

CRUSADERS

against corruption

Wednesday 05.07.2023

Press Release

THE OFFICE OF THE SPECIAL PROSECUTOR (OSP), SHOULD BE PROACTIVE, NOT REACTIVE IN EXECUTING ITS MANDATE

Re: Office of the Special Prosecutor's Half Yearly Report between 1st January and 30th June, 2023

Introduction

CACG has studied the above-mentioned report with keen interest, and as an Anti-Corruption and Good Governance CSO (acting as the eye of the general public and the tax payer), we feel obliged to communicate our observations and recommendations on the report of the OPS that seeks to offer an insight into the corruption cases investigated and prosecuted in the period aforementioned.

Observations:

1. Reference to Section III of the OSP's report, CACG observes that the report falls short of communicating clearly and specifically the tangible results of how the OSP's office has reduced corruption in these past periods.
2. Conspicuously missing in the report are equally important corruption and criminal cases of alleged vote buying (offending Sections 240 and 241 of the Criminal Code 1960), in the following instances:
 - MCE/DCE's approvals
 - NPP Internal Elections
 - NDC Parliamentary Primaries
3. Based on the provided information in the report, it is challenging to evaluate the work of the special prosecutor specifically or assess potential areas for improvement without additional details and context regarding the specific corruption cases investigated and prosecuted, the outcomes of those cases, and the overall performance of the Office of the Special Prosecutor in fulfilling its mandate

Proposals:

However, CACG provides 7 suggestions for improvement in the work of the special prosecutor's office and these are:

1. Transparency and Communication:

Even though CACG acknowledges that the OSP seeks to communicate with the public through this report, the office is being encouraged to share relevant information and updates on investigations, prosecutions, and activities of the office, including achievements in line with the expected result of its mandate since this can help build trust and also keep the tax payer and the public informed about the progress and impact of the OSP's anti-corruption efforts.

2. Strengthening Capacity:

Section II of the OSP's report states that a substantial recruitment process has been concluded. This is crucial for an effective investigation and the prosecution of corruption cases in Ghana. CACG is encouraging the OSP to invest in ongoing training and professional development for its employees to further enhance the office's ability to combat corruption and to help instill Good Governance. CACG is prepared to partner the OSP to successfully execute these trainings and capacity building

3. Collaboration and Cooperation:

CACG commends the OSP for working with GRA in a collaborative manner and strongly advice the OSP to continue same with other relevant stakeholders, including law enforcement agencies, government agencies, particularly the Civil Society Organizations, and international counterparts, since this can promote coordinated efforts in fighting corruption and facilitating information sharing.

4. Streamlining Processes and Prioritization:

From the entirety of the report, it is suggestive that the OSP is failing to prioritize to achieve its objectives, the OSP must develop systems that would aide them to prioritize and efficiently handle cases that are based on severity, impact, and available resources so to help maximize the effectiveness in combating corruption.

5. Adequate Funding:

Despite previous cries by the Special Prosecutor that the OSP is not adequately funded by the government, the report is silent on the state of funding in the period in question. No financial report of budget and expenditure is included in this report. CACG is however encouraging the government to give the needed funding and financial resources to the office of the special prosecutor to support their operations, including conducting thorough investigations.

6. Continuous Assessment and Evaluation:

Acknowledging the danger that corruption poses and the urgency with which the corruption fight should be executed, CACG is proposing a regular evaluation and assessing of the performance and impact of the OSP's activities so to help identify areas for improvement and ensure accountability.

7. Independent Prosecutorial Oversight Commission (IPOC)

There is the urgent need to have the establishment of the IPOC to ensure that the government does not exercise full control over the cases that are handled by the special prosecutor's office. CACG is therefore proposing an independent oversight body with strong checks and balances, and we are willing to make available our experts in this regard.

Conclusion

It is important to note that the evaluation and potential areas for improvement can only be ascertained by considering the specific circumstances and challenges faced by the Office of the Special Prosecutor in Ghana. These are absent from the report; however, it is clear that **the OPS still has a long way to go in making an impact in the corruption fight in Ghana. It must be noted that the tax payer is interested in results and not essay writing.**



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