

ELUS

Filed on 16/11/2021 12:15 am/pm
Registrar
HUMAN RIGHTS COURT *1* ACCRA, G/R

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
(HUMAN RIGHTS DIVISION)
ACCRA A.D. 2021

BETWEEN

SUIT NO: HR/0010/2022

FRANCIS-XAVIER KOJO SOSU]
HOUSE NO 27/22, KOBLA]
NELSON STREET.]
ABOFU, ACHIMOTA,]
ACCRA]

- APPLICANT

VRS.

THE INSPECTOR GENERAL OF POLICE]
GHANA POLICE SERVICE]
ACCRA]

- RESPONDENT

MOTION ON NOTICE FOR THE ENFORCEMENT OF THE FUNDAMENTAL HUMAN RIGHTS OF THE APPLICANT UNDER ARTICLE 33 OF THE 1992 CONSTITUTION AND ORDER 67 OF C.I 47

TAKE NOTICE that Counsel for and on behalf of the Applicant herein shall pray this Honourable Court for an order enforcing the Fundamental Human Rights to freedom of movement, right to protest and demonstrate, right to personal liberty, right to freedom of expression and right against unlawful arrest and malicious prosecution (Articles 14(1), 21(1) and 33 of the 1992 Constitution) of the Applicant and for an Order for Stay of all Criminal Investigations and proceedings by the Respondent in respect of Applicant on the grounds deposed to in the Supporting Affidavit and for any order(s) as this Honourable Court may deem fit.

DATE TO BE FIXED

COURT TO BE MOVED on the.....day of November, 2021 at 9:00 O'clock in the forenoon or so soon thereafter as Counsel for the Applicants may be heard.

DATED AT F-X LAW AND ASSOCIATES, ACCRA THIS 15TH DAY OF NOVEMBER, 2021


FRANCIS-XAVIER KOJO SOSU (ESQ)
Solicitor's License No. GAR 00128/21
B.P - 300045322
TIN: P0007113048

THE REGISTRAR.
HIGH COURT
(HUMAN RIGHTS DIVISION)
ACCRA.

THE INSPECTOR GENERAL OF POLICE, GHANA POLICE SERVICE, ACCRA.

AND FOR SERVICE ON THE ATTORNEY GENERAL, ATTORNEY GENERAL'S
OFFICE, MINISTRY OF JUSTICE-ACCRA.

YTS

THE REGISTRAR
HIGH COURT
ACCRA

7. That in my capacity as a sitting Member of Parliament, I picked intel that the community wanted to take the law into their own hands and hit the road and demonstrate on account of the bad roads.
8. That upon receipt of the said intel I reached out to the various Communities as a responsive leader and engaged them in various Stakeholder and Townhall meetings which culminated in a Communique dated 27th September, 2021 by which 14 days ultimatum was given to government for Contractors to return to site to construct the road or start work on the road. I attach herewith marked "Exhibit B" a copy of the said communique.
9. That by the Communiqué which was signed by the Chiefs, Assemblymen, and Opinion leaders, among others, various demands were made on government with the demand that if the Contractor who was awarded the road refused to show up within 14 days, I together with the community would embark on a demonstration.
10. That when the 14 days expired without any response, I issued a letter to the Ghana Police Service through the Divisional Commander at Adenta /Abokobi. This letter is dated 11th October, 2021 notifying the Police of our intended protest and demonstration on 18th October, 2021 in accordance with Section 1 of the Public Order Act. I attach herewith marked "Exhibit C" a copy of the said letter.
11. That after Police was given notice of our intended Protest and Demonstration, the Police immediately requested that I meet with them at the Greater Accra Regional Office to discuss the modalities of the demonstration and protest which I obliged. At the end of our discussions, the Police issued a letter dated 14th October, 2021 requesting that we hold our protest on Monday, 25th October, 2021. I attach herewith marked "Exhibit D" a copy of the said letter from Police proposing a new date.
12. That upon receipt of the letter from the Police, I issued another letter dated 14th October from my office by which I agreed with the police that the protest and demonstration be held on 25th October, 2021. I attach herewith marked "Exhibit E" a copy of the letter confirming 25th October, 2021 as the protest and demonstration day.
13. That on the morning of the protest, before I even got into the communities, the Youth who had mobilized themselves were blocking roads and burning tyres. Together with the Police, I spoke with the youth and they deescalated even before we began the demonstration and protest from Otinibi to Ayi-Mensah. I attach herewith marked "Exhibit F Series" a copy pictures and news items of my engagement with the youth where I was admonishing them that the reasons for our demonstration was to draw government's attention to the plight of the communities.
14. That after addressing the demonstrators, the Police informed me that they needed to send me to the Regional Commander to answer a few questions and I informed them that I was on my way to Parliament to attend to other Parliamentary duties because I was a Deputy Ranking Member and was to attend Leaders meeting in preparation of resumption of siting on 26th October, 2021. They insisted that I needed to go with them and I informed them that if they want to put me under arrest they have to tell me of the reasons of the arrest and also as a siting member of Parliament, they would have to write to Right Hon. Speaker before they can execute any criminal orders on me.
15. That without telling me the reason for their arrest, the Police in flagrant breach of the laws of Ghana which relates arrest generally and which relates to privileges of Members of Parliament in particular, the Police attempted to forcefully apprehend me in the presence

of my constituents, and it took the intervention of the teeming youth to rescue me and lead me to my vehicle where I finally sped off from the scene.

16. That aggrieved by conduct of the Police Officers, I invoked Order 28 and 31 of the Standing Orders of Parliament, and Article 117 of the 1992 Constitution to cite two Senior Officers of Contempt of Parliament because I considered their conduct to obstruct or impede me in the discharge of my duties or affronts the dignity of Parliament or which tends either directly or indirectly to produce such a result and therefore a contempt of Parliament.
17. That the attempt by the two officers of the Respondent to publicly arrest and manhandle me amount to an act intended to impede and obstruct to legitimate discharge of my duties as a Member of Parliament and the said act is an affront to the Parliament of the Republic of Ghana.
18. That the Rt. Hon. Speaker of Parliament by Order 31 of the Standing Orders of Parliament directed that the matter be referred to Committee of Privileges.
19. That the Police failed to arrest me on the said date, they only arrested the Danfa Youth Chief because they claimed he helped me escape arrest. The second person was never arrested. He willingly joined the Police vehicle because he said he wanted to know where they were sending his chief. It was at the station that he was informed that since all of them were brought from the demonstration they were all going to be charged.
20. That the 2 youth were interrogated in respect of alleged involvement in unlawful assembly without notice to police and obstruction of Police in the performance of their duty. When our Lawyers showed evidence of Notices to and from the Ghana Police Service, they were immediately released on bail. No one was interrogated, cautioned or charged on Blockage of road and destruction of Public property.
21. That the Police again attempted to arrest me on October 31, 2021 at the Redeemer Prayer Ministries in Madina. The Police indeed were there with men who claimed they were from the IGP's Office. They came with a US Texas State Ford Pickup with massive weapons and handcuffs at the back of the car. One of the people who led them was called Inspector Boakye Ansah and they came with several uniformed men. They told the Head pastor and many of our youth Leaders who confronted the Police that they were told that they came to arrest me. I attach herewith marked **Exhibit "G Series"** copies of news item and pictures of the said attempted arrest.
22. That it was after the said 2nd attempt at arresting me failed that the police issued a statement to explain their action and for the first time disclosing their reason for my invitation. I attach herewith marked **Exhibit "H"** a copy of the said Police release.
23. That on the same day, in further breach, the Police administration, issued a 2nd release interdicting my personal bodyguard in the person of Inspector Daniel Agbavor. I attach herewith marked **Exhibit "I"** a copy of the said interdiction notice.
24. That I also issued a final statement to clarify the factual inaccuracies of the Police Administration and sequence of events noted that the Police Administration had nothing to investigate about this demonstration particularly when the Police were part of the demonstration from the beginning till the end and there were no casualties, no destruction of public or private property and also noted that the Police attempt at my arrest is a deliberate attempt to reduce my confidence and my articulation of the need of my people. I attach herewith marked **Exhibit "J"** a copy of the said response to the Police releases.

25. That Police wrote further to the Rt. Hon. Speaker of Parliament in respect of my release and the Speaker wrote back to Police and indicated to the Police that because I had raised the matter before Parliament and the matter has been referred to the Privileges Committee, it will be prudent that whatever the Police wishes to do will abide the decision of Privileges Committee.
26. That I verily believe that much as the Immunity provisions in Article 117 and 118 of Members of Parliament are not absolute and members of Parliament are not above the law, it is in the same spirit that Ghana Police Service's Power of arrest and to commence criminal proceedings against any citizen of Ghana not an absolute one.
27. That I verily believe that I have a right not to be subjected to arbitrary arrest and prosecution and in cases where the basis for police intended arrest and prosecution are false, spurious and malicious, I can exercise my right under Article 33 of the 1992 Constitution for protection of those rights by the High Court.
28. That I verily believe that the exercise of the administrative functions of the Respondent to arrest and investigate and prosecute fell short of the high standards of fairness and reasonableness and compliance with requirements imposed by law as provided for under **Article 23 of the 1992 Constitution**.
29. That I verily believe that the Respondent's decision to arrest me in both their first and 2nd attempts (I will seek leave to show video evidence) violated my rights as a Ghanaian against unlawful arrest.
30. That I verily believe that, the exercise of discretionary powers by the Respondent's officers in flagrant breach of **Article 296 of the 1992 Constitution** as the said exercise of discretion has not been fair and candid.
31. That I verily believe that the continuous attempt by the Respondent to criminalize a pure civil constitutional protest and demonstration **the 1992 Constitution** and other International Human Right statutes.
32. That I verily believe that my right to challenge an arbitrary and unfair administrative and attempted criminal proceeding against me which arose out of a legitimate protest and demonstration is supported by the 1992 Constitution, and is also inherent in a democracy intended to secure the freedom and dignity of man.
33. That I verily believe that the conduct by the Respondent and his officials infringes my rights to personal liberty and right to freedom of movement and also violates and impedes my work as a sitting member of Parliament.
34. That I verily believe that Respondent by their actions also violates **The United Nations Universal Declaration of Human Rights (UDHR)** – particularly Article 3 on Rights to life, liberty and security of person, Article 9 on Freedom from arbitrary arrest and detention.

35. That I verily believe that Respondent's Conduct also is in violation of **The International Covenant on Civil and Political Rights (ICCPR)** – particularly Article 9 on Right to Liberty and security of person including freedom from arbitrary arrest, the right to be informed at the time of arrest, of the reasons for arrest.
36. That I verily believe that Respondent treatment of this case is in breach of **The African Charter on Human and Peoples' Right (ACHPR)** particularly Article 5 on right to dignity, Article 6 on the right to Liberty and Security of the person, Article 7 on the right to fair trial.
37. That since the beginning of the said arbitrary and unlawful conducts by the Respondent I have suffered the following priceless losses which have generally affected my life;
- a. Emotional and psychological trauma
 - b. My wife and children and parents have been seriously traumatized
 - c. My work as a member of Parliament has been greatly affected.
38. That if this court does not intervene, my rights will continue to be breached by the Respondent.
39. That I verily believe that the enormous breaches of my fundamental rights under the 1992 Constitution and the International Human Rights Instruments referred to above entitles me to the appropriate remedies from the Human Rights Court as indicated in my claims below.

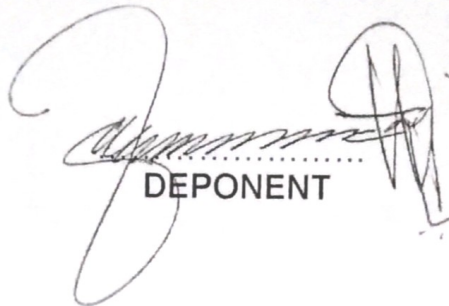
WHEREFORE, I swear to this affidavit in support of the facts stated above and claim the following reliefs against the Respondent:

- 1. An Order that that the attempt by the Officers of the Respondent to arrest me on 25th October, 2021 without telling me the reasons for the arrest was unlawful.*
- 2. An Order that the attempt by the Officers of Respondent to arrest me at the Church without any reasons was unlawful.*
- 3. A Declaration that the conduct of Respondent is in breach of the standards of fairness and reasonableness under Article 23, proper use of discretion under Article 296, and all implied rights inherent in a democracy intended to secure the freedom and dignity of man which include the right not to be subjected to arbitrary and malicious prosecution under Article 33(5) of the 1992 Constitution.*
- 4. An order directed the Respondent to pay to the Applicant compensation for unlawful and unwarranted breach of the Applicants' fundamental human rights.*

5. A Declaration that the Police action violates rights to protest and demonstrations.

6. Cost and legal fees.

Sworn at Accra this ^{15th} 15th)
Day of November, 2021)


DEPONENT

BEFORE ME

FLORENCE AGVIRI
COMMISSIONER FOR OATHS
2505149
COMMISSIONER FOR OATHS

EXHA

OFFICE OF PARLIAMENT

Hon. Francis-Xavier Kojo Sosu (Esq)
MP, Madina Constituency



DEPARTMENT
OF THE
MEMBER OF PARLIAMENT
FOR MADINA CONSTITUENCY
KWEIMAN, DANFA, ADOTEIMAN AND OTINIBI
COMMUNIQUE



Office of Parliament
Parliament House
Room No. F2T 02E 019
Accra, Ghana

Your Ref.....
My Ref.....

27th September, 2021

Dear All,

**COMMUNIQUE FOLLOWING TOWNHALL MEETING BETWEEN MADINA MP AND
STAKEHOLDERS AT KWEIMAN, DANFA, ADOTEIMAN AND OTINIBI TO ADDRESS
DEPLORABLE STATE OF AYIMENSAH-AMRAHIA ROAD**

The Ayimensah - Amrahia road starts from the Ayimensah Toll booth, and passes through four communities within the Madina Constituency namely, Kweiman, Danfa, Adoteiman and Otinibi. Following incessant calls to his office about the deplorable state of the Ayimensah - Amrahia road the Member of Parliament for Madina Constituency Honorable Francis-Xavier Sosu (Esq) held a townhall meeting with the chiefs and people of the communities along the Ayimensah - Amrahia road. The aim of the meeting was to unravel the reason(s) why the road project has delayed and to find a way to compel government to get the contractor back on site to finish the road.

The meeting which was attended by the Chiefs, Elders, Residents Associations, Imams, Pastors, Commercial Drivers and Assembly Members of Ayimensah, Kweiman, Danfa, Adoteiman and Otinibi, discussed and noted the following:

- i. Prior to the road deterioration, maintenance of the Ayimensah - Amrahia road did not go on for years and that resulted in the complete deterioration of the road;
- ii. Shortly after the NPP lost the Madina Parliamentary seat, the contractor reduced the speed with which he worked prior to the 2020 elections;
- iii. A few weeks after the infrastructural tour of the Member of Parliament for Madina Constituency, the contractor abandoned the project;
- iv. Checks by the Member of Parliament for Madina Constituency has revealed that the contractor does not have money to enable him to finish the road;
- v. Pregnant women dread using the road while sitting in vehicles. Participants recounted various incidents of how pregnant women have suffered and continue to suffer in vehicles that ply the road;
- vi. Drivers also recounted how the deplorable state of the road is causing constant damages to their vehicles;

- vii. Residents are at the mercy of huge quantities of dust, mud and flooding due to the deplorable state of the road;
- viii. The chiefs and elders expressed their displeasure to the apparent strategy of deliberate neglect of communities along that part of the Madina Constituency by the central and local government;
- ix. When the road is fixed, the recent grid lock being experienced on the Adenta - Amrahia road will reduce tremendously because drivers will have an alternative route to use, by using the Ayimensah - Amrahia road;
- x. The MCE has failed in her mandate as the representative of the President of Ghana in Madina to see to it that the contractor completes the project.

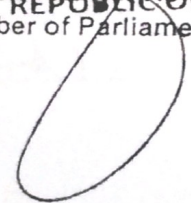
As a result of the above and in light of observations made by participants, the following resolutions were agreed:

- a) The Ayimensah - Amrahia road should be given an immediate face-lift by the District Assembly to alleviate the suffering of residents along the road. Portions of the road should be graded to make it a lot more suitable for vehicular movement;
- b) Service of notice by the Member of Parliament for Madina Constituency, Chiefs of Ayimensah, Kweiman, Danfa, Adoteiman and Otinibi, Residents Associations of Communities along the Ayimensah - Amrahia road and Commercial Drivers who ply that road to the President of the Republic of Ghana Nana Addo Dankwa Akuffo Addo, the Minister for Roads, the Municipal Chief Executive of Madina, the Department of Feeder Roads, the Road fund and the general public that if the contractor does not come back to site within two weeks(14 days) to continue work on the Ayimensah - Amrahia road, the road shall be blocked by residents indefinitely; and
- c) The road blockage shall be followed by a series of protests by residents along the Ayimensah - Amrahia road until work resumes on the road.

Find attached signatures of Chiefs, Elders, Representatives of Residents Associations, Imams, Pastors, Commercial Drivers and Assembly Members of Ayimensah, Kweiman, Danfa, Adoteiman and Otinibi in support of the above resolutions.

Yours Faithfully

MEMBER OF PARLIAMENT
 MADINA CONSTITUENCY
 NUMBER 49 E, JOB 60
 PARLIAMENT OF GHANA
 Francis Yawet Kejo Bosu (Esq.)
 Member of Parliament, Madina



EXH (C)
OFFICE OF PARLIAMENT
 Hon. Francis-Xavier Kojo Sosu (Esq)
 MP, Madina Constituency



Office of Parliament
 Parliament House
 Room No. F2T 02E 019
 Osu Accra, Ghana

Your Ref. _____
 My Ref. FX/CP/10/2021

Handwritten notes:
 The Chief - Depose
 Party - Depose
 Force this ISK
 [Signature]

11th October, 2021

The Divisional Commander
 Adenta Police Division
 Adenta, Accra

Dear Commander,

NOTICE OF PUBLIC PROTEST AND DEMONSTRATION

I refer our Communiqué dated 27th September, 2021 giving government 14 days ultimatum to commence work on the Ayi-Mensah –Kweiman, Danfa, Adoteiman, Otinibi, Amrahia road to alleviate the suffering of the people living in that community.

It is disappointing to note that the 14 days elapsed today, 11th October, 2021 without any sign of commencement of work by the Contractors.

Accordingly, I write for and on behalf of the Chiefs, Elders, Youth, Residents Associations and various drivers unions and transport associations to give you this notice of public protest and demonstration in accordance with **Section (1) of the Public Order Act, 1994 (Act 491)**

Our intended demonstration will be held on **Monday, 18th day of October, 2021 at 6am from Otinibi Last Stop and end at 1pm at AyiMensah Toll Booth** where the media would be addressed and a Petition presented to the Municipal Chief Executive of Madina La-Nkwantanang Municipal Assembly.

Yours Faithfully

[Handwritten signature of Francis-Xavier Kojo Sosu]

Hon. Francis Xavier Kojo Sosu
 Member of Parliament, Madina

**MEMBER OF PARLIAMENT
 MADINA CONSTITUENCY
 NUMBER 19 E. JOB 600
 PARLIAMENT OF GHANA
 REPUBLIC OF GHANA**

- CC
- 1 The District Commander
 Ayi-Mensah
 Accra
 - 2 The Officer In Charge
 Danfa Police Post
 Accra
 - 3 Municipal Chief Executive
 Madina-La-Nkwantanang Municipal Assembly
 Accra

LXH D

In case of reply the letter number and the date should be quoted.

GHANA POLICE SERVICE
DIVISIONAL HEADQUARTERS
ADENTA/AR

My Ref. ADADIV.13/V.7/293
Your Ref. No



14 OCTOBER 2021

RECEIVED
ADENTA/AR
14 OCT 2021
[Handwritten signatures and stamps]

HON. FRANCIS-XAVIER KOJO SOSU [LSQ]
MEMBER OF PARLIAMENT
MADINA CONSTITUENCY

RE - NOTICE OF PUBLIC
PROTEST AND DEMONSTRATION

I refer to your letter dated 11 October 2021, your notice of public protest and demonstration in accordance with Section [1] of the Public Order Act, 1994 [Act 491].

We are unable to provide security for this intended demonstration due to an upcoming Ghana Law School student's demonstration and Regional Tour by His Excellency the President of the Republic.

We humbly wish you re-schedule your intended public protest to Monday 25 October 2021 to enable us provide you with maximum security.

We look forward to hearing from you at your earliest convenience.

ERIC WINFUL
ASSISTANT COMMISSIONER OF POLICE
[DIVISIONAL COMMANDER/ADENTA-ABOKOBI DIVISION]

Cc: DEPUTY COMMISSIONER OF POLICE
REGIONAL POLICE HEADQUARTERS
ACCRA



OFFICE OF PARLIAMENT
Hon. Francis-Xavier Kojo Sosu (Esq)
MP, Madina Constituency



Office of Parliament
 Parliament House
 Room No. F2T 02E 019
 Accra, Ghana

Your Ref: _____

My Ref: _____

[Handwritten notes and signatures]

14th October, 2021

The Divisional Commander
 Adenta Police Division
 Adenta, Accra

Dear Commander,

RE: NOTICE OF PUBLIC PROTEST AND DEMONSTRATION

I refer to your letter with Ref. No. ADADIV.13/V.7/293 dated 14th October 2021 and our earlier meetings in respect of the above subject and wish to thank you for your desire to provide adequate security for our intended protest and demonstration.

I duly take note of concerns raised during our meeting and the concerns raised in your letter with respect to the upcoming Ghana Law School Students Demonstration and Regional Tour by the President of the Republic of Ghana.

Being committed to the cause of the Law students and also hopeful that the President's Tour will take him through some of the bad roads in Madina for him not to be surprised at our upcoming demonstration, I will advise the Chiefs, Elders, and people of Ayi Mensah, Kweiman, Danfa, Adoteiman, Otinibi and Amrahia to reschedule the demonstration.

Accordingly our intended demonstration is rescheduled to **Monday, 25th October, 2021**. All other previous arrangements as to time, venue and route remain the same.

Yours faithfully,

[Handwritten signature of Francis-Xavier Kojo Sosu]

**MEMBER OF PARLIAMENT
 MADINA CONSTITUENCY
 NUMBER 19 E, JOB 500
 PARLIAMENT OF GHANA
 REPUBLIC OF GHANA**

Hon. Francis Xavier Kojo Sosu
 Member of Parliament, Madina

CC

- 1. The District Commander
 Ayi-Mensah
 Accra

2. The Officer in Charge
Danfa Police Post
Accra

3. Municipal Chief Executive
Madina-La-Nkwantanang Municipal Assembly, Accra

5. Assemblyman
Ayi Mensah-Kweiman
Accra

6. Assemblyman
Danfa
Accra

7. Chiefs and Elders,
Ayi Mensah,
Kweiman,
Danfa,
Adoteiman,
Otinibi

8. All Resident Associations

9. All Driver's Unions

EXH F' series

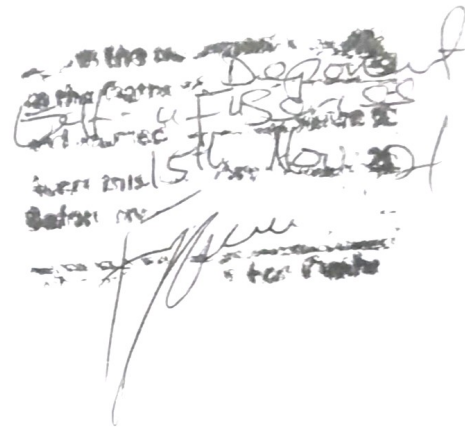
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You are here: [Home](#) → [News](#) → [2021 11 06](#) → [Article 1396342](#)

General News of Saturday, 6 November 2021

Source: www.ghanaweb.com

New video emerges of Francis-Xavier Sosu advising angry youth protestors against tyre burning



[play video](#) Francis-Xavier Sosu is the Member of Parliament for Madina

- Parliament and the police have been in a show of power in the last two weeks
- Some residents of Madina demonstrated over the deplorable roads there
- People have been divided on whether or not MPs can be arrested

A new video has emerged of the Member of Parliament for Madina, [Francis-Xavier Sosu](#), calming down some of his constituents who were burning down car tyres during the recent demonstration in the constituency

In the video, as made available to [GhanaWeb](#), the MP is seen, in the presence of some uniformed police officers, calming down the constituents, even as he offered them advice on what and what not to do.

"Demonstrations, we have types of demonstrations. And when you're doing demonstration, once the intention is that I want to block roads, police can simply say that you are breaching public order and that is not what we want to do.

"We want to draw government's attention without necessarily making it look like we are breaking the law," he told them.

The police have been looking for an opportunity to arrest the MP over some misdemeanors that happened during that demonstration that he led in some parts of the Madina constituency

The demonstration was to register their unhappiness with the sorry nature of some of their roads.

Here is [Francis-Xavier Sosu](#) speaking to some of his constituents:

 **VOTING IS ON NOW** bit.ly/ghanaweb-vote ***713*81#**

- CLICK TO VOTE
- ENTER NOMINEE CODE
- SELECT VOTE BUNDLE
- MAKE PAYMENT

EXH 'G' Series

SCHOLARSHIPS JOBS HEALTH TIPS TOURISM

Politics



POLITICS

Fierce resistance from residents as police attempt to arrest Medina MP for leading demonstration

By Insider Gh's News Editor
POSTED ON 12:46, 25 OCT 2021

Disputed
EXH 'G' Series
15th Nov 2021
for Pasha



Fierce resistance from residents as police attempt to arrest Medina MP for leading demonstration

EXH (I)

In case of reply the number and date of this letter should be quoted

My Ref: PAD/PRESS/VOL.3/1/227

Your Ref:

PRESS RELEASE



PUBLIC AFFAIRS DIRECTORATE
POLICE HEADQUARTERS
POST OFFICE BOX 116
ACCRA

31ST OCTOBER, 2021

BODYGUARD INTERDICTED FOR ALLEGED MISCONDUCT

1. The Police guard previously assigned to the Member of Parliament for the Madina Constituency, Inspector Daniel Agbavor, has been interdicted for alleged misconduct.
2. He is alleged to have recklessly driven into a crowd after a protest last Monday, 25th October, 2021, in the Madina Constituency, directly endangering the lives of two Senior Officers and other civilians.
3. The two officers have officially reported the incident to the Police Administration for investigations and possible disciplinary action.
4. The Parliamentary Protection Unit has been tasked to assign a new guard to the MP.

**KWESI OFORI
ASSISTANT COMMISSIONER OF POLICE
DIRECTOR-GENERAL, PUBLIC AFFAIRS**



EXH 'J'

OFFICE OF PARLIAMENT

Hon. Francis-Xavier Kojo Sosu (Esq)
MP, Madina Constituency



Office of Parliament
Parliament House
Room No. F2T 02E 019
Osu, Accra, Ghana

Your Ref.....

My Ref.....

2nd November, 2021

*Go the Office of Parliament
Room No. F2T 02E 019
Osu, Accra, Ghana
Date: 15th Nov 2021*

**RE: POLICE INVESTIGATION INTO A PROTEST LED BY
HOURABLE FRANCIS-XAVIER SOSU AND INTERDICTION OF INSPECTOR
DANIEL AGBAVOR, MY PERSONAL BODYGUARD**

My attention has been drawn to the Press Releases of the Ghana Police Service dated 31st October, 2021 on the above subjects. I am utterly shocked by the content of the said releases and would want to set the records straight in the mind of right-thinking members of society.

1. I want to place on record that this is the first time the Ghana Police Service is disclosing the reason for their invitation and their attempted unlawful arrest.
2. That any allegation of the Police about my involvement in unlawful blockade of road and destruction of public property is false and an afterthought carefully manufactured by the police to shift attention of the people of Ghana from the key issues of bad roads raised by our protest and demonstration.
3. In the early hours of the demonstration, ACP Winful, called me to complain that his men on the ground said some of the angry youth and trotro drivers were massing up, blocking roads and some burning tyres. A simple court order for his communication with me between 6:30 to 6:45 am or there about will reveal this truth.
4. That I assured him that this was not our agreed plan and that once I get to the venue I will help de-escalate the situation. Indeed, once I got to Ayi Mensah, there was an Obonu FM reporter who joined my car and was with me till we got to Kweiman, where there was a road block. I got out of my car and went to speak to the youth in the presence of the Police until we got them to clear the roads for people to move.
5. From Kweiman, I drove to Danfa where we had a similar incident together with the burning of tyres. There again, I got out of my car, in the presence of the Police and together with some of the officers, spoke with the angry youth and got them to join us all the way to Otinibi.

- 1 of 1
6. At Otinibi, I addressed the gathering, after which, together with the Police and with the Leadership of the Police, we marched through the street until we got to Ayi Mensah without any further incidence where I addressed the media.
 7. This sequence of event was carried by several media houses with live Facebook feeds and Officers of the Ghana Police Service were with us throughout the event until we ended. In fact, the youth Leaders, 10 Assembly members who were present, Leaders of GPRTU, the Chiefs and Elders of Ayi Mensah and the media and the Policemen who were there in the early hours before I got to the Demonstration will all attest to the fact that the Police Administration is only twisting facts to back their unlawful arrest and needless interference with my work as a Member of Parliament.
 8. When the Police invited me, I informed them that I was on my way to the Ranking and Deputy Ranking Members meeting in Parliament. I also informed them that if this is an arrest it will be an unlawful arrest particularly when they did not tell me the reasons for that arrest. Parliamentary immunity only came in because I was on my way to Parliament after the Protest when they wanted me to go with them. There are signed evidence of attendance to Ranking and Deputy Ranking Members Meeting dated 25th October, 2021 for verification.
 9. That the Police only arrested the Danfa Youth Chief and another person because they claimed he helped me escape arrest. The Third person was never arrested. He willingly joined the Police vehicle because he said he wanted to know where they were sending his chief. It was at the station that he was informed that since all of them were brought from the demonstration they were all going to be charged.
 10. That they were interrogated in respect of alleged involvement in unlawful assembly without notice to police and obstruction of Police in the performance of their duty. When Lawyers of the MP showed evidence of Notices to and from the Ghana Police Service, they were immediately released on bail. No one was interrogated, cautioned or charged on Blockage of road and destruction of Public property. The Police is simply lying.
 11. It is sad to note that the Police again, is lying about their attempt to arrest me on October 31, 2021 at the Believers Prayer Ministries in Madina. The Police indeed were there with men who claimed they were from the IGP's Office. They came with a US Texas State Ford Pickup with massive weapons and handcuffs at the back of the car, with customized number plate **GH - BANGA 1**. One of the people who led was called Inspector Boakye Ansah and they came with a number of men who were all not in uniformed. They informed the Head pastor and many of our youth Leaders who confronted them that they were there to arrest me.
 12. The Police Administration has nothing to investigate about this demonstration. The Police were part of the demonstration from the beginning till the end. There were no casualties, no destruction of public or private property. The Police attempt at my arrest is a deliberate attempt to reduce my confidence and my articulation of the need of my people. I won't

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- stop fighting for the people of Madina. We will organize further multiple peaceful protests because it is our constitutional duty to do so to hold government accountable.
13. In any event, the Police took steps to write to the Speaker of Parliament and the Rt. Hon. Speaker indicated to the Police that because I had raised the matter before Parliament and the matter has been referred to the Privileges Committee, it will be prudent that whatever the Police wishes to do will abide with the decision of the Privileges Committee.
 14. The 2nd attempt at unlawfully arresting me was after the Police was served the said letter of the Speaker of Parliament in clear disrespect to the Speaker. What is worse is that the Police went ahead to interdict my personal body guard. This is the height of lawlessness from an institution under the supervision of Parliament with an executive duty to maintain law and order. I have instructed my Lawyers to write to the Ghana Police Service for a copy of the said interdiction letter. This interdiction is a clear violation of immunity and privileges I enjoy as a Member of Parliament for the performance of my duty as an MP.
 15. It is strange that the Police will go all this length to cause emotional and psychological trauma to a Member of Parliament and his family only because the said member led a lawful protest with his people, and forget about the fact that recent violent crimes are up by 20% as at June, 2021. The Police Administration is more interested in Politicking than fighting crime and that is a shame and indictment on the current IGP and an indictment on our democracy.
 16. I remain a law-abiding citizen and will support and cooperate with the police only when their conduct is lawful. Justice for All. Injustice to None.
 17. I encourage all Ghanaians, my Constituents, family and friends who have been worried about me and have sent several messages and called several times to remain calm knowing that Great Leaders are born out of great adversities.
 18. As I wait patiently for the position that the Parliamentary Leadership may take on these matters, I have instructed my Lawyers to institute Human Rights Actions against the Ghana Police Service and all legitimate actions to ward off this needless attack on me and on my work as a Member of Parliament and my Personal Bodyguard Inspector Daniel AGBAVOR.
 19. I am resolute, focused and more committed to serve the people of Madina.

MEMBER OF PARLIAMENT
MADINA CONSTITUENCY
NUMBER 19 E, JOB 600
PARLIAMENT OF GHANA
REPUBLIC OF GHANA

FRANCIS-XAVIER SOSU (ESQ)
MEMBER OF PARLIAMENT FOR MADINA