



REGISTRAR
HIGH COURT
ACCRA

WRIT OF SUMMONS

WRIT ISSUED FROM Accra 22/01/2024 SUIT No. CT/10458/2024

IN THE HIGH COURT OF JUSTICE GENERAL JURISDICTION, ACCRA. A.D 2024

BETWEEN

To **KWAME FOSU-GYEABOUR**
H/No. 5, 8th Avenue
West Ridge, Accra } PLAINTIFF

VRS

- 1. **THE GENERAL LEGAL COUNCIL**
Ghana School of Law
Makola, Accra
 - 2. **THE CHIEF JUSTICE**
Republic of Ghana
Supreme Court Building
Accra
 - 3. **THE JUDICIAL SECRETARY**
All of Supreme Court Building
Accra
- } DEFENDANTS

AN ACTION having been commenced against you by the issue of this writ by the above- named Plaintiff: **KWAME FOSU-GYEABOUR**

YOU ARE HEREBY COMMANDED that within EIGHT DAYS after service of this writ on you inclusive of the day of service you do cause an appearance to be entered for you: **1. THE GENERAL LEGAL COUNCIL 2. THE CHIEF JUSTICE OF GHANA 3. THE JUDICIAL SECRETARY**

AND TAKE NOTICE that in default of your so doing, judgment may be given in your absence without further notice to you.

Dated this 22 day of Feb 2024
Chief Justice of Ghana



G. SACKY TORKORNOO (M.S.)

NB: This writ is to be served within twelve calendar months from the date of issue unless, it is renewed within six calendar months from the date of that renewal.

SEALED The defendant may appear hereto by filing a notice of appearance either personally or by a lawyer at Form 5 at the Registry of the Court of issue of the writ at. A defendant appearing personally may, if he/she give notice of appearance by post.

*State name, place of residence or business address of plaintiff if known (not P.O. Box number).
**State name, place of residence or business address of defendant (not P.O. Box number).



STATEMENT OF CLAIM

The Plaintiff claim against the Defendants as follows:

- a. A declaration that the circular issued by the defendants dated the 16th day of February, 2024 is false, unlawful, illegal, irregular, ultra vires, unfair, capricious, arbitrary, unconscionable, unreasonable, in breach of rules of Natural Justice, unconstitutional and therefore a nullity.
- b. An order setting aside the said circular issued by the defendants dated the 16th day of February, 2024.
- c. Perpetual injunction restraining the defendants herein, their assigns, agents, officers or any persons authorized by them from preventing plaintiff from having access to the courts to practise his trade as a lawyer without due process or from unlawfully interfering in any manner the plaintiff's practise as a lawyer and operation of his law firm.
- d. General Damages
- e. Cost inclusive of legal fees
- f. Any other reliefs that may be just



SOLICITOR FOR PLAINTIFF

This writ was issued by:

**EDWARD SAM CRABBE ESQ.
CRABBE, CRABBE & CO.**

whose address for service is Agent for H/No. D002, TSE ADDO HIGH STREET/
LAST STOP BEHIND TRADE FAIR - ACCRA

Address Number and date of lawyer's Current License: No. eGAR 00769/24

CRABBE, CRABBE & CO.
(LAWYERS)
P. O. BOX OS 2036, OSU-ACCRA
HSE. NO. D002, TSE ADDO HIGH STREET/
LAST STOP BEHIND TRADE FAIR CENTRE
EAST LA - ACCRA

Lawyer for the plaintiffs, **EDWARD SAM CRABBE ESQ**, who resides at Accra.

Indorsement to be made within 3 days after service

This writ was served by me at

on the defendant
on the

day of

endorsed the

day of

Signed.....

Address.....

NOTE: If the plaintiff's claim is for a liquidated demand only, further proceedings will be stayed if within the time limited for appearance the defendant pays the amount claimed to the plaintiff, his lawyer or his agent or into court as provided for in Order 2 rule 3(2).

IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA - A.D. 2024

Filed on 20/02/2024
2:55 am pm
Registrar
SUIT NO. _____

KWAME FOSU - GYEABOUR
H/No. 5, 8th Avenue
West Ridge, Accra

PLAINTIFF

VRS

1. **THE GENERAL LEGAL COUNCIL**
Ghana School of Law
Makola, Accra
2. **THE CHIEF JUSTICE**
Republic of Ghana
3. **THE JUDICIAL SECRETARY**
All of Supreme Court Building
Accra

DEFENDANTS

STATEMENT OF CLAIM

1. The plaintiff is a Ghanaian and a legal practitioner of good standing for twenty-three (23) years in Ghana.
2. The 1st defendant is a statutory body regulating the legal profession and legal education in Ghana.
3. The 2nd defendant is the head of 1st defendant as well as the Judiciary of Ghana.
4. The 3rd defendant is the secretary to the 1st defendant and the Judiciary of Ghana.

5. The plaintiff states that on the 20th day of April, 2023 he was convicted and sentenced by suspension from practising as a lawyer from the 1st day of May, 2023 for a period of twelve (12) months by the disciplinary committee of the 1st defendant.
6. The plaintiff says even before he could be served or obtain a copy of the decision of the 1st defendant, the 1st defendant on the 1st day of May, 2023 (a public holiday) wrote a public notice containing the content of plaintiff's sentence and released same to various social media platforms on the 3rd day of May, 2023.
7. The plaintiff states that even the 1st defendant in their notice released to the various social media platforms barred the plaintiff from entering his law office, when the Decision of the 1st defendant on the 20th day of April, 2023 did not state so.
8. The plaintiff on the 28th day of April, 2023, filed an appeal against the Decision of the 1st defendant to the Court of Appeal to have the decision of the 1st defendant set aside.
9. The plaintiff states that based on the said appeal, the plaintiff filed a Motion on Notice for Stay of Execution and Suspension of his sentence on the 2nd day of May, 2023 at the Court of Appeal, pending the determination of his appeal.
10. The plaintiff avers that the Court of Appeal on the 23rd day of May, 2023 heard plaintiff's Motion for Stay of Execution and granted same by staying the sentence imposed on the plaintiff, pending the determination of plaintiff's appeal to the Court of Appeal.

11. The plaintiff says despite the stay granted him by the Court of Appeal, the defendants failed to communicate same to the public as it did communicate plaintiff's suspension to the general public, despite a request from plaintiff to defendants.
12. The plaintiff avers that the 1st defendant subsequently filed a motion invoking the supervisory jurisdiction of the Supreme Court to quash the ruling of the Court of Appeal dated the 23rd day of May 2023 staying or suspending plaintiff's sentence pending the determination of his appeal.
13. The plaintiff says the Supreme Court in its Ruling dated the 7th day of February, 2024 dismissed the application of the 1st defendant's.
14. The plaintiff states that by the 3rd day of January, 2024, he had paid all his bar dues and his solicitor's license fees and had his solicitor's license renewed by the 1st defendant as No. **eGAR 01553/24** for the year 2024.
15. The plaintiff says however that on the 16th day of February, 2024 the defendants by a circular to all courts in Ghana in the social media platform that plaintiff's license has not been renewed for the year 2024.
16. The plaintiff avers that the circular purportedly nullified all orders plaintiff might have obtained in court for the year and directed all courts not to grant plaintiff audience until further notice from the defendants.
17. The plaintiff says he was not copied in the circular and was not served with same but only obtained a copy from the social media after his attention was drawn to the circular by his clients and colleagues.

18. That plaintiff shall contend that the defendants have no powers to nullify orders of courts of competent jurisdiction obtained by the plaintiff on behalf of his numerous clients.
19. The plaintiff shall also contend that the content of the circular emanating from the defendants that plaintiff had not renewed his practising license for the year 2024 is totally false as plaintiff had already obtained his practising license for the year 2024 to the knowledge of the defendants.
20. The plaintiff shall contend further that the conduct of the defendants in respect of their circular dated the 16th day of February, 2024 and the circular itself are unlawful, illegal, irregular, ultra vires, unfair, capricious, arbitrary, unconscionable, unreasonable, in breach of rules of Natural Justice, and unconstitutional and are therefore a nullity.
21. The plaintiff shall again contend that the defendants have no respect for due processes, administration of justice, and orders of courts of competent jurisdiction which is regulated by the 2nd and 3rd defendants.
22. The plaintiff says the conduct of the defendants in purporting to nullify orders of the courts and ignoring their orders and rulings undermine the authority of all the superior courts of Ghana including the Supreme Court which the 2nd defendant is the head and is therefore contemptuous of the all the superior courts of Ghana.
23. The plaintiff says the defendants are using all means to make sure that plaintiff would not be able to practise his trade as a lawyer and operate his law firm in Ghana unless the Honourable Court intervenes.


24. The plaintiff says ever since the circular was made, plaintiff and his clients have been embarrassed in several courts which is causing a lot of hardships, anxiety, uncertainty and injuries to plaintiff and his clients.

25. WHEREFORE the plaintiff claims against the defendants as follows:

- a. A declaration that the circular issued by the defendants dated the 16th day of February, 2024 is false, unlawful, illegal, irregular, ultra vires, unfair, capricious, arbitrary, unconscionable, unreasonable, in breach of rules of Natural Justice, unconstitutional and therefore a nullity.
- b. An order setting aside the said circular issued by the defendants dated the 16th day of February, 2024.
- c. Perpetual injunction restraining the defendants herein, their assigns, agents, officers or any persons authorized by them from preventing plaintiff from having access to the courts to practise his trade as a lawyer without due process or from unlawfully interfering in any manner the plaintiff's practise as a lawyer and operation of his law firm.
- d. General Damages
- e. Cost inclusive of legal fees
- f. Any other reliefs that may be just

DATED AT THE LAW OFFICE OF CRABBE, CRABBE & CO., HOUSE NUMBER D002, TSE ADDO HIGH STREET/LAST STOP BEHIND TRADE FAIR CENTRE, EAST LA - ACCRA, THIS 21ST DAY OF FEBRUARY, 2024

CRABBE, CRABBE & CO.
(LAWYERS)
P. O. BOX 05 2056, OSU-ACCRA
HEE. NO. D002, TSE ADDO HIGH STREET,
LAST STOP BEHIND TRADE FAIR CENTRE,
EAST LA - ACCRA


Edward Sam Crabbe Esq.,
eGAR 00769/24
CRABBE, CRABBE & CO.,
(Lawyer for the Plaintiff)

**THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION
ACCRA**

AND TO THE DEFENDANTS HEREIN