

**JUSTICE DELAYED IS JUSTICE DENIED:
ASSESSING THE EFFICIENCY AND EFFECTIVENESS OF THE CRIMINAL JUSTICE SYSTEM OF GHANA**

By Dr Justice Tankebe and Dr Kofi E. Boakye

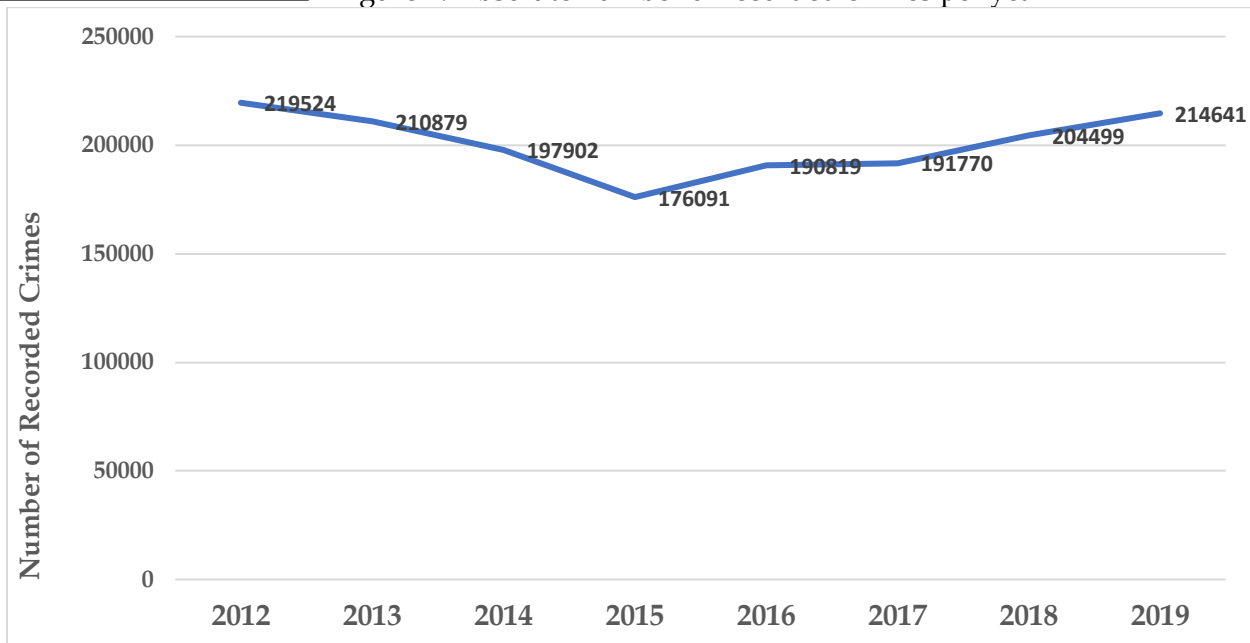
ABSTRACT

In this research brief, we assess the efficiency and effectiveness of the criminal justice system of Ghana using official records of case disposals over a period of 8 years (2012-2019). The results show that, with the exception of 2015, less than 20% of crimes are prosecuted in any given year. Of cases prosecuted, less than half are disposed of by the courts. However, conviction rates were found to be consistently high, ranging between 90% and 95%. The evidence suggests a criminal justice system in need of reform to improve effectiveness and efficiency in justice delivery.

In our previous [research brief](#), we examined trends in violent crimes in Ghana. The analysis showed sexual violence was the most prevalent of these crimes. We also found evidence of hotspots of violent crimes. In the current brief, we present evidence on the efficiency and effectiveness of the criminal justice system in dealing with reported criminal cases. Questions of efficiency and effectiveness are crucial for criminal justice systems because they speak to the deterrence capability of the criminal justice: potential offenders are unlikely to be deterred if they perceive an inefficient and ineffective response from criminal justice agencies. An efficient and effective justice system could also bring closure to victims.

We examine three key themes: prosecutions, case disposals and convictions. The data come from official records obtained from the Ghana Police Service. However, we start with an exploration of the total volume of recorded crimes in Ghana between 2012 and 2019. Figure 1 shows the highest number of recorded cases occurred in 2019 when 219524 cases were recorded by the police. This fell by 3.9% to 210879 in 2013. The number of recorded cases was stable between 2014 and 2017, but started to increase in 2018 (204499 cases), reaching 214641 in 2019.

Figure 1: Absolute number of recorded crimes per year



Next, we analysed the proportion of cases prosecuted at the courts. Over the 8 years under consideration, the proportion of cases prosecuted has consistently fallen below 20%; the only exception was in 2015 when 20.5% of the 176,091 cases recorded that year were prosecuted. This represented a 17.7% increase in prosecutions from the previous year. The prosecution rate declined sharply between 2015 and 2016, recording 13% in that year. Over the 8 years, 2019 saw the lowest prosecution rate of 11.4%. In other words, only approximately, 1 in 10 cases reported to the police in 2019 was sent to the courts.

Figure 2: Trends in Prosecution Rates

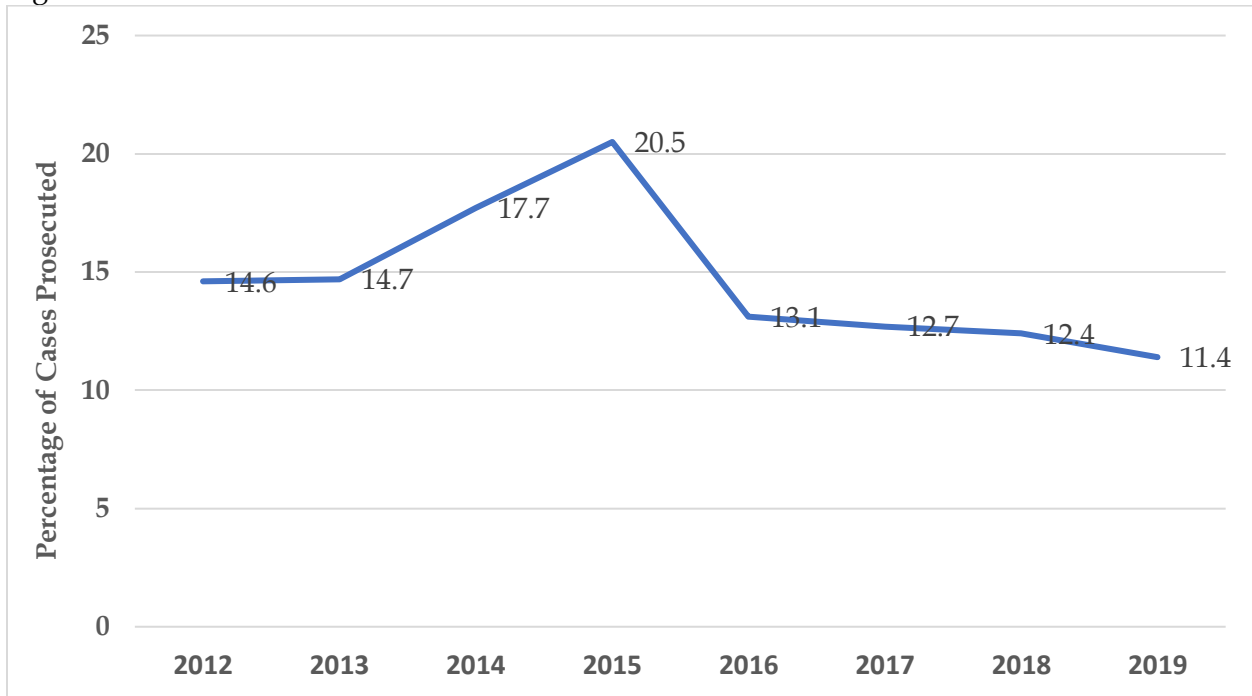
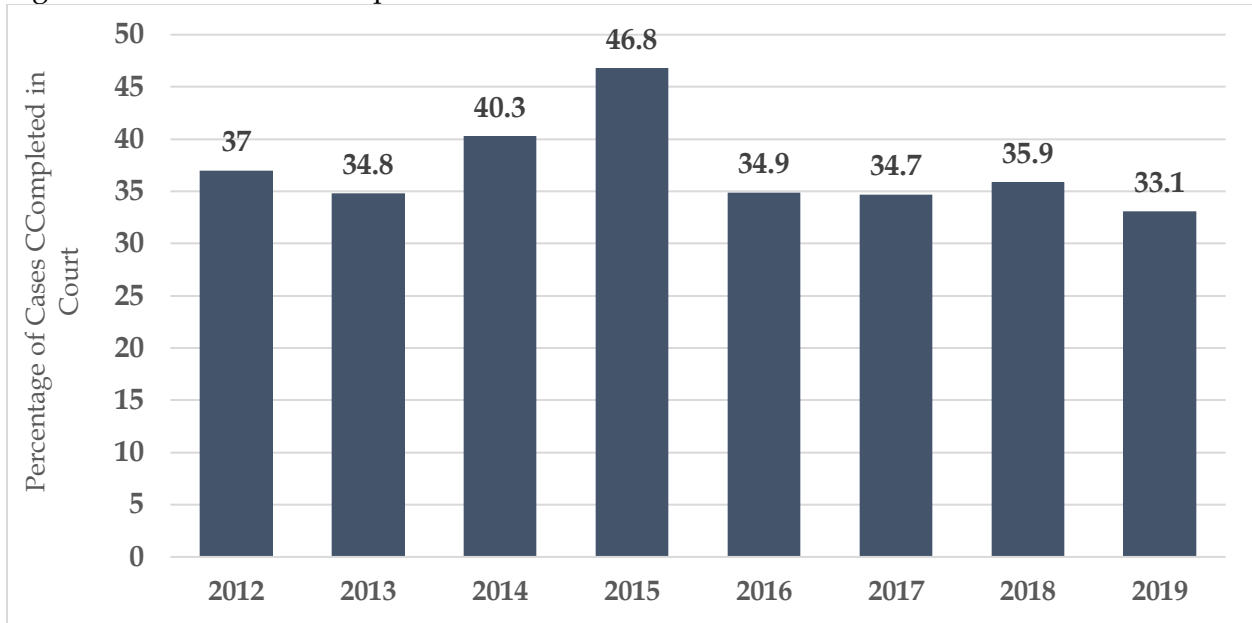


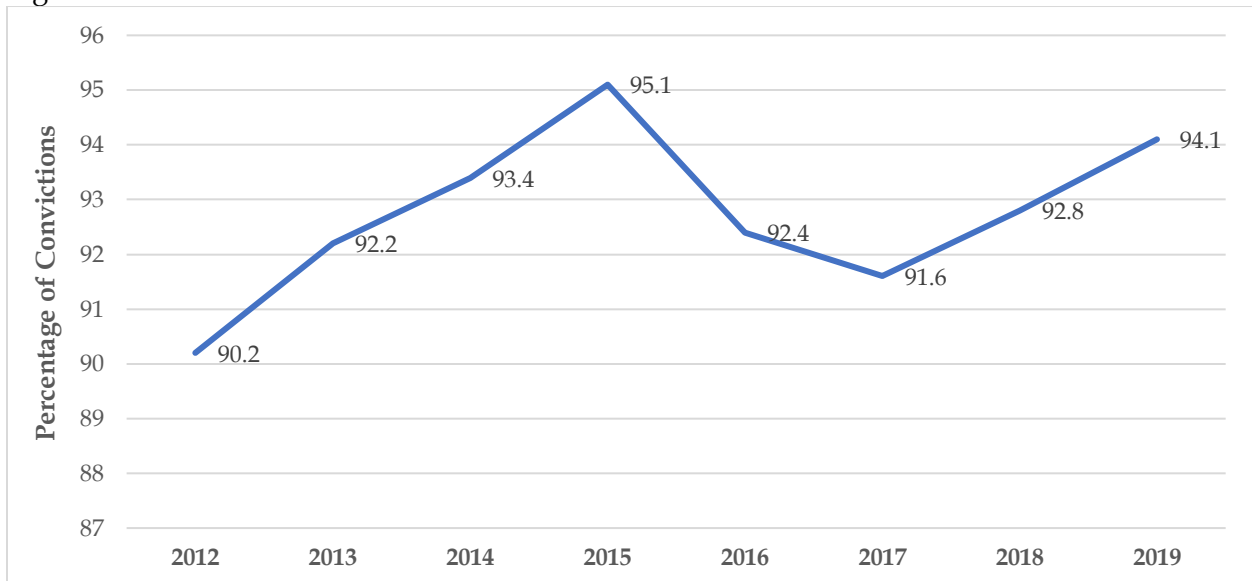
Figure 3 provides information on the proportion of the prosecutions that went through full trial and a decision delivered by the courts. This tells us how speedily cases are handled by the courts, hence addresses questions of efficiency. We found that 2019 recorded the lowest proportion of disposed cases: 33.1%, suggesting that only 3 in 10 cases sent to court were completed in that year. The highest case disposal rate was in 2015 when 46.8% of prosecutions initiated that year were completed. The rates fell sharply the following year and have remained stable in the subsequent years.

Figure 3: Trends in Case Disposal Rates



What are the chances of being convicted for a criminal offence? The data presented in Figure 4 show that the proportion of convictions is consistently high: at least 9 in 10 disposed cases resulted in conviction. The rates rose steadily from 90% in 2012 to a peak of 95.1% in 2015. The data further show a decline the following year to 91.6% in 2017. However, conviction rates have started to rise and stood at 94% in 2019.

Figure 4: Trends in Conviction Rates



We conclude this Research Brief with two thoughts. First, our analysis shows that the majority of criminal cases do not result in prosecution. The data did not allow us to examine prosecutions for specific crimes, hence we are unable to establish possible variations in rates for prosecutions



@Africpgr1



African Institute for Crime, Policy and Governance Research



AFRICPGR
AFRICA INSTITUTE FOR CRIME, POLICY & GOVERNANCE RESEARCH

www.africpgr.org

info@africpgr.org

across crime types. However, the finding that not more than a fifth of crimes result in prosecutions raises important questions: what crimes are least likely to be prosecuted? What happens to cases that are not prosecuted? What accounts for the low prosecution rates?

Second, for prosecuted cases, not more than a third go through full trial. However, conviction rates for these completed cases were found to be high. A possible conclusion from this finding is to say the courts are doing a good job in punishing offenders. However, such a conclusion does not consider the circumstances of the convictions – did defendants have legal representation? Did they know their legal rights? Were there any ethical concerns in the investigations? These questions suggest a need for methodologically sound studies that track cases through the criminal justice system.



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