



THE RIGHT TO INFORMATION COMMISSION  
ACCRA

13<sup>TH</sup> MARCH, 2025

AFR NO: RTIC/AFR/09/2025

WILLIAM KOFI YIRENKYI  
ACCRA  
AND

APPLICANT

NATIONAL SIGNALS BUREAU  
ACCRA.

RESPONDENT

DETERMINATION BY THE RIGHT TO INFORMATION COMMISSION IN  
RESPECT OF AN APPLICATION FOR REVIEW FILED BY WILLIAM KOFI  
YIRENKYI AGAINST THE NATIONAL SIGNALS BUREAU'S REFUSAL TO  
RELEASE INFORMATION REQUESTED BY WILLIAM KOFI YIRENKYI

FACTS

On 6<sup>th</sup> January, 2025, William Kofi Yirenkyl (hereinafter called as "the Applicant") requested for information from the National Signals Bureau (hereinafter referred to as the "Respondent") through its Director-General.

The information sought by the Applicant has been reproduced below:

- 1. Were the CCTV cameras at the East Legon underpass, on the Boundary Road leading to the Gethsemane Cemetery, the Labawuleshie Road and Trinity Avenue intersection, and the Okponglo Traffic Light onto the N4 highway leading to the Airport Police Station operational between 11:00 p.m. on 20<sup>th</sup> November 2022 and 1:00 a.m. on 21<sup>st</sup> November 2022.*



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2. *Was the public CCTV camera on the intersection of Ndabangi Sithole Street and Peter Ala Adjetey Ave in Cantonments, Greater Accra Region, located at the first junction on the left when heading to the National Signals Bureau office from Morning Star International School, operational on 30th December 2023 between the hours of 3:30 a.m. and 4:30 a.m.?*
3. *Were any of the reported malfunctions, maintenance activities, or downtimes affecting the camera during these periods?*
4. *Does the footage from the CCTV camera at the location of these two criminal incidents on between 1:00 p.m. on 20<sup>th</sup> November 2022 and 1:00 a.m. on 21<sup>st</sup> November 2022 and 30<sup>th</sup> December 2023 still exist in your archives?*
5. *If the footage exists, has it been reviewed or accessed by your institution or any third party, including the Ghana Police Service, in the past?*
6. *What led to its unavailability if the footage does not exist?*
7. *Has the Criminal Investigations Department (CID) of the Ghana Police Service or any other law enforcement official formally requested the footage from these locations within the said dates and times?*
8. *If requests were made, on what dates were they received, and what was outcome of the requests?*
9. *What is your institution's retention policy for the public CCTV footage, specifically for the locations where the incidents occurred?*
10. *How long is footage typically stored before being deleted or overwritten?*
11. *What is the procedure for requesting access to CCTV footage as an individual involved in or affected by these criminal incidents?*
12. *Are there any specific conditions or requirements to be fulfilled to access the footage?*

When the Applicant did not receive a response to the application, and without exhausting the internal review procedure provided under the Right to Information Act, 2019 (Act 989), he petitioned the Right to Information Commission (hereinafter referred to as the "Commission") on



21<sup>st</sup> January, 2025 for a review of the failure, refusal and/or neglect of the Respondent to provide the information requested.

The Commission wrote to the Respondent in a letter dated 3<sup>rd</sup> February, 2025 with reference number: **RTIC/RF/VOL.6/0523** requesting the Respondent to provide its reasons for its failure, refusal and or neglect to respond to the Applicant's request.

As at the date of this determination, the Respondent has not responded to the Commission's request.

#### **ISSUE:**

The issue for determination is: whether or not the Respondent's failure to furnish the Applicant with the information requested was justified under Act 989?

Section 23(5) of Act 989 provides that an application should be deemed to have been refused where the information officer fails to determine the application within 14 days; and the applicant may apply to the head of the public institution for an internal review of the decision of the information officer under section 31 of the Act.

The Commission notes that the Applicant did not apply for an internal review to the head of the Respondent, as required by section 23. The Applicant argued in his letter to the Commission that section 67(2) (b) of Act 989 empowers him to apply directly to the Commission after an initial refusal without the need for an application for internal review since the requested information is necessary to safeguard his life and personal liberty. The Commission agrees with the Applicant's position, if indeed the information requested is sought to safeguard his life and personal liberty save that the Applicant did not furnish any evidence or demonstration of that fact.

Under section 27 of Act 989, the reasons for denying a request are as follows:

"If

- a) the application is manifestly frivolous or vexatious; or
- b) the information is an exempt information."



No evidence has been provided to suggest that the requested information falls within the exempt categories of information outlined in sections 5 to 16 of Act 989. However, upon its review of the specific requests made by the Applicant, the Commission finds some of the requested information exempt under section 7 (1) (i) of Act 989 whilst the remaining requested pieces of information are not exempt from disclosure. Section 7(1)(i) provides as follows.

**"Information is exempt from disclosure where the information contains matters which if disclosed can reasonably be expected to**

**(i) interfere with the maintenance or enforcement of a lawful method or procedure for protecting the safety of the public".**

The pieces of information deemed exempt from disclosure by the Commission, when disclosed, can give an idea or indication to potential miscreants regarding the handling of CCTV footage by security agencies and they may use that to their advantage.

#### CONCLUSION

The Commission finds that the Respondent is not justified in refusing to grant the Applicant access to the information requested. The Respondent has breached its obligations under Act 989 by failing to respond to both the Applicant's request and the Commission's letter. In fact, under section 70 of Act 989, the Respondent is required to assist the Commission in its investigations.

#### FINAL ORDERS

The Commission has the power under section 43 (2) (c) of Act 989 to issue recommendations and penalties in relation to cases before it. Section 43 (2) (c) provides as follows:

**The Commission shall have the power to**

**(c) make any determination as the Commission considers just and equitable including issuing recommendations or penalties in matters before the Commission.**



Further, section 71(2) (f) of Act 989 empowers the Commission to impose administrative penalties against public institutions that fail to comply with an obligation required under the Act. The Section 71 (2) (f) reads;

**Section 71(2)**

**A decision of the commission may include,**

**(f) Imposition of an administrative penalty against the public institution or relevant private body where the public institution or relevant private body fails to comply with an obligation under this Act.**

In view of the aforementioned, the Commission hereby makes the following specific orders directed at the Director-General of the National Signals Bureau:

- a. **Based on the Respondent's failure to comply with its obligation under Act 989, an administrative penalty of GH¢100,000.00 is imposed on the Respondent and this shall be payable to the Commission not later than 14 days after the date of receipt of this decision. The penalty so imposed shall attract an additional default penalty at a rate of 10% on the principal penalty sum of GH¢100,000.00 in the event of default for any additional 14 days thereafter.**
- b. **The Director-General shall ensure that access to the pieces of information requested as stated below are granted to or denied the Applicant, according as indicated by the Commission, not later than 7 days after receipt of this decision by the Commission:**

*1. Were the CCTV cameras at the East Legon underpass, on the Boundary Road leading to the Gethsemane Cemetery, the Labawuleshie Road and Trinity Avenue intersection, and the Okponglo Traffic Light onto the N4 highway leading to the Airport Police Station operational on between 11:00 p.m. on 20th November 2022 and 1:00 a.m. on 21st November 2022.*

**NOTE: Question should be answered.**



2. Was the public CCTV camera on the intersection of Ndabangi Sithole Street and Peter Ala Adjetey Ave in Cantonments, Greater Accra Region, located at the first junction on the left when heading to the National Signals Bureau office from Morning Star International School, operational on 30th December 2023 between the hours of 3:30 a.m. and 4:30 a.m.?

NOTE: Question should be answered.

3. Were any of the reported malfunctions, maintenance activities, or downtimes affecting the camera during these periods?

NOTE: Question should be answered.

4. Does the footage from the CCTV camera at the location of these two criminal incidents on between 1:00 p.m. on 20th November 2022 and 1:00 a.m. on 21st November 2022 and 30th December 2023 still exist in your archives?

NOTE: Question should not be answered since it is exempt from disclosure under section 7(1) (i) of Act 989 being information whose disclosure is likely to "interfere with the maintenance or enforcement of a lawful method or procedure for protecting the safety of the public." Such information can give an idea or indication to potential miscreants regarding the handling of CCTV footage by security agencies and may use that to their advantage.

5. If the footage exists, has it been reviewed or accessed by your institution or any third party, including the Ghana Police Service, in the past?

NOTE: Question should be answered.

6. What led to its unavailability if the footage does not exist?

NOTE: Question should be answered.

7. Has the Criminal Investigations Department (CID) of the Ghana Police Service or any other law enforcement official formally requested the footage from these locations within the said dates and times?

NOTE: Question should be answered.



8. *If requests were made, on the dates they were received, and what was outcome of the requests?*

*NOTE: Question should be answered.*

9. *What is your institution's retention policy for the public CCTV footage, specifically for the locations where the incidents occurred?*

*NOTE: Question should not be answered for the reason already given above in paragraph (4).*

10. *How long is footage typically stored before being deleted or overwritten?*

*NOTE: Question should be answered.*

11. *What is the procedure for requesting access to CCTV footage as an individual involved in or affected by these criminal incidents?*

*NOTE: Question should be answered.*

12. *Are there any specific conditions or requirements to be fulfilled to access the footage?*

*NOTE: Question should be answered.*

- c. The information ordered to be released to the Applicants under Paragraph "b" supra shall attract a charge of GH¢0.27 per page where it is to be photocopied. If the information is to be released in a printed form, a fee or charge of GH¢0.38 shall apply and where the information is to be released in computer readable format, a fee or charge of GH¢0.29 should be applied for the information per page pursuant to the Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080).
- d. The Applicant should rather be allowed by the National Signals Bureau to inspect or watch the CCTV footage in question within 7 days of receipt of this decision by the Commission.



**YAW SARPONG BOATENG, ESQ**  
**EXECUTIVE SECRETARY**

