



Response To Concerns Raised by MPs & Other Stakeholders

Friday | January 27, 2017

Report On The Sixth Parliament of the Fourth Republic of Ghana

Rationale for the study

A proper functioning parliament is an essential condition for the development of Ghana's democracy. Over the last two decades, Ghana has developed exemplary democratic credentials and stands tall as a beacon of hope for democratic development in the West African sub-region. However, many Ghanaians have expressed concerns about the ability of Parliament to perform its core mandate: legislation and oversight of the executive arm of government. Such concerns appear not to be evidence-based, as there has not been any study of the actual legislative processes of the Parliament of Ghana.

Most research reports on the performance of parliamentarians and the Ghanaian Parliament as a whole have concentrated on citizens' perceptions of MPs and Parliament. For instance, a 2012 survey report by the National Commission on Civic Education (NCCE) shows that Ghanaians measure MPs' effectiveness on the basis of their ability to facilitate the provision of government-funded development projects in their local communities, the payment of school fees, attending funerals in their constituencies, addressing health concerns of their constituents, personal assistance, among others, to the neglect of the execution of their legislative functions and oversight responsibilities.

We at Odekro believe that an assessment of the core mandate of MPs – legislative and oversight functions – is essential to filling the information gap on the operation of Parliament. Being the first of its kind in Ghana, our report assesses the legislative performance of Ghana's Parliament and its MPs, based on Parliamentary open documents. It examines:

1. The legislative process and the extent to which parliament engages with Civil Society Organisation (CSOs), stakeholders and citizens in the law-making process.
2. MPs' contributions to debates on the floor of Parliament.
3. The number of bills passed in the four-year span of the Sixth Parliament of the Fourth Republic, including the focus and duration of bills and the number of amendments to various bills.

Benefits of the report

The importance and value of this report is diverse, among which are:

1. Providing an objective basis on which to assess the performance of MPs and Parliament and help to inform the debate on the role and effectiveness of Parliament in Ghana's democratic and constitutional system.
2. Filling the information gap on the legislative and oversight functions of the Ghanaian parliament.
3. Empowering the Ghanaian electorate by providing them the necessary information needed to assess the effectiveness of Parliament and its MPs.
4. Helping improve parliamentary accountability.
5. Offering Parliament the opportunity to introspectively examine itself in order to identify its own strengths and weaknesses for necessary parliamentary reforms, including aspects of its standing orders, record keeping and constitutional reforms.

Challenges

We limited our assessment to variables which can be tracked using data gathered by the Parliamentary Service itself and recorded in the Hansards, Votes and Proceedings, Order Papers and Committee Reports. Our attendance data for MPs was generated by summing attendance data recorded in Parliament's Votes and Proceedings document. The data on MPs statements/contributions and Bills was obtained from the Hansard (near verbatim records of parliamentary proceedings) and Votes and Proceedings document (bills) respectively. Our data on Civil Society Organisations and citizens' engagements with Parliament was mined by analyses of committee meetings and agendas as listed in the Votes and Proceedings and detailed scrutiny of the content of committee reports.

Below are the limitations of the data accessed from the website of Parliament and the Parliamentary service:

1. Though Parliament publishes many of its official documents on its website, our data collection process was still plagued with a number of significant challenges.
 - a. Some of the links to documents on Parliament's website are broken (no documents load when the respective hyperlinks are clicked during the data collection period).
 - b. Parliament does not release its documents online as soon as they are published.
 - c. The cache of Parliamentary documents released online is incomplete.
 - d. It is impossible to navigate through Parliament's complete set of online records. We therefore had to obtain soft and hard copies of these documents primarily from the Parliamentary Service. However, most of the soft copy files we obtained were saved in the discontinued Adobe Pagemaker file format and several of the soft copy files

we obtained were damaged. We therefore had to resort to a time-consuming process of obtaining hardcopies of these documents and scanning the said documents into a more readable format (pdf).

- e. Some of the Parliamentary documents are fraught with inconsistencies. Some MPs are often assigned two or three different (versions of their names) and titles together with inconsistent caption of constituencies by Hansard Recorders. Here are some notable examples of inconsistent capture of MPs and constituency names in Parliamentary documents:

Name	Constituency
Hon. Akoto Osei Dr. Akoto Osei Dr. Akoto-Osei	N/A
Safo, Sarah Adwoa (Ms) Adwoa Sarah Safo	Dome/Kwabenya Dome-Kwabenya
Puozaa, Mathias Asoma Mathias A. Puozaa	N/A
Nii Amasah Namoale Nii Namoale	
Cassiel Ato Forson Forson, Cassiel Ato Baah	Ajumako-Enyan-Esiam Ajumako/Enyan/Essiam
Kojo Appiah-Kubi Appiah-Kubi, Kojo (Dr)	N/A
Tetteh David Assumeng Assumeng, David Tetteh	N/A

These issues made it very difficult to automate our data processing cycle. Our algorithm required constant tweaking and had to be supplemented by manual data entry and verification.

Due to many of these challenges, our data set ended on October 26, 2016 and did not capture the final week of Parliament's sitting.

We fully appreciate the potential of the difficulties alluded to earlier in affecting the generation of the ranking of MPs for the Sixth Parliament of Ghana. Thus, we put in place measures to mitigate the effects of such challenges on the analysis and findings of the report. Files from our data cache were entered into Odekro's in-house software with a predetermined algorithm to mine and extract data on MPs attendance, number of statements made, number of amendments contributed to bills, dates of the 1st, 2nd and 3rd reading of Bills and other variables. The extracted data was input into excel sheets and word documents as appropriate.

Three Odekro data assistants then verified the data extracted data by comparing data outputs with the source documents obtained from Parliament and filling any gaps in the data.

Concerns Raised by Some MPs and Other Stakeholders

On Wednesday January 25, 2017, we issued a statement acknowledging that we erred in the graphic representation of some MPs' performance in the Sixth Parliament as captured in our factsheet. We have rendered unqualified apologies to the affected individuals in the persons of Madam Adwoa Safo, MP for Dome-Kwabenya and Mr. Frank Annoh-Dompreh, MP for Nsawam-Adoagyiri. The said errors were transpositional.

We also acknowledge other concerns raised by other MPs and stakeholders, especially those relating to our methodology. We hope to incorporate such concerns into our next report.

Notwithstanding the above-stated challenges, we remain the only authoritative source of publicly available and searchable collated records of MPs' speech and attendance in Ghana. Our correct use and attribution of data as early as on December 6th, 2016 should put to rest any suspicion that subsequent mistakes were borne of malice. It is our firm belief that the report offers Parliament, the general public and other stakeholders an important and objective resource for the assessment of the performance of the Ghanaian legislature.

Findings

Our report provides valuable data which for the first time quantifies the nature of Parliament's work and the extent of its successes and failures. Our findings show that:

1. 52 MPs or 18.9% of the 275 MPs contributed amendments to the over 81 bills which were approved by Parliament. Of the 79 Bills passed, 31 Bills or 43.3% were "tax bills", introduced to impose or revise (mostly increase) taxes, customs duties and levies. With 7 Appropriation Bills introduced to approve the budget, revenue mobilization comprised 50.7% of the Sixth Parliament's legislative agenda. Each bill received an average of 31 amendments before passage, indicating modest degree of scrutiny by MPs.
2. 27 of the 52 MPs (51.9%) who contributed amendments to Bills were Committee Chairmen, Vice Chairmen, Ranking Members or Deputy Ranking Members. Thus, roughly half of the MPs who contributed amendments did not hold leadership positions.

3. The lowest number of amendments by an MP was 1 and the highest 1335 (James Klutse Avedzi, Chairman of the Finance Committee). James Klutse Avedzi's dominance of the Bill-amendment process is not surprising since the finance committee, which he chairs, presented over 53% of the Bills approved by Parliament over the 4-year period.
4. Out of about 1,500 committee meetings held by 21 Committees, only 55 meetings representing 3.7% of the total involved consultations with CSOs or other stakeholders.
5. Between 2013 and 2016, the Committees of Parliament whose activities were examined (Appointment, Trade, Industry & Tourism; Works & Housing; Privileges; Employment, Social Welfare & State; Health; Roads & Transport; Government Assurance; Lands & Forestry; Youth, Sports & Culture; Education; Constitutional, Legal & Parliamentary Affairs) undertook various oversight and monitoring functions. The committees engaged various officials from Ministries, Departments and Agencies (MDAs), public and private companies and public institutions to discuss pertinent issues. Some of their activities included vetting of nominees for public office, discussion of enquiry reports and bills. In undertaking the latter, the committees utilized engagement mechanisms in the form of public hearings, direct engagement with stakeholders and public forums for more citizen involvement.
6. 255 out of 275 (92.7%) of MPs made at least 1 contribution to debates during their 4-year tenure in office. 73 MPs were absent without permission, a clear violation of article 97(1)(c) of the constitution. 28 MPs never absented themselves without permission.
7. MPs who are members of the leadership of Parliament do indeed get to speak more often than regular MPs. Nearly all the top 10 performing MPs whose total score was above 80% were in leadership positions.
8. The 30 women MPs in the House (Sixth Parliament) made an average of 48 statements each; 147 statements less than male MPs (who averaged 195 statements). Seven of the 30 women MPs are in leadership positions in Parliament, comprising 10% of the Parliamentary leadership and nearly proportionate to the percentage of women MPs in Parliament (11%). Women may not contribute to Parliamentary debates as often as men, however significantly 28 of the 30 (93.3%) women MPs in Parliament made contributions to Parliamentary debates.

Recommendations

Against this background, we make the following recommendations for parliamentary reform:

1. Parliamentary committee reports are brief summaries of several discussions of a Parliamentary committee on any one issue. Assuming that committees take minutes of each committee meeting, these records are not published. We recommend that Parliament publishes the minutes of each committee meeting, subject to restrictions necessary to ensure attorney-client privilege, protect national security and so on.
2. Furthermore, we recommend that Parliament records and publishes the individual contributions of MPs to committee debates. Members of Parliament have often complained that they are often marked absent despite their contributions to committee discussions.
3. Committees (through Parliament) also fail to publish the explanatory memoranda which various CSOs and Stakeholders provide to them. Though it is possible for members of the public and stakeholders to publish these memoranda on their own websites, Parliament must as a matter of course have its own copies in a centralized electronic location and publish these on its website for free public viewing.
4. The “Parliament/Citizen Encounter” program proposed by the Speaker is a laudable initiative. Prior to its conceptualization and implementation however a number of immediate steps can be taken to enhance citizens’ access to MPs.
5. All MPs can be required to furnish the Parliamentary Service with their public phone numbers, e-mail addresses and social media profiles. Phone numbers and e-mail addresses are already required; however a cursory examination of Parliament’s website shows that many MPs in the Sixth Parliament failed to provide these details. Though about 30% of Ghanaians use the internet with 13% of that number on Facebook only a very small fraction of MPs are on social media.
6. Furthermore, the meetings of Parliamentary committees, with the exception of the Public Accounts, are closed to the public by default, unless the Chair of the committee exercises his/her discretion to allow deliberations of the committees. We recommend an amendment to Standing Order 213 to allow members of the general public to have access to Parliamentary committees by default, with the option to restrict access when discussions on national security and similar confidential matters are held.

7. Parliament must announce calls for public memoranda and reports from stakeholders and citizens on the radio stations with the widest coverage as well as on social media.
8. Reform the Parliamentary Service's record keeping system: We recommend that the Hansard Department and the Table Office's record keeping systems should be completely overhauled. We faced considerable difficulties in accessing some aspects of the records.

The ground-breaking speech delivered by the Speaker of Parliament the Rt. Honourable Mike Aaron Oquaye outlined a bold agenda for Parliamentary reform. Our report has identified, using data, many of the fundamental weaknesses with Parliament. We are also hopeful that the new Parliamentary leadership will be informed by our findings and other studies on the effectiveness of Parliament as they execute their mandate of Parliamentary leadership. The growth and progress of our democracy is contingent on a strong Parliament.

The report on the Sixth Parliament of Ghana can be accessed here:

<http://www.odekro.org/info/6thparliamentgh>

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