

# Right to Information Passage in Ghana: Perspectives of Journalists and Information Officers



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## ABSTRACT

After many years of delay, the parliament of Ghana in 2019 finally passed the Right to Information Act (Act 989). The purpose of the Right to Information Act (henceforth RTI) was to promote transparency and accountability by giving people the power to access information regarding both central and local governments. However, the implementation of the Act is already fraught with challenges. Given that the passage and implementation of the RTI Law is a recent phenomenon in Ghana, and very few studies have been conducted, this study adopted an exploratory research design using in-depth interviews to gather data, which provided insight into the views of journalists and information officers regarding the effectiveness of the implementation of the RTI Act. The study reported on three main conclusions: First, the RTI law has not resolved the tensions between those who wield information and media and other professionals, although some level of progress has been made. A major concern, however, has been implementation bottlenecks, such as deliberately hiding behind bureaucracy to conceal information. Second, the implementation of the RTI law has engendered some degree of transparency and accountability among public officials in government institutions, due to pressure from the media, which has helped to fight corruption in such institutions. Third, government officials have developed strategies to promote the effectiveness of the law, such as public education and awareness campaigns on the tenets of the RTI law via the various media networks in Ghana. The study recommends that further studies should focus on quantitative procedures, such as surveys to seek the opinion of applicants and the public in general on RTI law and its implementation. The study has implications for future governmental policies regarding the effective implementation of the RTI Act in Ghana.

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## INTRODUCTION

In free societies, access to information is a crucial component of the democratic rights of citizens because it grants people the power to be part of the democratic process with the aim of heightening transparency and accountability in governance, minimizing corruption and achieving sustainable development goals. Right to information thus brings about accountability and transparency in public institutions and encourages an open government where the public has the right to access information about services as

well as public documents.<sup>1</sup> In well-established democracies, good governance is measured by the ability to access information while creating an information society that promotes sustainable development and improves the people's quality of life.<sup>2</sup> People make use of the RTI as a tool to mitigate conundrums of corruption and demand their respective rights to question the decisions made by governments.<sup>3</sup> In most African countries, transparency is central to the full realisation of democracy, given the continent's historical context where several countries transitioned to democracy after decades of colonialism, war, one-party rule, military dictatorships and similar systems of government which hampered good governance. In this regard, the realisation of transparency requires access to information, which is a vital mechanism through which active citizens, civil society and journalists can hold government accountable and ensure government works for the people. It is for this reason that African governments are recognizing and passing RTI laws to allow the public better access to information.<sup>4</sup>

In Ghana, the 1992 Constitution provides for freedom of information stipulated under Article 21(1f), which prescribes thus: 'All persons shall have the right to information, subject to such qualifications and laws as are necessary in a democratic society'. Discourse regarding RTI emerged in 1999, and the government at the time, through the Institute of Economic Affairs, drafted the first RTI bill to operationalize the constitutional RTI under Article 21(1) of the 1992 Constitution.<sup>5</sup> The RTI bill in Ghana was reviewed three times, in 2003, 2005 and 2007. In 2010, the bill was presented before parliament for approval. However, it was not until 2019 that the Parliament of Ghana passed the RTI Act (Act 989), and the President of the Republic of Ghana assented to it on May 21, 2019. The purpose of the RTI Act, 2019 (Act 989), is to promote transparency and accountability by giving people the power to access information from government institutions. According to Shaban, journalists are of the belief that the RTI Act will make their respective jobs easier, particularly by accessing the data of the government.<sup>6</sup>

Dowuona clarifies that the Act sets up the RTI Commission to perform functions such as promoting, monitoring, protecting and enforcing the RTI whilst resolving complaints of applications via a plethora of methods, including negotiation, mediation, arbitration, and issuing written orders to produce information.<sup>7</sup> RTI officers, on the other hand, are employees of government agencies who have been given the mandate and responsibility to meet the daily obligations of the agencies under the Government Information (Public Access) Act 2009. The RTI officers perform duties such as processing and making decisions regarding applications, helping with the publication of open access information, working hand in hand with other employees to train, support and give advice with regards to proactive and informal release of information.<sup>8</sup>

In Ghana, the Right to Information (RTI) Act is a recent phenomenon, having been passed only in 2019 and taking full force in 2020. Due to this, the Act is already fraught with challenges regarding its implementation and public access to information.<sup>9</sup> That said, there are also limited scholarly studies on the RTI Act in Ghana to explore its implementation and identify prospects and challenges associated with its passage. However, on the broader African continent, a significant number of studies into Right to Information (RTI) have focused on the implementation, challenges and role of RTI in promoting good governance and the level of awareness of the Act.<sup>10</sup> These studies, whilst exploring the implementation

<sup>1</sup> Francis Ametepey, "Ghana's Journey to Implement New Right to Information Law," April 5, 2019, <https://wearerestless.org/2019/04/05/ghanas-journey-to-implement-rti-law/>; Zannatul Ferdous, "Implementation of Right to Information Act in Bangladesh: Gray Gleams of a Glow" (North South University, 2016).

<sup>2</sup> M. F. Hossain, "Right to Information Law in Bangladesh," in *Bangladesh: Reflection on the Right to Information Act, 2009*, ed. Khurshida Begum (Dhaka: Information Commission Bangladesh Publication, 2015).

<sup>3</sup> Rouf Ahmad Bhat, "Right to Information Act: A Great Step to Tackle Corruption," *Research on Humanities and Social Sciences* 5, no. 7 (2015): 31.

<sup>4</sup> Right to Information in Africa, *Manual for Journalists* (Kampala: African Freedom of Information Centre (AFIC), 2017).

<sup>5</sup> Abdur Rahman Alfa Shaban, "Ghana Parliament Passes Right to Information Law After Long Delays," Africa News, March 27, 2019, <https://www.africanews.com/2019/03/27/ghana-parliament-passes-right-to-information-law-after-long-delays/>.

<sup>6</sup> Shaban, "Ghana Parliament Passes Right to Information Law After Long Delays."

<sup>7</sup> N. Dowuona, "A Look at Ghana's Right to Information Act," May 2021, <https://www.ndowuona.com/insights/161-a-look-at-ghana-s-right-to-information-act>.

<sup>8</sup> Information and Privacy Commission, "Role of Right to Information Officers," May 19, 2022, <https://www.ipc.nsw.gov.au/role-right-information-officers>.

<sup>9</sup> Theodora Dame Adjin-Tettey, "Ghana's Right to Information (RTI) Act of 2019: Exploration of Its Implementation Dynamics," *The African Journal of Information and Communication (AJIC)*, no. 32 (December 21, 2023): 1–17, <https://doi.org/10.23962/ajic.i32.16223>.

<sup>10</sup> Madhumita Acharjee, "RTI Act and Its Implementation: A Study to Analyse Level of Awareness in South Assam," *International Research Journal of Interdisciplinary & Multidisciplinary Studies, II*, 2016, 76–81; Harold Sougato Baroi and Pranab Kumar Panday,

and associated challenges of RTI in their respective countries, did not consider the views and perspectives of key stakeholders such as Media practitioners and Information Officers (RTI Officers) regarding the RTI Act. This is a clear gap that the present study hopes to fill.

This study investigates the perspectives of Journalists from selected media houses as well as Information Officers of selected Ministries, Departments and Agencies (MDAs) on the implementation of the RTI Act in the Greater Accra Region of Ghana. In responding to the research objective, the following questions were posed: What are the challenges confronting the RTI? How beneficial has the RTI law been since its passage? What could be done to improve the effectiveness of the law in Ghanaian institutions?

## LITERATURE REVIEW

According to Iftekharuzzaman, people with information have become powerful, whilst those without access to information have become powerless.<sup>11</sup> RTI thus empowers citizens to participate in the process of governance without fear by putting across informed views, accessing information and making good decisions.<sup>12</sup> In Ghana, the Minister of Information in 2022 espoused that the architecture of the implementation of the RTI Act, 2019, hinges on three pillars upon which information could be accessed, which are the supply, demand, and regulatory sides. The supply side of the RTI establishes the Access to Information Division within the Information Service Department (ISD) with the mandate to recruit, train, deploy and provide technical support to information officers of public institutions. The demand side empowers anyone, institutions or groups the right to demand information. However, section 5-17 of Act 989 allows public institutions to exempt some classes of information from access under the Act. These include information related to national security, public safety, and/or individual privacy. Thirdly, the regulatory pillar of the RTI Act involves an independent and impartial body, the RTI Commission (RTIC), that has been resourced to deal with any unwarranted denials by public institutions. Apart from these three pillars, the RTI Act requires each Ghanaian public institution to establish “an information unit headed by an information officer who shall facilitate access to information” (sec. 3(3)(b)). Each public institution is also required to publish, and update every 12 months, an information “manual” that outlines precisely which information can be requested from the institution (sec. 3(1)). The manual must include a list of the departments or agencies that make up the institution, and the name and contact information of the institution’s information officer (IO).<sup>13</sup> Concerning access procedures, a public institution’s IO has 14 days to process a request and notify the applicant of a granting or denial of access (sec. 23) and if the institution is unable to process the request because the information sought is not in its custody or control, the IO is required to transfer the application to the appropriate entity within two days of receiving the information request, and to write to the applicant to inform them of the transfer (sec. 20).<sup>14</sup>

## Journalism & Right to Information

Journalism requires freedom to effectively function in society, given its critical watchdog role and constant provision of information to the public.<sup>15</sup> In this age of information technology, where inaccurate news can be easily generated, professional journalistic ethics ought to be amplified, and journalists ought to equip themselves with accurate and verified information to empower and inform the public. Unfortunately, countries that have successfully adopted RTI laws sometimes seek to distance their RTI campaigns from

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“Does Access to Information Facilitate Empowerment of Citizens? Answer Lies within-a Recent Example of Bangladesh,” *South Asian Journal of Policy and Governance* 37, no. 2 (2015): 1–18; D. H. Ferdousi and T. Haque, “RTI Act and Role of Media in Increasing Public Awareness,” in *Bangladesh: Reflection on the Right to Information Act, 2009, Edited By*, ed. Khurshida Begum ( Dhaka, India: Information Commission Bangladesh Publication, 2015); Md. Fakrul Karim, “Implementation of the Right to Information Act in Bangladesh in the Selected Upazillas of Mymensingh District” (BRAC University, 2013); Aradhana Sharma, “State Transparency after the Neoliberal Turn: The Politics, Limits, and Paradoxes of India’s Right to Information Law,” *PoLAR: Political and Legal Anthropology Review* 36, no. 2 (2013): 308–25.

<sup>11</sup> Iftekharuzzaman, *Implementation of Right to Information Act in Bangladesh: Opportunities and Challenges* ( Bangladesh: Transparency International Bangladesh (TIB), 2009).

<sup>12</sup> Robaet Ferdous and A. Rahman, *Tathye Adhikarer Shorup Sandhane* (Dhaka, Bangladesh: Mass-Line Media Centre, 2008).

<sup>13</sup> Adjin-Tetty, “Ghana’s Right to Information (RTI) Act of 2019: Exploration of Its Implementation Dynamics.”

<sup>14</sup> Adjin-Tetty, “Ghana’s Right to Information (RTI) Act of 2019: Exploration of Its Implementation Dynamics.”

<sup>15</sup> Oberiri Destiny Apuke, “An Evaluative Study of the Freedom of Information Act on Journalism Practice in Nigeria,” *New Media and Mass Communication* 53, no. 1 (2016): 11–22.

the support of the media or ensure that media organizations are not very visible in the campaign, simply because many African governments believe the involvement of the media frustrates the success of the campaign. They perceive the media as hostile entities in search of information to antagonize the government and arm the enemy to be more critical of the government.<sup>16</sup>

## THEORETICAL FRAMEWORK

This study is anchored on the libertarian theory of the self-righting principle, which emphasise free flow of information to the consuming public. The theory thrives on the assumption that persons are rational and good, and as such, they can tell which ideas are good and the ones that are bad, and so the media in particular must be considered as a self-regulating marketplace of ideas where the self-righting principle must be applicable to the content of mass media and public discourse or debates.<sup>17</sup> Espousing the theory, Dzisah argues that the patronage of the information put in the marketplace depends on its quality rather than at the behest of any temporal power, thus information which is viewed as being of high quality will be consumed while that of sub-standard quality will be rejected by the consumers.<sup>18</sup> Since the Libertarian theory embraces the notion of the availability and accessibility of information, it would be useful in realizing the objectives of the present study.

## METHODOLOGY

Given that the passage and implementation of the right to information law (RTI) is a recent phenomenon in Ghana, very few studies have been conducted in this area of interest. Due to this, the present study adopted an exploratory research design using in-depth interviews to gather data.<sup>19</sup> This enabled the researchers to pay close attention to what the participants said to appreciate issues relating to the implementation of the RTI law.<sup>20</sup> The exploration design realized through in-depth interviews enabled us to gain insights into the views of journalists and information officers regarding the implementation of the RTI Act. Using the purposive sampling technique, eight (8) journalists and Information Officers were each engaged to solicit their views and experiences on the implementation and effectiveness of the RTI law in the Greater Accra Region were selected for the study. Semi-structured interview questions were used for the collection of data because they are flexible, open and allow new ideas to be brought up during the interviews.<sup>21</sup> In-depth interviews were used because they shed light on an individual's perspectives, experiences and feelings about a particular topic or issue.<sup>22</sup> Prior to the interviews, a question guide was prepared in accordance with the objectives of the study to help the researchers ask the right questions. All the interviews were recorded with an audio tape and transcribed thereafter. Inductive coding was used to code and highlight the responses given by the participants. To maintain the confidentiality of the respondents, code names were assigned to them. Whilst the Journalists were labeled 'J1-J8', the information officers were identified 'INF1 to INF8'. After developing the codes, themes were generated and categorized to put the gathered data into perspective.

## PRESENTATION OF RESULTS /FINDINGS

This study explored the effectiveness of Ghana's RTI law from the perspectives of Media professionals and Information officers who are major stakeholders. The study was guided by three research questions: What are the challenges confronting the RTI? How has the RTI law been beneficial since its passage? What could be done to improve the effectiveness of the law in Ghanaian institutions? From the analysis,

<sup>16</sup> Right to Information in Africa, *Manual for Journalists*.

<sup>17</sup> Stanley J. Baran and Dennis K. Davis, *Mass Communications Theory: Foundations, Ferment & Future* (Canada: Thomson Learning Academic Resource Center, 2016); Fred S Siebert, "The Libertarian Theory of the Press," *Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of What the Press Should Be and Do*, 1956, 39–71.

<sup>18</sup> Wilberforce Sefakor Dzisah, *The Media-Democracy Paradox: Rethinking Political Communication from the African Context* (Bristol and Chicago: Intellect and Chicago University Press, 2020).

<sup>19</sup> Roger D., Wimmer and Joseph Dominick, *Mass Media Research: An Introduction*, 10th ed. (Boston: Wadsworth, 2014).

<sup>20</sup> John Ward Creswell and John David Creswell, *Research Design Qualitative, Quantitative, and Mixed Methods Approaches*, 5th ed. (Thousand Oaks, California: SAGE Publications Ltd, 2018).

<sup>21</sup> Melissa DeJonckheere and Lisa M Vaughn, "Semistructured Interviewing in Primary Care Research: A Balance of Relationship and Rigour," *Family Medicine and Community Health* 7, no. 2 (2019): e000057.

<sup>22</sup> Pamela B. Rutledge and Jerri Lynn C. Hogg, "In-Depth Interviews," in *The International Encyclopedia of Media Psychology* (Wiley, 2020), 1–7, <https://doi.org/10.1002/9781119011071.iemp0019>.

several themes emerged from recurring responses under each research question. Considering the first research question, major themes emerging from the challenges are reported in the findings below.

### **Bureaucracy, Delay and Retention of Information**

Journalists and RTI officers interviewed pointed out issues such as bureaucracy and delays associated with access to information, as evidenced in the response of a Journalist (J2) from Ghana thus:

*...there's too much delay when you request information. You send an RTI request, and you'll have to copy certain people and organizations. For example, you must copy the Minister, Director, and people in higher positions before it comes back to the RTI officers, before they decide whether to give you the information or not... Sometimes it takes longer than expected to obtain information.*

Another Journalist (J4) on the same issue of delay submitted:

*Sometimes there is suspicion from the institutions where you are requesting information...Immediately you submit an RTI request, public institutions become very skeptical about what you are going to use the information for. They fear that you'll put something out there to tarnish their image and so will find ways and means to frustrate you...Sometimes it takes up to a whole year before you get the information.*

A Journalist (J2) expatiated on the bureaucracies and delays associated with the request, thus:

*Bureaucracy in the system is so much. Sometimes they exceed the fourteen days simply because they'll tell you the boss is not there...Sometimes they just disregard you because they think you do not have the right to demand information...I can share my own experience...I have been following up on a story for which I requested information from about four state institutions, and they are all telling me that they don't have the information...I have gone as far as the presidency, which directed me to the Ministry of National Security...Till now, I haven't received anything.*

Another Journalist (J1) also shared his experiences thus:

*... if you apply for information, it delays...After going through the procedure and process, you have to go up and down chasing the RTI officer at the Ministry or Agency...Sometimes they don't give you all the information you ask for...Some of the information they classify as a National Security issue actually has nothing to do with National Security. They do this sometimes to deny you the information.*

Delving into the weaknesses of the RTI law in terms of accessibility, a Freelance Journalist (J4) intimated:

*One major issue is the shortage of trained information officers across various public institutions. As a result, some public servants exploit the law's loopholes to intentionally withhold information. For instance, whilst the law states that officers have 14 days to decide on granting access to information, it lacks a specific timeframe for institutions to provide the information.*

Another Freelance Journalist (J8) poured out his frustration on the challenges of the RTI, thus:

*... the bureaucracy associated with the RTI is way too much... for instance, I am currently working on a story about a government project...but they just tell you write to the Municipal Assembly...they keep tossing me...It's been more than three months and I still haven't received the information...'*

Still on the same issue, another Journalist (J6) intimated:

*I submitted an RTI request to the Ghana Education Service, and for one full year, I did not get a response, so I went to the office to check. They told me those who were supposed to provide the information had gone to the field...to date, they haven't responded, even though I have sent them letters of reminders.*

Reflecting on the bureaucracy and frustrations of accessing information under the RTI, A Journalist (J7) poured out his frustrations thus:

*With the story on the Scholarship bonanza, we wrote a request to the scholarship secretariat. They denied us the information. We sent an appeal to the RTI Commission to direct the Scholarship Secretariat to release the information, and that took up to one year for them to do that, and so a lot of these institutions are reluctant to give information because they are afraid that something will come out and they'll be in the public space.*

As an affirmation of the challenges journalists go through, 'J3' had this to say:

*When you apply for information, it delays...and you have to keep chasing the RTI officer at the Ministries or government agencies...Sometimes they don't give you all the information that you want, which they classify as a National Security issue, which actually has nothing to do with National Security.*

### **Perspectives of RTI Officers on RTI Challenges**

Aside from Journalists, Information officers interviewed also raised some concerns regarding the implementation of the RTI law in Ghana. For example, an information officer (INF1) intimated:

*Sometimes, the complaints have to do with the provisions in the Act, where the request is brought to your attention, you have 14 days to decide to release the information. So, some of the applicants think that within that number of days, information is supposed to be given to them. So, they think they are supposed to get their information within the stipulated 14 days, but it is more complex.*

Another officer (INF2) shared a similar sentiment thus:

*When an applicant comes for information, the rule is that it has to go through the system before it comes to the information officer, and the information officer has 14 days to provide the information. So, before the letter goes through the system and gets to the information officer, it tends to delay the whole process.*

Similarly, an information officer (INF3) also revealed:

*Data storage is a major problem in public institutions. At our place, data storage is still manual, and this affects information retrieval, but I believe that soon we will computerize our systems to make things easier for everyone.*

INF5 also intimated:

*Every new thing comes with some resistance. Some people would ask you if you were there to police them. People are threatened just by the mention of the Right to Information, and this comes with a lot of resistance.*

The information officer (INF8) revealed:

*Some of the applicants, when they send a request they want to receive the information the following day. So that has been a major obstacle. They are not well-informed about the processes.*

An information officer (INF1) criticized the role of the RTI commission thus:

*Instead of departments and agencies recruiting their own information officers to handle RTI stuff, the commission prefers to post information officers from elsewhere to work on the RTI matters. The issue is, people find it difficult to accept the information officers posted to them. They want to work with their own people because they feel these kinds of people are coming to spy on them.*

### **Benefits of the RTI law to national development**

The second research question concerning the benefits of the RTI law to national development elicited interesting and diverse views from both Media Practitioners and Information Officers. Regarding the benefits of RTI, several Journalists interviewed expressed some positive feedback, as mentioned by (J7) below:

*Since its implementation, the RTI law has significantly facilitated my access to information within the public sector, where obtaining information would typically have been challenging...Without*

*the RTI law, I wouldn't have been able to conduct some of my investigations, including the one into the \$ 1million per constituency in Ada West and East Districts.*

Providing more insight into the operations of the RTI law and its challenges, J7 opined:

*I'll say that for most stories out there, if not for RTI, it wouldn't have been out...For instance, we released the 'scholarship bonanza' and that story wouldn't have been successful without an RTI request on the names of beneficiaries of the scholarship...And so, without the RTI, a lot of the stories would have been dead and buried, and people would not know about them.*

Offering insights into the positives of the RTI Law in his pursuit of his professional duties, J4 expressed appreciation thus:

*The RTI helped me to do one of my biggest stories as a journalist...I investigated Sachet water companies operating in Accra and found out one hundred and forty-four (144) were not licensed to operate or had not renewed their license...This discovery wouldn't have been possible without the RTI law.*

Another Journalist (J3) intimated:

*I applied for information to get the full policy document for the free SHS for a story I was working on...Although there were delays, the information was finally released to me, which enabled me to come out with the full story for the public.*

Just like the Journalists, the responses of the information officers on the subject matter were varied but interesting. According to one officer (INF7), the Right to Information Law 'is fulfilling its purpose because people can go to any government institution and ask for any information they want.' This positive outlook was reinforced by another officer (INF4) thus:

*RTI law puts us on our feet to do the right thing because the Act encourages the public to approach us for any information anytime, so you will be conscious of everything you do at any time.*

Another officer (INF8) added:

*Basically, it (RTI law) is promoting transparency and fighting corruption to some extent... The implementation of the law is empowering citizens to take information from public institutions without fear.*

INF5 also had this to say:

*Now it is easy to upload information onto the Ministries and Departments' website because of the RTI Act ...I think it has improved record-keeping practices in various government institutions.*

A submission by another officer (INF3) made an interesting reading:

*Sometimes, when people get to know there is an RTI officer, it kind of checks them and brings their mind to the fact that now whatever bad thing you are doing can easily be requested for, and it would come out.*

The positive feedback on the benefits of RTI notwithstanding, an officer (INF8) provided a negative outlook on the RTI's implementation by claiming that "it has not been that effective because not everyone is aware of its implementation and there are also many challenges regarding the various institutions..."

### **Strategies for Effective Implementation of the RTI Law**

Journalists and Information Officers engaged on the issue of strategies for effective implementation of the RTI law shared their views in diverse ways. For example, (J2) indicated:

*I think there should be more education about RTI because I know Journalists who have never used RTI to access information because they believe there are some state institutions that do not understand the concept of RTI, and so I think various organizations should be educated when it comes to disclosing information.*

Responding to measures to make RTI more effective, J3 suggested “RTI officers should be open and ready to Fastrack information available to them...they know where to get the information for us to do our ...they should sit up...”

Another Journalist cautioned:

*Since some of the information given by public institutions is inaccurate and blatant lies, there should be stringent sessions in laws which should prosecute information officers in public institutions who are culprits because information is what runs democracy...without information, there will be no democracy.*

A freelance Journalist (J4) also shared her opinion, thus:

*RTI needs improvement...one major thing we can do to improve is to cut down on the bureaucracy involved when retrieving information... I think when this is done, RTI can serve its purpose better... Also, most public institutions that refuse to give out information do not pay their fines ...so I think the RTI commission needs to be empowered more to force defaulting institutions that refuse to give out information to individuals and organizations to pay their fines, so it serves as a deterrent to others.*

In the case of J5, he had issues with the timeframe for the release of information:

*While the law states that officers have 14 days to decide on granting access to information, it lacks a specific timeframe for institutions to provide the information... I propose that the current RTI law be reviewed so that it explicitly defines the timeframe within which information must be provided by government institutions.*

An Information officer (INF 4) made the following interesting remarks:

*To facilitate effective implementation of the Act, we are embarking on heavy digitalization drives, so all information is being scanned into the system to make access to information easy... We have also organized a series of exercises and training for our staff on the whole thing about RTI. We believe they have learnt a lot.*

Still on effective implementation, an officer (INF 7) opined: ‘There should be a nationwide campaign on the Right to Information Law... I feel that we must do more on that....’

## DISCUSSION

This study investigated the implementation of the RTI law in Ghana from the standpoint of media practitioners and information officers from different media houses and various government agencies, respectively. The study particularly responded to the three research questions relating to challenges, benefits and ways to improve the effectiveness of the Laws in Ghana. First, responses from both media practitioners and Information officers corroborate findings from studies on similar concerns. Challenges established in the present studies, such as bureaucracy, delay and deliberate retention of information upon request, align with similar studies by scholars such as Acharjee, Baroi and Punday, Ferdousi and Haque, and Karim.<sup>23</sup> These findings are also consistent with the findings of other studies, like that of Media Foundation for West Africa, which identified teething challenges such as poor human resource management and bureaucracy, poor record keeping and information management culture, undue delay in the release of the information requested and limited knowledge of the RTI law among officials of public institutions.<sup>24</sup> Again, the findings also aligned with the conclusions of Oduro, Selvik and Dupuy, who reported that implementation of the RTI has been slow partly because political elites are deliberately

<sup>23</sup> Acharjee, “RTI Act and Its Implementation: A Study to Analyse Level of Awareness in South Assam”; Baroi and Panday, “Does Access to Information Facilitate Empowerment of Citizens? Answer Lies within-a Recent Example of Bangladesh”; Ferdousi and Haque, “RTI Act and Role of Media in Increasing Public Awareness”; Karim, “Implementation of the Right to Information Act in Bangladesh in the Selected Upazillas of Mymensingh District.”

<sup>24</sup> Media Foundation for West Africa (MFWA), “Annual Report 2021,” 2021, <https://www.mfwa.org/wp-content/uploads/2022/07/MFWA-Annual-report-2021-final.pdf>.

seeking to impede implementation.<sup>25</sup> It further corroborates the conclusions of other studies, such as Chouhan and Acharjee, who reported a lack of awareness regarding the passage of the RTI law in India.<sup>26</sup>

Interestingly, whilst the media practitioners blame government institutions for withholding requested information unduly because of unnecessary delay and frustrating bureaucratic tendencies, the information officers faulted the public, particularly the Journalists, for a lack of understanding of the rules and regulations guiding the request for information, even though they (RTI officers) agreed that delays do occur.

In terms of the prospects and benefits of the passage of the RTI law to national development in Ghana, the present study made very interesting findings consistent with other studies. The two key stakeholders engaged in the discussions, that is, the Journalists and the Information officers, agreed that the RTI Law, since its passage in Ghana, has been beneficial to them in the discharge of their duties, albeit in different ways. Whilst the Journalists presented different narratives attesting to the efficacy of the law in accessing critical information for their news stories, which hitherto could have been elusive, the information officers indexed the sense of awareness which the law had brought in its wake. These findings align with the studies of Ametepey, Ferdous, Hossain and Karim, who argue that Right to Information brings about accountability and transparency and openness in public institutions and encourages an open government where the public has the right to access information about services as well as public documents.<sup>27</sup>

On strategies for effective implementation of the RTI law, the findings of the current study advocate increased public education about the RTI and propose stringent punitive measures against defaulting public officials who frustrate the public from accessing information via the RTI law. Additionally, the present findings corroborate earlier studies like that of Dowuona, which emphasizes the functions of the RTI Commission, such as promoting, monitoring, protecting and enforcing the RTI laws in order to see to its effective implementation.<sup>28</sup> That said, it is important to state further that the present study has been able to highlight the essence of the RTI law, especially to media practice by practitioners in Ghana who, via this study, have touted the relevance of the law to their work. As Oberiri argues, Journalism requires freedom to effectively function in society, given its critical watchdog role and constant provision of information to the public.<sup>29</sup> Hence, RTI laws, when utilized properly, have the potential to advance the role of the journalist in obtaining and verifying information prepared for public consumption.<sup>30</sup> In this sense, 21st-century journalists should equip themselves with accurate and verified information to empower and inform the public.

## Discussion Summary

The passage and subsequent implementation of the RTI Act by the Parliament of Ghana, RTI Act, 2019 (Act 989), has since engendered debates and insights from scholars and experts regarding early implementation challenges and the prospects it holds for national development. The following conclusions were made from the findings of the study. First, the RTI law has encountered initial challenges and bottlenecks in its implementation, which involve complex bureaucratic processes, delays of information from some officers, low level of awareness among the Ghanaian public on the law. Additionally, there is a lack of understanding of access to information, and arbitrary fees are charged by some officers in exchange for access to information. Second, the passage and implementation of the RTI law has engendered some degree of transparency and accountability among public officials in government institutions, thereby helping to fight corruption in such institutions. Besides, it has instilled in Ghanaians some level of trust and confidence in the system with regard to access to information since ‘people can go

<sup>25</sup> Franklin Oduro, Lisa-Marie Selvik, and Kendra Dupuy, “Ghana, a Stagnated Democratic Trajectory,” in *Democratic Backsliding in Africa? Autocratization, Resilience and Contention*, ed. Leonardo Arriola, Lise Rakner, and Nicolas van de Walle (Oxford: Oxford University Press, 2023), 198–214.

<sup>26</sup> D. S. Chouhan, “An Analytical Study of Use and Implementation of Right to Information,” May 18, 2022, [http://shodhganga.inflibnet.ac.in/bitstream/10603/51360/2/final\\_ph.d.thesis\\_in\\_pdf\\_format.pdf](http://shodhganga.inflibnet.ac.in/bitstream/10603/51360/2/final_ph.d.thesis_in_pdf_format.pdf).

<sup>27</sup> Ametepey, “Ghana’s Journey to Implement New Right to Information Law”; Ferdous, “Implementation of Right to Information Act in Bangladesh: Gray Gleams of a Glow”; Hossain, “Right to Information Law in Bangladesh”; Karim, “Implementation of the Right to Information Act in Bangladesh in the Selected Upazillas of Mymensingh District.”

<sup>28</sup> Dowuona, “A Look at Ghana’s Right to Information Act.”

<sup>29</sup> Apuke, “An Evaluative Study of the Freedom of Information Act on Journalism Practice in Nigeria.”

<sup>30</sup> Right to Information in Africa, *Manual for Journalists*.

to any government institution and ask for any information they want'. Also, the passage and implementation of the RTI law have transformed government agencies into information repositories which serve the interests of researchers, academics, and professionals from industry in Ghana.

Thirdly, several strategies have been advocated to promote the effectiveness of the law, which include public education and awareness campaigns on the tenets of the RTI law via the various media networks in Ghana. Furthermore, it has led to the creation of digitized databases and websites to facilitate smooth access to information. Besides, it has facilitated the organization of training sessions for information officers to sharpen their knowledge on the law and how they could expedite services to the public who may want to access information for their various needs.

## CONCLUSION

This study set out to investigate the perspectives of Journalists from selected media houses as well as Information Officers of selected Ministries, Departments and Agencies (MDAs) on the implementation of the RTI Act in the Greater Accra Region of Ghana focusing on the challenges confronting the RTI; the benefits as well as the strategies adopted to improve the effectiveness of the law in Ghanaian institutions. The study concludes that the RTI law, although passed, has not resolved the tensions between those who wield information, journalists, and other professionals, although some level of progress has been made. A major concern, in this regard, has been implementation bottlenecks, such as deliberately hiding behind bureaucracy to conceal information. However, the implementation of the RTI law has engendered some degree of transparency and accountability among public officials in government institutions, due to pressure from the media, which has helped to fight corruption in such institutions. Finally, the study concludes that government officials have developed strategies to promote the effectiveness of the law, such as public education and awareness campaigns on the tenets of the RTI law via the various media networks in Ghana.

## Recommendations for Further Study

Further studies may focus on quantitative procedures, such as surveys to seek the opinion of applicants and the public in general on RTI law and its implementation. The opinion gathered might help in shaping and amending the law in future for national development.

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