H.E. JOHN DRAMANI MAHAMA
THE PRESIDENT OF REPUBLIC OF GHANA
JUBILEE HOUSE
ACCRA.

Dear Mr. President:

PETITION FOR REMOVAL OF THE HONOURABLE CHIEF JUSTICE, HER LADYSHIP JUSTICE GERTRUDE SACKEY TORKONOO FROM OFFICEPURSUANT TO ARTICLE 146 OF THE CONSTITUTION OF GHANA, SECTION 16 OF THE JUDICIAL SERVICE ACT, 1960 (CA 10) AND THERULES OF CODE OF CONDUCT FOR JUDGES AND MAGISTRATES,GHANA BY AYAMGA YAKUBU AKOLGO ESO.

Introduction

1. I am Ayamga Yakubu Akolgo (Esq) and a senior police officer in the Ghana Police Service on the rank of Assistant Commissioner of Police (ACP). I am stationed at the National Police Headquarters, Accra. I humbly submit this petition to H.E. the President of the Republic of Ghana for removal of the Honourable Chief Justice of Ghana, Her Ladyship Justice Gertrude Sackey Torkonoo from office.

2. I respectfully make this petition pursuant to article 146 of the Constitution which provides for removal of the Chief Justice from office on grounds of stated misbehavior (misconduct) and incompetence in the performance of her judicial functions.

3. I further make the petition pursuant to section 16 of the enabling statute, Judicial Service Act. 1960 (CA 10) on the basis that the Honourable Chief Justice is both member and head of the Judicial Service of Ghana.

4. The Judicial Service Act, 1960 (CA 10) provides for misconduct (stated misbehavior) and incompetence relating to all members of the Judicial Service of Ghana. The enabling statute, Judicial Service Act provides clear basis for disciplinary action, sanction and regulations of conduct of judges and judicial officers serving in the Judicial Service.

5. It is pertinent and for purposes of clarity to quote section 16 of the Judicial Service Act, 1960 (CA 10) which provides for stated misconduct and incompetence of judges: "General definition of misconduct. Any act done without reasonable excuse by a judicial or executive officer which amounts to a failure to perform in a proper manner any duty imposed upon him as such, or which contravenes any enactment relating to the judicial service or which is otherwise prejudicial to the efficient conduct of the judicial service or tends to bring the judicial service Into disrepute shall constitute misconduct".

6. The petition is also pursuant to the Code of Conduct for Judges and Magistrates, Ghana because the Honourable Chief Justice is both a judge and head of the judiciary. She is under obligation to comply with the Code of Conduct for Judges. The Code sets ethical standards binding the Chief Justice. Any breach of the Code by any judge is subject to disciplinary action and punishment.

7. The relevant extracts from the Code are as follows: "Purpose.' Statement: The Code of Conduct denotes standards for ethical behaviour of judges ...The Code is designed to assist judges in practising the highest standards of judicial and personal conduct and to establish a basis for disciplinary agencies to regulate judges' conduct ...

Objective: The Code sets out appropriate standard of behaviour expected of judges and for which every judge at any of the judicial hierarchy is expected to strive to conform ... And where a member of the public suspects that there has been a failure to comply with the Code, to initiate the process for re-dress and appropriate sanctions against any erring judge ...

Scope and Application: The Code shall apply to judges, magistrates and anyone performing judicial functions A judge shall respect and comply with the law, including the Code of Conduct and shall behave with decorum, propriety and utmost discretion …. A judge shall not abuse the prestige of judicial office ... A judge who commits a breach of any rule of this Code shall be sanctioned with reference to the gravity of the n…

Issue 1: Whether or not after delivery of judgement she made demeaning and disrespectful remarks against me as barrister -court user.

61. On 14th November 2023, my case was called for hearing. The names of parties and counsel representation were recorded. The proceedings commenced and ended by delivery of the ruling and award of cost. The Chief Justice delivered the ruling dismissing my case as without merit but no reasoning for the decision. See attached Exhibit "C" i.e. the Ruling.

62. I was calm, silent and seated when she delivered the ruling. Suddenly, I heard her making off-judgment demeaning remarks against me to the effect that I am incompetent senior barrister.

63. Her body language and demeanour making the remarks was equally disrespectful as the comments itself. The comments were made in a manner to ridicule, denigrate, spite and publicly humiliate or embarrass me as senior barrister.

64. The remarks were discourteous, disparaging and disrespectful against my person and professional competence as barrister.

65. The off-judgment comments were abuse of prestige judicial office and constitute state misbehavior otherwise prejudicial to the efficient conduct of the judicial service and tends to bring the judicial service into disrepute.

66. The comments contravened the Code of Conduct for Judges and Magistrates, Ghana:

"A judge shall not abuse the prestige of judicial office" and "A judge shall respect and comply with the law, including the Code of Conduct and shall behave with decorum, propriety and utmost discretion."

ISSUE 2: Whether or not a disagreeing response to her off-judgment demeaning remarks could reasonably authorize her to order my arrest and detention.

67. It is the case that the Constitution and statute law defined arrest and its circumstances. The law authorises police officers to arrest with or without warrant-A private person arrest is narrowly defined in situations where the offence is committed in his presence. Sections 9. 10 and 12 of the Criminal Procedure Act, 1960, (Act 30) supports the above statements.

68. A judge is not police officer and generally does not have police's powers of arrest as provided in sections 9, 10 and 12 of the Criminal Procedure Act, 1960, (Act 30). A judge's authority in arrest is clearly defined by law and the situation of 14th November 2023 did not authorise her as a judge to make the arrest in the manner she did.

69. It is the case that disagreeing response by a court user to a judge off-judgment remarks do not authorise the judge to order the arrest and detention of the court user. I can say with certainty that her order to arrest and detained me was contrary to statutes which conduct constitutes stated misbehavior and incompetence as provided in article 146 (1) of the Constitution, section 16 of the Judicial Service Act and the Code of Conduct for Judges.

70. I did not commit any criminal offence in the presence of a judge to order my arrest pursuant to section 17 of the Criminal Procedure Act, 1960, (Act 30): "Where on offence is committed in the presence of a District Magistrate within the area of jurisdiction of the Magistrate, the Magistrate may arrest or order a person to arrest the offender, and may, subject to the conditions of the gram of bail, commit the offender to custody."

71. I was not person for which facts were adduced on oath authorising her to order my arrest in pursuant to section 18 of the Criminal Procedure Act, 1960, (Act 30): "Within the area of the jurisdiction of a District Magistrate,

the Magistrate may arrest or direct the arrest in the presence of the Magistrate a person whose arrest on a warrant could have been lawfully ordered if the facts known at the time of making or directing the arrest had been stated before the District Magistrate on oath by another person."

72. It is submitted that the conditions in sections 17 and IS of the Criminal Procedure Act 30 which grant authority for a judge to order arrest did not arise when I was arrested. It was wrong to order my arrest, respectfully disagreeing with her off-record comments do not warrant arrest and detention. The order of arrest was contrary to sections 9, 10, 12, 17 and 18 of the Criminal Procedure Act, 1960. (Act 30).

73. It is my humble submission that the arrest was influenced by anger, prejudice, personal resentment and malice. it contravened section 16 of the Judicial Service Act, 1960 (CA 10) and the Code of Conduct for Judges and Magistrates, Ghana. It was abuse of power and absurd: "A judge shall not abuse the prestige of judicial office." and "A judge shall make every effort to ensure that his conduct is above reproach ill the view of reasonable, fair minded and informed persons .

74. It is my submission that the arrest and detention breach the law on arrest. it violated my constitutional right against unlawful arrest and detention, it was prejudicial to the efficient conduct of the judicial service and tends to bring the judicial service into disrepute thus constitute stated misbehavior and incompetence as provide in article 146 (1) of the Constitution.

ISSUE 3: Whether or not a mere response disagreeing with off-judgment demeaning comments reasonably constitute contempt of court.

75. It is the case that the Chief Justice delivered the ruling of the court and afterwards made demeaning remarks that offended me. I respectfully submit that I did nothing in response to her comments save respectfully responding to her comments in two words: "I disagree." This innocuous

response disagreeing with her demeaning comments against me made her to furiously order "arrest him, arrest him." I was arrested pursuant to her orders.

76. It is the case that my arrest was absurd because it's completely unreasonable to arrest because of response disagreeing with off-judgment demeaning comments by a judge and constitute abuse of judicial office and authority. I did not disturb the court proceedings save responding that I disagree with her comments against me. I did not obstruct court proceedings by disagreeing with the comments.

77. I did not in words or by conduct disrespect any judge by disagreeing with her comments against me. 1 did not challenge the authority of the court by disagreeing with her belittling comments against me. I did not challenge or insult any of the judges by disagreeing with the off-judgement disrespectful. I never disobey orders of the court or by disagreeing with the comments. I did nothing unreasonable or contemptuous of the court.

78. A fair-minded and reasonably informed person would not agree that disagreeing with a judge comment is arrestable. it is respectfully submitted that the arrest is contrary to the Code of Conduct for Judges: "A judge shall make every effort to ensure that his conduct is above reproach in the view of reasonable, fair minded and informed persons. "

79. Contempt of court as provided in article 12 of the Constitution states: "11. No person shall be convicted of a criminal offence unless the offence is defined and the penalty for it is prescribed in a written law. 12 Clause (II) of this article shall not prevent a Superior Court from punishing a person for contempt of itself notwithstanding that the act or omission constituting the contempt is not defined in a written law and the penalty is not so prescribed."

80. It is submitted that contempt of court as provided in article 12 of the Constitution is exercise of discretion. It is the case that being discretion, its

exercise must be in accordance with article 296 of Constitution which provides:
"Where in this Constitution or in any other law discretionary power is vested in any person or authority —
(a) that discretionary power shall be deemed to imply a duty to be fair and candid:
(b) the exercise of the discretionary power shall not be arbitrary, capricious or biased either by resentment, prejudice or personal dislike and shall be in accordance with due process of law; and
(c) where the person or authority is not a judge or other judicial officers there shall be published by constitutional instrument or statutory instrument, regulation that are not inconsistent with the provision of this Constitution or that other law to govern the exercise of the discretionary power."

81. It is the case that contempt of court is discretion which is vested in the court and its exercise must be fair, candid and not arbitrary, capricious, prejudicial or personal dislike must be in accordance with due process of law.

82. I did not commit contempt of court within a reasonable meaning of articles 12 and 296 of the Constitution to be arrested on her orders. The order of arrest was prejudicial, abuse of judicial office and it was wrongful.

83. The arrest was never in exercise of proper or reasonable contempt of court as envisaged in articles 12 and 296 of the Constitution thus disagreeing with off-judgement comment is never an insult or disrespect or contempt of court and did not require arrest by reasonable exercise of discretion or contempt of court.

ISSUE 4: Whether or not the order of arrest and detention was her spontaneous and unilateral decision not the court's decision.
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88. It is the case that I respectfully disagreed with the Chief Justice's off-judgment demeaning comments against me. She spontaneously, unilaterally and without inviting the other members constituting the court reacted to my disagreement orders: "arrest him arrest him". Her order to arrest me was immediate, instantaneous, spontaneous and unilateral where there was no imminent threat to life or imminent disorderly conduct emanating from me and there was no appearance of a reasonable judicial urgency for her rush order to arrest, without the involving of the court properly constituted.

89. The court was constituted by five- member panel. It is submitted that the panel members may probably and reasonably not concur with her decision to arrest, hence her rush to unilaterally order the arrest. The involvement of the other panel members may have averted the arrest and detention. The order to arrest and detain is such a serious and substantive matter by itself with distinct cause of action which requires the court's decision, not unilateral action or prejudicial decision or by rush of anger or personal dislike.

90. Her unilateral decision to arrest was out of ego, prejudicial, arbitrary and personal resentment. She assumed onto herself powers of the court without recourse to the court. The arrest was contrary to the Code of Conduct for Judges: "A judge shall respect and comply with the law, including the Code of Conduct and shall behave with decorum, propriety and utmost discretion." A judge shall not abuse the prestige of judicial office

91. It is respectfully submitted that the arrest was unreasonably unilateral and resulted in my humiliation and embarrassment which constitutes stated misbehavior and incompetent performance of duty otherwise prejudicial to the efficient conduct of the Judicial service and tends to bring the judicial service into disrepute.

ISSUE 5: Whether or not she failed or neglected to record in the court's record her order of arrest and detention.

92. The basic task of every judge is to keep accurate and true record of what transpired in the court's record book. The Supreme Court is a court of record judges are required to keep accurate and true record of proceedings. Failing or neglecting to record constitutes stated misbehavior and incompetence and noncompliance with the Code of Conduct for Judges and section 16 of Judicial Service Act (CA 10).

93. The evidence as admitted in the search repot is the Chief Justice did not record her order of arrest and detention: "Was there record of arrest and detention of applicant in the Court's Record Book? NO". Respectfully, there was no proper record of what transpired in court before and after my arrest and detention.

94. It was deliberate failure to record thereby deny me a decisional record of the court's transgression which could enable me challenge the arrest in a review proceeding. It is the case that without evidential record that I was arrested and detained, I cannot take review action at the special and final review bench of the Supreme Court in respect of her excesses.

95. Her failure to record contravened the Code of Conduct of Judges and Magistrate: Ghana which provides "A judge shall devote his professional activity to judicial duties broadly defined, which include not only presiding in court and making decisions, but other judicial tasks essential to the court's operations ...A judge shall endeavour to perform all judicial duties, including the delivery of reserved judgments, with reasonable promptness".

96. Her failure or negligence to record her comments and order of arrest was to cover up her transgression which conduct constituted dereliction of duty to perform judicial ask essential for the court's efficient operations, constituting stated misbehavior and incompetence.

ISSUE 6: Whether or not she fabricated evidence by approving the making of statements and entries in the search report to pervert the course of justice and cover up what transpired.

97. It is trite law that making false statements or false entries in official record constitute fabrication of evidence which is criminal offence. The fabrication of evidence in official record such as search report intended to deceive public officers or obstruct justice or pervert the course of justice is criminal offence.

98. A search report is official judicial record and it is essential that it reflect reality and what its purports to mean. It is imperative that entries or statements in any search record must reflect accurately what it purports to mean, otherwise it may constitute criminal conduct or offence.

99. Section 213 of the Criminal Offences Act, 1960 (Act 29) provides that fabrication of evidence or the making false statements or entries to deceive or obstruct or pervert the course of justice is crime: "A person who fabricates evidence, with intent to defeat, obstruct, or pervert the course of justice in a proceeding, commits a criminal offence and is liable to the same penalties as if that person had committed perjury in that proceeding"

100. Section 214 of the Criminal Offences Act, 1960 (Act 29) defined fabrication of evidence as: "A person fabricates evidence if that person causes a circumstance to exist, or makes a false entry in a book, an account, or a record, or makes a document containing a false statement, or forges a document, with intent to mislead a public officer, judge or juror acting in a judicial proceeding.

101. It has been established that in open court the Honourable Chief Justice on 14th November 2023 ordered my arrest and detention. Indeed I was arrested and detained pursuant to her order. I was subsequently discharged and released without charge or trial after the arrest and detention

102. The media was present in the court and reported the arrest and detention. The media reported the reason for the arrest inaccurately and misled the world. I sought to obtain the accurate record at the court's registry by means of search report. It was my expectation to have answers

that truly and accurately reflects what transpired in court yet I was disappointed in that respect .

103. The search report stated that I was never arrested and detained. The search report filed on 18th December 2023 stated: "was the applicant arrested in courtroom on 14th November 2023 ? NO. Was the applicant detained outside the courtroom on 14th November 2023? NO. Was there record of arrest and detention of applicant in the Court's Record Book? NO."

104. I did submit the search request to the registrar of the court. She received it and informed me that it would be sent to the Chief Justice for her direction and answers. Consequently, the search record was answered under the direction, supervision approval and consent of the Chief Justice.

105. The search record answers as approved and directed by her contained false statements or false entries to cover up what transpired. The answers in the search report were false and intended to deceive, obstruct and pervert the course of justice and contrary to law.

106. It is submitted that the Chief Justice knew and approved of the false statements in the search record. She knew the answers were completely false. She knew the answers in the report did not reflect what transpired in court yet she authorised and approved same. She knew the statements and answers contained in the search record was fabricated evidence.

107. She knew that search report is official document to be presented in a proceeding before a public officer or judge in a proceeding yet she supervised it fabrication with intent to deceive, obstruct and pervert the course of justice, contrary to law which constitutes stated misbehavior as provided in article 146 (1) of the Constitution.

108. It is the case that her conduct contravened section 2 13 of the Criminal Offences. 1960, (Act 29) and section 16 of the Judicial Service Act 1960, (CA 10) and the Code of Conduct for Judges and Magistrates, Ghana which

conduct was improper performance of duty, contrary to enactments relating to the judicial service, otherwise prejudicial to the efficient conduct of the judicial service and tends to bring the judicial service into disrepute.

109. Propose Charge Sheet: stated misbehavior and incompetence.

Count One
Statement of offence
Disrespectful, disparaging and mockery remarks without decorum against court user conduct consistent with stated misbehavior and incompetence as provided in article 1 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo, on 14th November 2023 at about 1 1:30 am while presiding the Supreme Court in a case title The Republic v High Court, Ex-parte Ayamga Yakubu Akolgo, after you delivered judgment, did make discourteous and disrespectful and mocks a court user Ayamga Yakubu Akolgo about his seniority and competence as barrister with intent to humiliate denigrate and impugn his person and competence as senior barrister, a conduct which is consistent with stated misbehavior as provided in article 146 (1) of the Constitution.

Court Two
Statement of offence
Disrespectful, disparaging and mockery remarks against court user, contrary to section 6 of Judicial Service Act 1960 (CA10) a conduct consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo, on 14th November 2023 at about 11:30 am while presiding the Supreme Court in a case titled The Republic . High Court, Ex-parte Ayamga Yakubu

Akolgo, after you delivered judgment, did make discourteous and disrespectful and mocks a court user Ayamga Yakubu Akolgo about his seniority and competence as barrister with intent to humiliate, denigrate and impugn his person and competence as senior barrister, a conduct which is consistent with stated misbehavior as provided in article 146 (1) of the Constitution and contrary to section 16 of the Judicial Service Act (CA 10), a conduct otherwise prejudicial to the efficient conduct of the judicial service or tends to bring the judicia service into disrepute

Count Three
Statement of offence
Disrespectful, disparaging and mockery remarks against court user without decorum, propriety and utmost discretion contrary to the Code of Conduct for judges and Magistrates, Ghana, Rule I; Propriety: Principle 1, a conduct consistent with stated misbehavior as provided in article 146 (1) of the Constitution

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 at about 11:30 am while presiding the Supreme Court in a case titled, The Republic v. High Court, Ex-parte Ayamga Yakubu Akolgo, after you delivered judgment, did make discourteous and disrespectful and mocks a court user Ayamga Yakubu Akolgo about his seniority and competence as barrister with intent to humiliate, denigrate and impugn his person and competence as senior barrister, a conduct which is consistent with stated misbehavior as provided in article 146 (1) of the Constitution and without decorum, propriety and utmost discretion contrary to the Code of Conduct for Judges.

Count Four
Statement of offence
Wrongful arrest and detention of court user contrary to sections 9, 10,12, 17 and 18 of the Criminal Procedure Act, 1960, (Act 30) and consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 at about 11:30 am, you did make off-judgment demeaning remark against court user-barrister Ayamga Yakubu Akolgo and the barrister responded disagreeing with the comments, you suddenly ordered his arrest and detention, a conduct contrary to due process of the law and violating procedures set out in the Criminal Procedure Act, 1960, (Act 30) which conduct is stated misconduct and incompetence as provide in article 146(1) of the Constitution.

Count Five
Statement of offence
Wrongful arrest and detention of court user-barrister contrary to sections 9 10, 12, 17 and 18 of the Criminal Procedure Act, 1960, (Act 30) which conduct constitute failure to perform in proper manner judicial duty provided in section 16 of Judicial Service Act 1960 (CA10) a conduct consistent with stated misbehavior as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo an 14th November 2023 at about 1 1:30 am, you did make off-judgment demeaning remarks against court user-barrister Ayamga Yakubu Akolgo and he responded disagreeing with the comments and you suddenly ordered his arrest and detention contrary to due process of the law and section 16 of the Judicial Service Act which conduct otherwise prejudicial to the efficient conduct of the judicial service or tends to bring the judicial service into disrepute and constituting stated misconduct and incompetence as provide in article 146(1) of the Constitution.

Count Six
Statement of offence
Wrongful arrest and detention of court user-barrister contrary to sections 9, 10, 12, 17 and 18 of the Criminal Procedure Act, 1960, (Act 30) and constituting abuse of prestige judicial office as provided in Rule 1; Propriety;

Principle 2 of the Code of Conduct for Judges and Magistrates, Ghana a conduct constituting stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 at about 11:30 am. you did make off-judgment demeaning remarks against court user-barrister Ayamga Yakubu Akolgo and he responded disagreeing with the comments and you suddenly ordered his arrest and detention, a conduct constituting abuse of prestige judicial office as provided in Rule 1; Propriety; Principle 2 of the Code of Conduct for Judges and Magistrates, Ghana and consistent with stated misbehavior as provided in article 146 (1) of the Constitution.

Count Seven
Statement of offence
Wrongful arrest and detention of court- user barrister indicative of abuse of judicial office or abuse of power of contempt of court which amount to failure perform judicial duty in a proper manner as provided in articles 12 and 296 of the Constitution, constituting stated misbehavior and incompetence as provided in article146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo an 14th November 2023 you made off-judgment demeaning remarks against court user - barrister Ayamga Yakubu Akolgo and when he responded disagreeing with the demeaning comments you by rush of anger and abuse of the prestige of judicial office unilaterally and spontaneously orders his arrest and detention and subsequently discharged and release him without charge or trial for any offence, a conduct prejudicial to the efficient conduct of the judicial service or tends to bring the judicial service into disrepute and constitutes stated misconduct and incompetence.

Count Eight

Statement of offence
Wrongful arrest and detention of court - user barrister indicative of abuse of judicial office which amount to failure to perform judicial duty in a proper manner as provided in articles 12 and 296 of the Constitution and contrary to section 16 of Judicial Service Act 1960 (CA10), constituting stated misbehavior and incompetence as provided in article146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 you did make off-judgment demeaning remarks against court user -barrister Ayamga Yakubu Akolgo with the intent to embarrass, denigrate and ridicule him and he responded disagreeing with the comments and by rush of anger and abuse of the prestige of judicial office, you unilaterally and spontaneously orders his arrest and detention and subsequently discharged and released him without charge or trial for any offence, a conduct which is otherwise prejudicial to the efficient conduct of the judicial service and consistent with stated misconduct and incompetence as provided in article 146 (1) of the Constitution.

Count Nine
Statement of offence
Wrongful arrest and detention of court user barrister Indicative of abuse of judicial office which amount to failure to perform judicial duty in a proper manner a provided in articles 12 and 296 of the Constitution and contrary to the Code of Conduct for Judges and Magistrates, Ghana, Rule 1; Propriety; Principle 2 a conduct constituting stated misbehavior and incompetence as provided in article1 46 (1) of the Constitution.

Particulars of offence
For that you, Her Ladyship the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 did make off-judgment demeaning remarks against court-user barrister Ayamga Yakubu Akolgo with the intent to embarrass, denigrate and ridicule him and he responded disagreeing with

the ocmments, by rush of anger and abuse of the prestige of judicial office, you unilaterally and spontaneously orders his arrest and detention and subsequently discharged and released him without charge or trial for any offence, a conduct which is abuse of office, otherwise prejudicial to the efficient conduct of the judicial office and consistent with stated misconduct and incompetence as provided in article 146(1) of the Constitution.

Count Ten
Statement of offence
Failure or negligence to record or cause to be recorded in the Supreme Court's Record book, order of arrest and detention of court user without reasonable excuse, contrary to stated misbehavior and incompetence provided in article 146(1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 while presiding Supreme Court case titled Republic . High Court Exparte Ayamga Yakubu Akolgo, you ordered and caused the arrest and detention of court user - barrister Ayamga Yakubu Akolgo, you ordered and caused the arrest and detention of court user -barrister Ayamga Yakubu Akiolgo and you later discharged and released him without charge or trial for any offence and failed or neglected to record the occurrence in the court's record book with the intent to cover up or obstruct the course of justice, a conduct consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Count Eleven
Statement of offence
Failure or negligence to record or cause to be recorded in the Supreme Court's Record book, order of arrest and detention of court user without reasonable excuse, contrary to section 16 of Judicial Service Act 1960 (CA10) which conduct is consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Particulars of offence

For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 while presiding over Supreme Court case titled Republic v. High Court, Exparte Ayamga Yakubu Akolgo, you ordered and caused the arrest and detention of court user - barrister Ayamga Yakubu Akiolgo and you later discharged and released him without charge or trial for any offence and failed or neglected to record the occurrence in the court's record book, a conduct amounting to a failure to perform your duties essential to the court's efficient operations which otherwise brings the judicial service into disrepute and consistent with stated misbehavior and incompetence provided in article 146 (1) of the Constitution.

Court Twelve
Statement of offence
Failure or negligence to record or cause to be recorded in the Supreme Court's Record book order of arrest and detention of court user - barrister without reasonable excuse. contrary to Rule 3; Diligence; Principle 1 of the Code of Conduct for Judges and Magistrates, Ghana which conduct is consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 while presiding Supreme Court case titled Republic v. High Court Exparte Ayamga Yakubu Akolgo, you ordered and caused the arrest and detention of court user - barrister Ayamga Yakubu Akiolgo and you later discharged and released him without charge or trial for any offence and failed or neglected to record the occurrence in the court's record book with the intent to cover up or obstruct the course of justice, a conduct consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

Count Thirteen
Statement of offence
Failure or negligence to record or cause to be recorded in the Supreme Court's Record book, order of arrest and detention of court user barrister

without reasonable excuse contrary to Rule 3; Diligence; Principle 3 of the Code of Conduct for Judges ant Magistrates, Ghana which conduct is consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution

Particulars of offence

For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 1th November 2023 while presiding Supreme Court case titled Republic v. High Court Exparte Ayamga Yakubu Akolgo, you ordered and caused the arrest and detention of court user barrister Ayamga Yakubu Akiolgo and you later and discharged and released him without charge or trial for any offence and failed or neglected to record the occurrence in the court's record book with the intent to cover up or obstruct the course of justice, a conduct consistent with stated misbehavior and incompetence a provided in article 146 (1) of the Constitution.

Count Fourteen
Statement of offence
Fabrication of evidence or making false entries or statements in official document, a search report with intent to deceive or obstruct or pervert the course of justice, contrary to sections 213 and 214 of the Criminal Offences Act. 1960 (Act 29) and constituting stated misconduct as provided in article 146 (1) of the Constitution.

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 did order and caused the arrest and detention of court user - barrister Ayamga Yakubu Akolgo and you later discharged and released him without charge or trial for any offence and subsequently authorized, supervised and approved false entries and statements in search report filed on 18th December 2023 at the Supreme Court Registry with intent to deceive, obstruct and pervert the course of justice, a conduct prejudicial to the efficient conduct of the judicial service that brings the

judicial service into disrepute and consistent with stated misbehavior as provided in article 146 (1) of the Constitution.

Count Fifteen
Statement of offence
Fabrication of evidence or making false entries or statements in official document, a search report with intent to deceive or obstruct or pervert the course of justice, contrary to section 16 of the Judicial Service Act 1960 (CA 10) and sections 213 and 214 of the Criminal Offences Act, 1960 (Act 29) consistent with stated misbehavior as provided in article 146 (1) of the Constitution

Particulars of offence
For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 did order and caused the arrest and detention of court user- barrister Ayamga Yakubu Akolgo and you later discharged and released him without charge or trial for any offence and subsequently authorized, supervised and approved false entries and statements in search report filed on 18th December 2023 at the Supreme Court Registry with intent to deceive, obstruct and pervert the course of justice, a conduct prejudicial to the efficient conduct of the judicial service that brings the judicial service into disrepute and consistent with stated misbehavior as provided in article 146 (1) of the Constitution.

Count Sixteen
Statement of offence
Fabrication of evidence or making false entries or statements in official document, a search report with intent to obstruct or pervert the course of justice, contrary to Rule 1: Propriety: Principle 1 of the Code of Conduct for Judges and Magistrates, Ghana: sections 213 and 214 of the Criminal Offences Act, 1960 (Act 29) consistent with stated misconduct as provided in article 146 (1) of the Constitution.

Particulars of offence

For that you, Her Lady the Chief Justice, Justice Gertrude Sackey Torkonoo on 14th November 2023 did order and caused the arrest and detention of court user - barrister Ayamga Yakubu Akolgo and you later discharged and released him without charge and subsequently authorized, supervised and approved false statements in search report filed on 18th December 2023 at the Supreme Court Registry, a conduct prejudicial to the efficient conduct of the judicial service or brings the judicial service into disrepute.

Conclusion

110. This my respectful petition is made in good faith to ensure judicial accountability. The Chief Justice is equal before the law. She is accountable for omissions arising from the exercise of judicial office. The prescribed procedure towards judges' accountability is provided in article 146 of the Constitution, section 16 of the Judicial Service Act and the Code of Conduct for Judges and Magistrates , Ghana.

111. I did nothing criminal to be arrested and detained on her orders. I did not commit contempt of court. She made demeaning comments specifically directed at my person. I did respond disagreeing with her demeaning comments. Suddenly, she furiously and unilaterally orders my arrest and detention for disagreeing with her demeaning comments.

112. She abuses the sacred judicial office by wrongly caused my arrest and detention The arrest and detention were capricious, unreasonable, unilateral and without justification, constituting stated misbehavior and incompetence as provided in article 146 (1) of the Constitution. The arrest and detention infringed on my rights dignity and resulted in pain, trauma and humiliation.

113. She failed or neglected to perform her judicial duty of recording the occurrence in the court's record book. She authorised, supervised and approved false statements or false entries in the search report. The supervised the false statements in the search was intended to deceive, cover up obstruct or pervert the course of justice, or constituting criminal fabrication of evidence, contrary to statutes, the Code of Conduct for Judges

and consistent with stated misbehavior and incompetence as provided in article 146 (1) of the Constitution.

114. The means of making her accountable is this removal petition. The petition and it exhibits are true, accurate, reliable, cogent and established prima facie case of judicial misconduct and incompetence.

115. The petition together with the evidence satisfy the threshold for her suspension pending investigation by your committee. Her continues stay in office pending investigation likely to interfere with witnesses and investigation. If found culpable after investigation, she ought to be removed from office to serve as deterrence, no matter whose axe is gored.

116. The undermentioned documents or evidence attached in support of the petition:

- Exhibit "A" - Certiorari application filed 12th January 2023 by petitioner.
- Exhibit "B" - Application for copy of record of proceedings/judgement dated 16th November 2023.
- Exhibit "C" - Ruling of Court dated 14th November 2023.
- Exhibit "D" - The application for electronic record of proceedings.
- Exhibit "E-SERIES" - Search Record filed 14th December 2023.
- Exhibit "E-SERIES" . Continuation of Search Record, filed 18th December 2023.
- Exhibit "F" - The Law platform online and Ghana web online portals.

117. Witnesses and source of evidence:

- Addo Attuah, Esq.
- Gabriel Pwamang, JSC.
- Emmanuel Yonny Kulendi, JSC.
- Barbara F. Ackah-Yensu, JSC.
- George K. Koomson, JSC.
- Ellen Ofei-Ayeh, H.H, Registrar of Supreme Court
- Mr Kwabena Isaac Nkansah Deputy Registrar - Supreme Court.
- Mr. Aaron, Deputy Registrar Supreme Court.

- Madam Joyce, Court Clerk - Supreme Court.
- Police Inspector Jacob Kwame Gone-Supreme Court.
- Mr. James, Court Clerk - Supreme court.
- Mr. Richard Oppong, ICT Officer Supreme Court.
- Electronic recording device - Supreme Court.
- CCTV footage 14th November 2023 - Supreme Court.
- The Ghanawebonline.com: arrest of senior police officer and lawyer an orders of the Chief Justice.
- The Law platform online: arrest of senior police officer and lawyer on orders of the Chief Justice.

Respectfully submitted, Your Excellency.

PETITIONER

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