IN THE SUPERIOR COURT OF JUDICATURE, IN THE HIGH COURT OF JUSTICE, GENERAL JURISDICTION DIVISION 10, HELD IN ACCRA THE 15th DAY OF APRIL, 2026, BEFORE HIS LORDSHIP JOHN EUGENE NYANTE NYADU, J.

SUIT NO.: GJ/0369/2026

IN THE MATTER OF AN APPLICANT FOR AN ORDER OF QUO WARRANTO PURSUANT TO ORDER 55 OF THE HIGH COURT (CIVIL PROCEDURE RULES 2004 C.I. 47)

BETWEEN

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HIGH COURT
GENERAL JURISDICTION LCC-ACCRA

THE REPUBLIC
(ON THE APPLICATION OF
PETER ARCHIBLOD HYDE) APPLICANT

AND

THE OFFICE OF SPECIAL PROSECUTOR RESPONDENT

RULING

By an originatit'\g motion on notice and supporting affidavit filed by the applicant on the 30th of January, 2026, a supplementary affidavit in support filed on the 26t\ of February, 2026 and an accompanying Statement of Case filed on the 16th of February, 2026, *the* applicant invokes the supervisory jurisdiction of this Court by way of Judicial Review under Order 55 of the

High Court (Civil Procedure) Rules, 2004 (C.I. 47), praying for the following reliefs against the respondent:

(a) an order of quo warranto compelling the respondent to justify the authority under which it conducts prosecutions in the name of the Republic without express authorisation by the Attorney-General;

(b) a declaration that, on a proper interpretation of Article 88(4) of the 1992 Constitution and section 4(2) of the Office of the Special Prosecutor Act, 2017 (Act 959), the OSP may prosecute only subject to and upon authorisation by the Attorney-General;

(c) a declaration that, in the absence of such authorisation, the respondent's exercise of prosecutorial powers is unconstitutional, unlawful, null and void;

(d)an order of restraint preventing the respondent from initiating, conducting, or continuing prosecutions in the name of the Republic unless duly authorised by the Attorney-General.

THE APPLICANT'S CASE

The applicant is facing prosecubon by the respondent in the High Court differently constituted.

It is tl1e case of the applicant that clause (4) of Article 88 of the 1992 Constitution vests the prosecutorial power for the prosecution of all

criminal offences in the Attorney General who may exercise that power personally or through lawful delegation. According to the applicant, the respondent can only initiate and conduct prosecutions in the naine of the Republic subject to the lawful delegation or authorisation of prosecutorial power by the Attorney-General and in the absence of such delegation or authorisation, the exercise of prosecutorial powers by the respondent is unconstitutional, unlawful, null and void.

The relevant portion of the Affidavit in Support reads as follows:

"5. That Article 88(4) of the 1992 Constitution vests the power to initiate and conduct all prosecutions in the Attorney General, who may exercise that power personally or through lawful delegation.

6. That section 4(2) of Act 959 expressly provides as follows:

"Subject to clause (4) o of the Constitution, the Office shall for the purposes of this Act b.e orised by the Attorney General to initiate and conduct the Rrosecution of corruption and corruption related offences."

7. That by the combined.effect of Article 88(4) of the Constitution and section 4(2) of Act 959, the a..uthority of the Office of the Special Prosecutor to prosecute in the name of the Republic is conditional upon authorisation by the Attorney General.

8. That to the best of my knowledge and belief, the Respondent has not been issued any express warrant, written authorisation, or instrument of delegation by the Attomey General authorising the Respondent to prosecute in the name of the Republic.'.

THE RESPONDENT'S CASE

The respondent filed an affidavit in opposition on the 5th of February, 2026 and on the 4th of March, 2026 filed the respondent's statement of case. The respondent deposes in its Affidavit in Opposition that it is duly authorised by the Attorney General under subsection (2) of section 4 of the Office of the Special Prosecutor Act, 2017 (Act 959) to initiate and conduct prosecutions of corruption and corruption-related offences in Ghana.

The respondent raised a preliminary objection to the jurisdiction of this Court under rule 3 of Order 55 of C. I. 47. The respondent contends that the instant application was filed by the applicant out of time. Furthermore, the issue arising from the contention of the parties raises a Constitutional question therefore this honourable court has no jurisdiction to entertain the instant application because the appropriate forum is that of the Supreme Court.

PRELCMINARY OBJECTION TO JURISDICTION

In Ghana Bar Association vs Attorney-General and Another [2003-2004] SCGLR 250, the Supre1ne Court speaking through Edward Wiredu JSC (as he then was) at pg. 266 explained jurisdiction of a court in the following words:

> "Jurisdiction is simply the power of a court to hear and determine a cause or matter brought before it, lack of which would render any decision taken or order made

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null and void and of no effect. If jurisdiction is granted a court by a statute, then what is already specified therein determines the nature and extent of that jurisdiction so granted to that court which cannot be extended or modified Where jurisdiction is wrongly assumed, however, all proceedings taken would be a nullity"

Furthermore, in Sumaila Bielbiel vs Adarnu Drarnani and Other (No. Jl/2/10 dated 4th July 2011), the Supreme CourLstatea as follows:

"So fundamental is the plea of the absence of jurisdiction that once it is raised the court is disabled from exercising its jurisd)tion im-atter except to pro1mmce on whether it has jurisdiction in the matter. fh1s has often been described as "the jurisdiction to determine the question of jurisdiction" or simply the jurisdictional question.".

This underscores the importance of considering first, the prelim1nary objection of the respondent wit pect to the jurisdiction of this court to entertain the instant application, of course conscious of the fact that jurisdiction is not conferred by/4,ne rules of procedure.

(a) WHETHER OR NOT THE INSTANT ACTION IS STATUTE BARRED

In its Affidavit in Opposition, the respondent states that the application ought to hav been brought within six (6) months of the filing of the charge slieet. The relevant portion of the respondent's Affidavit in Opposition is set out as follows:

"7. The charge sheet giving rise to the instant application was filed on 12 June 2025. By virtue of Order 55 rule 3 of the High Court (Civil Procedure) Rules, 2004 (C.I. 47), the fourth accused person was required to bring any such application within six (6) n10nths of the filing of the charge sheet. The instant application, l1aving been filed outside the prescribed statutory period, is therefore incompetent and ought to be dismissed *in limine.*".

Rule 3 of Order 55 of C. I. 47 states as follows:

"**Time for making application**

3. (1) An application for judicial review shall be made not later than six months from the date of the occurrence of the event giving grounds for making the application.

(2) Where an order of certiorari is sought in respect of any judgment, order, conviction or other proceedings, the date of the occurrence of the event giving grounds for the making of the application shall be taken to be the date of that judgment, order, conviction or proceeding.".

The Supreme Court speaking through **Dotse JSC** in the case of **The Republic vs Wassa Fiase Traditional Council, Nana Akwasi Somprey II, Ex parte Abusuapanyin Kofi Nyamekye, Nana Korkye II, Dr Francis Bih, Obaapanin Yaa Korn (Civil Appeal No.J4/55/2014 dated** 28TH **MAY 2015)** considered the import of **rule 3 of Order 55 of C.** I. 47 and stated thus:

"...it is my respective view that one sure way of giving total effect to this overriding objective is to interpret Order 55 rule 3 (1) and (2) strictly in terms of

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section 42 of Act 792 and also prevent an abuse of the objectives behind the passage of the C.I. 47. This for example will mean that extension of time will normally not be granted in respect of applications for judicial review where the six months' mandatory period has expired.

However, in clear cases where notice of the ... proceedings in question had not be given to the applicant or would not have been known after due diligence, then in those circumstances only, extension of time may be granted reference to the date when the Applicant ought to have been deemed to have had notice ...".

The learned Justice then stated the position in respect of **rule 3 of Order 55 of C.** I. 47 as

" ... the provisions in Order 55 rules 3 (1) and (2) of C. I. 47 does not admit the grant of extension of time to bring applications for judicial review outside the statutory six months period unless special circumstances exist, such as lack of notice to the party applying of the proceedings that terminated in the decision, order, ruling, judgment or action that the suhject matter of the judicial review seeks to quash or prohibit or as the case might ba in appropriate cases ...".

The respondent dep9sed in its Affidavit in Opposition, as seen in the preceding paragraph, that the charge sheet giving rise to this instant application was filed on 12th June 2025. Six months from 12th June 2025 will end on the 12th December, 2025. If this court accepts the submission of counsel for the respondent, then going by the **Wassa Fiase case** supra, unless exceptional circumstances exists such as lack of notice to the applicant, in effect lack of knowledge of the event giving grounds for the making of the

application, the instant application would be said to be brought beyond the statutory six months and no extension of time could be granted. Let 1ne quickly add though that the applicant did not apply to this court for extension of time within which to bring the instant application.

To determine whether or not the respondent is right in its submission, it is necessary to detennine whether the date proposed by the respondent is the appropriate date for purposes of computing whether or not the instant application is statute barred.

In response to the submission made by the respondent claiming the instant application to be declared statute-barred, counsel for the applicant per paragraph 7 to 19 of its supplementary affidavit in support deposed that even though the charge sheet was filed by the respondent on the 12th of June 2025 and the applicant's plea taken on the 27th of June 2025, the applicant did not have actual or constructive know1edge of the fact that the respondent did not possess a warrant or authorisation from the Attorney-General to prosecute in the nan1e of the Republic. That as any reasonable person would, he believed that the respondent was acting pursuant to a lawful constitutional or statutory authority until sometime in Dece1nber, 2025 while examining various Executive Instruments (E. Ls) issued by the Attorney-General authorising officers of certain State institutions to prosecute in the name of the Republic it came to l1is altention that none had been issued in

favour of officers of the Office of the Special Prosecutor. Consequently, on the 8th of December 2025 he filed a motion on notice in the Criminal Division of this court seeking an order directing the Office of the Special Prosecutor to furnish the court with its warrant or authority from the Attorney-General authorising its officers to prosecute in the name of the Republic. That in paragraphs 4 to 9 of the respondent's affidavit in opposition to the said application, the respondent did not refer to any warrant, fiat, delegation or written authorization from the Attorney-General but instead the respondent relied on what it described as a "presumption of regularity" in respect of its prosecutorial acts. According to the applicant, it was upon the service of the respondent's affidavit in opposition on the 16th of December 2025 and the failure on the part of the respondent to produce or assert the existence of any express authorisation from the Attorney-General, that it became know to him that the respondent did not possess a warrant or delegated authority to prosecute in the name of the Repuolic. The applicant reiterated that prior to the 16th of December 2025 he o/d have any factual basis upon which to assert that the respondent lacked the requisite authorization under **Article 88 of the Constitution** and **subsection (2) of section 4 of the Office of the Special Prosecutor Act, 2017 (Act 959).** That immediately after he became aware of this fact, he filed the instant application and therefore the instant application has been brought promptly and within reasonable time. Furthermore, the respondent's continued prosecution without demonstrable authorisation

from the Attorney-General constitutes a continuing usurpation of public prosecutorial authority.

The question then is what 1neaning to assign to the phrase "date of the occurrence of the event giving grounds for 1naking the application". The event giving grounds for making of the instant application within the context of its usage cannot be said to be the date of commencement of prosecution of the applicant when the applicant has not demonstrated knowledge of lack of prosecutorial authority in the respondent to prosecute him but rather the date the applicant became aware of the alleged illegality being perpetuated by the respondent on the applicant. Time should not be made to run against a person's right to challenge an illegality when the fact of the illegality is not known to that person or sa1ne has not been brought to the person's notice.

The event giving grounds to the instant action is therefore the awareness of the applicant regarding the alleged unauthorized and illegal acts of the respondent. Counsel for the respondent has not demonstrated before this court any act done by the applicant before or on the 12th of June, 2025 which suggested knowledge on the part of the applicant of the respondent's alleged unauthorized and illegal acts on the date of filing of the charge sheet. For instance, the respondents could have exhibited to their affidavit before this court, extracts fr01n proceedings before the court where the criminal

prosecution is being undertaken, indicating the fact of an objection by the applicant to the unauthorized act of the respondent and from which date time would begin to run against the applicant. In the absence of a demonstration by the respondent of the awareness of the alleged unauthorized act of the respondent, I find the objection on this ground to be unfounded and is overruled. As deposed to by the applicant, he became aware of this fact on the 16th of December 2025. Accocdingly, I hold that the instant application was filed by the applicant within the statutorily stipulated time.

(b)WHETHER OR NOT THERE IS A MATTER FOR CONSTITUTIONAL INTERPRETATION

For a better appreciation of the matter, the relevant portions of the respondent's Affidavit in Opposition are as set out below:

> "14. The Respondent further states that the reliefs sought by the fourth accused person raise a matter of interpretation of article 88(4) of the Constih1tion vs-a-vis the section 4(2) of Act 59 which falls within the exclusive jurisdiction of the Supreme Court to determine questions of constitutional interpretation.".

The authorities have established that where the language of the legal text is clear, *it* only calls for application and not interpretation. See **Republie vs Maikankan (1971) 2 GLR 473.**

It has been stated in the case of Gbedemah vs Awoonor Williams [1969] 2 G & G 439 that:

> "Unless the words of a statute arc imprecise and ambiguous the court does not apply the rules and presumptions of construction ... Unless the primary or popular or literal meanings of the words are disputed, the interpretation of the words is unnecessary".

In Richard Sk$_y$ vs. Parlian1ent of Ghana & Attorne$_y$ General [2024] DLSC 17812 the Supreme Court affirmed the position that a suit having its basis in or connected somehow to a constitutional provision does not automatically raise a constitutional question. This position of the court had previously been reiterated in Kwabena Bomfeh vs Attorne$_y$-General (2019-2020] 1 SCLRG 137 per Sophia Adinyira JSC at plSl-152 as follows:

> "The real test as to whether there is an issue of constitutional interpretation is whether the words in the constitutional provisions the court is invited to interpret are ambiguous, imprecise, and unclear and caimot be applied unless interpreted. If it were otherwise, every conceivable case may originate in the Supreme Court by the stretch of hunlan ingenuity and the manipulation of language to raise a tangible constitutional question. Practically, every justifiable issue can be spun in such a way as to embrace some tangible constih1tional implication. The Constitution may be the foundation of the right asserted by the plaintiff, but that does not necessarily provide the jurisdictional predicate for an action invoking the original Jurisdiction of the Supreme Court".

In the Republic vs Special Tribunal; Ex parte Akosah [1980] GLR 592 p. 604, the Supreme Court sets out the circumstances under which a constitutional question is said to arise necessitating a reference of that question to the Supreme Court for interpretation. These are

(a) where the words of the provision are imprecise or unclear or ambiguous;

(b) where the rival meanings have been placed by the litigants on the words of any provision of the Constitution;

(c) where there is a conflict in the meaning and effect of two or more articles of the Constitution, and the question is raised as to which provision should prevail;

(d) where on the face of th<:_ provisions, there is a conflict between the operation of particular institutions set up under the Constitution, and theTeby raising problems of enforcement and of interpretation.".

Clause (4) of Article 88 of the Constitution is clear and admits of no ambiguity. The parties have placed no rival meanings on the words of the clause (4) of Article 88 of the Constitution. In the circumstances, no issue of interpretation arises and I find the objection as to jurisdiction of this court in the instant application in this regard, equally unfounded.

EVALUATION OF THE SUBSTANTIVE CONTENTIONS OF THE RESPECTIVE PARTIES

Clause (4) of Article 88 of the Constitution states as follows:

> "All offences prosecuted in the name of the Republic of Ghana shall be at the suit of the Attorney-General or any other person authorised by him in accordance with any law".

The words of the provision are clear. Where the Attorney-General authorises any one to prosecute any offence in the name of the Republic, the authorisation shall be in accordance with law.

Subsection (2) of section 4 of Act 959 also provides as follows:

> "**Subject to clause (4)** of article 88 of the constitution, the Office shall for the purposes of this Act **be authorised by the Attorney General** to initiate and conduct the prosecution of corruption and corruption related offences".

Subsection (2) of section 4 of Act *959* is made subject to **clause (4) of Article 88 of the Constitution** clearly indicating the fact that the two provisions are not of the salne status and that in the event of conflict between them, **clause (4) of Article 88** should be made to prevail. Additionally, **clause (4) of Article 88 of the Constitution** in the hierarchy of laws as per **Article 11 of the Constitution,** is superior to **subsection (2) of section 4 of Act 959** which is a provision of an Act of Parliament.

Clearly, by the tenor of subsection (2) of section 4 of Act 959, the respondent is supposed to perform prosecutorial functions only on the authorisation of the Attorney-General. Traditionally the Attorney-General has been delegating its prosecutorial functions to officers of public institutions and State Agencies that apply to the Office of the Attorney-General to be granted authorisation to prosecute cases, and a grant of such delegated authority has been by issuing an Executive Instrument (E. I.) to the applying public institution or State Agencies pursuant to section 56 of the Criminal and Other Offences (Procedure) Act, 1960 (Act 30).

Section 56 of Act 30 provides that

> "Subject to article 88 of the Constitution, the Attorney-General may, by executive instrument appoint generally, or for a specified class of criminal cause or matter, or for a specified, public officers to be public prosecutors, and may appoint a legal practitioner in writing to he a public prosecutor in a criminal cause or matter".

Some public institutions and State Agencies to whose officers prosecutorial power of the Attorney-General have been delegated include the Economic and Organized Crime Office to enable them prosecute offences under the Economic and Organized Crime Office Act, 2010 (Act 804) i.e. The Appointment of Public Prosecutors Instrument, 2020 (E.1. 62); officers of Ghana Revenue Authority (GRA) to enable them prosecute tax related offences f.e, the Appointment of Public Prosecutors Instrument, 2004 (E.1.

5); lavvyers working wjth the Electricity Company of Ghana as prosecutors in respect of any action that arises under the offences related to the supply of electricity i.e. Appointment of Public Prosecutions Instrument, 2010 (E.I. 38), to mention a few.

The Executive Instru1nents (E. I.) 1nentioned in the preceding paragraph illustrate the clear meaning of the steps the respondent was expected to take pursuant to subsection (2) of section 4 of Act 959 to obtain authorisation or lawful delegation of the prosecutorial power by the Attorney-General to the Special Prosecutor.

Perhaps the officers of the respondent (Office of the Special Prosecutor) by their name "special prosecutor" had erroneously assumed that subsection (2) of section 4 of the Act 959 consequentially amended article 88 of the Constitution and placed them at par with the Attorney-General. In any case the wording of subsection (2) of Act 959 does not in any way suggest an intent to amend Article 88 of the Constitution, otherwise that provision would not be 1nade subject to Article 88 of the Constitution. If officers of the Office of the Special Prosecutor held this belief or thinking, then indeed it was n1isconceived. This is because Act 959 was enacted as a regular Act of Parliament and not as a Constitutional (A1nendment) Act. Article 289 of the Constitution which deals with amend1nents to the Constitution provides in clause (1) as follows:

"289. (1) Subject to the provisions of this Constitution, Parliament may, by an Act of Parliament, amend any provision of this Constitution.".

It is clear from clause (1) of Article 289 of the Constitution that the Constitution may be a1nended by an Act of Parliament. The question then is whether an "Act of Parliament" referred to in clause (1) of Article 289 is a regular Act of Parliament as in the case of Act ***959*** or a Constih tional (Amendment) Act of Parliament. Clause (2) of Article 289 of the Constitution provides the necessary guidance in this regard. It provides as follows:

> "(2) This Constitution **shall not be amended by an Act of Parliament or altered whether directly or indirectly unless -**
>
> (a) **the sole purpose of the Act is to amend this Consftution;** and
>
> (b) e Ar/ has been passed in accordance with this Chapter.".

For Act 959 to conse_gUy amend Article 88 of the of the Constitution, the sole purpose of its nactrnent should be to amend the Constitution and same should be passe j7 Parliament in accordance with Chapter 25 of the Constitution. By P.aragraph (f) of clause (1) of Article 290 of the Constitution, the whole of Chapter 8 of the Constitution to which Article 88 of the Constitution belong, are entrenched provisions. Accordingly, the procedure for amending Article 88 of the Constitution is as provided in

clause (2) to (6) of Article 290 of the Constitution which is reproduced below:

> "(2) A bill for the amendment of an entrenched provision shalt before Parliament proceeds to consider it, be referred by the Speaker to the Council of State for its advice and the Council of State shall render advice on the bill within thirty days after receiving it.
>
> (3) The bill shall be published in the Gazette but shall not be introduced into Parlian1.ent until the expiry of six months after the publication in the Gazette under this clause.
>
> (4) After the bill has been read the first time in Parliament it shall not be proceeded with further unless it has been submitted to a referendum held throughout Ghana and at least forty percent of the persons entitled to vote, voted at the referendum and at least seventy-five percent of the persons who voted cast their votes in favour of the passing of the bill.
>
> (5) Where the bill is approved at the referendum, Parliament shall pass it.
>
> (6) Where a bill for the amendment of an entrenched provision has been passed by Parliament in accordance with this article, the President shall assent to it.".

The respondent has not demonstrated before this court that Act 959 was enacted in accordance with clause (2) to (6) of Article 290 of the Constitution, and rightly jt cannot do so because the longtitle of Act 959 reads as follows:

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"AN ACT to establish the Office of the Special Prosecutor as a specialised agency to investigate specific cases of alleged or suspected corruption and corruption-related offences involving public officers and politically exposed persons in the performance of their functions as well as persons in the private sector involved in the commission of alleged or suspected corruption and corruption-related offences, prosecute these offences on the authority of the Attorney-General and provide for related matters.".

The Longtitle of an Act of Parliament states in brief the purpose for which the Act was enacted. Clearly from the Longtitle of Act 959, nothing is said about amending the Constitution. Rather the Longtitle drives home the position that the Office of the Special Prosecutor. can prosecute offences on the authority of the Attorney-General. Faced with a similar circumstance in the case of Professor Stephen Kwaku Asare vs the Attorney-General [2012] DLSC 2681, the Supreme Court speaking through Sophia Akuffo JSC (as she then was) stated

"Now, every provision of the Constitution is presumed to be there for a purpose and cannot be disregatded for the sake of convenience. Whilst it may be arguable that the Act of Parliament referred to in article 8(2)(g) of the Constitution (as amended by Act 591) is simply an ordinary Act of Parliament, passed in accordance with Article 106, I am fortified in the position I have taken to the contrary, by the well established principle that in the construction and interpretaton of a Constitution, every provision must be given its effect. Therefore, it must be read as whole and not as though each provision exists in

isolation, oblivious of the import of any other provisions. Yes, an Act of Parliament to add to the list of offices is referred to in the said clause (g). Yet article 289 also states in categorical terms that an Act of Parliament may not amend or directly or indirectly alter the Constitution unless certain conditions are met.

Doubtlessly, in enacting the clause, Parliament was fully aware of Article 289. Hence, if clause (g) was intended to create an exception to the requirements of article 289 it should have been so stated therein expressly that, in respect of the clause, the said requirements are excepted. Clearly this was not done and, therefore, there would be no justification for reading any such exception into the provisions of clause (g). To hold otherwise would be very dangerous and make a mockery of constitutional provisions such as article 8(2), which particularise specific ITtatters, thereby eventually reducing the Constitution to the status of an ordinary statute, as evidenced by what Parliament has attempted to do in section 16(2) of Act 527. In my humble opinion, therefore, the fact that an ordinary Act of Parliament undergoes certain levels of scrutiny before enactment is not sufficient justificabon when there is clear noncompliance with the prescribed procedures and processes stipulated, by the same Constitution that empowered Parliament to alter article 8(2), for the enactment of alterations to the Constitution.".

The discussion in the preceding paragraphs show that in the Constitution, references to laws being enacted by an Act of Parliam.ent save for an Act of Parliament intended to amend the Constitution directly or indirectly, are to be enacted in accordance with the procedure stipulated in **Article 106 to 108 of the Constitution i.e. a regular Act of Parliament.** Conversely, references in the Constitution to an act or omission to be enacted by an "Act of

Parliament" intended to textually or non-textually amend the Constitution is a reference to a Constitutional (Amendment) Act of Parliament and not a regular Act of Parliament.

The intent behind the setting up of the Office of the Special Prosecutor to prosecute corruption and corruption related offences was to remove the public perception of political influence in the prosecution of corruption and corruption related cases by the Attorney-General for alleged offences by or involving public officers, politically exposed persons and some private persons. Much as the intent behind the enactment of Act 959 is noble, it is significant to note that most common law jurisdictions where the prosecutorial functions have been hived off from the functions of the Attorney-General and given to an independent body or institution, the enabling provisions were given constitutional expression and, so are found in their respective Constitutions. See sections 58 and 59 the Virgin Islands Constitution Order, 2007 (UKSI 1678), sections 71 and 71A of the Bermuda Constitution Order, 1968 (BX 182); sections 79 and 94 to 96 of Second Schedule to the Jamaican Constitution Order in Council, 1962 (No. 1550) to mention few.

This is not the situation in Ghana probably because Article 88 of the Constitution is entrenched yet because there was the need to meet a campaign promise, some legislative gymnastics and re-engineering had to

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ASSISTANT PROSECUTOR JOYCE AGYAPONG BEING LED BY SENIOR PROSECUTOR ABRAHAM BREW SAM HOLDING BRIEF FOR ADELAIDE KOBIRI WOODE FOR THE RESPONDENT

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