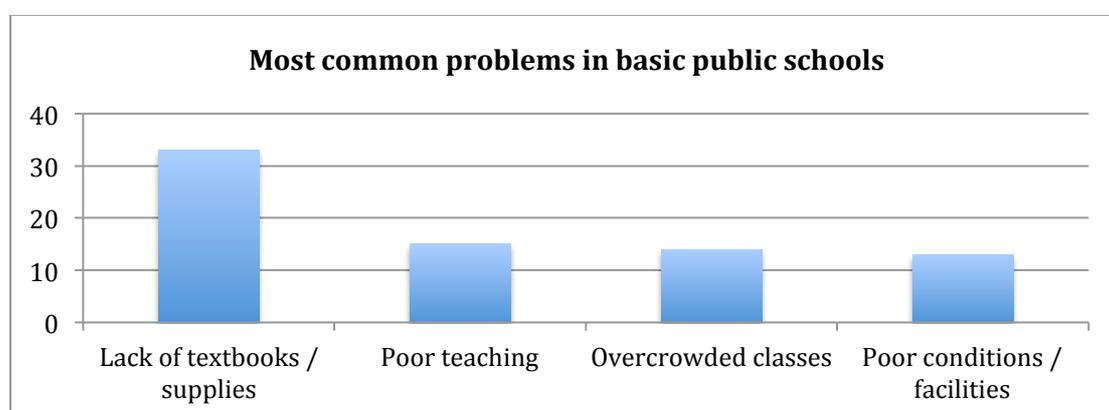
badly and 27% fairly badly. Women and men both scored 68%, although women were more likely to rate this as very badly (40%) than men (38%).

c. Education

The Constitution includes a right to education in Article 25 of the Bill of Rights, including the right to free basic education that is compulsory and available to all.²⁴ In line with this, 80% of respondents believe poor and vulnerable children should be entitled to education as a right, with only 15% believing it should be left to government to decide. Ghanaians are fairly happy with how government is doing in this area with 48% answering fairly well and 15% very well (compared to 22% answering fairly badly and 13% very badly). Attitudes were similar between men and women (63% of men answering fairly or very well and 64% of women) and between rural (63%) and urban areas (64%), and when compared to Afrobarometer Round 5 (2012) where 42% answered fairly well, 18% very well, 23% fairly badly and 17% very badly.



But when it comes to whether there are enough primary schools, only 34% believe there are, with 51% answering not really and 12% not at all. The most common problems reported with local basic public schools were lack of textbooks and supplies (33%), poor teaching (15%), overcrowded classrooms (14%) and poor conditions and facilities (13%).



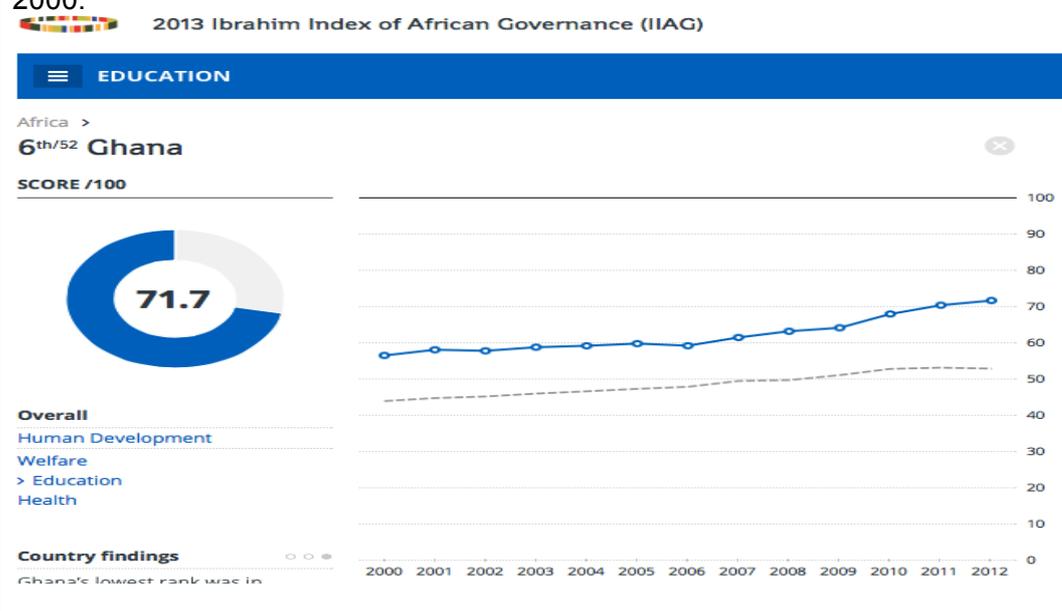
²⁴ Article 25 (1) (a).

Comparison with Afrobarometer Round 5 (2012) and Mo Ibrahim Index of African Governance (2013)

These findings correspond with other research including Afrobarometer Round 5, which found that:

- 20% of respondents had experienced lack of textbooks or other supplies once or twice, a few times, or often in the previous year.
- 20% had experienced poor facilities at public schools once or twice, a few times, or often.
- 19% of respondents had experienced overcrowded classrooms once or twice, a few times, or often.
- 19% had experienced absent teachers once or twice, a few times, or often.
- 17% had experienced poor teaching.

Findings also correspond with the 2013 Mo Ibrahim index for education, where Ghana ranks 6th on the continent with a score of 71.7% - an increase on 15.2% since 2000.



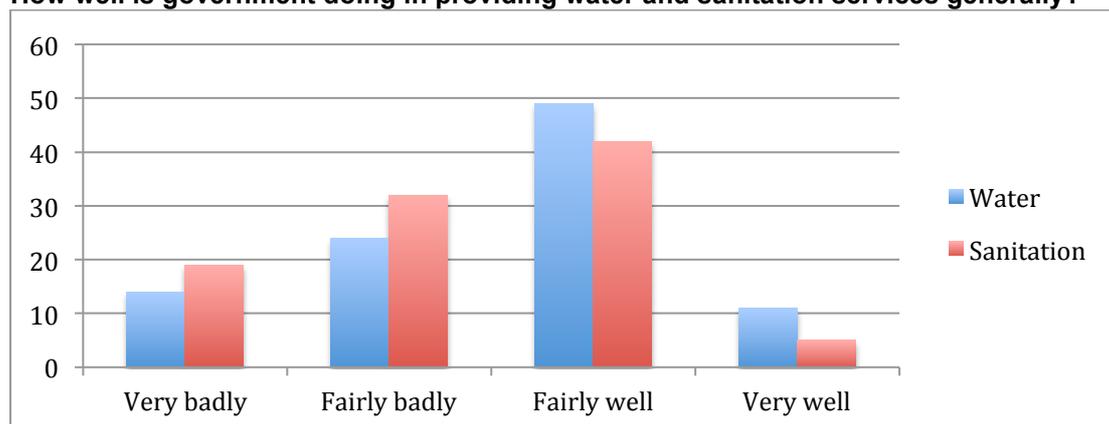
d. Water and sanitation

80% of respondents believe the poor and vulnerable should have a right to water and sanitation, with 15% believing it should be left to government to decide.

Ghanaians are relatively satisfied with what government is doing with regard to water, 60% stating that they are doing fairly well (49%) or very well (11%), but much less satisfied with efforts in providing sanitation, where only 47% believed them to be doing fairly (42%) or very well (5%). On the other side of the coin:

- 38% believed the government is doing fairly (24%) or very badly (14%) in providing water. Those in rural areas (41%) were far less satisfied than in urban areas (34%).
- More than half of the respondents (51%) thought government was doing fairly (32%) or very badly (19%) in providing sanitation. Views were similar across all groups.

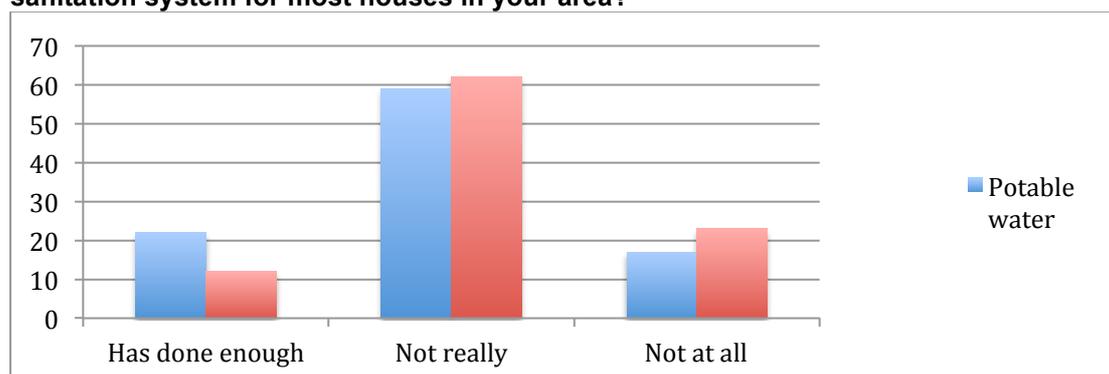
How well is government doing in providing water and sanitation services generally?



More than three quarters (76%) of respondents felt government had not really done enough (59%) or had not done well at all (17%) to provide potable (drinking) water services that most houses in their area could access. There were slight differences between those in rural areas (77%) and urban areas (74%), while those with post secondary (82%) and university level education (81%) were most likely to answer this way. Only 22% felt it had done enough.

When asked whether government had done enough to provide an adequate sewerage/sanitation system for most houses in their communities, 85% were unhappy with government's performance, 62% stating they had not really done enough, 23% not at all, and only 12% believing government has done enough. Those in rural areas (87%) were less satisfied than those in urban areas (83%), but generally, dissatisfaction levels were high amongst all groups.

Has government done enough to provide potable water services / adequate sewerage / sanitation system for most houses in your area?



e. Maintenance of roads and bridges

When asked how well or badly government is doing when it comes to maintaining roads and bridges in their communities, just over half of respondents felt it was doing fairly (29%) or very badly (22%). 39% believe it to be doing fairly well, but only 7% very well. Dissatisfaction was considerably higher in rural areas (56% stating fairly or very badly) compared to urban areas (48%).

With regard to the role of MMDAs in maintaining local roads in particular, a similar picture emerges with slightly more (53%) stating they are doing fairly (27%) or very badly (26%). 38% believe the MMDA to be doing fairly well but only 7% very well. Levels of dissatisfaction were once again highest in rural areas (56% stating fairly or very badly) compared to urban areas (51%).

f. Other services – electricity, public transport and fire

Ghanaians are relatively satisfied with the **provision of electricity** with 58% replying that government is doing fairly well (47%) or very well (11%) in this regard. Remarkably, levels of satisfaction were as high in rural areas as in urban areas (58% in each), with more of those in rural areas (13%) likely to answer very well than their urban counterparts (10%).

Although 45% of Ghanaians were satisfied with the government's efforts in **providing a reliable transport system**, just over half (52%) of respondents believe the government to be doing fairly badly (32%) or very badly (20%) in this area. Understandably, those in rural areas (56%) were considerably less satisfied with government's performance than those in urban areas (49%).

57% of respondents believe government to be doing fairly (45%) or very well (12%) when it comes to **providing a reliable fire service**, but those in rural areas (51%) were considerably less satisfied than in urban areas (61%).

3. Administrative justice

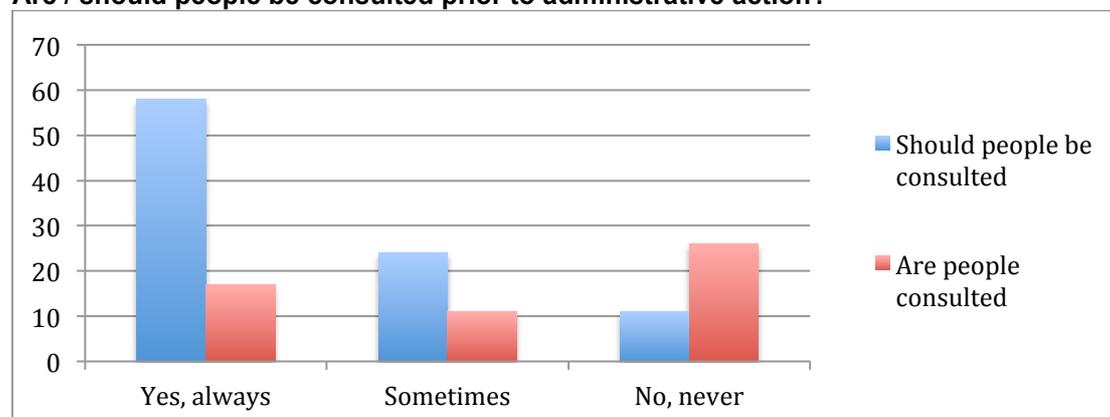
Article 23 of the Constitution requires administrative bodies and officials to act fairly, reasonably and lawfully and grants people the right to challenge their actions and decisions in court or before another tribunal. As its name implies, administrative justice is also a primary focus of CHRAJ, which is empowered to deal with complaints against the administrative organs of state.

Administrative justice is based firmly on two rules – *audi alteram partem* (hear both sides before deciding) and *nemo iudex in sua causa* (decision makers should not have any interest in the outcome of a decision). These so-called rules of natural justice are almost intuitive and many people understand the principles behind them without needing to be told. So it is when people were asked whether they should be given a say when a decision to demolish houses in their community was being contemplated, with 82% answering that government should always (58%) or sometimes (24%) consult people. Those in urban areas (84%) were more likely to answer this way than those in rural areas (80%). But education also plays a role of course, with those with post secondary (89%) or university level education (91%) far more likely to know government should consult than those with no or informal levels (74%), some primary (77%) or some secondary education (85%).

However, when asked whether government officials give people an opportunity to have their say **in practice** before taking decisions that might

affect them, only 63% believe they do sometimes (46%) or always (17%). Answers were very similar across rural (62%) and urban respondents (64%), while those with higher levels of education were more likely to agree that government always or sometimes consults than those with lower levels.

Are / should people be consulted prior to administrative action?



Where to report

Respondents were asked where they would report violations of the right to administrative justice, using as an example the unreasonable refusal to grant a passport, certificate or permit. Although 18% did not know, 21% would report it to the police, 18% to CHRAJ and 15% would take the government to court. Of course the courts are a very good place to take a government decision on review, but dealing with administrative justice complaints (for free) is one of CHRAJ's mandates and the low percentage of people identifying CHRAJ should be addressed. Men (19%) and those in rural areas (20%) were more likely than women (15%) and those in urban areas (16%) to identify CHRAJ, while the highest levels of awareness were amongst those with university (31%) or post secondary level education (29%).

When asked where they would report nepotism by a government employee (both an act of corruption and a violation of the right to administrative justice), respondents seemed surer of CHRAJ's role: 30% would complain to CHRAJ, 21% would report the matter to the police and 16% to the MMDCE. Awareness of CHRAJ's role in this regard was once again highest among those with a university education (51%) although somewhat curiously, 45% of those with post secondary level education would report it to the police.

11% would not report such a matter at all, the most common reason being that nothing would happen even if they reported it (50% of the 11% answering this way).

Finally, when asked outright which institution has been specifically set up to deal with complaints against government officials who abuse their powers (other than the police), the highest number (46%) correctly answered CHRAJ or the courts (29%). Men (48%) were more likely to mention CHRAJ than women (42%), while those in rural areas (45%) were just as likely to mention CHRAJ as those in urban areas (46%). Indicating again that those with higher

levels of education are far more aware of CHRAJ than others, those with university level (70%) and post secondary levels of education (64%) were considerably more likely to mention CHRAJ than those with secondary (54%), primary (30%) or no or informal education (29%).

4. Participation in democratic decision-making

a. Awareness of how to participate

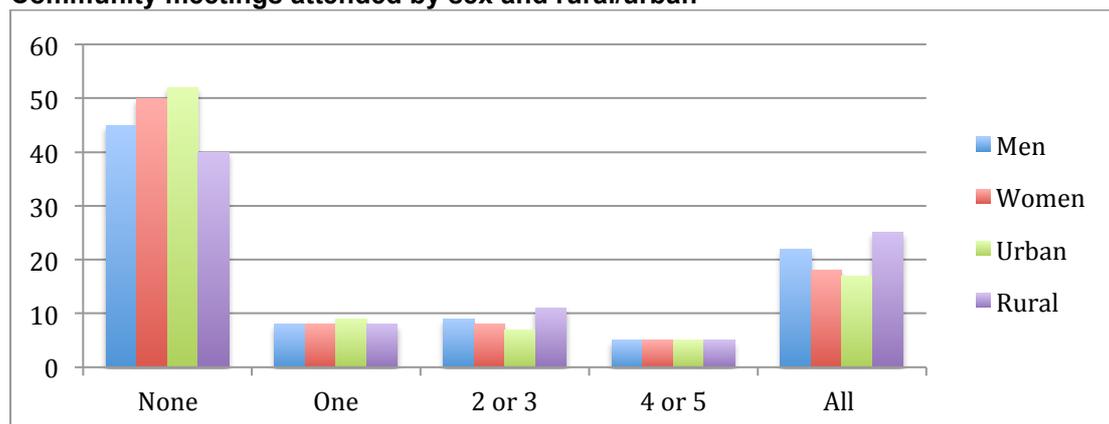
To test whether people know how to participate in decision-making and whether or not they have confidence that their views will be listened to, respondents were asked how they would raise an issue with:

- A Unit Committee. The most common response was by calling a Committee member (56%) followed by 'during an MMDA sitting' or during a Unit Committee meeting (both 13%). But while 27% believe that their views would sometimes be listened to, most (57%) could not be sure.
- An MMDA member. Most people would contact them in person (31%) or in a village or committee meeting (28%), although 19% answered that they had never tried and 14% would not know how to do this. More than half (54%) believe their views would be listened to (23%) at least sometimes (31%).
- A District/Municipal/Metropolitan Chief Executive. The most common ways would be in person (33%) or in a village or committee meeting (23%). However, 26% answered that they do not know who these people are - interestingly, more commonly mentioned by those with some university education (30%) and those over 65 (29%). As to whether their views would be listened to, more than half (54%) believe they would be listened to (21%) at least sometimes (33%).
- A Member of Parliament (MP). 27% would try to contact an MP in a village or committee meeting, 25% would do so in person and 11% would write a letter to the MP. 21% reported that they had never tried and 9% that they would not know how to do this. Would the MP listen to and consider the issue? More than half (55%) believe they would be listened to (20%) at least sometimes (35%).

b. Participating in practice

Although nearly half (47%) of respondents had not attended a community meeting in the previous year, 21% of respondents had attended every meeting that they knew of, 8% had attended one, 8% two or three and 5% four or five. For 9% of respondents, there had not been any such meetings in their communities in the previous year. As illustrated in the graph below, men and those in rural areas are more likely to have attended such meetings than women or those in urban areas.

Community meetings attended by sex and rural/urban



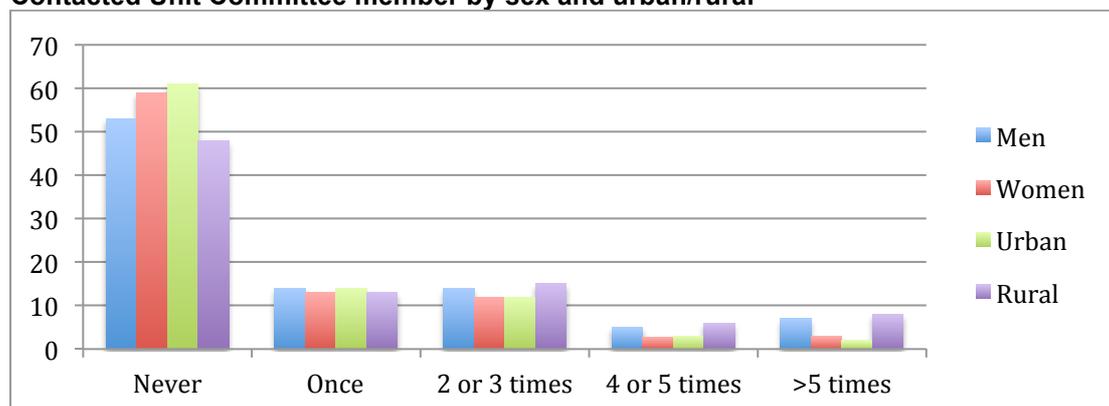
Comparison with Afrobarometer Round 5 (2012)

58% of those surveyed during Afrobarometer Round 5 had not attended a community meeting in the past year. Of these, 16% would never attend such a meeting, while 46% would have attended if they had had the chance. 13% had attended once or twice, 19% several times, and 9% had often attended such meetings.

c. Contacting decision-makers

56% of respondents had not contacted a Unit Committee member in the previous year, while 13% had contacted them once, twice or three times. Women (59%) and those in urban areas (61%) were more likely to report not having done so in the past year than men (53%) and in rural dwellers (48%).

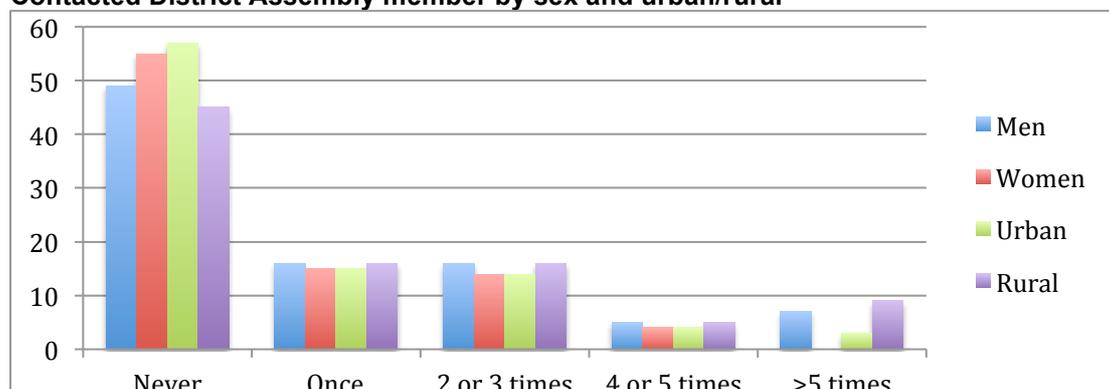
Contacted Unit Committee member by sex and urban/rural



Of the 35% of respondents who had contacted a Unit Committee member in the previous year, half were either satisfied (44%) or very satisfied (6%) with the response, while half were either not very satisfied (40%) or very unsatisfied (10%). Those in rural areas (54%) appear more satisfied than those in urban areas (46%) and men (51%) were slightly more satisfied than women (46%).

Similar responses were found when respondents were asked how often they have contacted a member of a District Assembly over the past year: 52% had not, 16% had contacted one once, 15% two or three times, 5% four or five times and 5% more than five times. Women (55%) and those in urban areas (57%) were more likely to report not having done so in the past year than men (49%) and those in rural areas (45%).

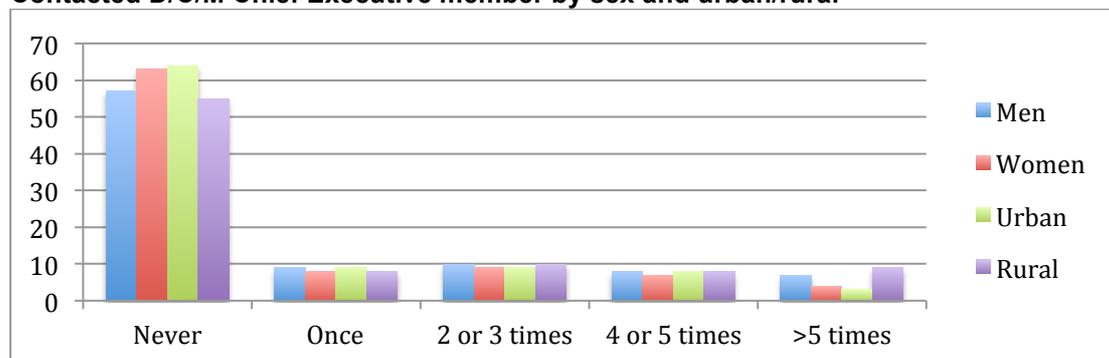
Contacted District Assembly member by sex and urban/rural



Of the 41% of respondents who had contacted a member of a District Assembly in the previous year, more than half (55%) were either satisfied (47%) or very satisfied (8%) with the response, while 43% were either not very satisfied (37%) or very unsatisfied (6%). Those in rural areas (57%) appear more satisfied than those in urban areas (53%) and men (49%) were slightly more satisfied than women (44%).

60% of respondents had not contacted their District/Municipal/Metropolitan Chief Executive in the past year. 9% had contacted them once, 9% two or three times, 8% four or five times and 5% more than five times. Women (63%) and those in urban areas (64%) were more likely to report not having done so than men (57%) and those in rural areas (55%). Of the 31% of respondents who had contacted their District, Municipal or Metropolitan Chief Executive in the past year, almost half (49%) were either satisfied (43%) or very satisfied (6%) with the response, while the same percentage (49%) were either not very satisfied (38%) or very unsatisfied (11%). Those in urban areas (55%) appear more satisfied than those in rural areas (52%) and men (47%) were slightly more satisfied than women (46%).

Contacted D/C/M Chief Executive member by sex and urban/rural



When asked how often they have joined with others to raise an issue with local government in the past year, 60% had not, 8% had done so once, 10% two or three times, 8% four or five times and 6% more than five times. Women (64%) and those in urban areas (64%) were more likely to report not having done so in the past year than men (58%) and those in rural areas (56%).

Most (71%) of respondents had not taken part in a protest march or demonstration in the previous year while 9% had seen no reason to do so. Of the 20% who had taken part in a protest march or demonstration at least once, men (22%) were more likely to have done so than women (16%) and those in rural areas (21%) slightly more likely to have done so than those in urban areas (19%).

Comparison with Afrobarometer Round 5 (2012)

Afrobarometer asked similar questions related to contacting decision-makers, although not how satisfied people were with responses, joining with others to raise an issue, and participation in protest marches and demonstrations:

- Contacting Assembly men and women. 68% had not done so, 10% had done so once, 13% a few times and 8% often.
- MPs. 86% had not contacted them to raise a problem or important issue in the past year, 5% had done so once, 6% a few times and 2% often.
- 63% had not joined with others to raise an issue, 15% had done so once or twice, 16% several times, and 6% had done so often, which tallies fairly well with the current survey.
- 95% had not taken part in a protest march or demonstration (83% would never do so and 12% had not but would do so if the chance arose), and 4% had done so once or twice, a few times or often, which differs somewhat from the results in the current survey.

d. Participation in development decision-making processes

When asked whether they have ever participated in a meeting or decision about how money will be allocated by the MMDA for development projects in their area, three quarters (75%) had not, 14% were not sure (which probably means they had not), and only 10% answered that they had. Those with university or post secondary levels of education were most likely to have participated (12%), men (11%) were slightly more likely to have participated than women (9%), while there were no differences between rural and urban areas. Least likely to have participated were those with primary education and those in the 18-30 age bracket (8% for each group). For those who have participated, the most common way in which they did so was at a meeting of the MMDA (44%) or through an advocacy campaign, through an MP or by talking directly to an Assembly member (18% in each case). Nearly half felt their views were listened to (49%) with an additional 22% answering that they were listened to 'sometimes'.

e. Mid-term development planning

59% of respondents were unaware of the mid term development plans for their area with an additional 18% not sure and 9% stating that they had not

heard of it. Only 9% stated categorically that they were aware of the plan, while 6% were 'a little bit' aware of the plan.

Those who reported being at least a bit aware of the plan were then asked what it covers. The most common first choice answer was infrastructure (33%) with an additional 26% mentioning this as their second response. Next most commonly mentioned as a first choice was 'services to be provided' (27%) with an additional 3% mentioning this as their second response. Although only 7% mentioned that the plan covers the budget for services as a first choice, it was by far the most commonly mentioned as a second choice (70%). Overall then, those who are aware of the plan do have a very good sense of what it covers, but they are in a minority.

When those who were aware of the plan were asked how they can make sure the District Assembly is doing what it committed to do in its development plan, 39% did not know while 25% mentioned attending a community meeting and 23% by monitoring the plan as their first response. The most common second responses were by reading the newspaper (35%) or listening to the radio (25%), while half (50%) mentioned listening to the radio as their third response. When asked what they would do if the District Assembly did not follow the plan, 39% stated they would vote for someone else at the next election, 23% would complain to their MP and 15% would complain to the President.

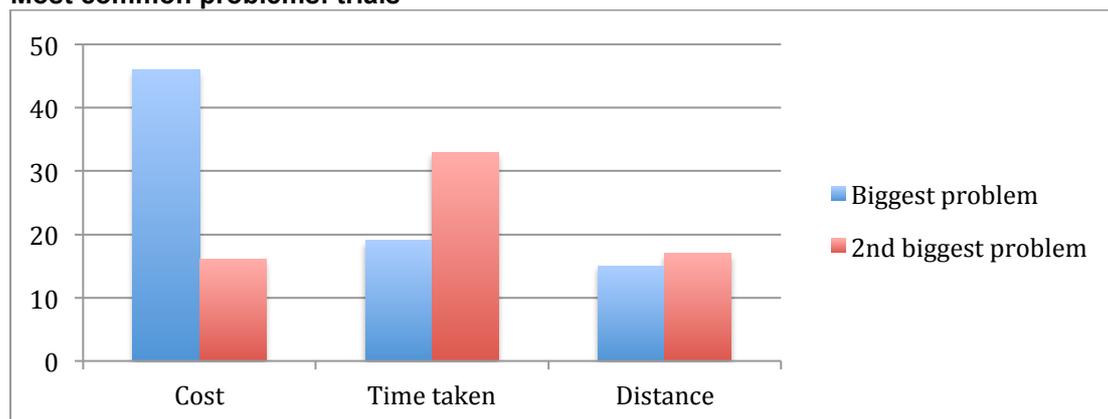
5. Access to justice

a. Formal justice system

To measure experiences with the formal justice system, respondents were first asked whether they, a family member or a friend had used the formal court system to resolve a dispute in the previous year. Most (68%) had not while a further 12% did not know. Only 18% (4378 respondents) answered yes to the question. Of these, 53% of the cases were dealt with by trial and 47% by court-linked mediation.

Of those that went to trial, 63% were represented by a lawyer. When asked whether they experienced any problems with the trial, 48% had while 41% had not. Those who had experienced problems were then asked what the biggest and second biggest problems were. By adding these totals together, the following picture emerges:

- The process was too expensive (mentioned as the biggest problem by 46% and as the second biggest by 16%).
- The trial took too long (mentioned as the biggest problem by 19% and as the second biggest by 33%).
- The distances involved were mentioned as the main problem by 15% and as the second biggest problem by 17%.

Most common problems: trials

Those in rural areas (52%) were considerably more likely to mention cost as the biggest problem compared to those in urban areas (43%), and women (49%) were more likely than men (44%) to raise it. Those with lower levels of education (none or informal: 51%; primary: 53%) were also far more likely to mention cost as a factor than those with university (34%) or post secondary level education (42%). Those in urban areas (23%), perhaps more harried by city life than their rural compatriots (13%), were far more likely to mention the time taken to finalise trials as the biggest problem.

Distance was a bigger factor for those in rural areas (18%) than those in urban areas (14%); for those with lower levels of education who might have less money for transport than others, 27% of those with no or primary education mentioning it as the biggest problem compared to those with post-secondary (6%) or university level education (9%); and for older members of society than younger ones – for example, 22% of those in the 51-65 age group listing it compared to 9% of those between 18-30.

To get a sense of how long trials take to finalise, those who mentioned the time taken as one of the biggest problems were asked how long it had taken: 31% had taken almost a year (8-11 months); 28% had taken between one and two years; 25% had taken between 1-7 months; and 16% more than two years.

Mediation

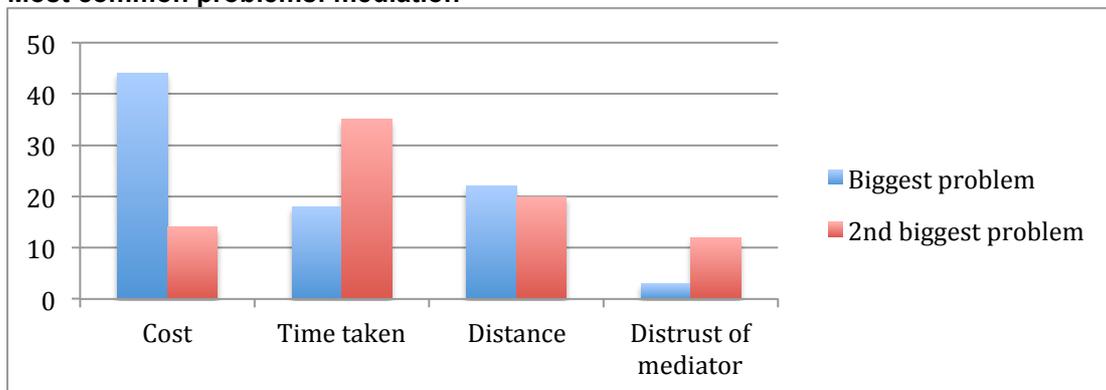
More than half (53%) of respondents who had used mediation to resolve the case experienced no problems compared to 31% who had and 15% who did not know. Those in rural areas (35%) were more likely to report problems than those in urban areas (29%), and men (32%) slightly more than women (30%), but the most likely to report problems were those over 65 (36%).

When those who had experienced problems were asked to rank the biggest and second biggest problems:

- Cost again emerged as the biggest problem, ranked first by 44% and 2nd by 14%.
- 53% mentioned that it took too long as the biggest (18%) or second biggest problem (35%).

- Distance was the third biggest issue, with 22% mentioning it as their first choice and 20% as their second.
- Fourth by some way, but still of concern was that 15% mentioned lack of trust in the mediator as the biggest (3%) or second biggest problem (12%).

Most common problems: mediation



Women (47%) and those in rural areas (45%) were more likely to mention cost as the major problem faced than men (42%) and those in rural areas (43%), but it was the most commonly mentioned by those with no or informal education (53%). Similarly, women (27%) and those in rural areas (26%) were more likely to raise distance as a problem than men (19%) and those in urban areas (20%), and it was regarded as the biggest problem by those between 51-65 (32%) and those with no or informal education. Men (20%) and those in urban areas (19%) on the other hand were more likely to mention the time taken as a bigger problem than women (16%) and those in rural areas (17%), but the most likely to mention this were those over 65 (28%) and those with higher levels of education (post secondary: 28%; university 27%).

Those who mentioned that the case took too long to finalise by mediation were then asked how long it had taken: 50% reported between 8-11 months; 41% one to seven months; and only 9% stating over two years, which suggests that mediation takes a lot less time than trials.

b. Informal justice system

Similar questions were asked about experiences with the informal justice system (such NGOs, religious leaders, traditional leaders or a traditional system). 22% of respondents had either relied on this system or had a family member who had done so in the previous year. 59% had not and 17% were not sure (suggesting they too had not).

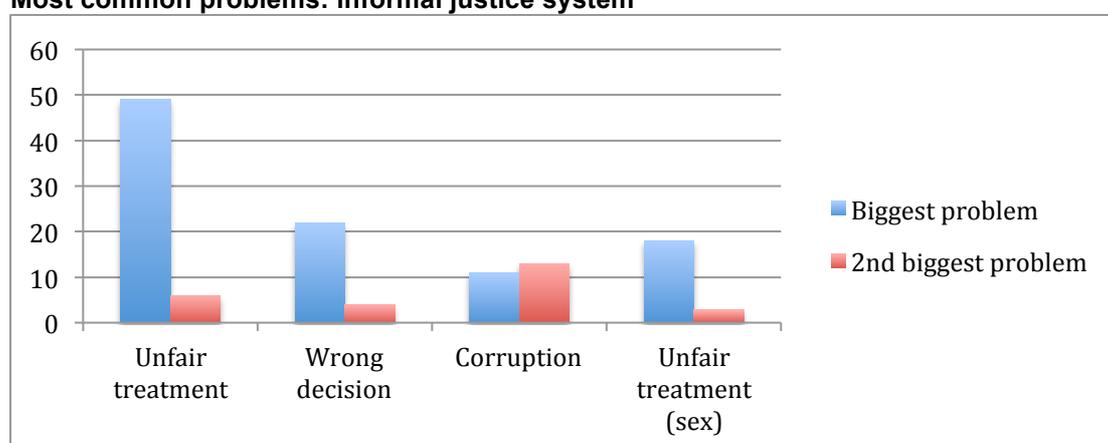
Of those who had used the system, most (49%) had not experienced any problems while 22% had. Men (24%) were more likely to have encountered problems than women (20%). Interestingly, 18% did not know whether there had been any problems, while 11% refused to answer the question.

Using a similar system of ranking the biggest and second biggest problems:

- Poor or unfair treatment was reported as the biggest problem by 49%, with 6% mentioning it as the second biggest.
- 22% complained that the person or organisation made the wrong decision as the biggest problem with 4% rating it as the second biggest.
- 11% mentioned corruption by the person or organisation as the biggest problem while 13% stated this as the second biggest issue.
- 18% complained of being treated badly or unfairly because of their sex as the biggest problem although only 1% mentioned it as the second biggest.

Given that such services are usually considerably cheaper, quicker and closer to where people live, none of these issues appeared as the biggest problem although 21% mentioned distance, 20% cost and 20% that it took too long as the second biggest problems.

Most common problems: informal justice system



Men mentioned unfair treatment generally (47%) slightly less often than women (51%) as the biggest problem, and unfair treatment because of their sex in particular (19%) **more** often than women (18%), which suggests that both sexes experiences are very similar. Those in rural areas (56%) were also much more likely to mention unfair treatment than those in urban areas (43%), while corruption seems to be a bigger problem in urban areas (14%) than rural areas (7%).

c. Independence and fairness of the Judiciary

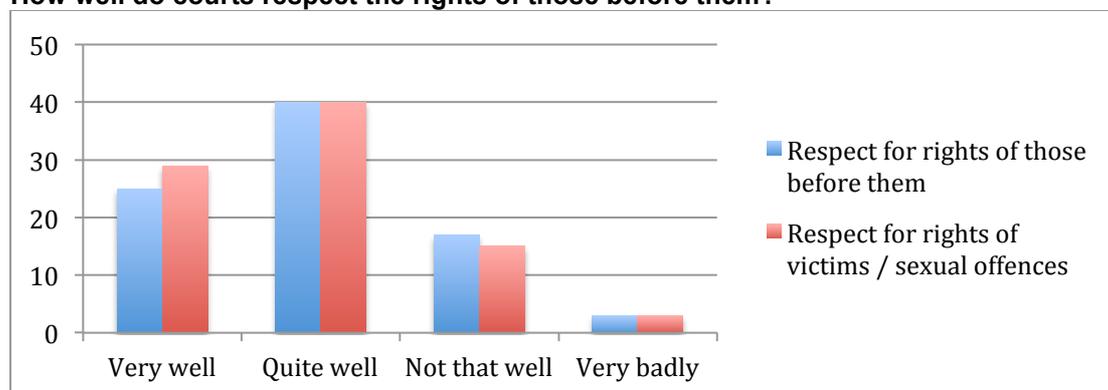
How independent do people believe the courts to be? Does the government control or interfere with their decisions or functions? Most (65%) would agree that they are very (33%) or quite (32%) independent, while only 18% would say they are not very independent (11%) or not independent at all (7%). 16% did not know enough to answer. 67% of those in urban areas would regard them as very or quite independent compared to 62% in rural areas, and men (67%) are more likely to regard them as independent than women (63%). Levels of education though seemed to have more of an impact on perceptions, with those with university (77%) and post secondary education (74%) far more likely to regard them as independent than those with secondary (68%), primary (62%) or no or informal education (55%).

Similarly, most people (64%) would rate the courts as quite (37%) or very fair and impartial (27%), while only 19% would regard them as not very (12%) or not at all impartial and fair (7%). However, 17% did not know enough to answer. Men and those in urban areas (66% of each group) are more likely though to rate them as fair and impartial than women (62%) and those in rural areas (61%). Education again played the biggest role: 77% of those with university level and 72% of those with post secondary level education rate the Judiciary as impartial compared to 68% of those with secondary, 61% of those with primary, and 54% of those with no or informal education.

When asked specifically whether the courts respect the rights of the people appearing before them, approval ratings were similarly high: 65% rated them as doing quite (40%) or very well (25%) with 20% rating them as doing not that well (17%) or very badly (3%). There were no differences between men and women or between those in rural and urban areas (all providing a rating of 65%) other than that those in urban areas were slightly more likely to rate them as doing very well than those in rural areas, and those in rural areas rating them as doing quite well slightly more often than those in urban areas. Once again though, those with post secondary (77%) and university levels of education (76%) were far more likely to rate the Judiciary highly in this regard than those with secondary (73%), primary (61%) or no or informal education (51%).

When it comes to how well the courts do when it comes to respecting the rights of victims of rape or sexual violence, approval rankings were similarly high. 69% would say the courts do quite (40%) or very well (29%), while 20% would say they are not doing that well (17%) or are doing very badly (3%). 14% did not know enough to answer. Women and men rated the courts exactly the same (65%) although there was some difference between urban (70% and rural areas (67%). Education was again the biggest factor with considerable differences of opinion between those with university (81%), post secondary (80%), secondary (73%), primary (67%) and no or informal levels of education (56%).

How well do courts respect the rights of those before them?

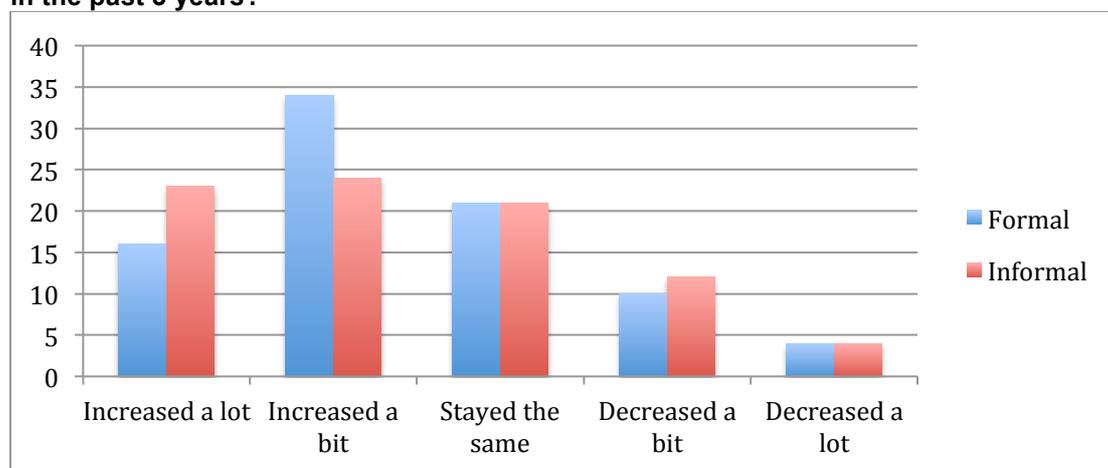


d. Quality of services in the formal and informal justice sectors

When asked whether the quality of justice and services provided by the courts has increased or decreased over the past three years, half reported that it had increased a bit (34%) or a lot (16%), while 21% thought it had stayed the same. 10% felt it had decreased a bit and 4% that it had decreased a lot. There were some differences between men (52% of whom believe the quality to have increased a bit or a lot) and women (49%) and similar slight differences between those in rural areas (52%) compared to those in urban areas (50%), and similar differences to those noted related to education elsewhere, ranging from 59% of those with university level education to 43% of those with no or informal education.

Ratings for the informal sector were considerably lower, with less than half (47%) stating that the quality of services has improved a bit (24%) or a lot (23%) – although the fact that nearly a quarter stated services have improved a lot should be compared to only 16% rating the formal system that way. 21% believe quality has stayed the same while 12% believe it has decreased a bit and 4% that it has decreased a lot. Men and those in urban areas (48%) were slightly more likely to report improvements than women (46%) and those in rural areas (45%), while those with secondary level education (50%) were the most likely to report improvements.

Has the quality of service in the formal / informal justice sector increased or decreased in the past 3 years?



e. Justice system preferences

When asked whether they would prefer a legal issue to be resolved by the formal or informal justice systems (NGOs, traditional leaders and others), most Ghanaians (59%) would prefer to rely on the formal system despite the costs, distances and other barriers to using the system, whereas 41% would prefer to rely on the informal system. Men (61%) and those in urban areas (63%) showed far greater preference for the formal system than women (56%) and those in rural areas (54%), while those with university (77%) post-secondary (72%) and secondary school education levels (66%) were considerably more

likely to rely on the formal system than those with some primary (53%) or no formal education (43%).

f. Legal aid

Where would people go if they were charged with a criminal offence and needed legal advice or assistance? Most would seek help from a lawyer paid for by themselves (39%) or a state funded lawyer (27%), although their chances of getting a state funded lawyer are very low and would depend on the nature of the case. 10% would not know where to go, 5% reported there is nowhere to help them where they live. 6% would ask CHRAJ, 5% would ask the police, 3% a traditional leader, and only 2% would seek help from an NGO.

Where would they go if they were involved in an accident and needed help to claim compensation (in other words, if they had a civil claim), 45% would go to a lawyer and 20% would ask for a state funded lawyer. Again, 10% would not know where to go while 6% stated there are no such service providers where they live. 8% would look for assistance from the police, 6% from CHRAJ, 2% from a traditional leader and only 1% from an NGO.

6. Corruption

a. Understanding of corruption

Respondents were presented with various scenarios and asked to say whether or not they regarded these as corruption.

- Paying a small fee / giving a gift to someone in government to speed up the process to get a document or permit. 86% regarded this as corruption as opposed to 14% who felt it was not. Those over 65 (80%) or with no or primary education (83%) were least likely to regard this as corruption. There were no differences between rural and urban dwellers and only slight differences between men (87% stating it was corruption) and women (85%).
- Giving someone in government some money, before or after a contract is awarded, to convince them to give you a contract with them. Almost all (92%) regarded this as corruption. Again, those over 65 (86%) and those with no or informal education (89%) were least likely to regard this as corruption, although even then, the percentages are very high.
- Giving a government employee a small gift to thank them for assisting you to get what you needed. This is of course a tricky question, since the giving of gifts, especially small gifts as a 'thank you', is not always clearly outlawed, and there is no specific definition of corruption in Ghanaian law or the UN Convention Against Corruption. Reflecting this uncertainty, only 61% of respondents regarded this as corruption. There were some differences between men (62%) and women (59%), and between rural (64%) and urban (59%).
- An oil exploration company paying a government minister for the rights to explore for oil. 82% of respondents regarded this as corruption. There were minor differences between men (82%) and women (83%), rural (81%) and rural (83%), while those under 65 (78%) and, interestingly those with university education (77%) were least likely to regard this as corruption.
- A government employee awarding a job to a friend or relative of theirs. This form of nepotism is quite obviously the use of a public power to benefit a private

interest, yet only three quarters (75%) of respondents regarded this as corruption while a full 25% did not. There were no differences between men and women, but this type of behaviour would seem to be more tolerated in urban areas (where 27% regarded it as not corruption) than rural areas (24%).

- Being asked to pay a prescribed fee for a passport or death certificate. Most Ghanaians (62%) would correctly regard this as not corruption, but a worryingly high percentage (38%) would regard it as corrupt. Once again there were no differences between men and women, but some difference between rural areas (where 40% would regard this as corrupt behaviour) and urban areas (36%).

From the above, it appears there is a need to develop very clear messages to improve understanding about what amounts to corruption. Although the majority of respondents understood most of the main and more obvious issues, some of the nuances (especially when it comes to small gifts / petty corruption and nepotism) are not clearly understood by all.

b. Why is corruption bad?

When asked why corruption is bad, the most common first response was that it takes money away from development (49%), which was also mentioned by 28% as a second response. The next most common first response was that it is a crime (15%), which was also mentioned by 8% as a second response. The most common second responses (other than that it takes money away from development) were that it means the poor are denied services (19%) and that it gives Ghana a bad reputation (10%).

c. Who is involved in corruption?

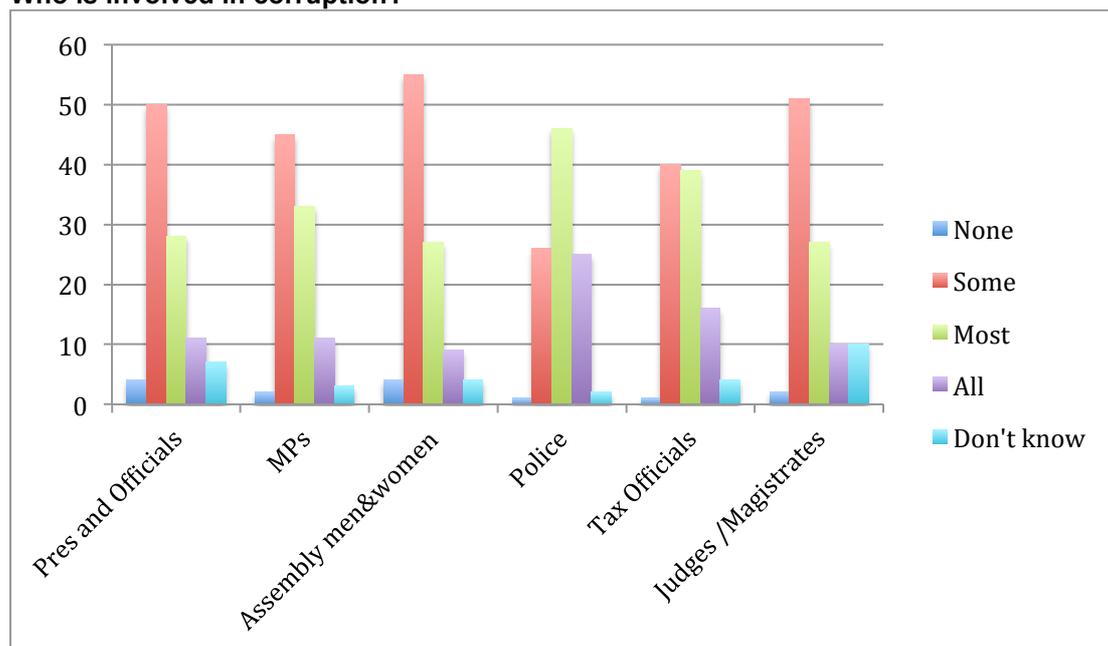
Participants were then asked how many of the following they believe to be involved in corruption:

- The President and officials in his Office. 89% believe that this group are corrupt: half of respondents (50%) answered some of them, with a further 28% answering most of them and 11% answering all of them. Only 4% answered none of them, with 7% answering 'don't know'.
- Members of Parliament. 92% believe this group are corrupt: 45% answered some of them, with a further 33% answering most of them and 14% answering all of them. Only 2% answered none of them, with 6% answering 'don't know'.
- Government employees. 95% believe this group are corrupt: more than half (51%) answered some of them, with a further 33% answering most of them and 11% answering all of them. Only 2% answered none of them, with 3% answering 'don't know'.
- Assembly men and women. 91% believe this group are corrupt: 55% answered some of them, with a further 27% answering most of them and 9% answering all of them. Only 4% answered none of them, with 4% answering 'don't know'.
- The police. Perceptions of corruption amongst police officials is especially high: 97% believe the police are corrupt: 26% answered some of them,

with a further 46% answering most of them and 25% answering all of them. Only 1% answered none of them, with 2% answering 'don't know'.

- Tax officials. 95% believe this group are corrupt: 40% answered some of them, with a further 39% answering most of them and 16% answering all of them. Only 1% answered none of them, with 4% answering 'don't know'.
- Judges and Magistrates. 92% believe the Judiciary are corrupt: 51% answered some of them, with a further 27% answering most of them and 10% answering all of them. Only 2% answered none of them, with 10% answering 'don't know'.

Who is involved in corruption?



Comparison with Afrobarometer Round 5 (2012)

The findings in the current survey largely reflect those in Afrobarometer Round 5, although with slight increases in perceptions of corruption in all categories. When asked how many people in each category respondents believed to be corrupt, Afrobarometer found:

- President and Officials (87% compared to 89% in the current survey) – none 8%, some 59%, most 20%, all 9%.
- MPs (91% compared to 92% in the current survey) - none 6%, some 59%, most 24%, all 8%.
- Government officials (92% compared to 95% in the current survey) – none 5%, some 57%, most 26%, all 9%.
- Assembly men and women (86% compared to 91% in the current survey) – none 11%, some 61%, most 18%, all 7%.
- Police (94% compared to 97% in the current survey) – none 3%, some 39%, most 31%, all 24%.
- Tax officials (90% compared to 95% in the current survey) – none 5%, some 20%, most 28%, all 12%.
- Judges and Magistrates (90% compared to 92% in the current survey) – none 6%, some 56%, most 23%, all 11%.

d. Has corruption increased or decreased over the past three years?

When asked whether corruption **generally** has increased or decreased over the past three years, 68% of respondents believe it has increased a lot (40%) or a bit (28%). A further 17% believe it has stayed the same, with only 7% stating it has reduced a bit and 1% that it has reduced a lot. Men (70%) and those in rural areas (72%) were more likely than women and those in urban areas (66% of both groups) to say that corruption generally has increased a lot or a bit. Those with some secondary level education were most likely to say it has decreased a bit or a lot – 11%. Such perceptions tally with the latest (2013) Transparency International Corruption Perception Index, which found that Ghana has improved slightly with a score of 46 (compared to 45 in 2012) and currently ranks 63rd in the world (compared to 64th in 2012).

When asked whether corruption amongst **senior government officials** has increased or decreased over the past three years, 67% of respondents believe it has increased a lot (38%) or a bit (29%). A further 16% believe it has stayed the same, with only 8% stating it has reduced a bit and 2% that it has reduced a lot. Although results were fairly standard between all groups, men (67%) and those in rural areas (69%) were slightly more likely to say it has increased than women (65%) and urban dwellers (64%). Those with some university education were the most likely to say it has decreased a bit or a lot – 16%.

When asked whether corruption amongst **police officials** has increased or decreased over the past three years, 68% of respondents believe it has increased a lot (40%) or a bit (28%). A further 17% believe it has stayed the same, with only 7% stating it has reduced a bit and 2% that it has reduced a lot. Men (70%) and those in rural areas (73%) were more likely than women (66%) and those in urban areas (65%) to say that corruption amongst the police has increased a lot or a bit. Those with over 65 were most likely to say it has decreased a bit or a lot – 12%.

When asked whether corruption amongst **local government officials** has increased or decreased over the past three years, 66% of respondents believe it has increased a lot (38%) or a bit (28%). A further 17% believe it has stayed the same, with only 8% stating it has reduced a bit and 1% that it has reduced a lot. There were only slight differences between men (67%) and women (65%) when it comes to who would say that corruption amongst local government officials has increased a lot or a bit, but more marked differences between those in rural areas (70%) and urban dwellers (65%). Those with some university level education were most likely to say it has decreased a bit or a lot – 13%.

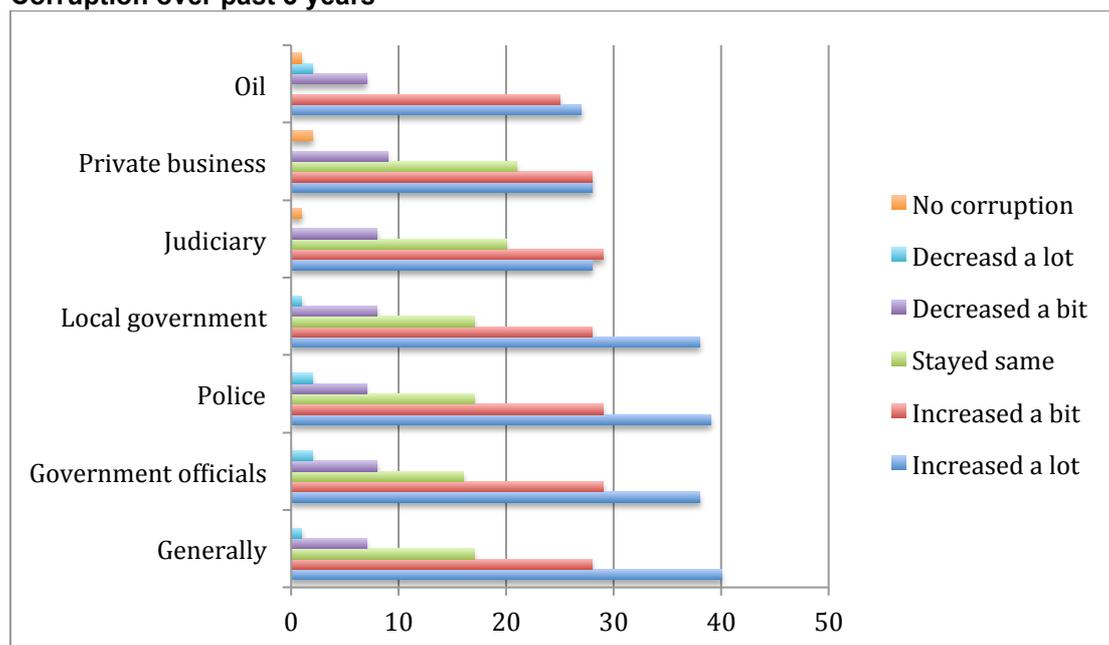
The picture is a bit more positive when it comes to whether corruption amongst **the Judiciary (Judges and Magistrates)** has increased or decreased over the past three years: 57% of respondents believe it has increased a lot (28%) or a bit (29%). A further 20% believe it has stayed the

same, with only 8% stating it has reduced a bit and 2% that it has reduced a lot, while 12% did not know enough to answer. Perceptions were once more similar between men (58% saying it has increased a bit or a lot) and women (55%), but marked differences between those in rural areas (62%) compared to those in urban areas (52%).

When asked whether corruption amongst **private individuals or businesses** has increased or decreased over the past three years, 56% of respondents believe it has increased a lot (28%) or a bit (28%). A further 21% believe it has stayed the same, with only 9% stating it has reduced a bit and 2% that it has reduced a lot. 11% did not know enough to answer. Men (57%) and those in rural areas (59%) were more likely than women (53%) and those in urban areas (54%) to say that corruption generally has increased a lot or a bit. Those with some university level education were most likely to say it has decreased a bit or a lot – 14%.

52% of respondents believe **corruption in the oil sector** has increased a lot (27%) or a bit (25%). A further 20% believe it has stayed the same, with only 7% stating it has reduced a bit and 2% that it has reduced a lot, although 17% did not know enough to answer.

Corruption over past 3 years



Respondents were then asked a series of questions adapted from a study into oil governance conducted by International Alert in Uganda. Similar studies have not been conducted in Ghana and the results are therefore completely new. Respondents were asked whether they agree or disagree with various statements:

Table 6: Transparency and accountability in the oil sector

Do you agree / disagree with the following statement:	Strongly agree %	Agree %	Disagree %	Strongly disagree %	Don't know %
I am confident the government is going to manage the money from oil for the benefit of the people.	20	16	37	17	9 ²⁵
Our Member of Parliament asks our community for our views about the oil sector.	0	16	30	12	41 ²⁶
It's clear to me how money from oil will be allocated and spent.	6	20	42	18	13 ²⁷
I am confident that the government will address/prevent corruption in the oil sector.	13	31	30	12	12 ²⁸

Whilst 44% of respondents answered that they have confidence government will address or prevent corruption in the oil sector and 26% that it is clear how money will be spent, the above table generally indicates that there is still some concern and confusion as to how money will be used and the degree to which the public will be consulted.

e. Personal experiences of corruption

Respondents were asked whether they had been asked to pay a bribe for any of the following in the previous year:

- Get a document (such as a birth, death, marriage certificate, or passport) or permit. Most had either no experience of this in the past year (36%) or had never experienced it (44%). 10% had experienced it once or twice, 6% a few times and 2% 'often'. Men (only 42% of whom answered 'never') were more likely to experience this than women (46%), as were those in rural areas (45%) compared to urban areas (43%). Those with university level were the most likely to have experienced it, with only 33% answering never, 16% once or twice (compared to the national average of 10%) and 14% a few times (compared to the national average of 6%).
- Get water or sanitation services. Most had either no experience of this in the past year (27%) or had never experienced it (52%). 12% had experienced it once or twice, 6% a few times and 2% 'often'. Those in rural areas were more likely to have experienced this once or twice (13%) or a few times (7%) compared to urban dwellers (who answered 11% and 5% respectively), but those with university level were again the most likely to report it – answering never (45%), once or twice (14%) and a few times (12%) compared to national averages.

²⁵ Which could be interpreted as a lack of confidence.

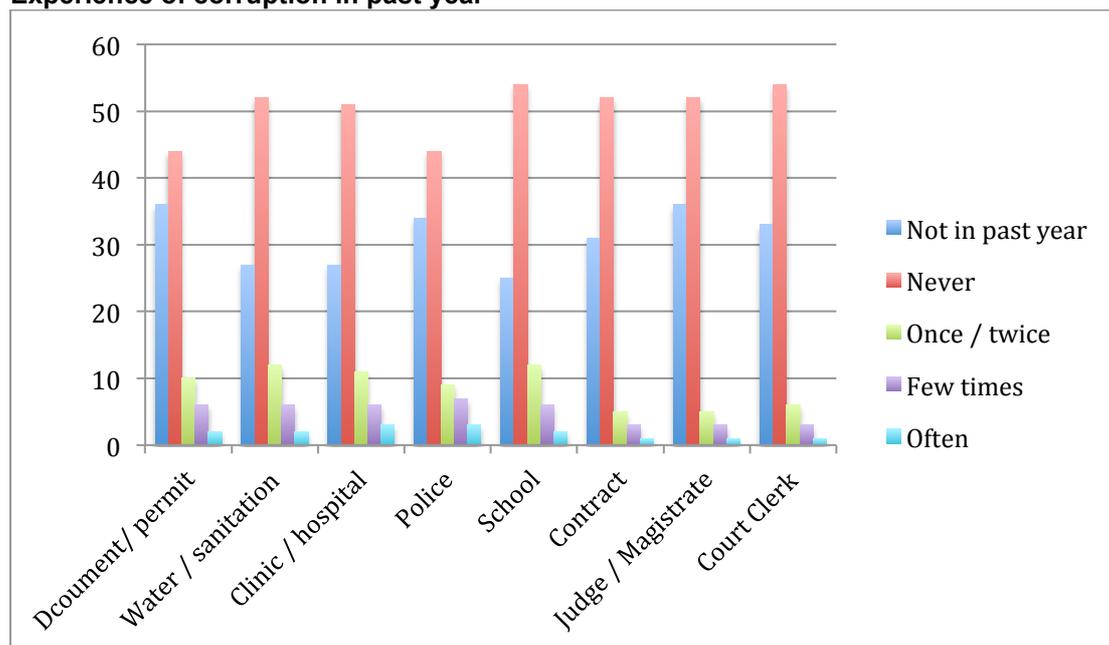
²⁶ An answer of 'don't know' in this case could be read as a statement that those who answered this way haven't been asked for their views.

²⁷ An answer of 'don't know' in this case can probably be read as 'it is not clear to me how money will be allocated and spent'.

²⁸ Which could be interpreted as a lack of confidence.

- Get treatment at a local health clinic or hospital. Most had either no experience of this in the past year (27%) or had never experienced it (51%). 11% had experienced it once or twice, 6% a few times and 3% 'often'. There were minor differences between men and women while those in rural areas were more likely to have experienced this once or twice (13%) or a few times (8%) compared to urban dwellers (who answered 9% and 5% respectively). Again, those with university education reported this more frequently than others, answering never (45%), once or twice (12%) and a few times (14%) compared to national averages. Those between 51-65 (14%) and over 65 (13%) were also far more likely to have experienced it once or twice than others.
- Avoid a problem with the police, like passing a checkpoint or avoiding arrest or a fine. Although this is often reported as one of the most common forms of corruption, only 9% had experienced it once or twice, 7% a few times and 3% 'often'. Most had either no experience of this in the past year (34%) or had never experienced it (44%). Men (43%) were less likely to say they had never experienced this than women (47%) and had experienced it once or twice (10%) or a few times (8%) compared to women who answered 7% and 5% for each of these. Those in rural areas also experience it slightly more often than those in urban areas, with 10% experiencing it once or twice and 8% a few times compared to 8% and 6% in urban areas. Again, those with university education reported this more often than others, with 13% experiencing it once or twice and 17% a few times compared to national averages.
- Get a place in a primary school for a child. Almost 80% had either no experience of this in the past year (25%) or had never experienced it (54%). 12% had experienced it once or twice, 6% a few times and 2% 'often'. Men appeared to have experienced this slightly more often than women, as did those in rural areas compared to urban areas, but the most likely to report this were again those with university level education – 46% answering never, 13% once or twice and 13% a few times. The most likely to have experienced this once or twice in the last year though were those between 51-65 and those over 65, 16% reported having done so.
- Get a contract with government. Most had either no experience of this in the past year (31%) or had never experienced it (53%). 8% had experienced it once or twice, 4% a few times and 1% 'often'. There were no major differences across the groups although the most likely to have experienced this once or twice in the past year were those over 65 (11%) and those in the 51-65 age group (10%).
- Get a Judge or Magistrate to decide a case or make a decision in your favour. Despite perceptions of corruption in the Judiciary being high, most had either no experience of this in the past year (36%) or had never experienced it (52%). 5% had experienced it once or twice, 3% a few times and 1% 'often'. Although there were no major differences across most groups, those with university level were less likely to answer never (42%) and more likely to answer once or twice (8%) or a few times (10%) than the national averages.
- Get a court clerk to register your case or put it on the cause list. Again, this appears to be fairly rare: only 6% had experienced it once or twice, 3% a few times and 1% 'often'. Most had either no experience of this in the past year (33%) or had never experienced it (54%). Men (11%) and those in rural areas (13%) were more likely to answer once or twice or a few times than women (8%) and those in urban areas (7%), but once again, those with university education were considerably less likely to answer never (44%) and more likely to answer once or twice (10%) or a few times (11%) than any other groups.

Experience of corruption in past year



Comparison with Afrobarometer Round 5 (2012)

When asked similar questions by Afrobarometer, respondents in that survey's experiences were:

- Get a document or permit. 89% had either no experience of this in the past year (50%) or had never experienced it (39%) compared to 80% in the current study. 7% had experienced it once or twice, 3% a few times and 2% 'often'.
- Get water or sanitation services. 92% had either no experience of this in the past year (47%) or had never experienced it (45%) compared to 79% in the current study. 5% had experienced it once or twice, 2% a few times and 1% 'often'.
- Get treatment at a local health clinic or hospital. 91% had either no experience of this in the past year (39%) or had never experienced it (52%) compared to 78% in the current study. 4% had experienced it once or twice, 3% a few times and 2% 'often'.
- Avoid a problem with the police. 89% had either no experience of this in the past year (46%) or had never experienced it (43%) compared to 78% in the current study. Only 5% had experienced it once or twice, 3% a few times and 3% 'often'.
- Get a place in a primary school for a child. 94% had either no experience of this in the past year (43%) or had never experienced it (51%) compared to 80% in the current study. 4% had experienced it once or twice, 2% a few times and 1% 'often'.

It is difficult to reconcile the findings in the current study with those in the Afrobarometer Round 5, since it is highly unlikely that corruption has increased as dramatically as the figures suggest. Instead, the most likely cause was that enumerators and/or respondents in the current study answered not whether they had experienced such corruption in the past year, but whether they had ever experienced it. This will need to be addressed during follow-up studies to ensure that both enumerators and respondents are reminded to only record levels of experience of corruption in the preceding year.

f. Where to report corruption

Those who reported having been exposed to one or more of the forms of corruption presented to them were then asked whether they had reported it to anyone. An alarming 67% had not. 18% reported that they had, but a further 15% refused to answer the question. Women (19%) appeared to report this more often than men (17%), with similar differences between rural dwellers (where 19% had reported it) compared to those in urban areas (17%). Those with post secondary level education had reported it the least (14%).

When asked why they did not report the corruption, the most common answer (20%) was that nothing would happen if they did. Next on the list was that it was 'not important (19%) or that the respondent was not interested or did not trust anyone or any institution enough to report it to (15% in both cases). Interestingly, 10% of women who did not report did not do so because their husbands would not allow them to.

Of those who had reported actual experiences of corruption, 14% reported to the police and 12% to CHRAJ. However 38% reported to the media and 23% to the head of the organisation concerned, indicating that CHRAJ needs to have more of a focus on raising awareness of its role in this regard. However, this should be seen in light of answers to a further question in this regard (see below).

But while only 12% mentioned CHRAJ when asked where they **had** reported corrupt activities in a previous question, awareness of CHRAJ's role in this regard is fairly good. When specifically asked where they would report corruption by a government official, CHRAJ was the most commonly mentioned institution (23%) followed by the media (10%) and the police (7%). CHRAJ was mentioned more often by men and those in urban areas (25% in each case) than women and those in rural areas (20% in each case). It was also more commonly mentioned by those with higher education levels - mentioned by 29% of those with university or post-secondary education compared to 19% of those with no or informal education, 21% of those with some primary education and 22% of those with some secondary education.

However, an alarming percentage (53%) would not report it. When asked why, the most common answer was that nothing would happen if it were reported (86%).

When it comes to where to report corruption by a private individual, a quarter of respondents would report it to the police (25%) while 7% would report it to CHRAJ.

Again though, 65% would not report it, the main reason being that nothing would happen if it were reported (46%). However, 30% of those who would not report it cited a lack of trust in any of the institutions or organisations dealing with corruption, while 21% simply felt it does not affect them.

Finally, respondents were asked outright which institution had specifically been set up to deal with complaints of corruption in Ghana other than the police. The most common answer (although not really intended) was the courts (51%). Of the remainder, the next most common was CHRAJ (23%) followed by the Economic and Organised Crime Office (16%).²⁹ It is suspected though that if the courts had been left off the list of possible answers, CHRAJ would have scored even higher.

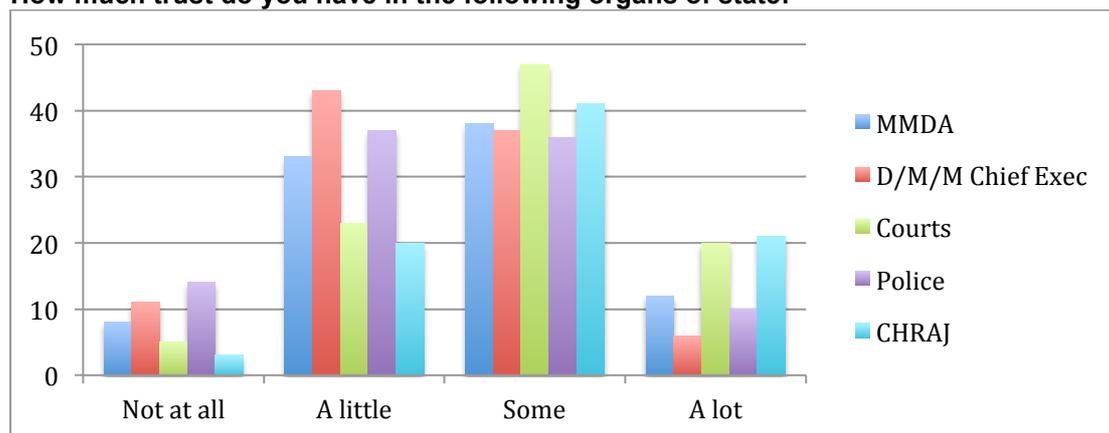
7. Trust

How much do people trust local government, the courts, the police and CHRAJ?

- 83% of Ghanaians trust their MMDA a little (33%) some (38%) or a lot (12%). Only 8% do not trust them at all. Least trusting were those in urban areas (10% not trusting them at all) compared to 6% in rural areas. Most trusting are those above 65, with 17% trusting them a lot, 35% some, and 29% a little.
- 86% trust their District/Municipal/Metropolitan Chief Executives a little (43%), some (37%) or a lot (6%). 11% do not trust them at all – those in urban areas (13%) in particular (compared to 8% in rural areas) although the levels were fairly standard across all other groups. Again, those over 65% were the most likely to trust them a lot (10%).
- Trust in the courts amongst Ghanaians is high: 90% trust them a little (23%), some (47%) or a lot (20%). Only 5% do not trust them at all. Those in urban areas are slightly more trusting (22% trusting the courts a lot) than those in rural areas (17%), but otherwise opinions were largely the same across all groups.
- Trust in the police is fairly low: 83% of respondents reported some trust with 37% trusting them a little, 36% some and 10% a lot. 14% do not trust them at all. Men would appear to trust the police less than women, with 52% of men answering that they trust the police not at all or only a little compared to 49% of women, but again results were fairly standard across all groups.
- CHRAJ fared well and trust levels are good: of those who answered the question (87% of respondents), 20% trust them a little, 41% some and 21% a lot. Only 3% do not trust them at all, although 13% did not know enough to answer.

²⁹ The EOCO was set up by Act 804 of 2010 in line with Article 190 (1)(d) of the 1992 constitution as one of the Public Services of Ghana to supplement and augment government's effort in the fight against corruption in the State. The Office was established as a specialised agency of government to monitor investigate and on the authority of the Attorney-General, prosecute any offence involving serious financial and economic loss to the state and to make provision for connected and incidental purposes. The mandate of the Office is clearly set out by the EOCO Act. The relevant provisions, at Section 3(1) (a), (b), (c), (d) and (2) S. 12, and S. 13 indicate clearly that the mandate to investigate any suspected fraud is inherent in the Office and can be activated by the Executive Director without reference to any other authority or agency of State.

How much trust do you have in the following organs of state:



Comparison with Afrobarometer Round 5 (2012)

Afrobarometer found the following levels of trust:

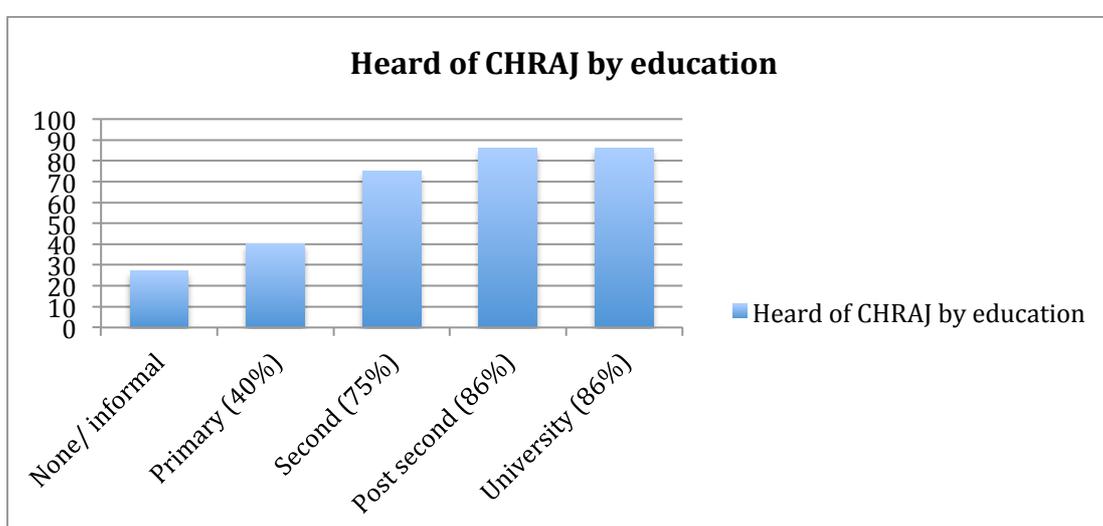
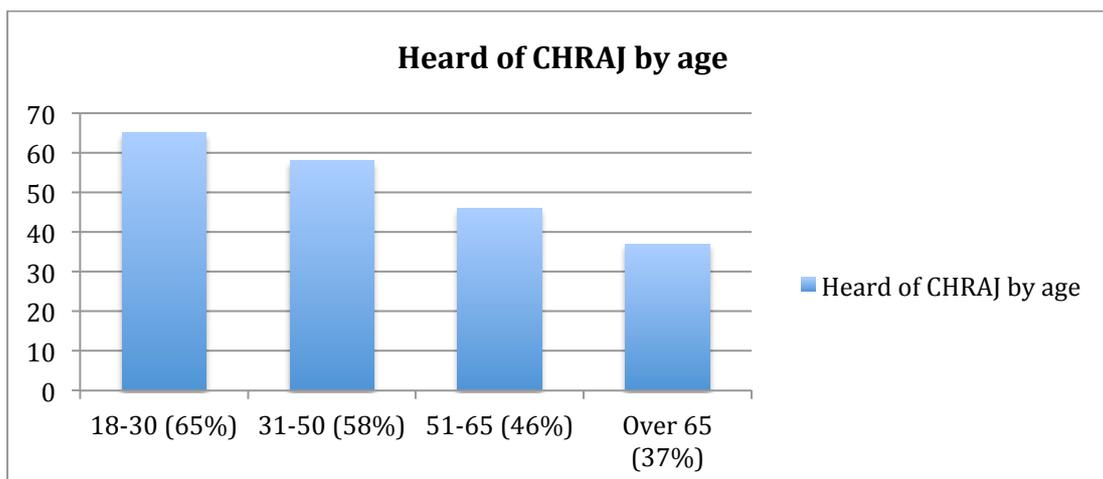
- MMDAs: 23% did not trust their MMDAs at all, 32% trusted them a little, 28% had some trust, and 15% trusted them a lot. These figures vary with the current study, which found higher levels of trust in MMDAs (83% trusting them a little, some or a lot compared to 75% in the Afrobarometer study).
- The police: 28% did not trust the police at all, 29% trusted them a little, 24% some and 18% a lot. In total, 71% of those in the Afrobarometer study trust the police a little, some or a lot, compared to 83% in the current study).
- Courts: 15% did not trust the courts at all, while 59% trust them a little, 32% some and 24% a lot. These figures are closer to those in the current study, which found 90% trust the courts to some degree compared to 85% in the Afrobarometer study.

When it comes to which institution people most trust to fight corruption, most people would trust the courts (43%), CHRAJ (34%) and the media (10%). Only 10% trust the government to do so, and only 3% the police. Support for the courts was higher in rural areas (47%) than in urban areas (39%), while support for CHRAJ was highest amongst the 18-30 age group and those with some primary education (36% in both cases), but overall results were similar across all groups.

8. Awareness and understanding of CHRAJ

a. Awareness and understanding

57% of respondents had heard of CHRAJ compared to 35% who had not. Considerably more men (60%) and urban dwellers (63%) had heard about CHRAJ than women (53%) or those in rural areas (49%). Of those who had heard of it, the most commonly mentioned source of the information was at school (50%) while 23% had heard about it on the radio. Only 1% stated that they had heard about it directly from CHRAJ. As a result, age and education also played a role.



b. Performance

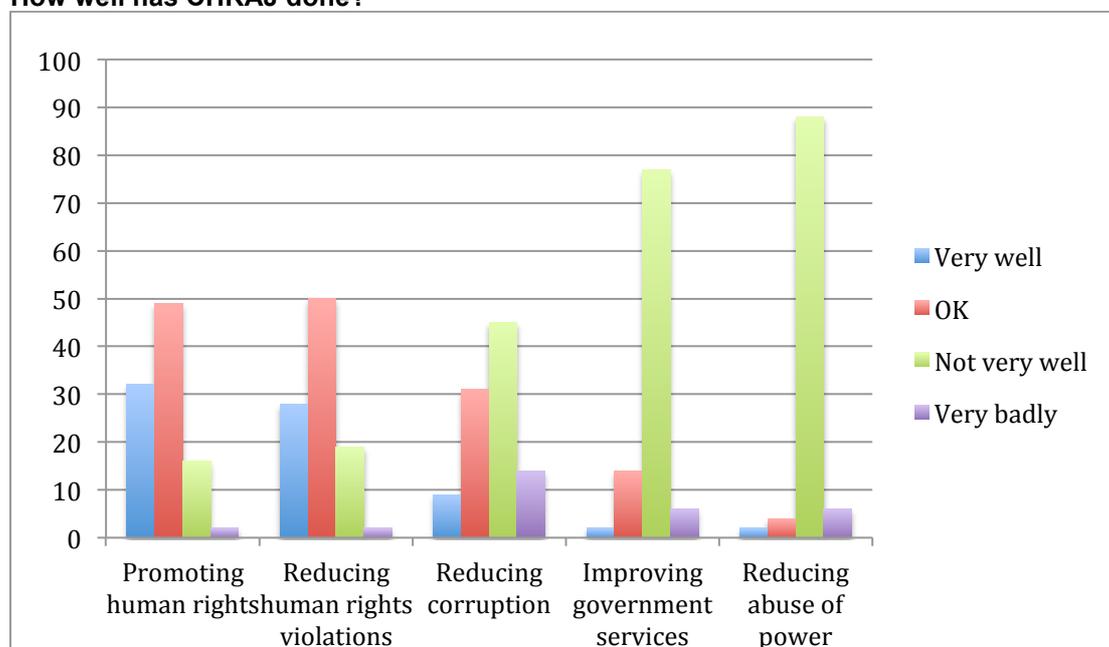
Those who had heard of CHRAJ were then asked to rate their performance over the past three years related to CHRAJ's triple mandate.

- **Human rights:**
 - When it comes to promoting human rights, the majority believe CHRAJ has done OK (49%) or very well (32%). 16% believed they have not done very well but only 2% think they have done badly.
 - When it comes to protecting human rights (reducing violations), 50% think they have done OK and 28% very well. 19% believe they have not done very well and 2% think they have done badly.
- **Corruption.** Although 31% think CHRAJ has done OK in reducing corruption and 9% think it has done very well, 45% think CHRAJ has not done very well and 14% that it has done badly.
- **In the area of administrative justice:**
 - When it comes to improving the quality of services by government, Ghanaians are far less happy with CHRAJ's performance. 77% believe they have not done very well and 6% that they have done badly, while

only 14% think they have done OK and only 2% think they have done very well.

- When it comes to reducing abuse of power, confidence in CHRAJ is at its lowest, with 88% stating it has not done very well and 6% that it has done very badly, while only 4% think it has done OK and 2% very well.

How well has CHRAJ done?



All of the above should of course be seen in light of other parts of the survey where CHRAJ's role, and confidence in its abilities, were reflected (as set out above):

- When asked where they would report bad or inhumane treatment by the police, military or prison personnel, the largest percentage (32%) stated they would report it to CHRAJ.
- When asked where they would report it if they applied for a job and were rejected because of their religious beliefs, CHRAJ was most commonly mentioned (41%).
- When asked where they would report discrimination against a child by a school based on their religion, the most common choice of institution by some distance was CHRAJ, with 41% answering this.
- As to where people would report violations of the right to administrative justice, nearly one-fifth did not know (18%). Of those who ventured an answer, 21% would report it to the police, 18% to CHRAJ and 15% would take the government to court, which suggests CHRAJ need to improve understanding of their role in this area.
- When asked where they would report nepotism by a government employee when employing someone, CHRAJ was the most common answer, although only 30% identified CHRAJ.
- When asked outright which institution has been specifically set up to deal with complaints against government officials who abuse their powers in Ghana (other than the police), the highest number (46%) correctly answered CHRAJ.

- Although not the most appropriate answer, when asked where people would go when they needed legal assistance, 6% would ask CHRAJ when faced with a criminal charge or to recover damages in a civil matter.
- Of those who answered the question 'how much trust do you have in CHRAJ, 20% trust them a little, 41% some and 21% a lot. Only 3% do not trust them at all, although 13% did not know enough to answer.
- When it comes to which institution people most trust to fight corruption, most people would trust the courts (43%), CHRAJ (34%) and the media (10%).

c. How accessible is CHRAJ?

CHRAJ is remarkably accessible, at least in terms of distance. Although 23% did not know where the nearest offices was (with similar responses across all groups), 9% of respondents were within 1 KM, 28% within 10 KMs. 11% answered that the nearest office is between 21-50 KM away and 9% that it is more than 50 KM away. There were some differences between rural (30%) and urban dwellers (26%) reporting that the closest office was between 1 and 10 KM away, but otherwise, responses were fairly similar across all groups.

9. Perceptions of Judiciary and Judicial Service

Although the survey did not include questions around understanding of the roles and functions of the Judiciary and the Judicial Service in Ghana, numerous questions were included that provide an interesting insight into how Ghanaians perceive the Judiciary. Based on these, the following picture emerges:

- Respondents showed a good understanding of the role of the courts in protecting human rights in Ghana, with 32% listing the courts when asked which institutions protect human rights. Only CHRAJ (38%) was mentioned more frequently. In addition, 29% would report human rights violations to a court – once again, the second most common answer after CHRAJ (40%) – indicating some satisfaction with the courts' role in this regard.
- 31% of respondents believe the courts always (6%) or often (25%) treat women unfairly. The courts scored better than employers in the private sector (39%) and traditional leaders (35%), but not as well as the police (30%). Overall though, this is clearly an issue that the Judiciary and Judicial Service should aim to address.
- 15% of respondents would report violations of the right to administrative justice to the courts compared to 21% who would report these to the police and 18% who would report it to CHRAJ. When asked which institutions protect people whose rights are violated by administrative action, 29% identified the courts – second only to CHRAJ (46%).
- Although 41% of those who had used the formal justice system (or knew someone who had) reported no problems, 48% had experienced problems – the most common being the costs, length of time taken to finalise trials, and the distances involved. These problems are common to almost all countries of course, but steps should continue to be taken to address them.

- Although people experienced less problems when mediation was used (53% reporting no problems when mediation was used compared to 41% who had no problems with matters resolved through trials), 31% did encounter problems. The most common were once again the costs involved, time taken to finalise matters, and distances involved, although a further problem (lack of trust in the mediator) was mentioned by 15%. This would suggest that more attention needs to be given to ensuring matters are speedily dealt with to reduce costs, and that additional support to and oversight of mediators might be required.
- Most respondents (65%) believe the Judiciary to be independent while 64% would rate the Judiciary as impartial and fair, which are very good signs.
- When asked specifically whether the courts respect the rights of people appearing before them, approval ratings were similarly high: 65% rated them as doing quite (40%) or very well (25%) with 20% rating them as doing not that well (17%) or very badly (3%).
- When it comes to how well the courts do when it comes to respecting the rights of victims of rape or sexual violence, 69% would say the courts do quite (40%) or very well (29%), while 20% would say they are not doing that well (17%) or are doing very badly (3%).
- Encouragingly, half of those surveyed believe the quality of justice and services provided by the courts has increased over the past three years compared to 21% who believe it has stayed the same, 10% who believe it has decreased a bit and 4% that it has decreased a lot. By comparison, ratings for quality and services in the informal sector were lower, with only 47% believing this has improved.
- When asked whether they would prefer the formal or informal justice sectors to handle a legal issue, 59% would choose the formal system rather than the informal system (41%).
- Although the Judiciary scored better than the police (97%), government employees (95%) and tax officials (95%) when it comes to perceptions of corruption, 92% of respondents believe that some (51%), most (27%) or all (10%) of Judges and Magistrates are corrupt. 57% of respondents believe such corruption has increased a lot (28%) or a bit (29%) over the past three years. While 20% believe that it has stayed the same, only 10% believe it has decreased. This is very worrying and is clearly an area for the Judiciary and Judicial Service to prioritise.
- On the other hand, and despite perceptions of corruption, trust in the courts amongst Ghanaians is high: 90% trust them a little (23%), some (47%) or a lot (20%). Only 5% of not trust them at all.