

GNA – THE 7TH DECEMBER 2016 VOTE WAS FOR JUST, FAIR, TRANSPARENT AND ACCOUNTABLE STATE-OWNED MEDIA REPORTING: BY MARTIN A. B. K. AMIDU

I read the Ghana News Agency (GNA) reportage of the adjournment of the case of Daivid Kwadzo Ametefe v (1). The Attorney General and (2). Martin Alamisi Amidu which had been listed for the hearing of two applications in relation to the Writ of Summons and Statement of Case filed on 23rd November 2016 at 11.24 am against the Attorney General and me as the defendants. I was struck by the similarity in the manner the state-owned media and other private media have consistently highlighted and reported the Government and Woyome side of the submissions and proceedings in Court. Whatever submissions I happen to make to the Court are buried in a sentence within the story. I have never been bothered about bias reporting of any media in relation to the Government and Woyome loot of the national purse because media reporting does not win cases in Court as my cases have consistently demonstrated.

The results of the just ended Presidential and General Elections is a clear message to public institutions paid for from the public purse that citizens want just, fair, transparent and accountable reporting of the news to allow them to make informed choices. Ghanaians voted against the propaganda use of the state-owned media by ignoring all those false and fake news stories published about opponents of the incumbent Government, contrary to the requirements of the Constitution for fair reporting by the state-owned media. The state-owned media cannot continue in the old style of being a ruling Government or party media as opposed to a public media paid for by the tax payer to give citizens impartial reporting of news.

This is why the GNA report which was carried on Modern Ghana on 13th December 2016 stating that “A case in which a legal practitioner is seeking the interpretation of the Constitution as to whether a sole judge could interpret constitutional matters has been adjourned to January 10, 2017 by the Supreme Court” is worrying.” Firstly, the Supreme Court did not adjourn the substantive case in that action. The substantive case is not ripe for hearing by the Supreme Court because the parties have not completed the pleadings to make the case justiciable by the Court. The Attorney General, for instance, has not filed its Statement of 1st Defendant’s case and is still within the time permitted for it to do so.

What the Court adjourned were two applications filed by the parties. Ametefe and his lawyer without waiting for the time allowed for the Attorney General and me to file our Statement of Defendants’ Cases, filed an application for stay of all other proceedings in any case related to their action pending its determination. I considered the Writ of Summons and Statement of Case to be incompetent to commence any action against either the Attorney General or myself as Defendants and filed an application raising preliminary legal objection to the jurisdiction of the Supreme Court to hear their action. Both applications were fixed for hearing on 13th December 2016 and those were the applications that were adjourned to 10th January 2016 and not the substantive action which was not even called.

The GNA whose report creates the impression to the public that it was in the Supreme Court when the adjournments were made has no excuse for the misreporting because it had all the opportunity to clarify any misapprehensions with the registrar of the court before filing its report. Fair, transparent and accountable reporting required the GNA to know, just as it purported to

quote from the case of Ametefe, that a preliminary legal objection had been raised against the competence of his action which the Court had to dispose of before it can take any further step in the action including hearing the application of Ametefe for the stay of proceedings.

Secondly, if the GNA had done diligent reporting it would not have failed to realize from the reliefs claimed by Ametefe and his lawyer, K. O. Buabeng, (Woyome's former lawyer in the case in which the Supreme Court found against him and ordered him to refund the loot) that they were both surrogates of Alfred Agbesi Woyome in their incompetent action for interpretation. But the GNA chose to leave out portions of the relief showing the surrogacy and quoted only what gave propaganda effect of a pending valid action. How could GNA have over looked the main order Ametefe and his lawyer (and Woyome's former lawyer), K. O. Buabeng, were asking in their relief 5 as follows: "An order of this Honourable Court setting aside the order of His Lordship, Justice Anin Yeboah, JSC, granting opportunity to Martin Alamisi Amidu to orally examine Alfred Agbesi Woyome". The GNA if it was reporting in the interest of the Republic of Ghana as distinct from the Government and Woyome should have balanced its reportage with the grounds of the preliminary legal objection to the action. The GNA as a state-owned media had a public duty to investigate the status of what the Court adjourned and to inform the public fairly and impartially. It failed woefully.

For the public to appreciate how the GNA reporting was partial, partisan and misinforming, I am going to have published on my website, martinamidu.com, a scanned copy each of the motion and affidavit supporting my application raising preliminary legal objections to the main action which I filed on 5th December 2016, Ametefe's motion for stay of proceedings, and my affidavit in answer to Ametefe's application for stay of proceedings filed on 9th December 2016 for the hearings on 13th December 2016 which were adjourned to 10th January 2016.

I am sorry I have to pick on the GNA report to make my point about the new dispensation after 7th December 2016 in which the people of Ghana have clearly indicated their aversion against state-owned media propaganda for Government's view point. I know of a reporter from one of the state-owned media who would always suppress the publication of materials coming from me until she had forwarded it to a particular Minister of State for her opposing perspective before both views are published skewed, of course against my perspective. I remember telling the reporter that the fact that she travelled abroad with the Minister was no ethical grounds to withhold my materials and seeks her opposing views before publishing both. As would be expected she professed her innocence of bias. But that is a clear aspect of corruption in state-owned media reporting which is easily overlooked because it is covert.

It is time that the state-owned media took seriously the independence and freedoms guaranteed them under the Constitution and moved away from self-imposed controls or censorship to please the Government of the day. Corruption takes many forms. Misreporting or skewing reports in consideration of any benefits whatsoever or promotion from the Government is corruption of the media. Let the 7th December 2016 be the harbinger of the actualization of a just, fair, transparent and accountable state-owned media reporting under the 1992 Constitution.

Martin A. B. K. Amidu
Accra, 14th December 2016