

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
ACCRA- A.D. 2024.

Filed on 25/07/2024
2:58
Registrar
HIGH COURT
ACCRA

SUIT NO.:

CR/0417/2024

IN THE MATTER OF AN APPLICATION FOR AN ORDER TO PROHIBIT
HOLDING OF A DEMONSTRATION UNDER SECTION 1(6) OF THE PUBLIC ORDER
ACT, 1994 [ACT 491] AND THE INHERENT JURISDICTION OF THE HIGH COURT

BETWEEN

THE INSPECTOR GENERAL OF POLICE
GHANA POLICE SERVICE
NATIONAL POLICE HEADQUARTERS
ACCRA

AND

1. EBENEZER HAVOR
PRESIDENT PTAAM GH
2. BERNARD MORNAH
CO-CONVENER ARISE GHAA
3. MENSAH THOMPSON
EXECUTIVE SECRETARY ASEPA

MOTION ON NOTICE TO PROHIBIT THE HOLDING OF A SPECIAL EVENT

TAKE NOTICE that this Honourable Court shall be moved by Counsel for and on behalf of the Applicant herein praying this Honourable Court for an order prohibiting the respondents from holding an intended demonstration from for 31st July 2024 to 6th August, 2024 at the Blackstar Square (Independence Square), upon the grounds

contained in the accompanying affidavit and for such further order(s) as this Honourable Court may deem fit.

COURT TO BE MOVED on *1 was July* day of *30th July*, 2024 at 9
O'clock in the forenoon or so soon thereafter as Counsel for and on behalf of the
Applicant may be heard.

DATED AT ACCRA THIS DAY OF JULY, 2024.

NKA
.....
SUPT. SYLVESTER ASARE
No. eGAR *06098124*

THE REGISTRAR
HIGH COURT
ACCRA

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IN THE HIGH COURT OF JUSTICE
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EXECUTIVE SECRETARY ASEPA

AFFIDAVIT IN SUPPORT OF MOTION TO PROHIBIT THE HOLDING OF A SPECIAL
EVENT

I, ISAAC NICHOLAS KWABENA YEBOAH, Superintendent of Police, stationed at the
Greater Regional Police Headquarters, Accra, make oath and say as follows:

1. That I am the Deponent herein.

2. That I have the authority of the Inspector-General of Police to depose to this affidavit.
3. That the facts deposed to in this Affidavit are matters within my knowledge, information, and belief.
4. That on 18th June 2024, the Greater Accra Regional Police Command received a notice of an intended demonstration from the respondents. **Attached and marked Exhibit GPS-1 is a copy of the Notice of Demonstration dated 18th June, 2024.**
5. That per the notice, the intended demonstration which is being spearheaded by Positive Transparency and Accountability movement – Ghana (PTAAM –GH) is in collaboration with Arise Ghana, 1st Time Voters, Election Has Consequence Movement, Alliance for Change Movement, Pillars of Ghana Cadets and other CSO's in Greater Accra Region.
6. That the Respondents in their letter to the Police indicated their intention to embark on a demonstration from 31st July, 2024 to 6th August at the Blackstar Square (Independence Square) from 10:00 am to 2:00am each day.
7. That according to the Respondents, the demonstration is aimed at calling on the President and his team to put prudent measures in place to fix the economy, deal with corruption and further demonstrate their displeasure with the President's "refusal" to sign the sexual and Ghanaian Family values bill into law.
8. That per the Respondents, the number of participants estimated for the demonstration is two million Ghanaian youth.
9. That upon receipt of the notification letter, the Accra Regional Police Command invited the Respondents for a meeting on the 25th of June, 2024 to discuss and address the security issues contemplated by the Command. **Attached and marked Exhibit GPS- 2 is a copy of the invitation letter dated 21st June, 2024.**
10. That at the said meeting the Command requested Respondents to reconsider the number of days and time duration each day for the demonstration since it would put a serious strain on the Command's human, logistical, and operational capabilities which could likely affect other routine operations and duties performed

by the Command considering the fact that police population within the region is just about six thousand.

11. That the Respondents in response to the meeting with the Command through subsequent letters reduced the time of closure for the demonstration each day from 2:00am to 12:00 midnight but maintained the number of days among other things. **Attached and marked as Exhibit GPS-3(a) and GPS-3(b) are copies of the letters dated 27th June, 2024 and 10th July, 2024**

12. That on 22nd July, 2024, the Greater Accra Regional Police Command informed the Respondents in writing of its inability to sanction the intended demonstration due to their failure or refusal to adhere to the security concerns raised by the Command during the meeting with them. **Attached and marked as Exhibit GPS-4 is a copy of the letter dated 22nd July, 2024.**

13. That by a letter dated 23rd July, 2024 to the Regional Police Commander, the Respondents maintained their decision to embark on the intended demonstration regardless of the Command's decision not to sanction the demonstration. **Attached and marked as Exhibit GPS-5 is a copy of the letter dated 23rd July, 2024**

14. That the Command is convinced that the proposed demonstration if allowed to go on in its current form may compromise public defence, public order, public safety, the running of essential services as well as the violation of the rights and freedoms of any other persons.

15. That the Command around this period is involved in a lot of operational activities within the region due to the celebration of the Annual Homowo festival which is normally occasioned with security disturbances as a result of chieftaincy disputes in some of the local communities.

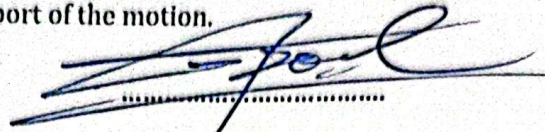
16. That in view of the impending General Elections, there are also a lot of political activities within the various Police divisions and districts which require visible police presence to ensure the safety of such political actors and the general public.

17. That to safeguard the security of the Region and the Nation as a whole, the Regional Command has mobilised back up personnel from the National Headquarters to assist in areas with personnel shortfalls since it has exhausted and deployed all available personnel within the region for various engagements.
18. That due to the strain on the availability of personnel to perform various duties, the Regional Command based on directives from the National Headquarters has suspended leave of absence in order to get available men to ensure effective law enforcement from this period till after the elections. **Attached and marked as Exhibit GPS-6 is the signal from the Regional Commander to all Divisional Commanders and Unit heads within the Region.**
19. That the Respondents have not given convincing reasons for insisting on maintaining the seven (7) day long demonstration between the hours of 10:00am to 12:00 midnight each day.
20. That in view of the above, if the Respondents are allowed to embark on the seven (7) day long demonstration from 10:00am to 12:00 midnight each day, it may lead to operational gaps within the region since other sensitive areas may be left without personnel to police during the duration proposed by the Respondents.
21. That I am advised and verily believe same to be true that the right of the Respondents to demonstrate provided under the 1992 Constitution is not absolute but subject to public interest and the general good of society.
22. That I am further advised and verily hold same to be true that this Court under the circumstances has the jurisdiction to impose restrictions that are reasonably required in the interest of public defence, public safety and public order or to prevent the violation of the rights and freedoms of other persons.
23. That I am finally advised and verily hold same to be true that this is a just cause for this Honourable Court to exercise its jurisdiction in the interest of defence, public order, public safety, and effective policing to issue an order to Respondents, their agents, assigns and any one claiming through them to reduce the duration of the intended demonstration to two (2) days from 10:00am to 6:00 pm each day.

WHEREFORE I swear to this affidavit in support of the motion.

SWORN AT ACCRA

THIS 22nd DAY OF July 2024}



DEPONENT

BEFORE ME



COMMISSIONER FOR OATHS

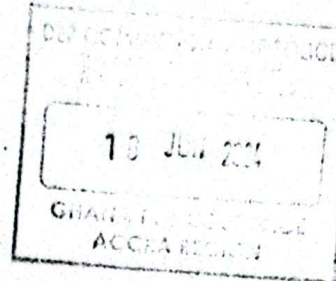
REGISTRAR

HIGH COURT
CRIMINAL COURT
LAW COURT COMPLEX

POSITIVE TRANSPARENCY & ACCOUNTABILITY MOVEMENT-GHANA PTAAM-GH

18th June, 2024

THE REGIONAL POLICE COMMANDER
GHANA POLICE SERVICE
GREATER ACCRA REGION



Dear Sir,

NOTICE OF DEMONSTRATION

Pursuant to the Public Order Act, 1994 (Act 491), Positive Transparency and Accountability Movement-Ghana (PTAAM-GH), with the collaboration of Arise Ghana, 1st Time Voters, Elections Has Consequences Movement, Alliance for Change Movement, Pillars of Ghana Cadets and other CSOs in Greater Accra Region wish to inform your office of our intention to demonstrate against government.

Reasons for this demonstration are as follows.

1. Government' failure to put prudent measures or mechanism in place to fix the economy and hardship in the country.
2. Corruption. There are a lot of corruption scandals under this government, which have pushed PTAAM-GH to petition OSP but no response or prosecution so far. Arise Ghana have also petitioned CHRAJ on that.
3. President Akufo Addo's refusal to sign the Sexual and Ghanaian Family Values Bill into law which is causing a serious threat to our cultural values and norms as Ghanaians!

The demonstration is intended to present a written petition to President Akufo Addo /DR Alhaji Bawumia led administration on the above mentioned.

The demonstration is scheduled as follows:

Date: Wednesday 31st July 2024 to 6th August 2024.

Time for Commencement: 10:30am- 2:00am each day.

Number of Participants. 2 million Ghanaian youth.

This is the document referred to in the Oath of 1. Isaac N. K. Yebo and marked GPS 1 sworn at Accra this 18th of July 2024 before me
COMMISSIONER OF POLICE

 ptaamgh360@gmail.com
 P.O.BOX CE11567, Accra-Tema
 +233 (0) 24 311 3999
 +233 (0) 55 808 0780
 https://ptaam-gh.com/

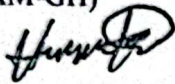
Converging point: Blackstar Square (Independent Square)

We hope we can count on the Ghana Police Service to cooperate in this defining matter of enormous public interest and as expected of your institution under Act 491.


Together we shall win.

Sincerely

Ebenezer K Havor... ..President
(PTAAM-GH)



Chief Benard Mornah..... Co-convenor
(Arise Ghana)

Sign 
for
B.M.

Benard
Mornah

② SO

③ SO

The command met the organizers today, 25/06/2024. They have been asked to reduce the no of days to two, reduce the noise and time from 10:30am - 5pm. ~~from 11:00 to 25/06/2024~~

Seen, Invite them for engagement, M/S. Meanwhile in from Hgrs. ~~to~~
20/06/2024

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

My Ref. No. ARHQ.84/NOV.22/256



Regional Police Headquarters
Ghana Police Service
Accra
Email: arhqadm@gmail.com

2 | June, 2024

The President
PTAAM – GH
Accra

Attn: Ebenezer K. Havor

RE – NOTICE OF DEMONSTRATION

The Accra Regional Police Command acknowledges receipt of your letter dated 18th June, 2024 on the above subject matter.

1. The Command kindly invites you to a meeting on Tuesday 25th June, 2024 at 1400 hours in the office of the Regional Commander/Accra for a discussion on the above subject matter.
2. Best Regards.

ARRHIN KWASI ANNOR
Deputy Commissioner of Police/AR
Regional Commander/Accra

This is the document referred to in the Ombudsman's report of 15/06/2024. Signed by N.V. Gebeshah and dated 25/6/2024. Signed by N.V. Gebeshah on 25/6/2024.

Signature of N.V. Gebeshah
Before me
COMMISSIONER FOR OATHS

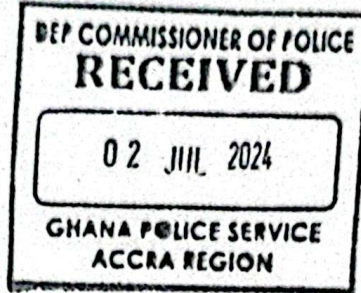
EXHIBIT GPS 3(A)



POSITIVE TRANSPARENCY & ACCOUNTABILITY MOVEMENT-GHANA PTAAM-GH

27th June, 2024

Regional Commander
Ghana Police Service
Greater Accra Region
Accra



Dear Commander,
I bring you greetings and to formally renotify you of the conclusions of our meeting with you and your colleagues on Tuesday June 25, 2024.

During our cordial discussion, we agreed as follows:

1. That our six days planned action will commence on July 31, 2024
2. The event will take place in situ at the BLACK STARS SQUARE
3. The event starts at 10.00am daily.
4. The event Now closes at 12am instead of the original 2am daily
5. Finally we thank you for your kind engagement

Yours faithfully,

Ebenezer Havor
President PTAM

Bernard Mornah
Cocovenor AriseGhana

This is the document referred to
 In the Oath of...
 and m...
 Sworn
 of...
 Before...
 COMMISSIONER FOR OATHS

Handwritten: N.K. Yeboah
 GPS 3(A)
 25th
 27th

Handwritten notes:
 (3) SO
 We organizers have been asked to put in fresh application for consideration
 (2) SO
 Invite them again for another engagement, pls
 09/07/24
 04/07/24

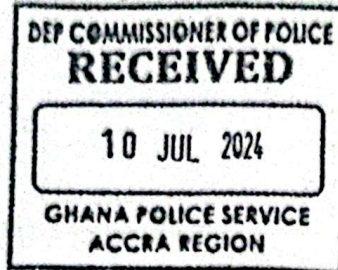
ptaamgh360@gmail.com
 PO BOX CE11567, Accra-Tema
 +233 (0) 24 311 3999
 +233 (0) 55 808 0780
 https://ptaam-gh.com/

Handwritten: P-F-O

EXHIBIT GPS 3 (b)



POSITIVE TRANSPARENCY & ACCOUNTABILITY MOVEMENT-GHANA PTAAM-GH



10th July 2024.

Regional Commander
Ghana Police Service
Greater Accra Region
Accra

Dear Commander,

I bring you greetings and to formally renotify you of the conclusions of our meetings with you and your colleagues on Tuesday June 25, 2024 and Tuesday 9th July, 2024 respectively.

During our cordial discussion, we agreed as follows:

1. That our six days planned action will commence on July 31, 2024
2. The event will take place in situ at the BLACK STARS SQUARE
3. The event starts at 10.00am daily.
4. The event now closes at 12am instead of the original 2am daily
5. our targeted population that days is 2 million youth.
6. Finally we thank you for your kind engagement

This is the document referred to
In the Oath of Isaac N. K. Yeboah
and marked Exh... GPS 3 (b)
Sworn at Accra this day... 25
of July... 2024

Yours faithfully,

Ebenezer Havor

President PTAAM-GH

Bernard Mornah

Cocovenor Arise Ghana

Mensah Thompson

Executive Secretary ASEPA

Sign for Ebenezer K. H. Gilbert. E. Havor

Sign for Bernard Mornah, Hon. Grace Obiri

Sign for Executive Secretary ASEPA, Richard Mensah

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+233 (0) 55 808 0780

🌐 https://ptaam-gh.com

Use of reply the
number and date of this
letter should be quoted

My Ref. No. ARHQ.

RESTRICTED



Regional Police Headquarters
Ghana Police Service
Accra

Email: arhqadmn@gmail.com

22 July, 2024

The President
Positive Transparency &
Accountability Movement-Ghana
(PTAAM-GH)
Accra

Attn: Ebenezer K. Havor

RE – NOTIFICATION OF DEMONSTRATION

The Accra Regional Police Command acknowledges receipt of your letter dated 10th July, 2024 on the above subject matter.

2. Pursuant to the meeting held between you and the Police at the Regional Police Headquarters, Accra on 9th July, 2024, you were asked to reduce the number of days to two (2) and further limit the time of closure from 12:00 midnight to around 6:00pm due to security concerns.

3. However, due to your inability to meet the above requirements, the Command is unable to sanction your intended demonstration as planned.

4. Notwithstanding the above, the Command assures you of its commitment to provide you with the needed security within the mandate of the Ghana Police Service, should there be a change of plan in line with our earlier discussion.

5. Best Regards.

ARHIN KWASI ANNOR
Deputy Commissioner of Police
Regional Commander/Accra

This is the document referred to
In the Oath of Isaac N. K. Yeboah
and marked Exh. 5
Sworn at Accra this day
of July 2024
Before me
COMMISSIONER FOR

RESTRICTED



POSITIVE TRANSPARENCY & ACCOUNTABILITY MOVEMENT-GHANA PTAAM-GH

23 July, 2024

GREATER ACCRA REGIONAL POLICE COMMANDER

Dear Sir,

Ref: NOTIFICATION OF DEMONSTRATION

1. Your letter of July 23, 2024 has been received. And we reject the arrogation of powers by your office.
2. Pursuant to the public order Act, 1994 (Act 491) we are to inform the Ghana police service ahead of any demonstration (lawfully), which we have honoured.
3. The constitution doesn't give Ghana police service any responsibility to stop or prevent any peaceful picketing or demonstration.
4. If for any reason the Ghana police service cannot honour their constitutional mandate, we the organizers can protect themselves.
5. For your education, the Ghana police service doesn't have any legal right to Reduce, stop or determine the Time to close a peaceful demonstration, the best person is the court.
6. We have notified your noble office about our intention which is in line with the law.

Best regards

MR EBENEZER K HAVOR

President of PTAAM-GH.

BERNARD MORNAH

MENSAH THOMPSON

ASEPA

This is the document referred to
 In the **ISAAC N. K. Yeboah**
 and **GPS 5**
 and made on **25th**
 Sworn on **2nd**
 of **July** **2024**
 Before me
COMMISSIONER FOR OATHS

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 P.O.BOX CE11567, Accra-Tema
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<https://ptaam-gh.com/>

EXHIBIT GPS - 6

RESTRICTED



POLICE WIRELESS MESSAGE

FROM : DEPOL/AR

DTO: 141120/06/2024

TO : ALL DIV. & UNIT COMDRS/AR

ORIGNO.ARHQ. 256^c/17

[.] FOLLOWING MESSAGE RECEIVED

FROM STAPOL IS COPIED FOR YOUR INFORMATION AND NECESSARY

ACTION [.] QUOTE [.] **SUSPENSION OF LEAVE OF ABSENCE** [.] TO

ENSURE EFFECTIVE LAW ENFORCEMENT BEFORE, DURING AND AFTER THIS

YEAR'S GENERAL ELECTIONS, INGPOL DIRECTS SUSPENSION OF LEAVE OF

ABSENCE EFFECTIVE 1/07/2024 [.] ALL COMMANDERS ARE TO TAKE NOTE

AND ENSURE STRICT COMPLIANCE [.] TREAT URGENT [.] UNQUOTE [.]

REGARDS [.]

FILE

COPIED

INK YEBOAH
SUPOL/STAPOL/AR
for ORIGINATOR

This is the document referred to
in the 1599 of Ink Yeboah
and 256^c/17
Sworn on the day 25th
of July 2024
Before me [Signature]
COMMISSIONER FOR OATHS

RNL

RESTRICTED