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The Attorney General and Minister of Justice  
Ministry of Justice  
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**THE REPUBLIC VRS ALFRED AGBESI WOYOME: PERJURY AND RELATED OFFENCES**

I was shocked, amazed and sad to have read on the internet on 4<sup>th</sup> June 2013 that you had put the Acting Chief Director of your Ministry, Mr. Suleiman Ahmed, into the witness box as a witness for the Republic to give evidence of fraud against Mr. Alfred Agbesi Woyome, the accused person in the above on-going trial. Mr. Suleiman Ahmed, you know as well as I do, is not a competent witness in the case.

I know the Woyome case off by root – the facts, parties, probable witnesses and circumstances of the case. I was the one who brought up the necessity of joining Waterville Holding Limited and Austro-Invest Services Limited to the Attorney-General's civil action against Woyome in the High Court, Commercial Division, Accra, and to allege fraud for the first time. The plan was to amend the pending civil case against Woyome, to allege fraud and violations of Article 181 the Constitution. Waterville and Austro-Invest were to be joined to the case in the High Court after the amendment was granted to pave the way for asking for a referral of the issues of Constitutional interpretation to the Supreme Court by the High Court. Eventually, you know that I pursued this matter at the Supreme Court in my personal capacity and in the public interest. You also know as the 1<sup>st</sup> Defendant in that case that judgment may be given on 14<sup>th</sup> June 2013.

My profound knowledge and involvement with the Alfred Agbesi Woyome case as Attorney General and in my personal capacity puts me in a position to know that the Acting Chief Director of your Ministry has had no personal knowledge of the matters you have put him in the witness box to give evidence on oath on. The Acting Chief Director never worked on the civil case file during the settlement and eventual payment of the fraudulently obtained judgment debt. The file was handled entirely by the civil division of your office headed by the Solicitor-General, Mrs.

Amma Gaisie, who then reported through the Deputy Attorney General to the Attorney General or in some cases directly. In a memorandum dated 3<sup>rd</sup> November 2011 to me as Attorney General the Solicitor-General listed persons she thought should be effective witnesses with personal knowledge of the facts of the Woyome case. This memorandum and my minutes thereon are part of the case filed by Woyome in the action pending in the Supreme Court. The Acting Chief Director was never mentioned as having had anything to do with the file or documents in this case for him to have personal knowledge of the facts and documents he is giving evidence on in the course of his duties. I was Attorney General and would have known if the Acting Chief Director had personal knowledge of the facts of this case. The Acting Chief Director himself can not look me in the face and claim to have any personal knowledge of the facts and documents in the case. The Woyome prosecution is different from the Victor Sorlemey one in which the Chief Director of the Ministry who chaired the Legal Sector Reform Programme, the misappropriation of whose resources was the subject matter of that prosecution was a competent witness.

Why will the Attorney General, a quasi-judicial officer, fail or refuse to put her Solicitor-General, Chief State Attorney, Samuel Nerquaye-Tetteh, or the Senior State Attorney, Cecil Adadevoh who have had possession of the files on this matter over the years and pursued it in the civil court in the witness box to speak to matters they have been dealing with professionally? What of the Chief State Attorney who has been handling the case in the Supreme Court? Why will an Attorney-General, a quasi-judicial officer, encourage or pressurize an Acting Chief Director to "volunteer" to perjure himself by giving false evidence before a court of record? Have you considered the fact that by knowingly allowing the Acting Chief Director to commit perjury you are yourself culpable for committing a criminal offence? It is important for political office holders to be mindful of the reality that they may answer for their actions only when the Governments they serve are out of office.

I am writing to you on this matter because I feel strongly that when the Attorney General of any Government begins to permit and supervise the use of perjured evidence against citizens in the prosecution of crime then the constitutional protection of liberty that necessitated Article 88 of the Constitution is in jeopardy. The honesty and integrity of the office of the Attorney General in the prosecution as distinct from the persecution of crime is an inalienable right of the citizen in any civilized democracy. The conviction of Woyome at all cost should not be the determination of any prosecution. The ability of the conviction to withstand due process through the appellate system is far more important. I am a foundation member of the National Democratic Congress which has enshrined the June 4 principles of probity and accountability in its Constitution, consistent with the 1992 Constitution. I, therefore, consider myself under a duty and responsibility to call your attention to the foregoing developments.

  
Martin A. B. K. Amigh

