

13TH MARCH 2025

Suit No. JI/10/2025

Title of case

IMAMI CENTRE FOR POLICY & EDUCATION & ANOR
V/S

THE ATTORNEY GENERAL

MOTION FOR INTERLOCUTORY INJUNCTION

Dear Sir/Madam,

FIXING OF DATE FOR HEARING OF APPLICATIONS (GENERALLY)

Please, take notice that a date will be fixed for hearing of the above-stated application with hearing notice(s) for the Respondent(s) from the Registrar upon request, 14 days after service of the application on the Respondent.

Counting on your usual cooperation.

Thank you.

1. Kofi BENTIL

2. THE ATTORNEY GENERAL

REGISTRAR, SUPREME COURT

REGISTRAR
SUPREME COURT
ACCRA, GH

Filed on... 13/3/25
at... 11:00 am/pm
[Signature] Registrar
SUPREME COURT OF GHANA

**IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA, A.D. 2025**

WRIT NO.:J1/10/2024

**1. IMANI CENTRE FOR
POLICY & EDUCATION**
No. KD 14, KOANS Estate Kutunse

2. PROF. KWESI ANING
S 29, Hydraform Estate
East-Airport
Spintex, Road -Accra

VRS

PLAINTIFFS

THE ATTORNEY -GENERAL
Attorney-General's Department
Ministries, Accra

DEFENDANT

MOTION ON NOTICE FOR INTERLOCUTORY INJUNCTION

PLEASE TAKE NOTICE, that this Honourable Court will be moved by Counsel for and on behalf of the Plaintiffs/Applicants herein, praying the Honourable Court for an order of interlocutory injunction restraining the Defendant/Respondent its principals, including His Excellency the President of the Republic, the respective Council of the Ghana Immigration Service, Ghana Police Service, National Fire Service, Ghana Prisons Service, and whomsoever or however described from removing, terminating, dismissing, sacking, suspending or whichever way described the Director General of the Ghana Prisons Service, the Comptroller of the Ghana Immigration Service, the Director General of the National Fire Service and the Inspector General of Police from their respective positions as Heads of the Ghana Prisons Service, the Ghana Immigration Service, the Ghana National Fire Service and the Ghana Police Service pending the final

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THE ATTORNEY -GENERAL
Attorney-General's Department
Ministries, Accra

DEFENDANT

**AFFIDAVIT OF KOFI BENTIL IN SUPPORT OF
MOTION ON NOTICE FOR INTERLOCUTORY INJUNCTION**

I, Kofi Bentil of East Legon-Accra make oath and say as follows:

1. That I am the Senior Vice President of the 1st Plaintiff/Applicant herein (hereinafter referred to as the "1st Plaintiff") and Deponent herein.
2. That I have the consent and authority of the 1st and 2nd Plaintiff to swear to this affidavit on matters within my knowledge, information and belief unless I state otherwise.
3. That to the extent, that any of my depositions are anchored on law, or raises a point of law, then, the same is being made upon legal advice which I have received and I verily believe same to be true.

4. That on the 11th day of March 2024, the Plaintiffs instituted this action against the Defendant praying the court for a constitutional interpretation and enforcement to the effect that the removal of the; Director General of the Ghana Prisons Service, the Comptroller of the Ghana Immigration Service, the Director General of the National Fire Service and the Inspector General of Police from their respective positions as Heads of the Ghana Prisons Service, the Ghana Immigration Service, the Ghana National Fire Service and the Ghana Police Service without just cause is unconstitutional and a consequential order restraining and preventing the President of the Republic from dismissing or removing these heads. Attached as Exhibit A is a copy of the writ.
5. That the gravamen of the suit in its entirety is hinged on the protection of these heads from being removed from office without a just cause as dictated by the constitution.
6. That the respective statements of case in the suit have been filed by both the Plaintiffs and the Defendant. A date, has also been duly fixed for the delivery of judgment, being the 7th of May 2025.
7. That it is worthy of note that final judgment on the matter will be determined only amount 2 months from the day of this application.
8. That notwithstanding the pendency of the suit and judgment day having being fixed, there have been credible reports, threats and talks of the imminent removal of some of these heads. Evidence of this is attached as Exhibit B.
9. Paragraph 8 above is repeated herein and I respectfully assert before this honorable , that the Executive Branch of Government, have evinced a clear intention, to remove some heads even before the honourable court settles the constitutional issue.

10. That in the very unfortunate event that the Defendant/Respondent its principals, including His Excellency the President of the Republic is allowed to remove all or any of these heads, the extant suit will be rendered nugatory, and any victory pyric.
11. That while recognizing, that the substantive suit, is not one to pursue personal interests, it cannot be seriously challenged, that the offices being sought protection are currently occupied certain persons, who are direct beneficiaries of this constitutional matter.
12. **That the court should, therefore, not be unfairly prejudiced, and/or its authority subjected to political mockery when the court is yet to make a final determination on the issues raised in the suit.**
13. That without a doubt, the suit, which raises very serious constitutional issues and with the balance of convenience heavily tilting in favour of the Applicants this application has merit.
14. That the Defendant suffers no injury, should the application be granted, especially since, the decision is in no way far to be delivered; and more so, since, in the event Plaintiffs do not emerge victorious in the final action, the Executive will not be proscribed in exercising their rights of removal of any of these heads.
15. That this is an apposite case which is just and convenient, that the instant application is granted.
16. In the circumstance, I humbly and respectfully pray the honourable court for an order of interlocutory injunction restraining the Defendant/Respondent its principals, including His Excellency the President of the Republic, the respective Council of the Ghana Immigration Service, Ghana Police Service, National Fire

Service, Ghana Prisons Service, and whomsoever or however described from removing, terminating, dismissing, sacking, suspending or whichever way described; the Director General of the Ghana Prisons Service, the Comptroller of the Ghana Immigration Service, the Director General of the National Fire Service and the Inspector General of Police from their respective positions as Heads of the Ghana Prisons Service, the Ghana Immigration Service, the Ghana National Fire Service and the Ghana Police Service pending the final determination of the suit.

SWORN AT ACCRA THIS

13th

March
DAY OF 2025



Kofi Bentil

License No: eGar 02985/25

For Applicants

BEFORE ME

EDWARD ADU-YOBD
COMMISSIONER FOR OATHS
HIGH COURT, ACCRA
TEL: 027 560 5250
COMMISSIONER FOR OATHS

**AND FOR SERVICE ON THE DEFENDANT OR ITS LAWYER ADWOA O. OBENG,
PRINCIPAL STATE ATTORNEY, OFFICE OF THE ATTORNEY GENERAL, ACCRA**

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at.....11:00.....am/pm
.....Registrar
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THE ATTORNEY -GENERAL
Attorney-General's Department
Ministries, Accra

DEFENDANT

**STATEMENT OF CASE FILED FOR AND ON BEHALF OF THE PLAINTIFFS IN
SUPPORT OF MOTION ON NOTICE FOR INTERLOCUTORY INJUNCTION**

MAY IT PLEASE MY LORDS:

INTRODUCTION

1. Respectfully, My Lords, it is beyond doubt that this Court has jurisdiction to entertain injunction application whenever its original jurisdiction is invoked¹.
2. They are jurisdictions inherent in the Court which spring from the rules of equity and have been accorded legitimacy in our jurisprudence by Article 11(1)(e)² and 11 (2)³ of the 1992 Constitution. The foregoing imperatives

¹ Ekwam v. Pianim (No.1) [1996-97] SCGLR 117, this Court granted an injunction to restrain a non-party, the NPP, from carrying out its National Delegates Congress, pending the determination of a writ invoking the Court's original jurisdiction.

² The laws of Ghana shall comprise-

- (a) this Constitution;
- (b) enactments made by or under the authority of the Parliament established by this Constitution;
- (c) any Orders, Rules and Regulations made by any person or authority under a power conferred by this Constitution.
- (d) the existing law; and
- (e) the common law.

³ (2) The common law of Ghana shall comprise the rules of law generally known as the common law, the rules generally known as the doctrines of equity and the rules of customary law including those determined by the Superior Court of Judicature.

teaches that, the rules of law generally known as the common law and the rules generally known as the doctrines of equity are much a part of the laws of Ghana, to be applied by our courts⁴.

3. **Respectfully, My Lords, it is on the strength of the above that we have invoked your jurisdiction by way of this application to exercise your judicial discretion in favour of the Plaintiffs/Applicants to restrain the Defendant/Respondent its principals, including His Excellency the President of the Republic, the respective Council of the Ghana Immigration Service, Ghana Police Service, National Fire Service, Ghana Prisons Service, and whomsoever or however described from removing, terminating, dismissing, sacking, suspending or whichever way described the Director General of the Ghana Prisons Service, the Comptroller of the Ghana Immigration Service, the Director General of the National Fire Service and the Inspector General of Police from their respective positions as Heads of the Ghana Prisons Service, the Ghana Immigration Service, the Ghana National Fire Service and the Ghana Police Service pending the final determination of the suit.**
4. This humble application is anchored on a writ invoking your original jurisdiction which was filed on the 11th day of March 2024.
5. My Lords, we shall not take up your time by recounting the facts that have given rise to this application, as these are thoroughly outlined in the supporting affidavit.
6. **We, however, submit that the authorities are replete that in perilous times like these you can grant an Application such as the instant and so humbly, exercise your judicial discretion in favour of the Plaintiffs to restrain the Defendant and His Excellency the President from rendering the suit otiose.**

THE LAW

7. My Lords, the principles that govern applications for injunction, interlocutory or interim are settled in a plethora of cases. In **Owusu v. Owusu-Ansah**[2007-2008] 2 SCGLR 870, this Court held that :

"The fundamental principle in applications for interim injunction is whether the applicant has a legal right at law or in equity, which the court ought to protect by maintaining the status quo until the final determination of the action on its merits. This could only be determined by considering the pleadings and affidavit evidence before the court."

⁴ Michael Ankomah-Nimfah v. James Gyakyey Quayson & 2ORS, Civil Appeal No. J1/11/2022

8. We respectfully assert to the court that applicants have a cause of action as argued in the suit and have properly invoked the jurisdiction of this court. That gives rise to a right in law which qualifies for protection by this court. Any contrary interpretation that applicants have no such right upon which to found an application for injunction, despite the provisions in the constitution guaranteeing access to this court to raise such issues will be perverse and odious, and will undermine the very grounds upon which this whole case is founded and has been accepted by this court having agreed that its jurisdiction has been properly invoked.
9. Applicant also assert that if this injunction is not granted, irreparable damage will be caused because already as the court can take Judicial notice of) there are rampant news articles and whisperings in the nation that one of the security chiefs is about to be removed in a way that will render this extant case nugatory.
If indeed the security chief in issue is removed, that would constitute irreparable damage because even if successful, it will be a done deed and irreversibly so.
10. Such a deed will reverse the gains we seek to achieve and set applicants and the whole nation back indefinitely in ways that cannot be compensated with money.
11. On the other hand waiting for a few weeks for the judgment of this court will not occasion irreparable hardship on the other party
12. From the litany of judicial decisions, it has also long been settled that in considering an application for injunction, a court ought to consider *inter alia* the following factors:

1. Whether the case of the Applicant is not frivolous. That is to say, whether the Applicant prima facie, has demonstrated a legal or equitable right that ought to be protected by the Court.

2. Whether hardship would be occasioned if the application is granted or refused and which of the parties will suffer greater hardship.

3. Whether on the facts, it is just and convenient for the preservation of the status-quo.

4. Whether the loss, damage or injury can be quantified in money and whether damages could afford adequate compensation if the application was refused.

13. These principles were reiterated by this Court in the case of **18th July v. Yehans International Ltd (2012) SCGLR 167**, as follows:

“Even though [the grant of injunction] is discretionary, we are of the view that a ... court in determining interlocutory application must first consider whether the case of an applicant was not frivolous and had demonstrated that he had legal or equitable right which a court should protect. Second the court is also enjoined to ensure that the status quo is maintained so as to avoid any irreparable damage to the applicant pending the hearing of the matter. The trial court ought to consider the balance of convenience and should refuse the application if its grant would cause serious hardships to the other party...”

14. Further, injunctions being primarily discretionary, the *bonafides* and *malafides* of the parties cannot be ignored in ascertaining whether to grant or refuse⁵.

ANALYSIS

15. My Lords, the Constitution serves as the foundation of our democracy; without it our state’s institutions could not exist. It is the source of authority of the entire governance structure of our nation⁶. Based on this premise, the Applicants have turned to this court’s original jurisdiction under Articles 2(1) and 130 of the Constitution. We are specifically seeking a clear and accurate interpretation to Articles 12 (2), 17, 200, 202(1), 202(2), 202(3), 205, 207 (1), 207(2), 190(1), 191, 196, 199 and 296 of the 1992 Constitution.

16. Respectfully, we submit that, the Applicants’ plaint is a cognizable cause of action and is by no means frivolous as the same is for and on behalf of the people of Ghana. More so, the writ filed by the Applicants discloses a prima facie constitutional case, is not frivolous and may warrant an injunction.

17. We further submit in all humility that, the balance of convenience tilts heavily in favour of the Applicants who are fighting the public interest and not a personal one. That justice emanates from the people⁷ and the same is vested in the judiciary⁸, particularly this Court, the only forum to vent issues of true and proper interpretation of the sacred and supreme law⁹ of the Ghanaian people.

18. My Lords, the grant of this injunction will not occasion the Defendant any injury, especially since, the court will soon make a judicial pronouncement on the same and in the event Plaintiffs are adjudged victorious in the final action, the

⁵ *Owusu v. Owusu-Ansah* [2007-2008] 2 SCGLR 870,

⁶ *Michael Ankomah-Nimfah v. James Gyakye Quayson & 2ORS* , Civil Appeal No. J1/11/2022

⁷ Article 1 (1) of the 1992 Constitution.

⁸ Article 125(1)

⁹ Article 1 (2) & Article 11(1)

Executive will not be constrained in exercising their rights of removal of any of these heads.

19. It is the case of the Applicants that the substantive suit being a public interest action, the persons whose interest are at stake are not only the Applicants but every Ghanaian, because every citizen has a community of interest in the Constitution and a lacuna of "a just cause" in which the Applicants have sought the original jurisdiction of this court. We are fortified by Article 3(4) of the 1992 Constitution which places on all citizens the duty to **"at all times defend the Constitution and in particular, to resist any person or group of persons seeking to overthrow the constitution."**
20. It is evident from the preceding discussion or analysis that the circumstances of this case render it both just and expedient to grant this injunction, in order to fulfill the sovereign will of the citizenry in accordance with the mandates of the supreme law.

CONCLUSION

21. Your Lordships, this court is not urged to undertake anything novel but rather to continue administering justice as you have consistently done for the people of Ghana. With the utmost humility, we acknowledge that no one stands above the rule of law and the Constitution, as asserted by this court in **AMIDU V PRESIDENT KUFUOR [2001-2002] SCGLR 86 Per Adjabeng JSC that: "It must be noted that our 1992 Constitution has firmly established the rule of law in the country. The Constitution makes it clear that everybody in this country, including His Excellency, the President, is under the Constitution and the law. This is clearly what we mean by the rule of law...And I have no doubt that adherence to this policy will indeed bring about real democracy...and therefore real freedom, justice and prosperity."**
22. We respectfully submit that the pursuit of justice and adherence to the Constitution is fundamental not only for maintaining the rule of law but also for fostering a just and equitable society.

HUMBLY SUBMITTED.



Kofi Bentil

License No: eGar 02985/25

For Applicants

**THE REGISTRAR
SUPREME COURT
ACCRA**

AND COPY FOR SERVICE ON THE DEFENDANT OR ITS LAWYER **ADWOA O. OBENG,
PRINCIPAL STATE ATTORNEY, OFFICE OF THE ATORNEY GENERAL, MINISTRIES-ACCRA**

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Confusion hits social media as users demand clarity on Dampare's alleged dismissal

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Inspector General of Police (IGP), Dr. George Akuffo Dampare

Uncertainty has gripped social media as users demand answers regarding the alleged dismissal of the Inspector General of Police (IGP), Dr. George Akuffo Dampare.

On March 12, 2025, Accra-based Asaase Radio reported on their social media platform X, formerly known as Twitter alleging that Dr. Dampare had been relieved of his position.

However, the post sparked controversy, with many users questioning its authenticity and seeking official confirmation.

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Inspector General of Police (IGP), Dr. George Akuffo Dampare

However, the post sparked controversy, with many users questioning its authenticity and seeking official confirmation.

The report did not sit well with some social media users, who criticized the outlet for spreading what they termed as unverified information.

"This is never true, you're just misleading people," one user commented.

Another user expressed disbelief, stating, "I will find it extremely difficult to understand any GOOD REASON why the government would remove IGP Dr. Dampare. Look! Dr. Dampare is the IDEAL IGP. My ENERGY & his momentary interaction on February 28 at Alisa Hotel, Accra, was profound. Just the peripheral FORCEFIELDS were HUGE and POSITIVE."

Others praised Dr. Dampare's leadership, emphasizing his impact and public approval.

"IGP Dampare had excellent people skills. He did his best and will be remembered as one of the most loved IGPs in Ghana's history," a user wrote.

"Dampare is still the IGP. Stop all these propagandas and lies," another added.

"Dampare is the reason many of you even know we have an IGP. Without looking it up, some of you wouldn't even know who held the position before him," a comment read.

Amid the confusion, several users continued to ask questions.

"Why was Dampare sacked?" one user queried.

"Is there any official communiqué to support the claim that Dampare has been fired?" another demanded.

As speculation grows, the public awaits an official response from the authorities to either confirm or refute the allegations.

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Small forces end

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COMMISSIONER FOR OAT
HIGH COURT ACCRA, GH

Confusion hits social media as users demand clarity on Dampare's alleged dismissal 1975254

GhanaWeb


As speculation grows, the public awaits an official response from the authorities to either confirm or refute the allegations, especially from the government or the police fraternity.

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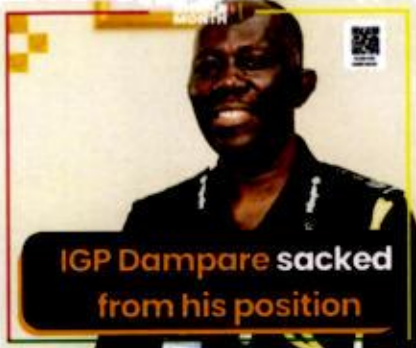
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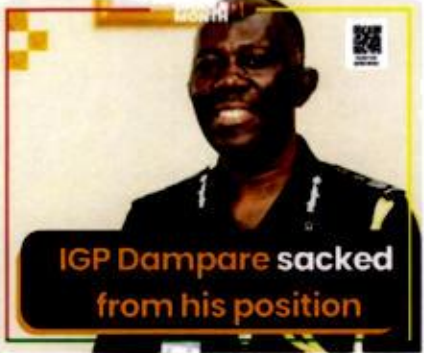


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