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### **ACKNOWELEDGEMENT**

The Ghana Integrity Initiative (GII) is grateful to Transparency International (TI) and Global Affairs Canada for providing funding support to implement the Integrity, Mobilization, Participation Accountability, Anti-Corruption and Transparency (IMPACT) Project from which this publication is funded.

### **DISCLAIMER**

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### **ALAC STAFF**



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The Advocacy and Legal Advice Centre (ALAC) is an office set up by the Ghana Integrity Initiative (GII), the local chapter of Transparency International (TI). It is a free, confidential and professional service that offers victims and witnesses of corruption an avenue to report and pursue incidences of corruption for redress.

### AIMS OF ALAC

The ALAC aims to:

- a) empower citizens to make and pursue corruption related complaints
- b) provide legal advice and assistance to victims and witnesses of corruption
- c) set up a database on corruption in the country based on complaints received from the public
- d) use data on complaints to advocate for greater structural and institutional changes

### SERVICES OFFERED BY ALAC

Services offered by ALAC include:

- a) Consultation with a Lawyer/ Legal Services
- b) Referrals of complaints to

- Anti-Corruption Agencies and other state bodies for investigation and sanctioning
- c) Follow up on referred cases until a resolution is achieved

Our services are confidential and free of charge.

### CASES THAT ALAC DEALS WITH INCLUDE:

Bribery and other types of

- a) Petty corruption
- b) Grand corruption
- c) Conflict of interest

Cases may come from across sectors such as:

- a) Health
- b) Education
- c) Mining
- d) Land Administration

Media as well as various processes such as licensing, procurement and registration affecting both the private and public sectors.

### THE DON'TS OF THE ALAC

The ALAC does not:

- a) Pronounce judgment
- b) Campaign against individuals or institutions
- c) Represent victims of corruption in courts
- d) Publicize individual cases of corruption without the prior consent of the parties involved in the matter
- e) Pursue anonymous complaints

### ALAC SUCCESS STORIES

### 1. EVASION OF TAX BY A FOREIGN COMPANY

- GII retrieves GHC 233,556.17 for the state and is commended by EOCO in a formal letter.

axes are compulsory payments levied by government on individuals and corporations. They are backed by law and used to finance the development of a state. Thus, noncompliance is criminal and punishable by law. It was disheartening to know that a company will seek to conduct business and violate the tax laws of Ghana.

ALAC in 2017 received a case of alleged tax evasion by a known importer of canned foods, the in Ghana. The complainant further alleged that the Managing Director of the company was also involved in money laundering activities. Following the allegation, GII's ALAC forwarded the complaint to the Economic Organized Crime Office (EOCO) requesting for investigations into the allegation. The investigations revealed that the allegations were true.

In October 2019, the Executive

Director of EOCO formally wrote to GII providing update on the complaint. According to him, the investigations revealed that the said company was actually evading tax. According to EOCO, all available records including financial statements of the company were examined and the Managing Director extensively questioned.

The investigations established that the company was not up to date with its Value Added Tax (VAT) payments to the Ghana Revenue Authority (GRA). The company understated its sales revenues resulting in underpayment of VAT by two hundred and thirty-three thousand, five hundred and fifty-six Ghana cedis and ninety-nine



pesewas (GHS233,556.99). The said amount has been recovered and handed same to the state.

EOCO in its letter to GII/ALAC commended GII for its efforts which led to the recovery of tax revenue for the state and encouraged GII to continue to support the state agencies in fighting corrupt practice.

### 2. Tax Evasion by a Chinese Furniture Company

 Company barred from operating in Ghana

n every country tax collected are used for the advancement of its economy and residents. Taxes are involuntary fees levied on individuals, business entities or corporations with the backing of statute. The benefits of taxes therefore cannot be

underemphasized.

Facts of the case: In November 2017, a complainant reported a case of alleged tax evasion by a Chinese furniture company. The complainant,

who at the time was an employee of the company, also alleged that the company makes huge returns on sales of its furniture every month, however, they under declare their sales and as a result

only pay GHC300.00 as monthly tax.

Following this, ALAC referred the complaint to the Economic Organized Crime Office (EOCO) calling for an investigation into the matter to substantiate the allegation and take the appropriate actions thereof. EOCO contacted the complainant to help with the investigations.

Outcome of the investigations: After a strenuous investigation by EOCO, it was established that the allegation was true. In April 2018, the complainant informed ALAC that the company had been closed down by the Ghana Revenue Authority (GRA) on Friday, April 11, 2018. After EOCO confirmed the allegations, they forwarded the case to GRA. Upon GRA's verification, the company was asked to submit a number of documents including a history of its

tax returns. Failure of the company to adhere to this directive resulted in the closure of the company and withdrawal of their certificate to operate in Ghana.

Meanwhile, the

complainant requested to meet with the ALAC Lawyer for legal advice on steps he must take to claim his outstanding sales commission from the company, following its closure. Subsequently, the ALAC Lawyer had a face-face meeting with him and explained the available options to him, including instituting a legal action against the accused. The complainant has since expressed his gratitude to ALAC.

### 3. CONSTITUENCY OFFICIALS OF A POLITICAL PARTY ENGAGED IN EMPLOYMENT FRAUD

 GII supports victims of employment fraud retrieve monies from political party fraudsters

mployment fraud in Ghana is gradually becoming rampant as the youth unemployment rate rises. Avenues which have become the preferred target of the teaming unemployed youth are the security agencies. Many young people now desire to work in the security services for various reasons

such as prestige, job security, among others. As a result, many fraudsters are springing in the name of facilitating enlistment in the security service in return for various sums of money.

In January 2019, a group of 20 young people alleged that constituency officials of a political party including a constituency party Chairman promised to get them enlisted into the Ghana National

Fire Service (GNFS) and Ghana Police Service (GPS) in exchange for a fee GHC 3,000.00 or US\$ 519.03 each. However, the accused persons were unable to fulfill their part of the bargain even though the victims paid the monies. Notwithstanding, the officials refused to refund the monies involved. Having heard of GII/ALAC from a staff of the organization, the victims contacted ALAC to help them retrieve their monies from the accused persons.

ALAC upon receiving the complaint contacted the Police Service's Official representative on the ALAC Steering Committee for advice on how to proceed. Following his advice, the ALAC on behalf of the complainants petitioned the Director-General of the Criminal Investigation Department (CID). Shortly after, the accused Officials

were summoned before the Leadership of the CID and made to submit a payment plan to the Department or in default face prosecution.

A few months after, the Ghana Police Service ordered the Officials involve in recruitment scam to refund the monies back to the victims, the complainants received their monies in full from the accused persons through the office of the CID. The accused persons have since then been made to sign a bond of good behaviour for one year. Meanwhile, the ALAC Lawyer took the opportunity to educate the lead complainant on what constitutes corruption and made them understand that per law both the giver and receiver of bribes are culpable by law and admonished them not to attempt such an act in the future. The complainants have since expressed their gratitude to the office of the CID and GII's ALAC for their efforts.

### 4. ALAC SUPPORTS TEACHER TO PURSUES A CASE OF PAY BRIBE OR NO PAY AND NO PROMOTION

n Ghana, there are laid down procedures for processing claims and promotions in the public sector. Sometimes, these processes and procedures could span over a long period considering the high volume of people within the service who are making various employment claims daily.

A teacher in May 2019 lodged a complaint against his employer. He reported that his salaries for September 2012 to September 2014 had remained in arrears until the time he contacted ALAC for support. According to him, he was being asked to pay 60% of the arrears to unknown staff of the Controller and Accountant-General in order to have his arrears processed and paid, although his checks at the Ministry of Finance

and Ghana Audit Service indicated that he had been cleared for payment of his outstanding salaries. At the time of contacting ALAC, the complainant requested for only legal advice as he was already contemplating pursuing the matter in court. However, ALAC after assessing his level of vulnerability and possibility of facing victimization, decided to pursue the case on his behalf. Subsequently, ALAC petitioned the National Labour Commission (NLC) following which he was invited on two occasions to the office of the NLC to discuss the matter extensively.

After these meetings, the NLC wrote to his employer requesting them to provide a response in two weeks and later requested for a follow-up meeting with his



employer. In the response from his employer to NLC and following the meeting, complainant was advised to engage the relevant structures within the Service to seek redress. In his feedback to GII ALAC, complainant reported that he had formally petitioned the relevant structures within the Service adding that the case is pending but receiving the necessary attention.

The complainant in two separate text messages and also in an email expressed his appreciation to GII ALAC for putting him in touch with the NLC, an effort, which according to him, he had made on countless occasions without any success. According to him, he had written to them severally without a response from them. He was also grateful that the ALAC Lawyer prevented him from accessing the courts but instead suggested an alternative which is proving to be very effective.

### 5. WIDESPREAD CORRUPTION IN A TEACHING HOSPITAL: ROBBING THE SICK

prominent teaching hospital in Ghana had become a place of rampant extortion, bribery and corruption by health officials, until GII ALAC intervened in 2018.

In 2017, ALAC received several complaints relating to issues of corruption, bribery and extortion at a Teaching Hospital in Ghana. The complainants reported that officials at the hospital charged illegal fees for services rendered to clients. According to them, besides the original fee and charges by the

Ministry of Health (MoH) and Ghana Health Service (GHS), the sick were charged for every service rendered them including services that were covered under the National Health Insurance Scheme (NHIS), For all these payments, victims did not receive any receipts as evidence of payments. Victims alleged that corruption had become so rampant at the hospital to the extent that some citizens reluctantly opt for traditional medicine, as they could not afford the various unapproved fees and charges by the hospital staff.

Following this, GII commissioned one of its Investigative Journalists (IJ) to gather evidence to support the claims made. The Investigative Journalist went undercover to substantiate the allegations or otherwise.

The investigation confirmed what the complainant informed GII ALAC. Subsequently, a hotline documentary dubbed "Robbing the



sick" was developed using the information gathered from the field. This documentary was aired on renowned radio and TV stations in December 2018 and 2019 to expose the level of "rot" at the hospital. The documentary has since been

presented to the Chief Executive Officer of the Hospital who has condemned the medical negligence and the high level of corruption at the hospital; and given the assurance that his office will not hesitate to probe the complaints. He further promised to bring the perpetrators to book to ensure that an end is put to all forms of corruption in the hospital. He was also determined to restore the image of the hospital and further ensure that the hospital provides good quality healthcare and a fast response to medical cases.

### 6. CORRUPTION ALLEGATION AGAINST BIRTH & DEATH REGISTRY: PAPER CITIZEN

birth certificate is one of the vital requirements a Ghanaian need to be able to apply for a Ghanaian passport. It is also that one document confirming one's Ghanaian citizenship. Yet, acquiring a birth certificate in Ghana, until 2020 was a hurdle, considering the long processing times and the costs involved.

GII ALAC in 2017 received a number of complaints from citizens alleging that the Registry for Births and Deaths charged unapproved fees ranging from GHC80.00 – GHC200.00 (\$13.84 to \$ 34.60) instead of GHC 50.00 (\$8.65) for the issuance and re-issuance of birth certificates. None of the complainants received an official receipt to cover the payment.

According to one of the applicants who refused to pay the illegal fees or could not afford to pay the unapproved charges, the application was cancelled. Following this, GII commissioned one of its investigative journalists to gather evidence to support the claims made and also to ascertain the processes involved in acquiring birth certificates.

The investigations revealed that the allegations were true. Indeed, Officials at the registry were charging illegal fees for the issuance of birth certificates. Following this, an interview was held with the Registrar of the



Registry to share findings from the investigations. He was further charged to put in place measures to put an end to the bribery, extortion and payment of facilitation fees at the Registry.

The Registrar of the Birth and Death registry condemned the acts which he described as breach of standard

procedure. Some workers were sanctioned, suspended and / or had their promotions held. According to the Registrar, these measures were taken to serve as a deterrent to other staff of the registry. Meanwhile, the Registrar of birth and death began to implement a number of measures to deal with the problem. These measures include the introduction of an online application system. As it stands now, citizens have the option of applying for birth certificates online which is leading to the elimination of illegal fees. middlemen and unnecessary delays. Today, the standard processing time has been reduced to 14 working days instead of the months which legitimate applicants would have to wait

### 7. EXTORTION OF MONIES FROM STUDENTS AT A COLLEGE OF EDUCATION

orruption in education breeds inequality and constrict access to education, much against the objective of the free basic education policy of the state. This action is a gross violation of children's right to education as espoused by Article 25 of the 1992 Constitution of Ghana.

In March 2019, a parent of a student of a College of Education in Ghana accused an official of the College of extortion, blackmail and blatant abuse of office. According to the parent, the accused demanded an amount of GHC1.000.00 from students who committed errors on their College of Education application forms with regards to their WAEC results and threatened to have them withdrawn from the College if they refused to adhere to the demand. The complainant further reported that even though the errors had been cross-checked by the College with the West Africa Education College (WAEC) and WAFC had in turn authenticated the results of the affected students, the accused had categorically stated that the verification of results by WAEC was insufficient to warrant their continuous stay in the College.

The claim by the official cannot be right as WAEC is the authorized body for conducting examinations for Junior and Senior High School



students in West Africa, thus, has the final say in the authentication of students results. Following this, the complainant requested ALAC to intervene in the matter. ALAC commissioned one of its Investigative Journalists (IJ) to look into the matter.

The IJ's investigations and interactions with the SRC President as well as checks at WAFC. revealed that the allegations were true and subsequently advised that ALAC pursued the case from the administrative point of view rather than through a journalistic angle. Following this, GII's ALAC lodged formal complaints at the National Teaching Council on Education (NTCE) and called for a resolution of the matter The NTCF welcomed the request and promised to pursue the matter. Five months after the complaint was lodged, the NTCE in a formal letter informed the ALAC that they had conducted extensive investigation into the allegation and their investigations had not revealed any acts of corruption. Notwithstanding, they were ready to put in place measures to prevent such allegations from emerging again in the future. The good news however, was that WAFC had communicated all educational institutions that plans were underway to ensure that verification of students' results are done directly from their office to protect the credibility of the Council.

> 8. CIVILIAN VERSUS POLICE OFFICER IN A CASE OF ALLEGATION OF RAPE

ribery and extortion are forms of corruption punishable by law in Ghana. Rape is a criminal offence that can lead to a jail term of between 7 to

25 years when found guilty by a competent court of law. It is for these reasons a complainant lodged a complaint against a Police Officer who threatened to implicate him in a rape case.

In 2019, the complainant alleged that an official at the office of the Criminal Investigation Department (CID) at the Ho Regional Office of the Ghana Police Service threatened to implicate his nephew in an on-going rape trial for his refusal to pay money for bailing his nephew. According to him, the CID official threatened to influence the rape victim to accuse his nephew as an accomplice. The rape case at the time of lodging the complaint was before the District Court 1 in Ho and being prosecuted by the accused Police Officer. The Complainant also alleged that the Police Officer was demanding an amount of GHC1,500.00 from the three families involved in the case.

The ALAC took up the case and referred it to the CID at the National



Headquarters of the Ghana Police Service calling for investigations into the matter.

About four months after the referral. the CID wrote formally to inform the ALAC that their extensive investigation into the allegation did not reveal any wrongdoing on the part of the accused Police Officer. The letter further stated that there was no evidence to prove the allegations of bribery and threat to implicate the complainant. Even though the case did not go in favour of the complainant, GII ALAC considers this as a success considering that it was able to draw the attention of the CID to investigate the allegation.

### 9. GII ALAC WORKED WITH A CITIZEN TO UNRAVEL CONFLICT OF INTEREST AT A MUNICIPAL ASSEMBLY

hapter 24 of the 1992 Constitution of Ghana requires public officers to avoid unethical behavior or conduct, such as conflict of interest, illicit enrichment and other corrupt practices which will put the image of their office into disrepute.

In 2016, a complainant reported a case of abuse of power, conflict of interest, deceit of public officer and misrepresentation of facts against a former Presiding Member of a Municipal Assembly. The complainant reported that, in 2013, the Municipal Assembly awarded a contract to a private enterprise

owned by the wife of the Presiding Member of the Assembly.

The complainant provided evidence in the form of registration certificates in support of the claim. The complainant further reported that in the course of executing the contract, the director for the enterprise, wrote to inform the Assembly of the need to vary the



contact sum as prices of construction materials being used for the project have gone up considerably. The complainant alleged that the new prices quoted by the company were heavily inflated, and thereby making the cost of the project much more expensive. Complainant's checks also revealed that the accused had used this same company to secure other projects in past years from the Assembly. With these allegations, complainant sought to petition the Commission on Human Rights and Administrative Justice (CHRAJ) to determine the veracity or otherwise of the allegations. However, with no idea on how to proceed, he

contacted the ALAC on the matter.

The ALAC Lawyer offered him advice on which organization to go to, how to proceed and the processes involved in directly lodging a complaint with the CHRAJ regional office. According to him, with this advice, he filed a complaint at the CHRAJ regional office and three weeks after an investigator was assigned to the case. With investigations ongoing, the complainant was informed by staff of the Assembly that the accused had been nominated as a Municipal Chief Executive (MCE) by the then ruling government. In view of this, he contacted the ALAC Lawyer again to enquire of his eligibility for that position, and if he was not eligible, the process for lodging a protest. The Lawyer offered advice again resulting in the complainant petitioning the then President of Ghana, who in turn officially wrote to both the then Regional Minister and the Presiding Member of the Assembly to withdraw the accused person's nomination

### 10. A TEACHER BLOWS THE WHISTLE OVER A HEADMISTRESS

teacher accused a
Headmistress of a Junior
High School of gross
misappropriation of school funds
and blatant abuse of office.
According to him, the Headmistress
of the school had on no single

occasion accounted for school funds such as the school's capitation grants, levies and funds from extra classes. Based on these, complainant requested GII ALAC to cause an investigation into the allegation and compel the accused to prepare a statement of account. Considering that GII ALAC does not have the legal mandate to investigate corruption complaints, the matter was referred to the Ghana Education Service (GES), the supervising authority of the school for investigations.

Three months after the complaint was lodged, the complainant informed ALAC that GES head office had caused an investigation into the allegations. According to



him, a monitoring team had been dispatched from the head office to examine the school's financial records and generally investigate the allegations. He further reported that the team from GES had singled out a few of them threatening to post them to remote areas with no access to internet or telephone services as punishment, to prevent them from lodging complaints against the Service. Feedback from the investigations revealed no

wrong doing. Our follow-up with the complainant seven months after the investigations was concluded indicated that the complainant was actually transferred but to another district in the Greater Accra Region. The complainant informed ALAC that it is better to be away from the said school and actually happy for the transfer. As at now, the complainant is still at post and GII ALAC is monitoring closely to ascertain whether the threat would be carried out. Transfers are part of procedures and practices in the public sector of Ghana. Public Sector staff can be transfered to any part of the country at anytime. However, when it is used as a tool to victimise staff who blow the whistle, then it becomes an abuse which must be investigated and addressed.

reported together with her daughter, lodged a formal complaint at the Ashanti Regional Office of the Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service in Kumasi. The complainant further alleged that even though her statement was taken at the Police Station, the Commander-In-Charge, at the time refused to pursue the case accusing her of lying against the accused.

The complainant, was dissatisfied with how the Ghana Police Service in Kumasi was handling the case decided to make a complaint to GII ALAC requesting for support to impress upon the regional DOVVSU to pursue the matter to a logical conclusion and to get the accused to sign a bond of good behavior to ensure that his threats are not

### 11. THREAT OF DEATH IN A CHILD CUSTODY CASE

n 2019, a complainant accused the father of her 5-year-old grand-daughter of issuing death threats to her and daughter, the mother of the child whose custody is in contention.

According to the complainant, the father of the grand-daughter who had not maintained the child since she was born all of the sadden requested full custody of the child and issued death threat if his request is denied. The complainant



carried out. In response to complainant's request, GII ALAC formally wrote to the office of the Criminal Investigation Department (CID) of the Ghana Police Service (GPS) requesting their intervention in the matter.

Following this, the Office of the CID issued an instruction to the DOVVSU Ashanti Regional Office to follow through the case and provide feedback.

In June 2020, the DOVVSU regional office contacted GII ALAC to inform the complainant to come to the Regional Office of DOVVSU for a meeting at any time of her convenience. On July 01, 2020, the Ashanti Regional GII ALAC Officer accompanied the complainant to the meeting with the Regional DOVVSU Coordinator on a complaint lodged by the complainant in January 2020 which was abandoned by the then Inspector. At the meeting, the Regional DOVVSU Coordinator revisited the statement by the complainant, admitting that the complainant and her daughter were not treated fairly. It was further disclosed that the accused Inspector had been dismissed from the Service for misconduct and unprofessionalism. The Coordinator gave the assurance the case will be revisited and tasked an Inspector to lead the complainant to give a new statement stating the reason for lodging the complainant at the GII ALAC office in Accra.

On July 02, 2021, the accused person having refused to honour DOVVSU's invitation since 30th January 2020 was summoned for questioning. Following this, another meeting was called between the

DOVVSU Coordinator, the complainant and her daughter, the Inspector and the ALAC Officer in the Ashanti Region to bring closure to the case. The case has since been resolved and the defendant has also been warned and ordered to pay a stated amount as monthly maintenance for the child's upkeep. This amount he pays to the office of the Regional Social Welfare office.

The Regional DOVVSU Coordinator commended GII ALAC for the great work and gave the assurance that her office will formally provide the necessary feedback to GII on the case. The complainant in expressing her appreciation said "Sir, thank you very much. Please thank your boss for us for the good work. We also thank you for following us to the DOVVSU office. Because of your presence, the Coordinator has accepted to revisit our case. May God bless you all"

### 12. A TOGOLESE RESIDENT IN GHANA CALLS FOR SUPPORT FROM GII ALAC

he Courts are responsible for interpreting and applying the relevant laws to the cases brought before them. They have the sole responsibility of administering justice in the resolution of disputes between citizens. Therefore, aggrieved citizens normally will head to the Court as a last resort in the interpretation of law. It is for this

reason that our complainant filed a suit in Court against his employer. However, in the course of seeking judgement, the process 'stood still' for him.

The complainant, a former employee of a steel company in Ghana approached GII ALAC in 2019 seeking support to retrieve his docket from the Judicial Service to enable him enter judgement in a suit against his employer. According to him, he filed a case against his employer for dismissing him and prayed the court to urge his employer to reinstate him. He won the case; however, he was unable to enter judgement as directed by



the Judge because his Lawyer had declared his docket missing. He further alleged that his petition to the Public Complaints Unit of the Judicial Service on the missing docket had yielded no positive results. Based on this, he lodged a complaint with GII ALAC requesting for support to retrieve the docket.

GII ALAC contacted the Head of the Unit who is also the Judicial

Service's representative on the ALAC Steering Committee. With his support, the docket was traced and found. Since the deadline for entry of judgement had passed, he contacted ALAC again seeking advice on how to reactivate the process in order to enter judgement. His request was discussed with the Head of the Public Complaints Unit at the Judicial Service. Following this, the complainant was advised to reapply for the renewal of the writ of Fiere Facias (FIFA) for the execution of judgement. Complainant following this expressed his appreciation to ALAC through email and WhatsApp. In his email he wrote "I will continuously be grateful for the interest shown in my case".

### 13. EMPLOYER VERSUS THE GHANA POLICE SERVICE

complainant alleged that the Nmai Dzor Police station located at East Legon, a suburb of Accra had connived with a former employee who filed a complaint at the Police Station of assault. He alleged that he had been treated unfairly by Officials at the Nmai Dzor Police station, in Accra.

According to him, on the 22nd of May 2018, he lodged a complaint of assault perpetrated against him by a former employee whom he had relieved of her duties due to official

misconduct. Following this, the Nmai Dzor Police invited him together with the accused for questioning. Due to their failure to resolve the issue, the complainant was referred to the Adenta District Commander for resolution. According to the complainant, he was reliably informed that the matter had been resolved, however. he had not received feedback from the Police explaining how the issue was resolved. Complainant based on this approached the GII ALAC requesting us to intervene in the matter, GII ALAC contacted the Adenta District Commander requesting for an update on the matter.

Although, the Police did not revert formally, the complainant informed



ALAC that the matter had received a final hearing where closure was put to the case. He has since then expressed his appreciation to GII ALAC and also lodged another complaint in February 2021 following his satisfaction in relation to the previous case.

### 14. CLIENT ACCUSES A DIST-RICT COURT OF BRIBERY

ccording to Ghana's constitution, justice emanates from the people. notwithstanding; the power to administer it is vested in the Judiciary; which is required to openly and courageously fault and correct citizens for either wrongdoing or failure to uphold and defend the Constitution and laws of Ghana. GII ALAC on October 07. 2020, during one of its public engagement on Judicial Processes and Corruption Reporting met with a citizen who accused a Judge of a district court of corruption. According to him, the court had dismissed his case without providing an explanation. In view of this, the complainant alleged that the accused had bribed the sitting Judge.

In the said case, the complainant, a joint owner of a filling station, had accused one of his staff, supervisor of the company of embezzling an amount of Twenty Thousand Ghana Cedis (GHC20,000.00). Subsequently, he arraigned the accused before a district circuit court with the hope of retrieving his money from the accused. However, according to him, the Court ruled in favour of the accused, acquitting and discharging him without an explanation. In light of this, he approached a GII ALAC staff after the event seeking advice on what

other options were available to him.

Since the GII Team for the event was on the field with the Supervising High Court Judge for the Region, the GII ALAC Coordinator took the opportunity to engage the Judge on the matter. The Judge advised the complainant to apply for a copy of the court proceedings and submit to him through GII ALAC. The complainant



heeded the advice and on 30th October 2020 submitted a copy of proceedings to the GII ALAC office in Kumasi. On 2nd November 2020, the ALAC Office in Kumasi submitted the proceedings to the Supervising High Court Judge in Ashanti Region.

: After reviewing the proceedings, the Supervising High Court Judge informed GII ALAC that the case was dismissed by the district Circuit Judge due to complainant's inability to provide evidence to incriminate the accused. He further advised that the complainant had an option to appeal the judgement at the high court if in his opinion he was still unsatisfied with the explanation. The feedback has since been communicated to the complainant who is appreciative of the explanation.

### 15. TEACHERS ACCUSE GES STAFF OF CORRUPTION IN PROMOTION PROCESSES

n 2017 and 2018, GII ALAC received a number of corruption allegations from teachers from across the country on administrative injustices within the service, specifically processes for teacher promotions and payment of teacher salary arrears. In all of these complaints, complainants on different occasions alleged that the Integrated Personnel and Payroll Database (IPPD) District Coordinators demanded an amount of GHC150.00 from teachers who were due for promotion and 40% of the total arrears of teachers who had applied for their salary areas. If you paid, your promotion or salary areas was processed but the contrary applied to those who refused to pay. It seemed that this corrupt practice has become a norm and institutionalized (though illegal) within the GES. In all of these complaints, GII ALAC was unable to carry them forward, (even though the GES representative on the ALAC Steering Committee promised to support the victims process their

promotions without payments of any illegal fees), as none of the complainants was willing to have their identity disclosed.

Subsequently, the GII ALAC held a strategic meeting in-house to deliberate on strategies to address these issues holistically to call for reforms within the GES. A key decision was to engage an Investigative Journalist to conduct an investigation into the allegations to enable GII ALAC determine



appropriate actions to adopt to engage the Leadership of the Ghana Education Service (GES) and the Ministry of Education (MoE).

The IJs investigations confirmed that teachers who are seeking to process their promotions and claims for their outstanding salaries are required by the IPPD Coordinators to pay an amount of GHC150.00 to have their promotions processed. Teachers are also required to commit to give 40% of their outstanding salaries to staff of

the Controller and Accountant General before the salaries are processed. He further discovered that the demands for illegal monies are not acts solely committed by the Coordinators or staff of the Controller and Accountant General but rather by a syndicate within the Public Service. It was also discovered that teachers who dared to refuse to heed such demands had their promotions and claims delayed or not paid/processed at all. The Investigative Journalist has presented his report including recommendations. These will be presented to the leadership of the Ghana Education Service with a call for administrative reforms within the Service

### 16. ALAC SUPPORTS COMP-LAINANT TO VERIFY LAND DECLARATION AT LANDS COMMISSION

cquiring land and obtaining the necessary documentation as evidence of ownership of title can sometimes be tiring and frustrating. So was the case of a complainant who had supposedly inherited a land from his parents in 1952.

He walked into the office of GII ALAC in December 2019 accusing the Lands Commission of not being transparent in the execution of their mandate. The complainant reported that he conducted a search at the Lands Commission on a land inherited from the complainant's parents in 1952. Following this, the complainant set out to apply for a Certified True Copy (CTC) of the land title. According to him, the Lands Commission, in a response to his application for a CTC, said that there were no records on the land in their system. He also reported that prior to the search, the Lands Commission requested him to present a police extract, which he did. Thus, he was unhappy that the



Commission had eventually denied him access of the CTC. Considering that he had obtained results on the land from his earlier search, he was not satisfied with the explanation. Based on this, he submitted the results of the search results to GII ALAC seeking advice on steps to acquire a CTC.

With this request, GII ALAC forwarded the case together with supporting documents from complainant to the representative from the Lands Commission on the ALAC Steering Committee seeking his expert advice on the case. According to him, the search report in the complainant's possession was a true indication of what was in the records of the Commission.

He explained that the Lands Commission did not keep copies of such declarations prior to 1998. He further explained that what the office did was to plot the transaction per the site plan attached as a noted proposal in the Commission's records for future reference; attributing this to the results complainant's search produced. In view of this, the complainant did not require any certified copy. With this explanation, GII ALAC provided feedback to the complainant who has since shown his gratitude to GII ALAC.

### 17. A CITIZEN SECURES BAIL FOLLOWING A PUBLIC EDUCATION CAMPAIGN

t is interesting to know that many Ghanaians are unaware that bail is free. Thus, there are some citizens who in bailing loved ones, family and friends have had to pay cash in exchange for bail. GII/ALAC as part of its public education campaigns on "know your rights, anti-corruption and corruption reporting" consciously sensitizes the public on securing bail at the police station. Police Officers who are always invited to these public education campaigns talk about how to secure bail at the police station.

After one of such public education fora, a complainant contacted GII ALAC alleging that a Police Officer had refused to grant bail to a citizen of his community following the refusal of the one standing in as surety to pay cash to the Police Officer. With this development, the complainant immediately contacted GII ALAC who in turn advised the complainant to contact the District Director of the Commission on Human Rights and Administrative Justice (CHRAJ) considering the urgency of the matter.



The following day, the complainant informed ALAC that after lodging the complaint the CHRAJ District Director accompanied the complainant to the Police Station and subsequently secured bail for the accused

18. GII SUPPORTS A LOCAL UNIT COMMITTEE TAKE OVER POWER FROM PREVIOUS COMMITTEE

ollowing one of GII ALAC public outreach programmes in 2018, a complainant filed a report that the Unit Committee of a

Community in the Ashanti Region whose term of office has expired is bullying and intentionally placing impediments in the way of the newly elected Committee Members. The complainant reported that even though a new Unit Committee had been elected into office, the old Unit Committee had refused to hand over to the new Committee therefore rendering the new Unit Committee redundant. According to the complainant, members of the community were unable to raise the issue for redress for fear of being victimized by the Chief of the community and members of the old Committee. Having received the report, GII ALAC formally petitioned the then District Chief Executive calling on him to use his high office to



intervene in the matter to ensure that the reconstituted and legally elected Committee is duly recognized to perform their mandate for the benefit of the community.

Our follow-up on the matter, six weeks after the complaint was lodged showed the Assembly had mediated on the matter and based on a consensus inaugurated the new Committee.

### 19. ADMINISTRATIVE INJUSTICE - GII ALAC SUPPORTS EMP-LOYEE ENGAGE EMPLOYER ON MEDICAL BILLS

n employee of an Oil Palm Research Institute in 2017 reported a case of nonpayment of work-man compensation.

The complainant alleged that in November 2011, he sustained an injury in the line of duty and had since not received any form of compensation from his company. According to the complainant, he had lodged an official complaint with the management of the company, however, there had been no feedback from them. He further reported that he had been directed to seek relief with the company's insurers, however, no contact details had been provided to him. As a first step to help address the issue, the ALAC Lawyer requested for a number of organizational documents from the complainant to help understand the dealings of the organization. Following this, GII ALAC on behalf of the complainant lodged an official complaint with the leadership of the organization.

In our follow-up with the administrator of the organization, GII ALAC was informed that the allegation made by the

complainant was untrue. According to him, the organization has evidence that all his medical bills including those of his wife and children had been paid for. He, however, explained that the complainant at a point in time resorted to herbal medicine, adding that since then the complainant had not submitted any medical bills to the company.

ALAC also was informed that per the company's policy, compensation packages are only given to employees who become incapacitated in the line of duty. The complainant was informed accordingly and urged to submit his medical bills to enable the company to bear the cost. Unfortunately, the complainant was unable to do so as he did not have any receipts to support his claim.



### 20. GII ALAC ASSISTS COMPLA-INANT IN A PETITION TO THE CHIEF JUSTICE'S OFFICE

complainant in January 2017 alleged that the General Legal Council (GLC) of Ghana seem to have ignored to a petition he filed in July 11, 2016 to the Chief Justice of Ghana.

According to him, he filed an official complaint with the GLC about the conduct of a lawyer whom he hired to defend him in court over a case involving a Chinese man. He complained that the lawyer failed to show up in court to defend him, even though he had already paid for his services. Subsequent to this, he lodged a complaint at the GLC praying the Chief Justice who is the chairperson of the Council to bring disciplinary action against the lawyer. He claimed that the GLC was not giving his petition the needed attention and therefore decided to file a complaint with GII ALAC. In his complaint he requested GII to engage with the GLC to respond to his petition.

The ALAC Lawyer after reviewing his petition to the Chief Justice recommended that GIIALAC follow up with the Office of the CJ. As a result, GII ALAC placed a call to the CJs office to follow-up on the petition. The feedback indicated that the CJ had referred the petition to the Judicial Service Complaints Unit and an official response to his

petition prepared for him. Following this, ALAC requested the complainant to follow-up with the CJs office for the response, however, the complainant blatantly refused to do that.

Since he refused, ALAC in May 2017 paid a visit to the Head of the



Judicial Service Public Relations and Complaints Unit who is also the representative of the Judicial Service on the ALAC Steering Committee. With his support, the CJ's response to complainant's petition was retrieved and subsequently submitted to him.

### 21. GII SUPPORTS COMPLAI-NANT CLAIM DECEASED FATHER'S BENEFITS

n Ghana, the number of women reporting corruption and administrative injustice remains low. For this reason, GII ALAC is always excited to help the few women, who either report

corruption and corruption related issues including administrative justice, to seek redress.

In 2019, a woman who was making efforts to claim her father's employment benefits hit a road block when an official of her father's employer (one of the security agencies in Ghana) requested her to pay money before she could meet with the Legal Directorate of the entity to get the necessary documentation processed for payment to be made. The complainant reported the matter to GII ALAC. At the time of contacting GII ALAC, the complainant had



made numerous efforts to meet with the legal directorate but to no avail.

GII ALAC through the ALAC Lawyer contacted an official at the legal directorate on the matter. As a result the complainant got a hearing without having to make any unofficial payment.

Subsequently, all documentation were signed and processed and submitted to the institution.

### 22. GII ALAC ASSIST TO RES-OLVE ALLEGATION OF CORRUPTION IN MANAG-EMENT OF FARMLANDS

complainant alleged that a Municipal Assembly had taken over farmlands belonging to the people of a particular community in the Greater Accra Region.

He further alleged that the Assembly had used the lands to build markets and was also renting out container space between GHC 4,000.00 (\$702)and GHC 9,000.00(\$1,578) without accounting to anybody in the community, not even the community Chief. According to him, the chief had petitioned the Assembly on the matter, however no response had been received from the Assembly. He also reported that the markets had been extended to beneath the electricity high tension at the underpass which posed a risk to both sellers and buyers and was therefore calling for investigation into the issues raised.

A follow-up with the Irrigation Development Authority (IDA) revealed that the farmlands belonged to the IDA and thus could not be sold to individuals under any circumstances. The IDA further explained the farmlands had only been put under the care of the community Chiefs and if the Assembly needed portions of the

land for projects for the municipality, they are mandated to contact the community chiefs and not the IDA. Furthermore, IDA was aware the Assembly had taken over parts of the farmlands to build markets for the people within the municipality even though they were not part of the negotiations. It turned out that GRIDCo, a power supply company had also asked the Assembly to move the market from the electricity high tension area which is currently being discussed. The ALAC then had a follow-up



meeting with the community Chief who revealed that the farmlands are government lands which were given out to the University of Ghana for research in 1997. He confirmed that the Assembly had taken over the lands alleging that the complainant was claiming part of it which cannot be given to him since it is government land.

Complainant alleged further that his numerous letters to IDA and the Municipal Assembly had not received any attention.

Five days after our engagement

with the Chief, he informed GII ALAC that a meeting had been scheduled with complainant to address the issues raised. Feedback has since been communicated to complainant. He also explained the Chief had requested his presence at a meeting to explain the matter to him to bring closure to it. He has received attention in relation to the case and is therefore fine with the explanations given.

### 23. COMPLAINANT VERSUS IN-LAWS

female complainant in 2017 reported a case of alleged abuse, extortion and forced eviction by her in-laws.

She alleged that her mother and brothers-in-law in the process of evicting her, destroyed her personal belongings and assaulted her. They also threatened to separate her from her husband who lives outside the country. She lodged a complaint at the Adenta District Police Station, however, according to her the police discharged and acquitted the accused without her consent. Aggrieved with the outcome of events, she lodged a complaint with GII ALAC seeking advice on how to lodge and pursue a case of assault at an appropriate agency and to demand compensation from the accused persons. The GII ALAC Lawyer informed her of the legal options available to her to seek redress.

Following this, she opted to pursue the case in a Court of law and proceeded to sue the accused to seek damages. However, language was a barrier for her.

Due to this and according to her,



the Court Registrar did not show any interest in filing her case. As ewe was the only dialect the victim understood, GII ALAC with the assistance of the Ho Regional CHRAJ officer, the Traditional Ruler of the community she resides and a benefactor, GII ALAC was able to support her through the court process. She eventually got a ruling in her favour and awarded an amount of GHC2,000.00 in compensation for damages.

### 24. STAFF VERSUS A MEDIA HOUSE IN KOFORIDUA

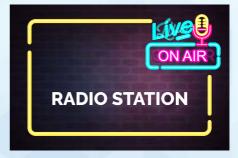
n employee of radio station lodged a complaint against his employer who happens to be a former Minister of State.

According to the complainant, he worked as a security coordinator at

a local radio station from April 2016 to October 2017. He was paid his monthly salary until October 2017, when his employer stopped paying his salary without any reasons. In March 2018, he was asked to resign his position. Since then, all efforts to reclaim his outstanding salaries proved futile. Thus, complainant lodged a complaint with ALAC requesting for assistance to claim his outstanding areas.

ALAC requested for a copy of his employment contract and after studying it referred him to CHRAJ. CHRAJ in turn officially invited him and the respondent for mediations.

After four weeks, complainant informed GII ALAC of the outcome of the mediation. It was agreed that



the company paid GHC 4,200.00 to complainant as outstanding salary from October 2017 to March 2018. It was also agreed that payment could be made in monthly instalment for a period of 6 months, that is, a monthly installment of GHC 700.00 starting from October 2018 – March 2019. Six postdated cheques were issued to complainant; one for each month's

withdrawal to cover the period. Client sent a message via GII ALAC WhatsApp to inform that he had successfully received his first payment from the company.

### 25. STUDENTS ACCUSE EDUCA-TION INSTITUTION OF CHA-RGING ILLEGAL FEES AND OVER CHARGING STUDENTS

students' group from one of the tertiary institutions in Ghana accused the institution's leadership of overcharging fees for certain components of the fees such as academic facility user fees, matriculation fees, identity card charges, sports infrastructure development levy, special/department charges for laboratory consumables and field practicals/teaching practice, among others.

The students alleged that the school authorities were only finding ways to syphon money from students and called on GII ALAC to cause an investigation into the allegation. GII ALAC in response to the request reviewed the documents presented by the complainant as evidence. Following this, GII ALAC referred the complaint to an Investigative Journalist (IJ) to conduct an initial enquiry into the matter, following advice from the GII ALAC Steering Committee.

Outcome of investigation: The IJ after two weeks reported that the evidence submitted by the students was not enough to substantiate the allegation. According to the IJ, the complaint had a weak basis and seemed like his personal judgment. He explained that his enquiry revealed that various academic institutions have their various fees they charge, and that there is always an administrative reason ascribed to it by the authorities. Thus, there was no wrongdoing to merit the concerns raised. Based on this, the ALAC Steering Committee recommended a closure of the case, and a reconsideration



### Types of corruption complaints have included:

- 1. Bribery
- Fraud / False Accounting
- Conflict of Interest
- 4. Favouritism
- 5. Facilitation Payment
- 6. Embezzlement
- 7. Extortion
- 8. Abuse of Discretion
- 9. Abuse of public office for private gain
- 10. Illicit enrichment/illegal acquisition of wealth
- 11. Bribery
- 12. Extortion
- 13. Kickbacks
- 14. Patronage
- 15 Misuse/abuse of official time

### **Referral Institutions**

ALAC cases have been referred to institutions such as the following for redress:

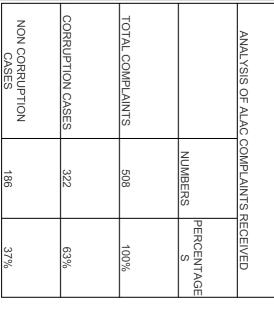
- 1. Commission on Human Rights and Administrative Justice (CHRAJ)
- 2. Economic Organized Crime Office (EOCO)
- 3. Ghana Education Service (GES)
- 4. Ghana Audit Service
- Ghana Water Company Limited
- 6. MTN
- Social Security and National Insurance Trust (SSNIT)
- 8. National Service Secretariat (NSS)
- 9. National Council for Tertiary Education (NCTE)
- 10. Criminal Investigation Department (CID) Ghana Police Service
- 11. Domestic Violence Victim Support Unit (DOVVSU)
- 12. Judicial Service
- 13. National Labour Commission
- 14. Lands Commission
- 15. Controller and Accountant General
- 16. National Insurance Authority (NIA)
- 17. Investigative Journalists
- 18. Ministry of Education
- 19. Legal Aid Board

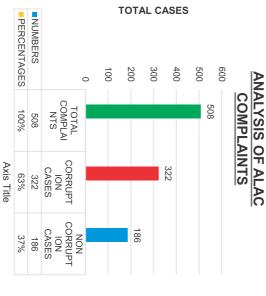
**Advocacy and Legal Advice Centre (ALAC)** 

### YEARLY CORRUPTION REPORTING ANALYSIS

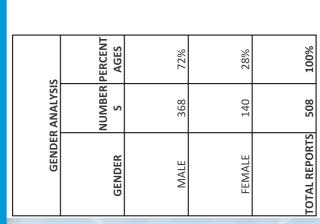
			GENDER	JER .	RELATIONSHIP OF REPORTER TO CASE	ONSHIP RTER TO SE
YEAR	NO OF CLIENTS	ACTUAL CORRUPTION COMPLAINTS	MALE	FEMALE	VICTIM	WITNES S
YR 5 (2020)	61	43	30	31	24	19
YR 4 (2019)	170	94	129	41	54	40
YR 3 (2018)	110	74	73	37	40	34
YR 2 (2017)	112	72	93	19	33	39
YR 1 (2016)	55	39	43	12	32	23
TOTALS	508	322	368	140	159	136

### (2016-2020(June) **ANALYSIS OF CORRUPTION COMPLAINTS:**





### GENDER ANALYSIS: 2016-2020(June)

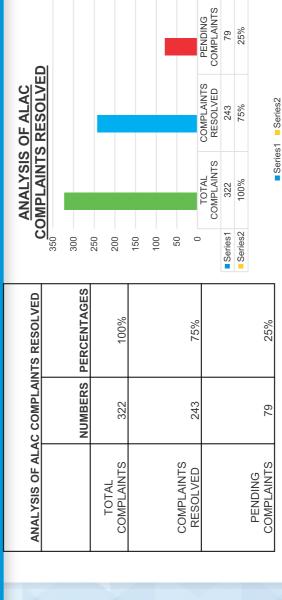


### TOTAL REPORTS GENDER ANALYSIS OF REPORT FEMALE MALE Series1 Series2

# ANALYSIS OF COMPLAINTS RESOLUTION: 2016-2020(June)

			1	_	1	1	
TOTAL	YR 1 (2016)	YR 2 (2017)	YR 3 (2018)	YR 4 (2019)	YR 5 (2020)	YEAR	
322	39	72	74	94	43	NUMBER OF ACTUAL CORRUPTION CASES	
147	17	40	34	49	7	REFFERALS	ACTIONS TAKEN
168	15	32	40	45	36	INTERNAL RESOLUTION (ADR & LEGAL ADVICE)	3 TAKEN
99	15	25	28	29	2	REFFERALS	RE
144	15	32	40	45	12	INTERNAL RESOLUTION (ADR & LEGAL ADVICE)	RESOLUTIONS
243	30	57	68	74	14	TOTAL	

# ANALYSIS OF RESOLUTION COMPLAINTS: 2016-2020(June)



25%

### **TESTIMONIALS**

### Complainant's satisfaction with case outcome as expressed to ALAC below:

"We thank GII for your commitment to social justice and efforts to end corruption. Exposing the challenges in the health sector will save many lives and comfort families who watched their children and loved ones die due to medical negligence at the hospital".

"Thank you for the good work you are doing for people like us. For the first time my case was heard by the same institution that never replied to any of my two petitions. But because you led me to them, it is very interesting how my case has received attention. They called me and my employer and resolved the matter".

"Further to our previous exchanges and your advice and referral, I am happy to inform you that Chief Justice's office informed me that my docket has been found. Thank you for following through."

"Sir, thank you very much. Please thank your boss for us for the good

work. We also thank you for following us to the DOVVSU office. Because of your presence, the Coordinator has accepted to revisit our case. May God bless you all".

"I commend GII for their good work in the fight against corruption".

"I am happy to inform you that, I have visited the National Labour Commission on August 21, 2019 following the letter you wrote to them on my behalf. I was taken through the process of filing my complaint with them. They have therefore given a period of three weeks, where I shall be called for a feedback on my submission. I wish to seize the opportunity to express my profound gratitude to you and the entire team at the Ghana Integrity Initiative for your support. I am most grateful".

I will continuously be grateful for the interest shown in my case". Many thanks for your disponibility to see the way forward on my file. Your interest in the case is urged me on. To me, this is a motivator to tell the world that due process of the law is working in Ghana".

### **ALAC PARTNERS**

The ALAC Ghana works in collaboration with key anticorruption partner institutions in Ghana.

### 1. ALAC Steering Committee

The Steering Committee comprises of senior Officials from key anti-corruption institutions and meets on a quarterly basis to review cases and further provide expert advice to the ALAC on following up on cases referred to various institutions. These institutions are:

- Commission on Human Rights and Administrative Justice (CHRAJ)
- 2. Economic and Organized Crime Office (EOCO)
- Ministry of Justice and Attorney General Department (MOJAGD) Office (AG)
- 4. Audit Service
- 5. Public Relations and Complaints
  Unit of the Judicial Service
- 6. National Labour Commission
- Criminal Investigations
   Department (CID) of the Ghana
   Police Service
- 8. Police Intelligence and Professional Standards (PIPS)
- 9. Trade Union Congress (TUC)

- 10. Ghana Revenue Authority (GRA)
- 11. Ghana Standards Authority (GSA)
- 12. Ghana Education Service (GES)
- 13. Legal Resources Centre (LRC)
- Ghana Anti-Corruption Coalition (GACC)
- 15. Lands Commission

### 2. INVESTIGATIVE JOURNALISTS

The ALAC also works with investigative journalists who support the work of ALAC and allow for faster unbiased outcomes and also provides evidence, where there is none, for onward engagement.

### 3. PUBLIC EDUCATION

The ALAC collaborates with the National Commission on Civic Education (NCCE) and Commission on Human Rights and Administrative Justice (CHRAJ) to organize mobile ALACs in the form of community durbars to educate citizens on the manifestations and effects of corruption as well as the importance of corruption reporting. The mobile ALACs focus on rights and the relationship between corruption and rights violations.

### 4. REPORTING MECHANISMS & PLATFORMS

Call-in services via toll free lines & WhatzApp Walk-in services Eye on Corruption mobile App



### Report Corruption



0800 100 250





0800 100 250



0800 100 25



057 766 5295



www.ipaidabribe.org.gh

**ADVOCACY AND LEGAL ADVICE CENTRE (ALAC)** 

### **IMPACT PROJECT**

The Integrity, Mobilization, Participation, Accountability, **Anticorruption and Transparency** (IMPACT) Ghana project seeks to contribute to the fight against corruption by increasing the integrity, transparency and accountability of public institutions and businesses; while empowering civil society to advocate for changes in policy and practice; including better enforcement of anticorruption legislations, policies and practices. The project is funded by Global Affairs Canada through Transparency International. In executing the project, GII has focused on two main areas: The project focuses on two main areas:

### 1. PEOPLE ENGAGEMENT

The project works with individuals and communities, increasing their understanding of corruption and empowering them to bring corruption cases forward and also advocate for and monitor anticorruption reforms. GII is optimistic that engaged citizens shall be better able to demand for transparency and accountability from duty bearers, pursue corruption related grievances and also communicate their needs and rights as well as hold governments and institutions to account, which will help to limit opportunities for

corruption and contribute to greater access to better services.

The changes GII seeks to bring about under people engagement include:

- Increased citizens' awareness on the impact of corruption in their daily lives
- Enhanced citizens' ability to demand for transparency and accountability from duty bearers and pursue corruption related grievances
- Increased willingness to report and seek redress for various corruption related violations against them

### 2. PUBLIC SECTOR INTEGRITY

Under Public Sector Integrity, the project aims to contribute to strengthening foundations for sustainable economic growth by working with businesses to improve their practices and with public bodies to develop and better enforce anticorruption legislation, policies and practices. Improvements made by these actors shall contribute to a more predictable business and investment environment and to confidence in the ability of democratic institutions to respond to the needs and priorities of citizens.

The changes GII seeks to bring about under public sector integrity include:

- Stronger and more robust collaboration between GII and institutions to ensure speedy redress of corruption complaints reported
- Enhanced advocacy for the implementation of the National Anti – Corruption Action Plan (NACAP) and for the passage of the Right to Information (RTI) Bill and other anti-corruption legislations
- 3. Enhance public sector integrity, inclusiveness and improved efficiency, transparency and accountability in the activities of public institutions.

GII over the project period has engaged in numerous activities through Public Education, Public Sector Engagement, Youth Engagement, Dialogues, Capacitybuilding and training.











