

**CLIENT SERVICE CHARTER
FOR THE
OFFICE OF THE ATTORNEY-GENERAL
AND
MINISTRY OF JUSTICE
(OAGMOJ)**



AUGUST, 2019

TABLE OF CONTENTS

LIST OF ACRONYMS.....	3
FOREWORD.....	4
1.0 INTRODUCTION.....	5
2.0 BACKGROUND OF THE MINISTRY.....	5
2.1 MANDATE.....	5
2.2 VISION.....	6
2.3 MISSION.....	6
2.4 FUNCTIONS.....	6-7
2.5 VALUES.....	8
3.0 DEPARTMENTS AND AGENCIES UNDER THE MINISTRY.....	8
4.0 ORGANIZATIONAL ARRANGEMENT.....	9
5.0 COLLABORATING MINISTRIES DEPARTMENTS AND AGENCIES AND INSTITUTIONS.....	9 - 10
6.0 OUR SERVICES AND SERVICE STANDARDS.....	11-10
7.0 WHAT TO EXPECT FROM US?.....	15
8.0 WHAT WE EXPECT FROM CLIENTS.....	15
9.0 COMPLAINTS PROCEDURE.....	16-17
10.0 LOCATION.....	18-22
APPENDIX 1: DEPARTMENTS AND AGENCIES OF THE MINISTRY.....	23

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

A. COPYRIGHT OFFICE

The Copyright Office is the government agency responsible for the implementation of Copyright statutes and regulations. The Office was established in 1985 pursuant to the Copyright Law, 1985 (PNDCL 110). The Law was repealed and replaced with the Copyright Act, 2005 (Act 690). The Office undertakes registration of copyright works, mediation of copyright disputes, public education and enforcement of copyright.

***Reviewed by:
Management Services Department
Accra.***

LIST OF ACRONYMS

AG	- Attorney-General
DPP	- Director of Public Prosecution
F&A	- Finance and Administration
HRM	- Human Resource Development and Management
MDA	- Ministries, Departments and Agencies
MSD	- Management Services Division
MSD	- Management Services Department
OAGMOJ	- Office of the Attorney- General and Ministry of Justice
OHCS	- Office of the Head of the Civil Service
PNDC	- Provisional National Defense Counsel
PPBME	- Policy Planning, Budgeting, Monitoring and Evaluation
RSIM	- Research, Statistics and Information Management
SG	- Solicitor General

FOREWORD

The Client Service Charter was developed in accordance with guidelines provided by the Office of the Head of Civil Service (OHCS) and Management Services Department (MSD), as well as global best practices; taking into account feedback received from Management, Staff, and Clients of the Office of the Attorney- General and Ministry of Justice (OAGMOJ).

The primary focus of the Charter is to highlight to our clients, the various services offered by this Office, the procedures to follow to obtain them and the time frame within which to obtain each service.

The OAGMOJ cherishes its customers and as such is strongly committed to providing them with high quality services. Consequently, we are happy to present to you our Service Charter, which is in line with the requirements of the Civil Service. The development of this Charter is also in line with our desire to operate our business in an open and transparent manner while at the same time ensuring that we monitor the delivery of the services to ensure consistency with our timelines.

The service Charter is divided into six (6) sections. The first section comprises of the introductory part; namely the profile of the OAGMOJ, Vision, Mission, Core Values and Functions of the Ministry. In the second section, we have the governance structure, while the third section deals with the various services provided by the Office. The next three sections deal with what the Office expects from our clients and vice versa; complaints procedures, how to locate us and collaborating agencies.

**CHIEF DIRECTOR
OAGMOJ, ACCRA**

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

Among the General Legal Council's functions are:

- The immediate administration and supervision of Legal Education.
- The establishment of such courses of instruction as the Council deem necessary.
- The conduct of examinations and the publication of examination results.

Over the past 55 years, the Ghana School of Law has trained Magistrates, Judges, Solicitors, Senior Management and Legal Advisors in public and private establishments. The school is the only Professional Law training institution in Ghana and has undoubtedly contributed a great deal to the development of Ghana.

F. ECONOMIC AND ORGANISED CRIME OFFICE

The Economic and Organised Crime Office (EOCO) was set up by the Economic and Organised Crime Office Act, 2010 (Act 804) to supplement and augment government's effort in the fight against corruption in the state. The office was established as a specialized agency of government to monitor, investigate and, on the authority of the Attorney-General, prosecute any offence involving serious financial and economic loss to the state and make provision for incidental purposes. The mandate of the office is clearly set out by the Act governing EOCO. The relevant provisions, at section 3(2) (a) (b) (c) and (d) indicate clearly that the mandate to investigate any suspected fraud is inherent in the office and can be activated by the Executive Director without reference to any other authority or agency of state.

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

Consequently, the Council also publishes the Review of Ghana Law (RGL) containing well researched and learned articles, comments, and critiques of both the academic and practical aspects of the law. The publication also examines the policy justifications of legislation and some judgments of the courts, subjecting them to critical analysis with a view to developing the law in the light of the changing social, economic and political life and conditions in Ghana.

The publications of the Council are therefore prerequisites for the effective functioning of the Judiciary, the Bar and all the administrative and traditional tribunals in the country and the legal profession generally.

D. LAW REFORM COMMISSION

The Law Reform Commission Act, 2011 (Act 822), was first established by the Law Reform Commission Decree 1968 (NLCD 288) and later amended by the Law Reform Commission (Amendment) Decree, 1975 (NRCD 325). The Commission under section 2 of Act 822, is to promote law reform in the country. It also among other functions make practical proposals for the development, simplification and modernization of the law. It also has the mandate to advise the Attorney-General and Minister for Justice on policies for law reform.

E. GENERAL LEGAL COUNCIL

The Legal Practitioners Act, 1958 enacted by Parliament created the General Legal Council and charged it with the responsibility for organizing inter- alia legal education in Ghana. This Act, was replaced by the Legal Profession Act, 1990 (Act 32). Subsequently, the General Legal Council established the Ghana School of Law and mandated it to start Professional Legal training.

1.0. INTRODUCTION

The Client Service Charter provides information on the services rendered by the Office of the Attorney- General and Ministry of Justice (OAGMOJ) to its clientele. The Charter offers pertinent information to the public concerning the activities of the Office and further indicates how feedback may be communicated with regard to any of our services. The Charter also outlines our service standards, fees payable, if any, for accessing our services and defines what members of the general public should expect from the Office of Attorney-General and Ministry of Justice.

The Charter aims to create an enabling environment for interaction between this Office and its clientele and to foster co-operation and collaboration in pursuance of the goals of the Office of Attorney-General and Ministry of Justice (OAGMOJ).

2.0. BACKGROUND T

The Ministry was established pursuant to section 11 of the Civil Service Act 1993 (P.N.D.C.L 327) as amended by the Civil Service Act, 2001 (Act 600). Article 88 of the 1992 Constitution provides that there shall be an Attorney-General, who shall be a Minister of State and the principal legal advisor to the Government. The Attorney-General is also the Minister of Justice.

2.1.Mandate

The Office of the Attorney-General and Ministry of Justice is one of the Ministries created under E.I 28, the Civil Service Ministerial Instrument, 2017 pursuant to section 11 of the Civil Service Act, 1993 (PNDCL 327). Article 88 of the 1992 Constitution also provides that there shall be an Attorney-General, who shall be a Minister of State and the Principal Legal Advisor to the Government.

The Ministry is responsible for formulating policies for the entire legal sector as stipulated by the Civil Service Act, 1993 (PNDCL 327). The Ministry is responsible for general legal matters in relation to the exercise of the Executive Power of the State and responsible for rendering legal advice when requested in relation to legislation and the drafting of legislation to give effect to policy decision taken by Government.

2.2.Vision

An efficient and accessible system of justice exhibiting the highest standards of professionalism and engendering a high degree of public trust and confidence.

2.3.Mission

To provide a legal and policy framework within which legal services are efficiently and effectively delivered to ensure Justice for all.

2.4.Functions

Generally, in reference to Section 13 of the Civil Service Act, 1993, (PNDCL 327) the OAGMOJ shall:

Initiate and formulate legal policy options, laws and legislation for the consideration of government;

- Initiate and advise on government legal matters;
- Undertake such research as may be necessary for the effective implementation of government policies;
- Review Government policies and plans on legal matters;

- *Specify principles including the imposition of the means test to be applied in determining applications for legal aid; and*
- *Specify the conditions for which legal aid may be granted including conditions that relate to any rights in respect of costs recovered or recoverable in any legal proceedings or dispute for the legal aid that is granted to the Commission, and the payments of contributions to the Commission by persons to whom legal aid is granted.*

A.THE REGISTRAR - GENERAL'S DEPARTMENT

The Registrar - General's Department was established under Ordinance 1950 during the colonial days. It became a department of the Ministry of Justice in 1961.

The Department is mandated to administer a number of laws for the purposes of Registration of Businesses, Industrial Property Rights, Marriages and Administration of Estates, with a mission to provide customer friendly registration services and compilation of accurate data for National planning, for the benefit of the Business Community and the Public at large.

B.COUNCIL FOR LAW REPORTING

The Council for Law Reporting is a statutory body established under the Council for Law Reporting Act, 1972 (NRCD 64) as amended by PNDCL 194 and 234 and is governed by a Board appointed by the Government for a three-year term.

The core business of the Council is the preparation and publication of the Ghana Law Reports (GLR) containing the judgements, rulings and opinions of the Superior Courts of Judicature in the country and may also effect any other publications that in the opinion of the Council could conveniently be effected together with the preparation and publication of the reports.

10.0.LOCATION

a. *Physical Location*

Our office is located at the main Ministries area opposite the Office of the Head of the Civil Service building.

b. *Mailing address is:*

Office of the Attorney- General and Ministry of Justice

Post Office Box MB60

Ministries Post Office, Accra

- Telephone - +233-302-665051
- Email: - info@mojagd.gov.gh
- Website - www.mojagd.gov.gh
- Digital Address -. GA-110-0587

APPENDIX 1: DEPARTMENTS AND AGENCIES OF THE MINISTRY

A. LEGAL AID COMMISSION

The Commission was established by the Legal Aid Commission Act, 2018 (Act 977) to provide legal aid to an indigent and a person who has reasonable grounds to take, defend, prosecute or be a party to proceedings related to the Constitution in accordance with clause (1) of article 294 of the Constitution.

The functions of the Commission are to:

- *Determine a person or class of persons to whom legal aid may be granted and a matter or class of matters in respect of which legal aid may be granted;*
- *Determine priorities in the provision of legal aid between different persons or classes of persons and matters or classes of matters;*

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

The specific core functions of the Ministry include:

- Initiate and conduct prosecutions of criminal offences.
- Initiate and conduct all civil litigations, for and on behalf of the State and have audience in all courts in Ghana.
Draft, review and vet substantive and subsidiary legislation of State Institutions.
- Provide support to the Legislature to consider legislature during the enactment process.-
- Provide legal advice to Ministries, Departments and Agencies on matters related to legislation.
- Prepare Executive Instrument and Gazette Notices.
- Produce an up-to-date Index to the substantive and subsidiary legislation.
- Provide support to Parliament in the passage of legislation.
- Prepare legal opinions
- Prepare reports and memoranda
- Ensure equality of access to justice and treatment before the law for all.
- Provide professional legal education and ensure high standards of professional conduct of lawyers.
- Prevent and detect organized crime and facilitate the confiscation of the proceeds of crime.
- Produce and publish the *Ghana Law Reports* and the review of *Ghana Law* to strengthen the capacity of lawyers and judges.
- Provide free legal services to the indigent and vulnerable and resolve conflicts among them through mediation.
- Implement copyright and copyright related laws and regulations and provide for copyright administration.

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

- Conduct research and make recommendation for the reform of laws in the country.
- Undertake the registration of businesses, marriages, protection of Industrial Property Rights and Administration of Estates.

2.5. Values

The values of the OAGMOJ are

- Transparency
- Accountability
- Probity
- Integrity
- Competence
- Maintaining high standards of excellence
- No Tolerance for corruption
- Respect for due process
- Professionalism
- Team work

3.0. DEPARTMENTS AND AGENCIES UNDER THE MINISTRY

The Ministry is made up of the following Departments and Agencies.

- Legal Aid Commission
- Registrar – General's Department
- Council for Law Reporting
- Law Reform Commission
- General Legal Council (Ghana School of Law)
- Economic and Organised Crime Office
- Copyright Office
- Legal Service (Office of the Attorney-General)

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

b. The Chief Director,
Office of the Attorney- General and Ministry of Justice
Post Office Box MB60
Ministries Post Office, Accra
Telephone +233-302-663961
Fax 0302- 667609
Email: info@mojagd.gov.gh

Where you are still not satisfied with the outcome, you may address your comment/ complaints to:

c. The Head of the Civil Service
Office of the Head of the Civil Service
P. O. Box M49
Ministries, Accra
Telephone: + 233 0302- 909190

Where you are still not satisfied with the outcome, you may address your comment/ complaints to:

d. The New Charter Office
C/o Office of the President
Public Sector Reform
PMB Stadium Post Office
Tel: 0302 - 672 333 / 684 036 / 671 395

Where you are still not satisfied with the outcome, you may address your comment/ complaints to:

e. The Commissioner,
Commission on Human Rights and Administrative Justice
Postal Address: Box AC 489, Accra.
Phone: +233 (0) 662150 / 664267
EMAIL: info@chraj.gov.gh
GPS: GA-184-6440

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

9.0.COMPLAINTS PROCEDURE

If something goes wrong, we will be glad to hear about it from you. We are continuously trying to improve our standards. To do this we need to know what kind of service you need and how this compares with the service we provide.

When Registering a Complaint, we would like you to:

- Pick and complete a complaint form
- Provide personal detail
- Be clear why you are not satisfied
- Indicate what you expect the OAGMOJ to do
- Keep a record of events
- Follow up with the assigned personnel, if possible
- Drop it in our suggestion box located at the main entrance of the office block or visit our website and fill a form

The channel of communication in dealing with the OAGMOJ shall be from the Client Service Officer through Departmental Head to Chief Director/ Minister and further to the Office of the Head of the Civil Services when concerns are not addressed.

Where to address your complaints

a. Client Service Unit

Office of the Attorney- General and Ministry of Justice

Post Office Box MB60

Ministries Post Office, Accra

Telephone +233-302-665051 / 020 731 10660

Email: info@mojagd.gov.gh

Website www.mojagd.gov.gh

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

The functions of the Departments and Agencies are provided in Appendix 1

4.0.ORGANIZATIONAL ARRANGEMENTS

The Structural Arrangement for the Ministry is as follows

a. Line Directorates (Civil Service)

- Policy Planning, Budgeting, Monitoring and Evaluation (PPBME)
- Finance and Administration (F&A)
- Human Resource Development and Management (HRM)
- Research, Statistics and Information Management (RSIM)

b. Technical Directorates (Office of the Attorney-General)

- Legislative Drafting Division
- Prosecutions Division
- Civil Division
- Energy Division

c. Units

- Internal Audit
- Public Relations

5.0. COLLABORATING MINISTRIES DEPARTMENTS AND AGENCIES (MDAS) AND INSTITUTIONS

- The Office of the President
- The Office of the Head of the Civil Service (OHCS)
- Ministry of Finance
- Ministry of Roads and Highways
- Ministry of Agriculture
- Ministry of Trade and Industry
- Ministry of Energy.

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

- Ministry of Communication
- Ministry of the Interior
- Ministry of Local Government and Rural Development
- Ministry of Employment and Labour Relations
- Ministry of Transport
- Ministry of Gender, Children and Social Protection
- Ministry of Defense
- Ministry of Foreign Affairs & Regional Integration
- Ministry of Youth and Sports
- Ministry of Chieftaincy and Religious Affairs
- Ministry of Lands and Natural Resources
- Ministry of Tourism, Culture and Creative Arts
- Ministry of Environment, Science, Technology and Innovation
- Judicial Service
- Commission on Human Rights and Administrative Justice

7.0.WHAT TO EXPECT FROM US?

In writing, we will:

- Reply to general correspondence within five (5) working days upon receipt. If we cannot answer all your questions within that time, we will inform you in writing and/or by telephone when to expect a full reply
- Treat all correspondence which are duly signed as official documents.

By telephone, we will:

- Answer the telephone between two (2) to three (3) rings.
- Identify ourselves by organization, name and grade.
- Inform you when you may expect a full reply, in case we are unable to answer your enquiry immediately.
- Redirect you to the appropriate quarters if the matter in question is not in our area of competence

On appointment, we will:

- See you within ten (10) minutes of the agreed time.
- Answer your questions immediately, but if we cannot, we will let you know why and when you can expect an answer from us.

8.0.WHAT WE EXPECT FROM CLIENTS

The quality of service we can provide to you depends on the input and co-operation we receive from you. Accordingly, we expect you to:

- Be courteous and polite to our staff.
- Comply with our Rules, Guidelines and Regulations.
- Ensure that all forms are properly completed.
- Adhere strictly to the procedures for lodging complaints.
- Expeditiously reply to queries and enquiries.
- Inform us if you are not satisfied with our services.

NO.	SERVICE	TIME FRAME	PROCESSES/PROCEDURES	REQUIREMENT(S) FROM CLIENTS
14	Produce an up-to-date Index to the substantive and subsidiary legislation	6 – 12 months	<ul style="list-style-type: none"> Receive the relevant substantive laws as and when they are assented to by the President. Receive correspondence on the date of entry into force of a Constitutional or Legislative Instrument from Parliament Compile relevant updates to the substantive and subsidiary legislation, i.e. Acts of Parliament, Legislative Instruments, Constitutional Instruments and Executive Instruments. 	<p>Receive the necessary correspondence from Parliament for substantive legislation, and Constitutional and Legislative Instrument.</p> <p>Submit relevant documents for legislation including drafting instructions and other relevant documents.</p>
15	Preparation of Reports and Memoranda	3 - 6 weeks	<ul style="list-style-type: none"> Receive correspondence from Ministry, Department or Agency concerned. Prepare draft memorandum / report Forward report or memorandum to the Head of Legislative Drafting Division for review. Preparation of final memorandum / report Forward of memorandum or report to Ministry, Department or Agency concerned 	<ul style="list-style-type: none"> Receive correspondence from Ministry, Department or Agency concerned. Ministry, Department or Agency assign a Schedule Officer. Submit relevant document.

6.0.OUR SERVICES AND STANDARDS

NO.	SERVICE	TIME FRAME	PROCESSES/PROCEDURES	REQUIREMENT(S) FROM CLIENTS
1	Legal opinion on police docket.	10 days – 40 days	<ul style="list-style-type: none"> Receive docket from police and other investigative agencies Review and provide legal opinion 	<ul style="list-style-type: none"> Submit complete docket after fully completing investigations. Sufficient/adequate evidence to support the docket/investigations.
2	Issue Legal Opinion on financial transactions	5 working days	<ul style="list-style-type: none"> Receive request from MDA Review and provide legal opinion on transaction 	<ul style="list-style-type: none"> Request a copy of the agreement covering the financial transaction from Ministry of Finance Receive copy of Agreement Parliamentary Approval Cabinet Approval Applicable laws and other relevant documents
3	Prosecute criminal cases in court.	60 working days for pre-trial procedures depending on circumstance in court during the trial.	<ul style="list-style-type: none"> Hold pre-trial conference File charge sheet Disclose relevant information to accused person at least two (2) clear days before case management conference Attend case management conference in the case of trials on indictment, proceed to commit the accused person for trial. 	<ul style="list-style-type: none"> Submit original docket and any requested information. Procure witnesses. Relevant documents to be disclosed to the accused person. Serve copy of charge sheet on accused person and inform accused person of date of trial.
4	International Cooperation Mutual Legal Assistance	10 days – 40 days	<ul style="list-style-type: none"> Requests from a competent agency, Study the request and decide next line of action. Request is received from a foreign state, Study the request and determine if Ghana can assist and refer the request to the relevant competent agency to execute. 	<ul style="list-style-type: none"> Provide full overview of investigations and specific assistance required of the foreign state. Work assiduously to execute the requested assistance and forward the response to our office for onward submission to the foreign state.

NO.	SERVICE	TIME FRAME	PROCESSES/PROCEDURES	REQUIREMENT(S) FROM CLIENTS
5	Represent the state in International Arbitrations	1- 3 working days 20- 40 working days Case to take its normal course	<ul style="list-style-type: none"> Write for comments from MDA Form a team/appoint solicitors Collaborate with External Solicitors 	<ul style="list-style-type: none"> Notice of arbitration Comments from the MDAs
6	Resolve international criminal matters (Extradition)	10 days-40 days	<ul style="list-style-type: none"> Review requests from a competent agency and send request for extradition to the relevant country. 	<ul style="list-style-type: none"> Provide full overview of investigations and specific assistance required of the foreign state. An indication of the location of the fugitive. Depositions from witnesses and any exhibits required Initial contacts with Interpol.
7	Prisoner transfer (from or to Ghana)	10 days – 40 days	<ul style="list-style-type: none"> Study the request from the prisoner and take a decision Process request and send to the relevant State Review requests to Ghana and collaborate with the relevant agencies to determine citizenship and respond to the request. 	<ul style="list-style-type: none"> Apply for transfer Fill the relevant forms and provide information on citizenship Sign the consent form Complete deposition accompanied with the relevant note verbal through the right diplomatic channels.
8	Response to Civil Petitions	5-10 working days	<ul style="list-style-type: none"> Write to MDA for comments and document (s) Advice/ give Legal Opinion 	<ul style="list-style-type: none"> Formal Petition Response and documents
9	Defend the State in Civil Suits	8-14 working days Case to take its Normal	<ul style="list-style-type: none"> Receive writ of summons or Application /Motion Enter appearance Respond to Application /Motion 	<ul style="list-style-type: none"> Comments and documents Assign Schedule Officer from MDA

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)

NO.	SERVICE	TIME FRAME	PROCESSES/PROCEDURES	REQUIREMENT(S) FROM CLIENTS
10	Drafting substantive and subsidiary legislative for Government a)Initial Draft Final Draft	2 - 4 months 1 - 3 months	<ul style="list-style-type: none"> Receive necessary documents Prepare draft legislation and the explanatory memorandum to the Bill after the Bill has been finalized. Obtain relevant Cabinet Approval Submit legislation to Parliament for consideration. 	<ul style="list-style-type: none"> Submission of relevant documents for legislation including; Drafting Instructions Cabinet Approval Other relevant documents.
11	Provide legal opinion to Ministries, Departments and Agencies on matter related to legislation	3 – 6 weeks	<ul style="list-style-type: none"> Receive necessary documentation from Ministry Agency or Department concerned. Undertake extensive research on specific area. Draft legal opinion. Forward legal opinion to the Attorney -General through the Head of the Legislative Drafting Division for approval. Submit the opinion to the relevant Ministry, Department or Agency. 	<ul style="list-style-type: none"> Submit relevant correspondence requesting for legal advice together with relevant documents
12	Prepare Executive Instruments.	3 – 6 weeks	<ul style="list-style-type: none"> Receive necessary documentation. Undertake extensive research on the subject matter Prepare the Executive Instrument for consideration and subsequent signature. Request for Gazette publication of the signed Executive Instrument. Inform the Ministry, Department or Agency concerned of the publication. 	<ul style="list-style-type: none"> Submit relevant documents for legislation including drafting instructions and other relevant documents
13	Prepare Gazette Notices.	3 – 6 weeks	<ul style="list-style-type: none"> Receive necessary documentation. Undertake extensive research to ensure the accuracy of documents submitted. Prepare the Gazette Notice for consideration and subsequent signature. 	<ul style="list-style-type: none"> Submission of relevant documents for legislation including drafting instructions and other relevant documents.

OFFICE OF THE ATTORNEY-GENERAL AND MINISTRY OF JUSTICE(OAGMOJ)