Filed on 26/05/2025
at 3:00pm
.....Registrar
SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT OF GHANA
ACCRA- A.D. 2025

Between Suit No.

HER LADYSHIP JUSTICE GERTRUDE ARABA ESAABA SACKEY TORKORNOO
Chief Justice's Residence,
Cantonments,
Accra.

Plaintiff/Applicant

And

1. **THE ATTORNEY-GENERAL**
2. **JUSTICE GABRIEL SCOTT PWAMANG**
3. **JUSTICE SAMUEL KWAME ADIBU-ASIEDU**
4. **DANIEL YAO DOMELOVO**
5. **MAJOR FLORA BAZWAANURA DALUGO**
6. **PROFESSOR JAMES SEFAH DZISAH**

Defendants/Respondents

SUPPLEMENTARY AFFIDAVIT IN SUPPORT OF MOTION FOR INTERLOCUTORY INJUNCTION

I, JUSTICE GERTRUDE ARABA ESAABA SACKEY TORKONOO (MRS), Chief Justice's Residence, Accra, make oath and say as follows:

1. That I am a citizen of Ghana, the Chief Justice of the Republic of Ghana and depose to this affidavit on matters within my knowledge, information and belief.

2. That on the 21st day of May, 2025, I instituted the instant action for reliefs endorsed on the writ off summons.

3. That on the same 21st day of May, 2025, I filed an application for interlocutory injunction seeking the reliefs stated on the motion paper.

4. That I respectfully seek leave of this Honourable Court to bring to the Court's attention various developments since the filing of the present application which evidence a complete desecration of my basic constitutional rights to a fair trial, violation of my dignity and subjection to inhuman and degrading treatment, of a kind not meted out to even accused persons on trial for treason and other offences against the State.

5. That I was informed by my lawyer, Kwabena Adu-Kusi, Esq. that the proceedings of the committee set up by the President to inquire into the three petitions filed against me had been adjourned to a day after the commencement of our action in this Honourable Court, i.e., to 22nd May, 2025.

6. That on 22nd May, 2025, I appeared before the committee together with my lawyers and informed the committee members of the suit I had instituted against the Attorney-General and the committee members, in response to which the committee requested to receive copies of the processes filed, and adjourned proceedings to the following day, Friday, 23rd May, 2025.

7. That on 23rd May, 2025, notwithstanding receipt of the processes filed in the Supreme Court including the application for interlocutory injunction, the members of the committee indicated their resolve to proceed with the conduct of the inquiry.

8. That this was so, even though I have to date, not been told the basis for the determination of a prima facie case against me and the specific allegations in respect of which a prima case has been established for me to answer, to enable me determine my legal rights or adequately prepare a defence to the charges against me.

9. That on the pervious adjourned date of the committee's sitting of 15th May, 2025, at which I was represented by counsel, the committee refused to recognise my counsel simply because I was not personally present, and proceeded to fix subsequent hearing dates and make arrangements for the hearing without involving my counsel, even though he was present. The committee, shockingly, simply refused to recognise the same counsel on whom it had served a hearing notice only a day before.

10. That the committee on the said 23rd May, 2025, contrary to known rules regulating proceedings of committees/commissions of inquiry, indicated that the petitioners shall not give evidence themselves but shall be calling other witnesses to give evidence to support their petition.

11. That this is completely offensive to known rules of procedure regulating the work of committees/commissions of inquiry as the so-called petitioners or complainants, when they formally appear before the committee/commission of inquiry, are mere witnesses whose evidence will have to be taken and cross-examined on oath by the person affected by the proceedings.

12. That other developments like the denial of access into the hearing room for my husband and children, searches on my body, denial of access to telephones and laptops for myself and my lawyers (even though counsel for petitioners have

access to their phones and laptops) and the conduct of the hearing itself in a high security zone at the premises of the Castle, Osu show a deliberate effort to subject me to mental torture and degrading treatment in violation of my fundamental rights.

13. That all article 146 proceedings with the exception of the one I am being subjected to, had hitherto, been held in a judicial facility, specifically, the Courts Complex. The location of proceedings affecting me to a cordoned high security facility boggles the mind.

14. That the persistent violations of my constitutional rights show that the whole proceedings initiated against me are a mockery of justice and a ruse to unjustifiably remove me from office as the Chief Justice.

15. That I respectfully pray for this Honourable Court's intervention by the grant of an injunction to prevent the assault on judicial independence and protect the security of tenure of the Chief Justice and Justices of the Superior Courts of Judicature at play in the instant case.

WHEREFORE I swear to this supplementary affidavit in support.

DEPONENT

SWORN at Accra this 26th
This day of May, 2025

PETER K. KPOTO
TEL 0249212298
P. O. BOX CT 3687
CANTONMENT
COMMISSIONER FOR OATHS

BEFORE ME

COMMISSIONER FOR OATHS

The Registrar,
Supreme Court,
Accra.

AND TO THE ABOVE-NAMED RESPONDENTS