**Danida’s support to the Judicial Service**

**Basic Information**

**Support at-a-glance**

***Duration of support:***

2003 – 2018 (16 years)

***Total disbursement:***

DKK 85 million (approx.)

***Key National Partners***

Judicial Service, Ministry of Interior (Ghana Police Service & Ghana Prison Service), Ministry of Justice & Attorney-General, and POS Foundation

***Geographical coverage:***

Initially in the three northern regions but eventually all regions

***Key Outcomes:***

* Decrease in remand prisoners’ share of the total prison population from 35% (2007) to 12% (2017) through the Justice for All Programme.
* Increase in the number of court-connected Alternative Dispute Resolution from 57 (2014) to 107 (2018).
* Establishment of 9 Gender-Based Violence Courts in nine regions of the country (a court in Accra had already been established by UNICEF).
* Development of key tools with TA support (Anti-Corruption Action Plan, guidelines for GBV courts, communication and awareness strategy, operational guidelines for the Public Relations & Complaints Unit, etc.).
* Several constructed/refurbished and automated district courts.
* Strengthened capacity of Judiciary through local and foreign training.

Initially, Danida’s support to the Judicial Service (JS) was through a minor grant project, the Judicial Reform Project (2003-2004) which comprised the modernization of six district magistrates’ courts in the three northern regions of Ghana and the development of new management guidelines. This was a pilot project which sought to improve case management in the justice sector. It was managed by Crown Agents and monitored by the Judiciary.

The next stage of support to the JS was formulated as part of the first phase of Danida’s Good Governance and Human Rights Programme (GGHRP I: 2003-2008). Main activities included expansion of the modernization of district magistrates’ courts project to 15 additional courts with the provision of courtroom recording equipment and automation of the court registry function; provision of capacity building to the Judiciary; designing a framework to integrate Alternative Dispute Resolution (ADR) into the mainstream dispute resolution processes of the magistrate courts; and simplification of court systems through reduction of case load and legal procedures.

The support continued under the second phase of the Good Governance and Human Rights Programme (GGHRP II: 2009-2013). Activities included development and implementation of a strategic plan for the JS with annualised budgets of priority interventions; implementation of prioritised outputs from the Judicial Training Institute Strategic Plan including capacity building of staff and trainers of the Institute; increasing usage of ADR in more magistrate courts; reduction of backlog of cases through court automation in renovated district courts; improving working and user environment in a number of magistrate courts and family/juvenile courts; improving gender-equality in court practice; and production of user information on the court system including the Judicial Service’s efforts in curbing corruption.

The final phase of support to the JS was executed as part of Danida’s Right to Services and Good Governance Programme (RSGGP: 2014-2018) and focussed on implementation of activities in Judicial Service’s strategic plan. These activities included increasing the institutional capacity of the JS to enhance access to justice for the poor and marginalized; expanding ADR services to 75 additional existing district courts; improving access to justice for women and children through the establishment of Gender-Based Violence Courts (GBVC) in all the (then) 10 regional capitals together with appropriate training for judges and court officials; effectively implementing the ‘Justice for All’ programme where judges convene courts in the prisons for remand prisoners; reducing the backlog of both civil and criminal cases; and increasing citizen participation in justice delivery through the Chief Justice’s Forum and other public engagement programmes. Danida provided short-term technical assistance (Greg Moran and Associates) support to JS (2016-2018) for the development of key tools, including an Anti-Corruption Action Plan for the JS, guidelines for GBVCs, communication and awareness strategy and operational guidelines for the public relations and complaints unit. POS Foundation was instrumental in the support to Justice for All programme

**Results and Key achievements:**

The Joint Evaluation of the Ghana-Denmark Development Co-operation (1990-2006) Final Thematic Paper on Good Governance, Human Rights and Democracy found that Danida’s support to the Judicial Reform Project had mixed results. It noted that the geographic selection of 6 district courts did not appear to be an effective guide as caseloads of these courts did not increase as expected. The Joint Evaluation also found that commercial courts supported by Danida had been quite popular at the regional level and brought about some economic transformational changes. Programme results for the respective programme periods are given as follows:

GGHRP I: 2004-2008: A study conducted revealed a multiplicity of barriers to access to justice and findings of the study were used for development of information, education, and communication tools for legal awareness activities. Refurbishment and automation of 15 district courts resulted in improved working conditions. Effective mainstreaming of court connected ADR at the district level resulting in considerable reduction of resource and time committed to seeking justice.

GGHRP II: 2009-2013: Constructed, refurbished and automated courts leading to improved working and user environment and increased access to justice; mainstreaming of ADR programme in 47 district courts resulting in improved rate of disposal of cases; and improved core judicial skills specifically in judgment writing as a result of capacity building of judges and magistrates

RSGGP: 2014-2018: Significant reduction in the number of remand prisoners (35% of the total prison population in 2007 to 12% in 2017) from the Justice for All Programme; increase in the number of court-connected ADR from 57 to 107 resulted in reducing the backlog of cases in the regular courts and better access to justice for the poor and vulnerable; and the establishment of Gender-Based Violence Courts in nine regions improved access to justice for women/girls and other marginalized groups in society.

During the last years of the programmer, Denmark supported the drafting of new legislation on alternative sentencing and revision of the law on narcotics. Combined with policy dialogue, the intension of this was to address some of the structural deficiencies in the judicial system.

**Lessons Learned**

The Evaluation of the Ghana – Denmark Partnership (2007- 2017) noted that Danida’s long-term partnership and commitment to the Judicial Service had produced some transformative changes and cited this as a good example of addressing key structural issues in an organization. This lesson is confirmed by the Joint Evaluation of the Ghana-Denmark Development Co-operation (1990-2006) which noted that the long-term partnership “had enabled Danida to build up experience and reputation, leading to greater opportunities to make significant recommendations at higher levels regarding changes in policy and in institutional frameworks”. The Danish support to changes in the legislation concerning alternative sentencing and the narcotics law has the potential to address some of the key structural deficiencies in Ghana’s judicial system.

After the Danish support ended in 2018, the Government of Ghana has taken over the funding of the Justice for All programme and the Alternative Dispute Resolution. UNICEF has continued the support to Gender-Based Violence Courts.

**Links**

* Evaluation of the Ghana-Denmark Partnership 2007-2017 (2018): <http://danida-publikationer.dk/publikationer/publikationsdetaljer.aspx?PId=8c80db97-19aa-4f83-858a-ee1189f4033d>
* Joint Evaluation of the Ghana-Denmark Development Co-operation 1990-2006 (2007): <https://um.dk/en/danida-en/results/eval/Eval_reports/publicationdisplaypage/?publicationID=78EEFD4A-6547-4CB8-A628-C0C3981817E1>
* Documentation study ‘Pioneering Democracy’ (2018): <https://ghana.um.dk/en/News/newsdisplaypage/?newsID=24DECCDC-9A56-442B-B891-078D07EA63AD>