



REPUBLIC OF GHANA

OFFICE
OF
THE ATTORNEY-GENERAL
AND MINISTRY OF JUSTICE

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Date. 4th July 2023

PRESS RELEASE

**RE: UNJUSTIFIED COMMENTARY ABOUT PENDING
CRIMINAL AND OTHER CASES AND ATTACKS ON STATE
ATTORNEYS**

The Office of the Attorney-General and Ministry of Justice has observed with serious concern the increased tendency for various persons, including members of the legal profession of considerable standing, to run extremely prejudicial commentary on cases pending before the courts.

The cases which have been the subject of unwarranted public commentary include but are not limited to, ***Republic vrs. James Gyakyé-Quayson, Republic vrs. Dr Stephen Opuni & 2 Others*** and ***Republic vrs. Cassiel Ato Forson & 2 Others***.

1. Whilst respecting the freedom of all persons in Ghana to comment on any matter including cases pending in court, the Attorney-General and Minister for Justice takes note that much of the recent commentary on many of the so-called high-profile criminal cases transgresses permissible limits of free speech, unduly interferes with the work of State Prosecutors performing their constitutional function of prosecuting crime in Ghana and tends to put unnecessary pressure on the courts.
2. The Attorney-General respectfully reminds Ghanaians of the principle of the equality of all persons before the law enshrined in article 17(1) of the Constitution. No person living in Ghana, citizen or non-citizen, is above the laws of Ghana or immune from an application of same.
3. The Attorney-General's constitutional responsibility for the "***initiation and conduct of all prosecutions of criminal offences***" implies a duty to prosecute a crime committed in Ghana, after proper investigations have been conducted, irrespective of the political, race, colour, ethnic, religion, economic or social status of the culprit. State Attorneys assisting the Attorney-General in the performance of this hallowed constitutional mandate, operate under extreme pressure and are

exposed to severe risks. They have the right to prosecute cases freely in a court of law just as private legal practitioners enjoy a right to defend their clients, free from abuse and attacks on their character.

4. The decision to prefer a charge against an accused person is not made on the basis of a person's political status, social or economic standing but on the strength of evidence subject to the scrutiny of the courts. An acquittal of a person by the courts does not imply malice on the part of the Republic in the filing of a charge. The perception that a crime committed by a person of high political standing in society should not be prosecuted is dangerous for society and must not be countenanced.
5. The Office of the Attorney-General and Ministry of Justice observes that many of the recent comments by various persons on some criminal matters, particularly those mentioned above (widely publicised in the media), clearly exceed the bounds of acceptable speech as they seek to disparage prosecutors in the eyes of the public and frustrate prosecution of those cases. Some of the comments are orchestrated to pervert the course of justice and/or prejudice the fair hearing and determination of the cases.
6. The Attorney-General and Minister for Justice, in the discharge of his duty to protect the administration of justice from abuse, hereby entreats the general public to permit the streams of justice to flow freely and uncontaminated by undue comments and pressure on the courts.
7. The Attorney-General finally cautions that no immunity is conferred by a person's position in Parliament, the Judiciary, Traditional Authority, the Bar, or any official position, from the consequences of an interference in the administration of justice or an attempt to overreach a judgment to be delivered by the court in any matter. We must respect due process.

END!!!

SGD
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