

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

**REPORT OF THE JUDICIARY COMMITTEE**

**ON THE**

**ANNUAL BUDGET ESTIMATES OF THE  
JUDICIARY AND THE JUDICIAL SERVICE FOR THE  
2022 FINANCIAL YEAR**

PARLIAMENT OF GHANA LIBRARY

DECEMBER 2021

**IN THE FIRST MEETING OF THE FIRST SESSION OF THE EIGHTH  
PARLIAMENT OF THE FOURTH REPUBLIC**

**REPORT OF THE COMMITTEE ON JUDICIARY ON THE 2022 ANNUAL  
BUDGET ESTIMATES OF THE JUDICIARY AND THE JUDICIAL SERVICE**

**1.0 INTRODUCTION**

The Budget Statement and Economic Policy of the Government of Ghana for the year ending 31<sup>st</sup> December, 2022 was presented to Parliament, by the Hon. Minister for Finance, Mr. Ken Ofori-Atta on 17<sup>th</sup> November, 2022 in accordance with Article 179 of the 1992 Constitution.

Pursuant to Orders 140(4) and 179 of the Standing Orders of Parliament, the Rt. Hon Speaker referred the Budget Estimates of the Judiciary and the Judicial Service to the Committee on Judiciary for consideration and report to the House.

**2.0 DELIBERATIONS**

The Committee met on 16<sup>th</sup> December, 2021 and considered the 2022 Budget Estimates of the Judiciary and Judicial Service. Present at the meeting were the Judicial Secretary, Her Ladyship, Justice Cynthia Pamela Addo and her technical team as well as Schedule Officers from the Ministry of Finance.

The Committee is grateful to them for their useful submissions.

**3.0 REFERENCE DOCUMENTS**

In considering the Estimates, the Committee made reference to the under-listed documents:

- i. The 1992 Constitution;
- ii. The Standing Orders of Parliament;
- iii. Judicial Service Act, 1960 (C.A. 10);
- iv. Communication from H.E. the President to the Rt. Hon. Speaker of Parliament dated 30<sup>th</sup> November, 2021 on the 2022 Budget Estimates of the Judiciary and Judicial Service;
- v. The Budget Statement and Economic Policy of the Government of the Republic of Ghana for the 2021 Financial Year;
- vi. The Judicial Service Medium Term Expenditure Framework for 2021 to 2024; and
- vii. The Report of the Parliamentary Select Committee on Judiciary.

#### **4.0 VISION**

To ensure equal access to quality justice.

#### **5.0 MISSION**

To resolve legal conflicts according to law, impartially and efficiently to all persons without fear or favour, affection or ill-will by true and proper interpretation, application and implementation of the laws of Ghana.

#### **6.0 CORE FUNCTIONS**

- Ensure efficient and speedy disposal of cases at all courts;
- Ensure efficiency and speedy delivery of justice;
- Strengthen the capacity of its human resources and improve the conditions of service for all staff;
- Change the poor public perceptions of the Judiciary and build public confidence in the delivery of justice; and
- Improve infrastructural capacity to enhance service delivery.

#### **7.0 2021 PERFORMANCE OVERVIEW OF THE OFFICE OF THE JUDICIAL SERVICE**

##### **7.1 Operational Performance**

During the year under-review the Judicial Service successfully recorded the following progress:

- i. Dispensed 13 Constitutional Review Cases.
- ii. The total of 63,293 cases including backlog cases were disposed out of 72,568 cases filed.
- iii. The pilot Online Court System for Virtual Courts was successfully concluded.
- iv. Initiated the construction of 98 courthouses and 121 residential facilities in collaboration with the Ministry of Local Government, Decentralisation and Rural Development and DACF.
- v. Mediated a total of 1,763 out of 3,500 cases.

##### **7.2 Financial Performance**

The total sum of Three Hundred and Ninety-Three million Twenty-Eight Thousand Five Hundred and Thirty Ghana Cedis Fifty-Two Pesewas (GH¢393,028,530.52) was allocated to the Judiciary and the Judicial Service to implement its programme of activities. Table 1 below indicates the expenditure returns for the year under-review.

Table 1: Financial Performance of the Judicial Service as at September, 2021

	Sources of Funding					Sub-Total	Variance
	Approved Budget		Sub-Total	Releases			
Clarification	GOG (GH¢)	IGF (GH¢)	(GH¢)	GOG (GH¢)	IGF (GH¢)	(GH¢)	(GH¢)
Compensation	284,504,473.40	-	<b>284,504,473.40</b>	252,910,894.91	-	<b>252,910,894.91</b>	31,593,578.49
Goods & Services	56,580,437.96	19,119,106	<b>75,699,543.96</b>	20,148,667.13	13,238,305.37	<b>33,386,972.50</b>	42,312,571.46
Capex	77,193,047.00	-	<b>77,193,047.00</b>	6,038,609.42	-	<b>6,038,609.42</b>	71,154,437.58
<b>Total</b>	<b>393,028,530.52</b>	<b>19,119,106</b>	<b>437,397,064.36</b>	<b>273,098,171.46</b>	<b>13,238,305.37</b>	<b>292,336,476.83</b>	<b>145,060,587.53</b>

Source: The Budget Statement and Economic and Economic Policy, 2022

## 8.0 OUTLOOK FOR 2022

### 8.1 Programme Outlooks

In 2022, the Judicial Service intends to undertake the following key interventions:

- i. Try 99,207 cases out of a projected total new case of 122,803.
- ii. Commence the preparatory works towards the construction of the new Judicial Training Institute.
- iii. Complete the Wa High Court Complex Building
- iv. Arbitrate 3,600 out of 5,500 cases expected to be received.
- v. Connect 151 courts to the ADR system in addition to the existing 131 courts.
- vi. Train newly recruited ADR Coordinators attached to District Courts.
- vii. Procure vehicles for Judges, Magistrates and other officials for the efficient discharge of their duties.
- viii. Undertake capacity building of Justices of the Supreme, Appeal, High Courts and Magistrates on emerging areas of law and corruption cases.
- vi. Continue the automation process of the courts.

### 8.2 Budgetary Allocation for the 2022 Fiscal Year

In the year under review, the sum of **Five Hundred and Seventy-six Million Four Hundred and Twelve Thousand Ghana Cedis (GH¢576, 412, 000)** has been allocated to the Judiciary and Judicial Service to implement its programme of activities. The breakdown in terms of economic classification and funding sources are provided in table 2 below.

**Table 2: Budgetary Allocation by Economic Classifications for 2022 for Judiciary and Judicial Service**

Expenditure Item	Sources of funding			Total(GH¢)	Percent Alloc. (%)
	GOG(GH¢)	IGF(GH¢)	Donors (GH¢)		
<b>Compensation</b>	<b>433,583,000.00</b>	-	-	<b>433,583,000</b>	<b>75</b>
Judiciary	188,995,000.00	-	-	188,995,000	
Judicial service	244,588,000.00	-	-	244,588,000.00	
<b>Goods and Services</b>	<b>62,485,000.00</b>	<b>16,338,000</b>	-	<b>77,398,000</b>	<b>13</b>
Judiciary	42,789,000.00	-		42,789,000.00	
Judicial Service	19,697,000.00	14,912,00		19,697,000.00	
<b>Capital Expenditure</b>	<b>59,035,000</b>	<b>4,971,000.00</b>	-	<b>64,006,000</b>	<b>11</b>
Judiciary	32,018,000.00	-	-	32,018,000.00	
Judicial Service	27,018,000	4,971,000.00	-	31,989,000	
<b>Grand Total</b>	<b>555,104,000</b>	<b>21,308,376</b>	-	<b>576, 412, 000</b>	<b>100</b>

*Source: Budget Statement and Economic policy of the Government of Ghana for 2022 Financial Year*

## **9.0 OBSERVATIONS**

### **9.1 President's Recommendation on the Judicial Service Proposed Budget**

The Committee noted that pursuant to Article 179 (3) of the Constitution, an amount of **GH¢621,658,441.00** was proposed as the budgetary requirement by the Judiciary and Judicial Service for 2022 financial year and same submitted to the President.

The President, having regard to the fiscal constraints resulting from statutory payment and debt servicing obligations, recommends to Parliament, a downwards revision of the budgetary requirement to a proposed amount of **GH¢576,412,000**, with the assurance of an upward adjustment in the course of the year when the economic situation

improves. The President further recommends to the Judiciary to spread the procurement of the proposed 192 vehicles over the medium term in order to accommodate the revised budget.

The Committee being mindful of Article 179 (4) of the Constitution and prevailing economic circumstances enquired from the Judicial Secretary the implications of the President recommendations on the performance of the Judiciary in 2022 financial year. The Judicial Secretary informed the Committee of possible adjustment in the planned targets to accommodate the reduction in the proposed budget. The Committee accordingly recommends to the House to accept the President's proposal. The Committee further recommends that in future budgets, the Office of the President should engage the Judicial Service on the budget proposals of Judiciary to achieve the intendment of the provision of Article 179 (4) of the Constitution.

## **9.2 Judicial Service budgetary allocation in Appropriation Budget and the President proposed Budget**

In addition to the above, it was also observed that the amount of GH¢576,412,000 proposed by the President as budgetary allocation for the Judiciary and Judicial Service for the year 2022, is against an allocation of GH¢574,412,000 contained in the Appropriation Budget submitted to Parliament on 17<sup>th</sup> November, 2021 by the Minister of Finance for the Judiciary and the Judicial Service. The Committee noted a difference of about GH¢2,000,000 between the two figures and has therefore drawn the attention of the Ministry of Finance to the anomaly, and the Ministry of Finance has agreed to ratify it to reflect the recommendation from the President.

## **9.3 Construction of Courthouses and Bungalows with funding from the District Assembly Common Fund**

The Committee was informed that 19 out of the 98 Courthouses and 121 bungalows earmarked for construction in all the sixteen (16) regions of Ghana with funding from the District Assembly Common Fund are ready for occupation. The Committee urges the Judicial Service to follow-up on the completion of the rest of the projects, and also put in place, the necessary measures to institute a robust maintenance culture for the building projects.

## **9.4 Increasing number of appeals from Appeals Court to Supreme Court**

The Committee expressed concern about the increasing number of appeals from the Appeal Court to the Supreme Court. It was observed that the number of appeals from Appeal Court to the Supreme Court has

been increasing from 82 in 2019 to an anticipated number of 893 in 2022. The Committee is of the view that the increasing number of appeals may overwhelm the apex court and thereby, impede the policy and strategic direction function of the Supreme Court which is very critical towards the nurturing of Ghana's democratic values and principles as enshrined in the Constitution.

Accordingly, the Committee recommends to the Judiciary and Judicial Service to conduct introspection into reason for the rising numbers of appeals and institute appropriate measures to avert a situation where the Supreme Court Judges are overwhelmed by the appeals to the detriment of their other functions.

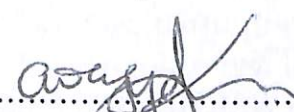
## 10.0 CONCLUSION AND RECOMMENDATION

Having thoroughly scrutinised the Budget Estimates of the Judiciary and the Judicial Service for the 2022 fiscal year, the Committee, is of the view that, the policies and programmes outlined for the year would go a long way to support the achievement of the policy goals of Judicial arm of government.

The Committee accordingly recommends to the House to adopt its Report and approve the sum of **Five Hundred and Seventy-Six Million, Four Hundred and Twelve Thousand Ghana Cedis (GH¢576,412,000.00)** for the services of the Judiciary and Judicial Service for the year ending 31<sup>st</sup> December, 2022.

Respectfully submitted,

  
.....  
**HON. ALHASSAN ABDALLAH IDDI**  
**(VICE CHAIRMAN, COMMITTEE ON JUDICIARY)**

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

17<sup>TH</sup> DECEMBER, 2021