

THE RIGHT TO INFORMATION COMMISSION

ACCRA

25TH MARCH, 2026

AFR NO.: RTIC/AFR/60/2025

NAI DOKU

APPLICANT

ACCRA

VRS

LEGAL AID COMMISSION

RESPONDENT

ACCRA

**DETERMINATION BY THE RIGHT TO INFORMATION COMMISSION IN
RESPECT OF APPLICATION FOR REVIEW FILED BY NAI DOKU AGAINST THE
LEGAL AID COMMISSION FOR NON-RELEASE OF REQUESTED INFORMATION**

AND

FACTS

On 17th August 2025, the Right to Information Commission (hereinafter referred to as the “Commission”) received an application for review from Nai Doku (hereinafter referred to as the “Applicant”) seeking a review of the decision of the Legal Aid Commission (hereinafter referred to as the “Respondent”) for its failure to grant access to certain requested information.

According to the Applicant, an initial request for information was submitted to the Legal Aid Commission on **26th August 2024**, but no response was received within the statutory period. Subsequently, an internal review request was submitted on **5th December 2024** to which the



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Respondent again failed to respond within the time stipulated under the **Right to Information Act, 2019 (Act 989)**.

The Applicant requested the following information:

1. “What was Scancom (MTN) response to the complaint 1 lodged with you?
2. How many persons represented Scancom (MTN) – their names (if available), their designations/profession, how they are related/involved with Scancom (MTN) when called for arbitration. After I presented a letter dated 22 November 2021 from the Superintendent of Police, Mpraeso, and based on that you called another – a second arbitration meeting, did Scancom (MTN) turned up, and what conclusions were reached?
3. When you referred to one of the lawyers, what legal opinion was given to me?

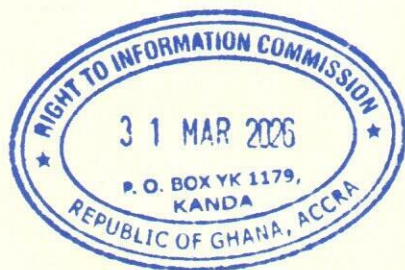
Following receipt of the application for review, the Commission wrote to the Respondent by a letter dated **5th September 2025**, pursuant to **Sections 43(2) (b)** and **70** of Act 989, directing the Respondent to provide reasons for the delay and to furnish the requested information within **seven (7) days**.

As at the date of this determination, the Legal Aid Commission has failed, refused, or neglected to respond to both the Applicant and the Commission.

ISSUE FOR DETERMINATION

Whether the legal Aid Commission breached its statutory obligation under the Right to Information Act, 2019 (Act 989) by failing to respond to the Applicant’s request and to cooperate with the Commission during its investigation.

LEGAL ANALYSIS



Under **Section 23(1)** of Act 989, a public institution is required to respond to an application for access to information within **fourteen (14) days of receipt**. Failure to do so constitutes a breach of statutory duty.

Under **Section 27(1)** of the Act, a refusal to grant access may only be justified where:

- a. the application is manifestly frivolous or vexatious; or
- b. the information requested is exempt under **Sections 5 to 16 of Act 989**.

In this instance, the Respondent failed to provide any justification under these grounds.

Furthermore, **Section 43(2)(b)** empowers the Commission to determine the nature and form of investigation required for a matter before it, and **Section 70** places a duty on all public institutions to assist the Commission in the course of its investigations.

The continued silence and non-cooperation of the Respondent amount to a clear violation of these statutory duties.

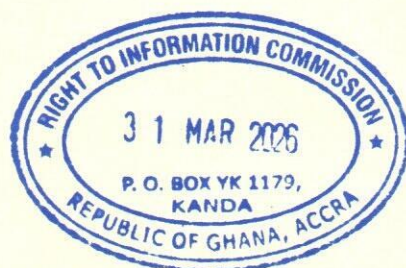
Such conduct undermines the principles of the transparency, accountability, and administrative responsiveness as envisaged under Section 2 of Act 989.

FINDINGS

The Commission therefore finds that the Legal Aid Commission has:

- Failed to respond to an application for information within the period prescribed under **Section 23(1) of Act 989**;
- Failed to cooperate with the Commission during its investigation, contrary to **Section 43(2)(b) of the Act**; and
- Failed to assist the Commission as required under **Section 70 of the Act**.

FINAL ORDERS



Pursuant to the powers conferred on the Commission under **Section 43(2) (c)** of the Right to Information Act, 2019 (Act 989), the following orders are hereby made:

1. **Administrative Penalty:**

The Legal Aid Commission is hereby fined **Fifty Thousand Ghana Cedis (GH¢50,000.00)** for failure to respond to the Applicant and to the Commission, in violation of Act 989. This amount shall be paid into the Commission's account within **fourteen (14) days** of receipt of this determination. In default, an additional **ten percent (10%)** of the amount shall accrue for every subsequent fourteen (14) days until full payment is made.

2. **Provision of Information:**

The Legal Aid Commission is directed to respond to the Applicant and provide access to the requested information within **seven (7) days** of receiving this determination, subject to application exemptions under the Act. Where certain portions of the requested information, such as names or internal legal advice, are exempt, those portions may be redacted in accordance with the law.

3. **Fees and Charges:**

Any reproduction of documents shall attract statutory fees as stipulated under the **Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080):**

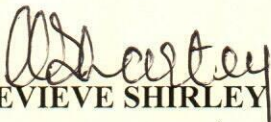
- GH¢0.27 per photocopied page
- GH¢0.38 per printed page
- GH¢0.29 per page for data provided on an electronic device

RECOMMENDATION AND REMINDER

The Commission reminds the Legal Aid Commission of its duty to uphold transparency and accountability under Act 989, and to comply fully with lawful requests for information in future.



Failure to comply with this determination may attract further sanctions under Section 43(2)(c) of Act 989.


GENEVIEVE SHIRLEY LARTEY, ESQ
EXECUTIVE SECRETARY

