



# OFFICE OF PARLIAMENT

HON. JAMES GYAKYE QUAYSON

MEMBER OF PARLIAMENT FOR ASSIN NORTH



My Ref: JGD/032/23

Your Ref: .....

25<sup>th</sup> July 2023



31/7/2023

The Chairman,  
Disciplinary Committee of the General Legal Council,  
Accra.

Your Lordship,

## REPORT OF PROFESSIONAL MISCONDUCT BY THE HONOURABLE ATTORNEY GENERAL, GODFREY YEBOAH DAME

I respectfully seek to initiate disciplinary proceedings against the Honourable Attorney General, Godfrey Yeboah Dame, for his professional misconduct during and in respect of my criminal trial in the High Court, Criminal Division 3, Accra.

At the last adjourned date (19<sup>th</sup> July, 2023), during the cross-examination of the first prosecution witness, Richard Takyi-Mensah, after the witness had testified confirming that he had given a statement to the police to which he attached certain documents, which testimony is also reflected in the police statement itself. the Attorney-General, responding to an application by my counsel for disclosure of the attachments the witness referred to, stated that there were no attachments to the said police statement. This clearly amounted to providing testimony to the court which, I am advised and believe to be true, is clearly contrary to the rules of professional conduct by lawyers in a case.

The “testimony” provided by the Attorney-General contradicted the testimony of his own witness and was presented for the first time without any prior notice to my lawyers or myself as to the facts known to the prosecution. Significantly, after the intervention of the Attorney-General, when my counsel asked the witness whether he still stood by his testimony that he had attached documents to his

police statement, the witness would not provide an answer to the question. In effect, the testimony of the witness had been influenced by the professionally improper testimony of the Attorney-General.

My counsel has applied for a certified true copy of the proceedings before the trial court on that day and I will make this available to the Disciplinary Committee as soon as it becomes available.

There are also the following further instances of professional misconduct on the part of the Attorney-General. On 16<sup>th</sup> June 2023, when my lawyer was seeking to bring to the attention of the court that I was a candidate in the then pending Parliamentary bye-election in the Assin North Constituency, the Attorney-General used the following insulting language against me: "This is what I describe as a very totally irresponsible step. Beside it, to apply to contest again when he knew that these proceedings were pending for which he can go to jail" This gratuitous insult on the part of the Attorney-General was without any basis and had no place in the trial and, I am advised by my lawyers, is contrary to the Rules of Professional Conduct of lawyers. I attach herewith the record of proceedings before the court on 16<sup>th</sup> June 2023 during which the Attorney-General made the insulting remarks I am complaining of.

The Attorney-General has also misconducted himself by his granting of at least one media interview in relation to my case. The Attorney-General has claimed in court that his comments followed a decision of the Supreme Court in respect of an application for an interlocutory injunction restraining me from performing my duties as Member of Parliament and were not in respect of my criminal trial. It is my understanding that the rules of professional conduct do not allow lawyers to grant media interviews in respect of cases they are handling. Thus, whether the media interview of the Attorney-General was in respect of the civil case in the Supreme Court or in respect of the criminal trial, the grant of such an interview was contrary to the Rules of Professional Conduct for lawyers. In reality, the said media interview, in its terms, and at a time when the Attorney-General had initiated criminal proceedings against me, was clearly understood by the public as being in respect of the outcome of the criminal trial also and was clearly prejudicial to me. I attach herewith a report in the media of the prejudicial remarks of the Attorney-General.

Through his professional misconduct, the Attorney-General has clearly jeopardized my fundamental human right to be presumed innocent until I am proved guilty and my right to a fair trial.

I, therefore, respectfully request disciplinary proceedings against the Attorney-General for professional misconduct as outlined above.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'J. Quayson', with a horizontal line above it.

James Gyakye Quayson  
Member of Parliament,  
Assin North Constituency