



# GHANA BAR ASSOCIATION

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## **GHANA BAR ASSOCIATION'S STATEMENT ON THE PROCESS FOR THE REMOVAL FROM OFFICE OF THE CHIEF JUSTICE OF THE REPUBLIC OF GHANA**

Over the past two months, the General Council of the Ghana Bar Association (the GBA) has been closely monitoring developments on the process for the removal of the Chief Justice which has culminated in her suspension by His Excellency the President of the Republic of Ghana.

Per the Constitution, Code of Ethics and Regulations of the GBA, the GBA concerns itself with matters affecting the Legal Profession, which include but not limited to:

- defending and upholding Freedom and Justice in Ghana, and
- the maintenance of the independence of the Judiciary.

As at 27<sup>th</sup> March 2025, when the General Council of the GBA met, three petitions had been submitted for the removal of the Chief Justice and two cases had been instituted at the Supreme Court challenging the procedure that had been triggered for the removal of the Chief Justice, with subsequent applications for injunction of the said process.

The GBA is mindful of the provisions of Article 146 (6) and (7) of our 1992 Constitution, which detail the process for the removal of the Chief Justice by providing as follows:

*(6) Where the Petition is for the removal of the Chief Justice, the President shall, acting in consultation with the Council of State, appoint a committee consisting of two Justices of the Supreme Court, one of whom shall be appointed chairman by the President, and three other persons who are not members of the Council of State, nor members of Parliament, nor Lawyers.*

*(7) The Committee appointed under clause (6) of this article shall inquire into the Petition and recommend to the President whether the Chief Justice ought to be removed from office.*

The GBA also notes the provisions of Article 146 (8), (9) and (10) which indicate that the sittings of the Committee shall be held in camera and the President, acting in accordance with the advice of the Council of State, may suspend the Chief Justice.

While the GBA recognises the constitutional prescriptions for the removal of the Chief Justice under Article 146 (6) to (10) of the Constitution, and mindful of the fact that presently, the entire matter is *sub judice*, it is the hope and belief of the GBA that the

actors involved in the whole process would have the time tested tenets of the Rule of Law as their guiding principles and in its application, follow the Spirit of the Law.

It is expected that persons who play even the minutest role in this process will bear in mind Article 296 of the 1992 Constitution on the exercise of discretion and will act in a manner that safeguards and enhances the independence and image of the Judiciary. Justice emanates from the good people of Ghana and is administered by the Judiciary headed by the Chief Justice.

The GBA shall carry out its mandate to defend, strengthen and enhance confidence in the justice delivery system in Ghana.

The GBA shall remain the conscience of society, the voice of the voiceless and act to safeguard the Rule of Law and uphold the Constitution of the Republic which embodies the wishes and aspirations of the people of Ghana.

- END -

DATED IN ACCRA THIS 24<sup>TH</sup> DAY OF APRIL, 2025

  
(SGD.) EFUA GHARNEY, MRS.  
NATIONAL PRESIDENT, GBA

  
(SGD.) KWAKU GYAU BAFFOUR  
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