

**IN THE THIRD MEETING OF THE THIRD SESSION OF THE EIGHTH  
PARLIAMENT OF THE FOURTH REPUBLIC OF GHANA**

**REPORT OF THE COMMITTEE ON CONSTITUTIONAL, LEGAL AND  
PARLIAMENTARY AFFAIRS ON THE 2024 ANNUAL BUDGET  
ESTIMATES OF THE OFFICE OF THE SPECIAL PROSECUTOR**

PARLIAMENT OF GHANA LIBRARY  
PARLIAMENT HOUSE  
OSU - ACCRA

**1.0 INTRODUCTION**

- 1.1 The Budget Statement and Economic Policy of the Government of Ghana for the year ending 31<sup>st</sup> December 2024 was presented to Parliament, by the Hon. Minister for Finance, Mr. Ken Ofori-Atta, on 15<sup>th</sup> November 2023 in accordance with Article 179 of the 1992 Constitution.
- 1.2 Pursuant to Orders 140(4) and 179 of the Standing Orders of Parliament, the Rt Hon Speaker referred the Budget Estimates of the Office of the Special Prosecutor to the Committee on Constitutional, Legal and Parliamentary Affairs for consideration and report to the House.

**2.0 DELIBERATIONS**

- 2.1 The Committee met on 5<sup>th</sup> December 2023 and considered the 2024 Annual Budget Estimates of the Office of the Special Prosecutor pending the approval of the 2024 Budget by the House. Present at the meeting were the Special Prosecutor, Mr. Kissi Agyabeng, the Director of finance and other officials from the Office of the Special Prosecutor as well as from the Ministry of Finance.

2.2 The Committee is grateful to the Special Prosecutor and his team and the officials from the Ministry of Finance for their assistance during the deliberations.

### **3.0 REFERENCES DOCUMENTS**

3.1 In considering the Estimates, the Committee referred to the under-listed documents:

- i. The 1992 Constitution;
- ii. The Standing Orders of Parliament;
- iii. The Office of the Special Prosecutor Act, 2017 (Act 959)
- iv. The Budget Statement and Economic Policy of the Government of the Republic of Ghana for the 2024 Financial Year;
- v. The Medium-Term Expenditure Framework for 2024-2027 of the Office of the Special Prosecutor; and
- vi. The Report of the Committee on Constitutional, Legal and Parliamentary Affairs on the 2023 Budget Estimates of the Office of the Special Prosecutor.

### **4.0 VISION OF THE OSP**

The OSP hopes to work towards achieving the vision of rendering corruption costly and unattractive in all its forms in the public and private sectors through sustained repression and suppression.

### **5.0 MISSION OF THE OSP**

The mission of the Office is to investigate and prosecute specific cases of alleged or suspected corruption and corruption-related

offences; recovering the proceeds of corruption and corruption-related offences; and taking steps to prevent corruption.

## **6.0 CORE FUNCTIONS OF THE OSP**

The core functions of the Office include the following:

- i. The investigation and prosecution of cases of alleged or suspected corruption and corruption-related offences under the Public Procurement Act, 2003 (Act 663);
- ii. Investigation and prosecution of cases of alleged corruption and corruption related offences under the Criminal and other Offences Act, 1960 (Act 29) involving public officers, politically exposed persons and persons in the private sector involved in the commission of the offence;
- iii. Investigation and prosecution of cases of alleged or suspected corruption and corruption-related offences involving public officers, politically exposed persons and persons in the private sector involved in the commission of the offence under any other relevant law;
- iv. Recover and manage proceeds of corruption;
- v. Dissemination of information gathered in the course of investigation to competent authorities and other persons the Office considers appropriate;
- vi. Co-operation and coordination with competent authorities and other relevant local and international agencies in the furtherance of the Act;
- vii. Receipt and investigation of complaints from a person on a matter that involves or may involve corruption and corruption-related offences;



- viii. Receipt and action on referrals of investigations of alleged corruption and corruption-related offences by Parliament, the Auditor-General's Office, the Commission on Human Rights and
- ix. Administrative Justice, the Economic and Organize Crime Office and any other public body; and
- x. The Performance of any other functions connected with the objects of the Office.

## **7.0 POLICY/STRATEGIC OBJECTIVES OF THE OSP**

- 7.1 The OSP works towards contributing to the promotion of the fight against corruption and corruption-related offences as contained in the National Medium-Term Development Plan Framework (NMTDPF) of the country.

## **8.0 2023 PERFORMANCE OVERVIEW**

### **8.1 Operational performance**

The OSP was able to record the following achievements in the year under review:

- i. Concluded a major recruitment effort, bringing on board 239 personnel to support its operationalization efforts. This achievement marks the Office's strongest position since its inception in 2018, as it remains steadfast in its mission to combat corruption and corruption-related offences.
- ii. The Office initiated legal proceedings against seven individuals, including a former minister, a CEO, and two deputies, a District Chief Executive nominee, public servants, and private individuals, who stand accused of various corruption and corruption-related charges.

- iii. Conducted and concluded investigations into allegations of an attempt by an unnamed businessman to bribe members of the majority caucus of Parliament.
- iv. Concluded investigations into allegations of the misuse of public office for personal gain involving the former secretary of the erstwhile Inter-Ministerial Committee on Illegal Mining (IMCM). This investigation is part of a broader inquiry into illegal mining and the activities of the IMCM.
- v. Collaborated with the Federal Bureau of Investigations (FBI) and related international agencies in several cases such as ascertaining the legality of unexplained wealth of suspects and examining the movement of funds between Ghana and the United States.



## 8.2 Financial performance

In the 2023 fiscal year, the OSP was allocated an amount of One Hundred and Twenty-Nine Million, Five Hundred and Forty-Nine Thousand, Three Hundred and Eighty Ghana Cedis **(GH¢129,549,380.00)**. During the Mid-year Budget Review, the initial Allocation was revised to an amount of One Hundred and Forty-Nine Million, Five Hundred and Forty-Nine Thousand, Three Hundred and Eighty Ghana Cedis **(GH¢149,549,380.00)**. The Committee also observed that, an additional budget support of Sixty-Two Million, Five Hundred Thousand Ghana Cedis **(GH¢62,500,000.00)** made up of Thirty-Seven Million Five Hundred Thousand Ghana Cedis **(Gh¢37,500,000)** for Goods and Service and Twenty-Five Million Ghana Cedis **(Gh¢25,000,000)** for Capital Expenditure, was allocated to the OSP in the course of the year,

making a total allocation of Two Hundred and Twelve Million, Forty-Nine Thousand and Three Hundred and Eighty Ghana Cedis **(GH¢212,049,380.00)**. The breakdown of the expenditure returns of the Office is provided in Table 1 below.

**Table 1: Financial Performance of the Office of the Special Prosecutor as at September 2023**

<b>Expenditure Item</b>	<b>Initial Budgetary Allocation GH¢</b>	<b>Revised Budget GH¢ (A)</b>	<b>Amount Released GH¢ (B)</b>	<b>Actual Expend. GH¢ (C)</b>	<b>ADDIT'N AL BUDGET SUPPOR T GH¢</b>	<b>Variance % (A-B)</b>
Compensation	68,900,000	68,900,000	12,297,284	8,965,078		18
Goods and Services	34,279,380	34,279,380	34,279,380	34,279,380	37,500,000	100
Capex	26,370,000	46,370,000	46,370,000	46,370,000	25,000,000	100
<b>Total</b>	<b>129,549,380</b>	<b>149,549,380</b>	<b>92,946,664</b>	<b>89,614,458</b>	<b>62,500,000</b>	<b>62.2</b>

*Source: Presentation on the 2023 Budget Estimates Performance by the OSP*



## 9.0 OUTLOOK FOR 2024

The Office of the Special Prosecutor plans to accelerate on the progress made in the preceding year by undertaking the following interventions:

- i. Recruit 50 specialized staff;
- ii. Train 200 staff on the rudiments of intelligence gathering;
- iii. Procure security, intelligence, and communication equipment;
- iv. Procure Cyber Security equipment;
- v. Procure Office equipment and machinery;
- vi. Investigate 50 cases;
- vii. File 10 corruption cases in various courts
- viii. Recover 5 Assets;
- ix. Procure office furniture; and
- x. Receive and act on referrals of investigations of alleged corruption and corruption-related offences by Parliament, the Auditor-General's Office, the Commission on Human Rights and Administrative Justice, the Economic and Organized Crime Office and other public body.

## 9.2 **Budgetary Allocation for the 2024 Fiscal Year**

For the implementation of the programmes and activities of the Office of the Special Prosecutor for the year 2024, a total sum of **One Hundred and Forty-Nine Million, and Five Thousand, Six Hundred and Sixty-Nine Ghana Cedis (GH¢149,005,669.00)** has been allocated. The allocation by economic classification, source of funding and programme have been set out as follows in Table 2.

**Table 2: Budgetary Allocation by Economic Classifications for 2024**

ECONOMIC CLASSIFICATION	SOURCES OF FUNDING					
	GOG	ABFA	IGF	Donor	Total	%
Compensation	68,899,999	-	-	-	68,899,999	<b>46.2</b>
Goods and services	32,735,670	-	-		32,735,670	<b>22</b>
Capex	47,370,000	-	-		47,370,000	<b>31.8</b>
<b>Total</b>	<b>149,005,669</b>		-		<b>149,005,669</b>	<b>100</b>
%	<b>100</b>					

*Source: Budget Statement and Economic Policy of the Government for 2024*

## **10.0 OBSERVATIONS**

The Committee, after careful scrutiny of the 2024 Annual Budget Estimates of the Office of the Special Prosecutor, makes the following observations.

### **10.1 Inadequate Budgetary Allocations**

The OSP expressed concern over the persistent budgetary allocation challenge for Goods and Services and Capex for the full operationalization of the Office. He indicated that the Office needs approximately Hundred Million Ghana Cedis (**GhC100,000,000**) for Special Operations, Training of Staff, General administration, and Goods and Services. The OSP further indicated that additional amount of Two Hundred Million Ghana Cedis (**GhC200,000,000**) is needed to procure security, intelligence and communication equipment, office furniture and forensic laboratory equipment under Capex. However, the Office has been allocated a sum of Thirty-Two



Million Seven Hundred and Thirty-Five Thousand Six Hundred and Seventy Ghana Cedis (Gh¢32,735,670) and Forty-Seven Million Three Hundred and Seventy Thousand Ghana Cedis (Gh¢47,370,000) for Goods and Services and CAPEX respectively. The 2024 allocation represents 32.7% and 23.7% of the total requirements for Goods and Services and CAPEX respectively.

While acknowledging the need to adequately furnish the office of the Special Prosecutor with the needed resources towards its full operationalisation, the Committee, indicated that there was also the need for the OSP to equally show commensurate concrete gains made to the state by the existence of the Office. Members appreciate the challenges being faced by OSP in its work but nonetheless, they bemoaned the fact that the Office is yet to live up to the hype which ushered in its establishment.

PARLIAMENT OF GHANA LIBRARY  
PARLIAMENT HOUSE  
OSU - ACCRA

## **10.2 Additional allocation for OSP during the year under review**

It was observed that in addition to the approved budgetary allocation for year 2023, the OSP received extra-budgetary support of Sixty-Two Million Five Hundred Thousand Ghana Cedis (Gh¢62,500,000) out of which Thirty-Seven Million Five Hundred Thousand Ghana Cedis (Gh¢37,500,000) was allocated for Goods and Services and Twenty-Five Million Ghana Cedis (Gh¢25,000,000) for Capital Expenditure. Upon enquiry, the Ministry of Finance explained that the Sixty-Two Million Five Hundred Thousand Ghana Cedis (Gh¢62,500,000) was drawn from the General Government Votes pursuant to the powers conferred on the Minister of Finance by Sections 4 (h) and 28 (2) (d) of the Public Financial Management Act, 2016 (Act 921).

### **10.3 Human Resource Capacity**

The Committee observed that, the OSP is almost at its optimal staffing level with the engagement of 239 personnel with relevant skill sets to occupy various positions on its organisational human resource structure. The Office also plans to engage 50 additional staff with specialized skills in 2024 to augment its manpower needs. The Committee expects that, this monumental stride will go a long way in the efforts to strengthen the capacity of the OSP for expeditious delivery on its mandate of fighting corruption in the country.

### **10.4 Collaboration with the NCCE and Reintroduction of Civic Education Programmes at the Pre-tertiary Institutions**

The Committee noted that the underlying difficulty in the fight against corruption is largely due to the consistent decline in moral uprightness and ethical standards. Patriotism is gradually eroding from the fabrics of the Ghanaian culture and foul enrichment is now celebrated than true servanthood. Considering the direct linkage between good morals and inclusive shared development, the Committee recommends to the Ghana Education Service (GES) to reintroduce Civic Education courses at the pre-tertiary institutions level to train the minds of the people especially the younger generation on the negative impacts of corruption. The Committee further urges the OSP to collaborate with the National Commission for Civic Education (NCCE) to create more awareness on the negative ramifications of corruption on sustainable development efforts.



## **10.5 The Call for Institutional Support for the OSP**

The Office of the Special Prosecutor as indicated to promote the Fight against corruption and corruption related offences, investigate and prosecute specific cases of corruption and recover the proceeds of corruption and corruption related offenses, as well as taking steps to prevent corruption. Despite this laudable initiative of the government, the Committee observed after a deep-throated interaction with the OSP, that the Office is not getting the required institutional support in the fight against corruption in the country. The Committee calls for an all-inclusive approach to the fight against corruption and corruption related offences. This requires institutional support and collaboration with all stakeholder institutions in the country.

In addition, the Committee advised the OSP to develop the proper strategies, broad sensitisation and an all-inclusive approach in the fight against corruption and corruption related offences.

## **11.0 CONCLUSION AND RECOMMENDATION**

After carefully studying the estimates of the Office of the Special Prosecutor, the Committee is satisfied that the programmes outlined for the year would go a long way to strengthen the fight against corruption to accelerate the sustainable development agenda of the country.



The Committee recommends to the House to adopt its Report and approve the total sum of One Hundred and Forty-Nine Million, Five Thousand and Six Hundred and Sixty-Nine Ghana Cedis (**GhC149,005,669**) for the services of the Office of the Special Prosecutor for the year ending 31<sup>st</sup> December 2024.



.....  
**HON. KWAME ANYIMADU ANTWI**  
**(CHAIRMAN, COMMITTEE ON CONSTITUTIONAL,**  
**LEGAL AND PARLIAMENTARY AFFAIRS)**



.....  
**MRS. AKUA DUROWAA OWUSU AGYEKUM**  
**(HEAD, LEGAL COMMITTEES CLUSTER)**

PARLIAMENT OF GHANA LIBRARY  
PARLIAMENT HOUSE  
OSU - ACCRA

**11<sup>TH</sup> December, 2023**