

Filed on..... 7/11/22
at..... 1:30 am/pm
..... Registrar
SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA - A.D. 2022

WRIT TO INVOKE THE ORIGINAL JURISDICTION OF THE SUPREME COURT
PURSUANT TO ARTICLES 2(1) AND 130(1) OF THE 1992 CONSTITUTION AND
RULE 45(1) AND (2) OF THE SUPREME COURT RULES (1996) C.I 16

SUIT NO..... J114/2023

BETWEEN

YAW BROGYA GENFI

PLAINTIFF

Plot 10 Block G
Suame Extension
Kumasi, Ashanti Region

AND

1. HABIB IDDRISU
(Plaintiff to direct service) 1ST DEFENDANT
2. ELECTORAL COMMISSION
HEAD OFFICE, 8TH AVENUE
RIDGE, ACCRA 2ND DEFENDANT
3. THE ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBER
MINISTRY OF JUSTICE, ACCRA 3RD DEFENDANT

IN THE NAME OF THE REPUBLIC OF GHANA, you are hereby commanded within fourteen (14) days after the service on you of the statement of the Plaintiff's case inclusive of the day of service, that you are to file or cause to be filed for you a statement of the Defendant's case in an action at the suit of:

YAW BROGYA GENFI

The nature of the reliefs sought are as follows:

- A. A declaration that the 1st Defendant, Mr. Habib Iddrisu, who was elected the Member of Parliament for the Tolon Constituency in the Northern Region of the Republic of Ghana during the 2020 Parliamentary Elections, was not qualified to be elected a Member of Parliament within the meaning of Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana by reason of the fact that, at the time of filing his nomination for the said elections between 5th and 9th October 2020, he had been convicted of forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in Australia on the 28th of November 2011 and ten (10) years had not passed at the time when Mr. Habib Iddrisu filed his nomination for the said elections;

- B. A declaration that the decision of the 2nd Defendant to permit the 1st Defendant to contest Parliamentary Elections in the Tolon Constituency when the 1st Defendant had been convicted for forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in Australia on the 28th day of November 2011 is inconsistent with and violates Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana and ten (10) years had not passed when the 2nd Defendant made the decision to allow the 1st Defendant to contest the 2020 Parliamentary Elections;

- C. A declaration that the election of the 1st Defendant as the Member of Parliament for the Tolon Constituency notwithstanding his conviction for forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in

Australia on the 28th day of November 2011 is inconsistent with and violates Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana and to that extent is unconstitutional, null and void and of no legal effect;

- D. *A declaration that the swearing-in of the 1st Defendant as Member of Parliament for the Tolon Constituency is inconsistent with and violates Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana and is to that extent unconstitutional, null and void and of no legal effect.*
- E. *Any consequential orders the Court may deem meet.*

The Capacity in which the Plaintiff is bringing this action is as follows:

The Plaintiff brings this action in his capacity as a citizen of Ghana for the enforcement of the provisions of the Constitution under Articles 2(1) (b) and 130(1) (a) thereof.


The address for service for the Plaintiff is as follows:

**Plot 10 Block G
Suame Extension
Kumasi, Ashanti Region**

The names and addresses of persons affected by this writ are as follows:

1. HABIB IDDRISU
Accra
2. THE ELECTORAL COMMISSION, 8TH AVENUE RIDGE ACCRA.
3. THE ATTORNEY-GENERAL, ACCRA.

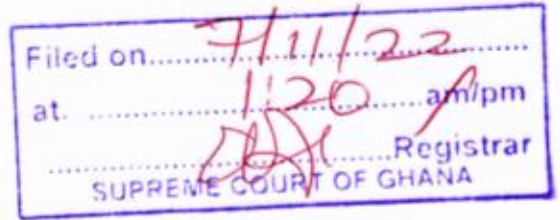
DATED AT ACCRA THE 7TH DAY OF NOVEMBER 2022


.....
PLAINTIFF

THE REGISTRAR
SUPREME COURT
ACCRA

AND FOR SERVICE ON THE ABOVE-NAMED DEFENDANTS

1. HABIB IDDRISU, ACCRA.
2. THE ELECTORAL COMMISSION, 8TH AVENUE RIDGE ACCRA
3. THE ATTORNEY-GENERAL, ACCRA.



**IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
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SUIT NO.....

BETWEEN

YAW BROGYA GENFI

PLAINTIFF

Plot 10 Block G
Suame Extension
Kumasi, Ashanti Region

AND

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| 1. HABIB IDDRISU
(Plaintiff to direct service) | 1 ST DEFENDANT |
| 2. ELECTORAL COMMISSION
HEAD OFFICE, 8 TH AVENUE
RIDGE, ACCRA | 2 ND DEFENDANT |
| 3. THE ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBER
MINISTRY OF JUSTICE, ACCRA | 3 RD DEFENDANT |

**STATEMENT OF CASE FILED FOR AND ON BEHALF OF THE PLAINTIFF
PURSUANT TO RULE 46(1) OF THE SUPREME COURT RULES, 1996(C.I 16) IN
SUPPORT OF PLAINTIFF'S WRIT TO INVOKE THE ORIGINAL JURISDICTION OF
THE SUPREME COURT**

MY LORDS:

I. INTRODUCTION

1. My Lords, the Plaintiff herein has invoked the original jurisdiction of this Honourable Court, seeking the following reliefs:

- a. A declaration that the 1st Defendant, Mr. Habib Iddrisu, who was elected the Member of Parliament for the Tolon Constituency in the Northern Region of the Republic of Ghana during the 2020 Parliamentary Elections, was not qualified to be elected a Member of Parliament within the meaning of Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana by reason of the fact that, at the time of filing his nomination for the said elections between 5th and 9th October 2020, he had been convicted of forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in Australia on the 28th of November 2011 and ten (10) years had not passed at the time when Mr. Habib Iddrisu filed his nomination for the said elections;
- b. A declaration that the decision of the 2nd Defendant to permit the 1st Defendant to contest Parliamentary Elections in the Tolon Constituency when the 1st Defendant had been convicted for forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in Australia on the 28th day of November 2011 is inconsistent with and violates Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana as ten (10) years had not passed after the conviction of the 1st Defendant at the time the 2nd Defendant made the decision to allow the 1st Defendant to contest the 2020 Parliamentary Elections;
- c. A declaration that the election of the 1st Defendant as the Member of Parliament for the Tolon Constituency notwithstanding his conviction for forgery and fraud (**both offences involving dishonesty**) on his own plea by the Perth Magistrates Court in Australia on the 28th day of November 2011 is inconsistent with and violates Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana and to that extent is unconstitutional, null and void and of no legal effect;

- d. *A declaration that the swearing-in of the 1st Defendant as Member of Parliament for the Tolon Constituency is inconsistent with and in contravention of Articles 94(2)(c)(i) and 94(5)(a) of the 1992 Constitution of the Republic of Ghana and is to that extent unconstitutional, null and void and of no legal effect; and*
- e. *Any consequential orders the Court may deem meet.*

II. THE PARTIES TO THE INSTANT ACTION

2. The Plaintiff herein is a citizen of Ghana. On the authority of this Court's decision in the case of **Tuffuor v. Attorney-General [1980] GLR 637**, the Plaintiff is clothed with the requisite capacity to invoke the original jurisdiction of this Honourable Court pursuant to articles 2(1)(b) and 130(1)(a) of the 1992 Constitution of Ghana.
3. The 1st Defendant, Habib Iddrisu, is a citizen of Ghana and the purported Member of Parliament for the Tolon Constituency in the Northern Region of the Republic of Ghana.
4. The 2nd Defendant is the body established under Article 43 of the 1992 Constitution of Ghana to organize and conduct public elections and referenda in Ghana. The 2nd Defendant was, at all times material to the election of the 1st Defendant as a Member of Parliament, responsible for the conduct of the 2020 Parliamentary Elections. The 2nd Defendant vetted and qualified the 1st Defendant to stand for the said elections and subsequently declared the 1st Defendant the winner of the said elections in the Tolon Constituency.
5. The 3rd Defendant is the principal legal adviser to the Government of Ghana pursuant to Article 88(1) of the 1992 Constitution of Ghana and as the proper person for an action to be instituted against for and on behalf of the State on the authority of Article

88(5) of the 1992 Constitution and Section 9(1) of the State Proceedings Act, 1998(Act 555).

III. FACTS UNDERPINNING THE INSTANT ACTION

6. The case of the Plaintiff is that between October 5th and 9th, 2020 the 1st Defendant filed nomination forms to be qualified to contest for election as a Member of Parliament for the Tolon Constituency in the Northern Region of Ghana. The 1st Defendant was vetted and qualified by the 2nd Defendant to stand for the said election. The 1st Defendant won the election and was so declared by the 2nd Defendant.
7. The Plaintiff avers that, prior to the date of filing his nomination to contest the 2020 Parliamentary Elections and his subsequent election as the Member of Parliament for the Tolon Constituency, the 1st Defendant was resident in the Commonwealth of Australia.
8. The Plaintiff asserts that whilst resident in the Commonwealth of Australia, the 1st Defendant was charged with one count of forgery and ten counts of fraud and stood trial before the Perth Magistrates Court. The 1st Defendant pleaded guilty to all the charges.
9. According to a document obtained by the Plaintiff from the victim of the 1st Defendant's crimes and attached to the affidavit in verification filed in this Court, the 1st Defendant forged and fraudulently used the MasterCard of one Mr. Gideon Tafon, the complainant, to make purchases.
10. In a letter dated 5th December 2011, the Western Australia Police, Murdoch Police Station wrote to Mr. Gideon Tafon to inform him that an order of restitution of an amount of \$4,999.00 was made by the magistrate in Mr. Gideon Tafon's favour after the conviction of the 1st Defendant by the magistrate. Again, in the

said letter, it was stated that the 1st Defendant had informed the court that he had paid the said money in full to Mr. Gideon Tafon. Attached is a copy of the letter marked **Exhibit BG1**.

11. The case of the Plaintiff is that notwithstanding the 1st Defendant's conviction for the offences of forgery and fraud, the 1st Defendant filed his nomination forms with the 2nd Defendant in October 2020 to contest the Parliamentary elections in the Tolon Constituency in violation of Article 94(2)(c)(i) of the 1992 Constitution of Ghana. It is Plaintiff's assertion that the 1st Defendant was elected as the Member of Parliament for the Tolon Constituency in December 2020 Parliamentary elections. The 1st Defendant was sworn into Parliament on the 7th January 2021 as the Member of Parliament for the Tolon Constituency.
12. The Plaintiff contends that by reason of the conviction of the 1st Defendant for the offences of forgery and fraud on his own plea before the Perth Magistrates Court in Australia, by operation of Article 94(2)(c)(i) of the 1992 Constitution the 1st Defendant was not qualified to be a Member of Parliament when he filed his nomination forms with the 2nd Defendant in October 2020 and his subsequent election on the 7th December 2020 as the Member of Parliament for the Tolon Constituency was unconstitutional.
13. The Plaintiff therefore submits that as long as the 1st Defendant continues to hold himself out as a Member of Parliament and sit in the Parliament of Ghana, his conduct constitutes a continuous violation of the 1992 Constitution of Ghana.
14. For emphasis, Article 94(2)(c)(i) of the Constitution states as follows:
" (2) A person shall not be qualified to be a member of Parliament if he -
(c) has been convicted -

(i) for high crime under this Constitution or high treason or treason or for an offence involving the security of the State, **fraud, dishonesty** or moral turpitude;”

IV. THE THRESHOLD QUESTION OF THE JURISDICTION OF THE SUPREME COURT IN THE INSTANT MATTER.

15. A perusal of the Plaintiffs’ Writ filed before the Honourable Court would demonstrate that the Plaintiffs’ instant action is anchored on Articles 2(1)(b) and 130(1)(a) of the 1992 Constitution of Ghana.

16. Article 2(1)(b) of the Constitution states as follows:

” 2 (1) A person who alleges that -
(a) an enactment or anything contained in or done under the authority of that or any other enactment; or
(b) **any act or omission of any person;**
is inconsistent with, or is in contravention of a provision of this Constitution, may bring an action in the Supreme Court for a declaration to that effect.”

17. Then Article 130(1)(a) states as follows:

”130.(1) Subject to the jurisdiction of the High Court in the enforcement of the Fundamental Human Rights and Freedoms as provided in article 33 of this Constitution, the Supreme Court shall have exclusive original jurisdiction in-

(a) **all matters relating to the enforcement or interpretation of this Constitution.”**

18. Articles 2(1) and 130(1) of the 1992 Constitution of Ghana have received a plethora of judicial expressions in terms of the importance of those provisions relative to the original jurisdiction of the Honourable Court in interpreting and or enforcing the Constitution. Wood CJ in the case of **Abu Ramadan and Another v The Electoral Commission and Another (2013-2014) 2 SCGLR 1654 (Abu Ramadan No. 1)** in the following eloquent terms stated thus:

"A clearly unambiguous constitutional provision which underscores the supremacy of the 1992 Constitution is the Article 1(2). It provides:"1(2) This Constitution shall be the supreme law of Ghana and any other law found to be inconsistent with any provision of this Constitution shall, to the extent of the inconsistency, be void. "A further safeguard to the doctrine of constitutional supremacy is embodied in the articles 2(1) and 130(1) of the 1992 Constitution, which vest the Supreme Court with original jurisdiction to determine the constitutionality of legislations and to declare as void any law which is found to be inconsistent or in conflict with any of its provisions".

19. Indeed, on matters bordering on whether an act, legislation and or any act (conduct) is within the boundaries of the Constitution, the Supreme Court has been fortified by articles 2(1) and 130(1) of the 1992 Constitution with the sole duty to determine whether the conduct of the executive, legislature and any other person are within the four walls of the Constitution. In the case of **Abu Ramadan and Another v The Electoral Commission and Another (2015-2016) 1 SCGLR (Abu Ramadan No. 2)**, Gbadegbe JSC delivered himself as follows:

"We open the merit consideration of the action herein by observing that under the 1992 constitution, this court and none other has the onerous responsibility of determining whether an act, legislation and or any act (conduct) is within the boundaries of the constitution as provided for in articles 2(1) and 130(1)."

20. His Lordship continued:

"The essence of the jurisdiction conferred on us under the said articles is to enable us intervene in appropriate instances to declare and enforce the law regarding the extent and exercise of power by any person or authority. Although the said constitutional provisions have not used the words "judicial review", their cumulative effect is to confer on us the jurisdiction to declare what the law is and to give

*effect to it as an essential component of the rule of law. **The nature of the court's obligation is to measure acts of the executive and legislative bodies to ensure compliance with the provisions of the constitution, but the jurisdiction does not extend beyond the declaration, enforcement of the constitution and where necessary giving directions and orders that may be necessary to give effect to its decision as contained in article 2(2) of the constitution. The court's original jurisdiction thus enables it to determine the limits of the exercise of the repository's powers.***

21. The received learning from the above decisions of this Honourable Court on the scope and effect of articles 2(1) and 130(1) of the 1992 Constitution is that where there are allegations of the breach of the Constitution by the legislature, executive or any other person, the appropriate forum to undo the illegality committed and to compel the observance of the provisions of the Constitution is this Honourable Court.
22. This Honourable Court has had occasion to state that its interpretative and enforcement jurisdiction are separate and independent of each other. In other words, one can approach the Honourable Court solely to enforce the provisions of the Constitution without demonstrating the need for interpretation. Thus in the case of **Emmanuel Noble Kor v Attorney-General and Another**, an unreported judgment of the Supreme Court in Suit Number JI/16/2015 dated March 10, 2016, this Court per Atuguba JSC stated as follows;

*"It will be seen that article 2 of the Constitution is headed "Enforcement of the Constitution" and the ensuing provisions are meant to attain the enforcement of the Constitution. **There is therefore express authority in the Constitution itself for the view that the enforcement jurisdiction of this court is a conspicuously independent item of jurisdiction of this court.** Indeed, though it will be erroneous to say that a declaratory action cannot be brought within article 2 towards the enforcement of an ambiguous provision of the Constitution, it appears that while the enforcement purpose*

of that article is clear on the face of its provisions, its interpretative purpose is comparatively latent.”

23. His Lordship continued:

*“As Apaloo C.J, delivering the judgment of the Supreme Court in **Yiadom v Amaniampong (1981) GLR 3 at 8 said, inter alia, “To enforce a provision of the Constitution is to compel its observance.” **Certainly, it cannot be said that this court cannot compel the observance of a provision of the Constitution unless it first acquires the murkiness of ambiguity and is processed in the interpretative refinery of this court.”*****

24. We do not intend to detain this Honourable Court for long on its jurisdiction to enforce a provision of the Constitution without a condition precedent for the existence of an imprecision, obscurity and ambiguity of the provision that is sought to be enforced. However, we will out of the abundance of caution, as jurisdiction is essential to determination of any issue before a court, refer the Court to the opinion of Gbadegbe JSC in the case of **Professor Stephen Kwaku Asare vs 1. Attorney-General 2. General Legal Council & Anor, Suit No. J1/1/2016** where the learned justice noted;

*“Secondly, this court has reiterated in several decisions that its enforcement jurisdiction can be invoked independently of the interpretative jurisdiction as the right to seek a remedy under article 2 (1) is disjunctive not conjunctive. The said position was pronounced upon in the cases of **Sumaila Bielbiel v Dramani [2011] 1 SCGLR 132; Emmanuel Noble Kor v The Attorney- General; an unreported judgment in case number J1/16/2015 dated 03 March 2016 and Abu Ramadan (No 2) v Electoral Commission and Another, an unreported judgment in case number J1/14/2016 dated May 05, 2016. Having surmounted the jurisdictional hurdle, we direct our energies to a consideration of the action herein on the merits.”***

25. Having already demonstrated that this Court by virtue of articles 2(1) and 130(1) of the 1992 Constitution is vested with the

authority to compel compliance with the provisions of the constitution. It is in that light that the Plaintiff has come before the Honourable Court to seek its intervention to undo the illegality, unconstitutionality and impropriety that the 1st Defendant engaged in by filing his nomination forms with the 2nd Defendant and his subsequent election as the Member of Parliament for the Tolon Constituency when he was not qualified to be a Member of Parliament at those material times.

26. It is accordingly proper for this Honourable Court to uphold the reliefs of the Plaintiffs and to compel the observance of articles 94(2)(c)(i) and 97(1) (e) of the 1992 Constitution. This will engender confidence in the administration of justice and ensure fidelity to the law. As noted by Gbadegbe JSC in **Abu Ramadan No. 2** supra;

” The exercise of the original jurisdiction requires us to deliver credible decisions in order to enhance public confidence in the administration of justice as an independent decision making body with the sole responsibility of having a monitoring role over acts of the legislature and the executive for the purpose of ensuring observance with the constitution.”

V. THE MERITS OF THE INSTANT ACTION

27. Having dealt with the facts, the capacity of the Plaintiff and the jurisdiction of the Honourable Court to entertain the instant action, we proceed to argue the merits of the instant action.

28. The evidence placed before this Court shows that when the 1st Defendant filed his nomination forms with the 2nd Defendant in October 2020 to contest as a Member of Parliament for the Tolon Constituency in the December 2020 Parliamentary elections, he was convicted on his own plea by a court of competent jurisdiction in the Commonwealth of Australia for the offences of forgery and fraud. It is essential to state that forgery and fraud are offences in Ghana involving dishonesty. These are captured in the Criminal Offences Act, 1960(Act 29).

29. Now the 1992 Constitution of Ghana unambiguously in Article 94(2)(c)(i) bars a person who has been convicted for the offences of fraud or dishonesty from being a Member of Parliament. The said provision is in imperative and mandatory terms. Indeed in the case of **Ekwam v. Pianim (No.2) and Others (1996-97) SCGLR 120** this Court held that on the strength of article 94(2)(c)(i), the Defendant was disqualified from contesting for the office of President. This is because the Defendant was convicted for an offence involving the security of the State. At page 154, Acquah JSC (as he then was) delivered himself as follows;

“It is important to note that article 94(2)(c)(i) contains seven separate offences the conviction for each of which disqualifies a person.”

30. In a similar manner, having been convicted for the offences of forgery and fraud, the 1st Defendant was not qualified to be a Member of Parliament as at the time he filed his nomination forms with the 2nd Defendant in October 2020. Therefore the 1st Defendant’s filing of nomination forms with the 2nd Defendant in October 2020 and his clearance by the 2nd Defendant to contest in 2020 Parliamentary elections constituted a blatant violation of Article 94(2)(c)(i) of the Constitution. It is further submitted that the 1st Defendant having filed his nomination forms in violation of Article 94(2)(c)(i) of the Constitution, his election on the 7th December 2020 and his subsequent swearing in as a Member of Parliament on the 7th January 2020 cannot be made to stand. They are the fruits of a poisonous tree. The constitutional breaches by the 1st and 2nd Defendants constitute a serious invasion of the sovereign will of the people of Ghana hence requires the urgent intervention of this Court to avert such blatant illegality. In the case of **Michael Ankomah – Nimfah vrs. James Gyakye Quayson & 2 Ors, Writ No. J1/11/22**, this Court in its ruling dated 13th April 2022 had this to say per Kulendi JSC;

“The exclusive reservation of this jurisdiction to the Supreme Court is the constitutional indication of the sanctity with which the framers of the Constitution intended that it be treated. Consequently, an allegation of a breach and more so a subsisting and continuing breach of the Constitution constitutes an invasion of the sovereign will of the Ghanaian people, occasions an incalculable damage, injury and inconvenience which warrants serious and urgent judicial attention and intervention. No court, organ or agency of this Republic can or should be insensitive, aloof, indifferent and/or unconcerned about an allegation of a violation of this sacred and basic law, let alone a subsisting or continuing violation.”

VI. CONCLUSION AND PRAYER

31. The 1st Defendant having been convicted on his own plea for the offences of forgery and fraud by the Perth Magistrates Court in Australia, we urge the Honourable Court to hold that in October 2020 when the 1st Defendant filed his nomination forms with the 2nd Defendant, he was not qualified to be a Member of Parliament. We further urge the Court to hold that the 1st Defendant’s election and his subsequent swearing in as Member of Parliament for the Tolon Constituency was unconstitutional and of no legal effect.

VII. INTENDED NUMBER OF WITNESSES:

32. Three (3) witnesses are intended to be called in this suit.

VIII. STATUTE AND LIST OF DECIDED CASES PLAINTIFF INTENDS TO RELY:

CONSTITUTION/STATUTE LAW RELIED ON

- i. The 1992 Constitution of Ghana
- ii. Criminal Offences Act, 1960(Act 29)
- iii. State Proceedings Act, 1998(Act 555)

CASES BEING RELIED ON

- i. Abu Ramadan and Another v The Electoral Commission and Another(2013-2014) 2 SCGLR 1654 (Abu Ramadan No. 1)

- ii. Abu Ramadan and Another v The Electoral Commission and Another (2015-2016) 1 SCGLR (Abu Ramadan No. 2)
- iii. Ekwam v. Pianim (No.2) and Others (1996-97) SCGLR 120
- iv. Emmanuel Noble Kor v Attorney-General and Another, Suit Number J1/16/2015.
- v. Michael Ankomah – Nimfah vrs. James Gyakyee Quayson & 2 Ors, Writ No. J1/11/22
- vi. Professor Stephen Kwaku Asare vs 1. Attorney-General 2. General Legal Council & Anor, Suit No. J1/1/2016
- vii. Tuffuor v. Attorney-General [1980] GLR 637

DATED AT ACCRA THE 7TH NOVEMBER 2022


.....
PLAINTIFF

**THE REGISTRAR
SUPREME COURT
ACCRA**

AND FOR SERVICE ON THE ABOVE-NAMED DEFENDANTS;

1. HABIB IDDRISU, ACCRA.
2. THE ELECTORAL COMMISSION, 8TH AVENUE RIDGE ACCRA
3. THE ATTORNEYGENERAL, ACCRA.

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RIDGE, ACCRA | 2 ND DEFENDANT |
| 3. THE ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBER
MINISTRY OF JUSTICE, ACCRA | 3 RD DEFENDANT |

AFFIDAVIT OF VERIFICATION

I, YAW BROGYA GENFI of Plot 10 Block G Suame Extension Kumasi, Ashanti Region make oath and say as follows;

1. That I am the Plaintiff/Deponent herein.
2. That I am swearing to this affidavit for the purpose of verifying the facts that I have relied upon for the conduct of this case.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

3. That the facts and particulars stated in this suit are true to the best of my knowledge, information and belief.
4. That I have attached to this affidavit a certified true copy of an official letter detailing the facts relating to the conviction of the 1st Defendant on November 28, 2011 by the Perth Magistrates Court in the Commonwealth of Australia which is marked as Exhibit BG.
5. Wherefore I depose to this affidavit in good faith.


.....
DEPONENT

SWORN AT ACCRA)
THIS^{7th}..... DAY OF)
NOVEMBER, 2022)

BEFORE ME
SHANI ABDUL-FATAW U
COMMISSIONER FOR OATHS
TEL: 0546080864
COMMISSIONER FOR OATHS

EXHIBIT BG



Western Australia Police
Murdoch Police Station
South Metropolitan District
120 Murdoch Drive
MURDOCH WA 6150

PH: (08) 9313 9000 FAX: (08) 9313 9001

5th December 2011

MR G. TAFON
3 BROOKFORD COURT
JANDAKOT WA 6164

REF 310511 1615 10410

Dear Gideon,

37 CHAMBERLAIN CIRCLE

BATEMAN

THIS IS EXHIBIT MARKED: BG

REFERRED TO IN THE AFFIDAVIT

DATE: 27/11/2011

SGD: [Signature]

SHANI ABDUL - FATAWU
COMMISSIONER FOR OATHS
HIGH COURT ACCRA, GHANA

Incident number 310511 1615 10410 outcome of prosecution of Habib IDDRISU.

Habib IDDRISU was charged with one charge of Forgery and ten charges of Fraud in relation to the purchases he made using the Mastercard belonging to you.

On the 28th November 2011 IDDRISU appeared in the Perth Magistrates Court and pleaded guilty to all of the charges.

Restitution was ordered by the magistrate in the sum of \$4,999.00 to you. In relation to this IDDRISU stated he had paid you back the full amount.

If he has not then you must make an application to the court (Perth Magistrates Court 501 Hay Street Perth) for the restitution.

You will need to quote the following charge numbers.

11/43957, 11/43958, 11/43959, 11/43960, 11/43961, 11/43962, 11/43963, 11/43964, 11/43965, 11/43966, 11/43967.

During the investigation Police seized the following items which IDDRISU purchased with your card and has been forfeited and can be released to you on presentation of this letter to Aux Officer ROONEY at Murdoch Police Station:

- 310511 1615 10410/ 0007 Compaq laptop:
- 310511 1615 10410/ 0008 Logitech Mouse:
- 310511 1615 10410/ 0009 Logitech External storage device:
- 310511 1615 10410/ 0010 Logitech keyboard:

Yours Faithfully,

[Signature]

Simon BAXTER
Sergeant 10410
MURDOCH POLICE STATION

I certify this to be a true and accurate copy of the document reported to me to be the original.

[Signature]
Date: 4 NOV 2022
Simon John Gourlay Reg No 30268
Justice of the Peace in and for Western Australia

frontlineFIRST