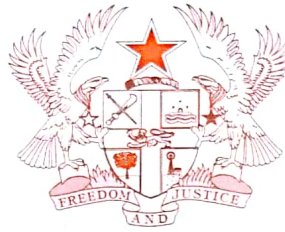


In case of reply the number and date of this letter should be quoted.



REPUBLIC OF GHANA

JUDICIAL SERVICE

P. O. Box 119

Accra - Ghana

Tel: +233-(302)-663951/4

+233-(302)-666671/2

Fax+233-(032)-666673

+233-(302)-665077

13TH SEPTEMBER, 2024

My Ref. NoPR/R/CD1/2024.....

Your Ref. No

FOR IMMEDIATE RELEASE

MEDIA STATEMENT: UPDATE ON THE ANTI LGBTQ+ BILL CASES BEFORE THE SUPREME COURT AND INTENTION OF SPONSORS OF THE PROMOTION OF PROPER HUMAN SEXUAL RIGHTS AND GHANAIAN FAMILY VALUES BILL TO PROTEST AGAINST CHIEF JUSTICE ON SEPT. 17

The attention of the Judicial Service of Ghana (JSG) has been drawn to news reports by TV3 and other media of the intention of the Sponsors of the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill to protest against the Chief Justice on September 17.

In the said report, the Member of Parliament for Ningo-Prampram, who is one of the sponsors of the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill (Anti- LGBTQ+ Bill) indicated that they would march against the Chief Justice on September 17, 2024 dubbed the 'Family Values March'. According to the Honorable Member of Parliament, the decision of the Supreme Court on July 17th 2024 to defer ruling on the interlocutory injunction to restrain Parliament from transmitting the Anti-LGBTQ+ Bill to the President for Assent until the substantive case is heard and determined, is a 'deliberate and malicious' attempt by the Chief Justice to delay the passage of the Bill into law, necessitating the protest march to demand a timetable for the hearing of the case.

The Judicial Service of Ghana wishes to provide the following information and update to all stakeholders regarding the two constitutional cases on the Anti-LGBTQ Bill in the Supreme Court. The two cases are:

1. SUIT NO. J1/09/2024 RICHARD SKY vrs 1. PARLIAMENT OF GHANA 2. ATTORNEY GENERAL
2. SUIT NO. J1/13/2023 DR. AMANDA ODOI VRS 1. SPEAKER OF PARLIAMENT 2. ATTORNEY GENERAL

The first processes filed and heard in the two actions, were 'APPLICATIONS FOR INTERLOCUTORY INJUNCTION TO RESTRAIN PARLIAMENT FROM TRANSMITTING THE ANTI- LGBTQ+ BILL TO THE PRESIDENT FOR ASSENT'.

The hearings were covered by live TV. It will be recalled that the Supreme Court sat as a panel of five Judges to hear the two applications on 8th May 2024, 3rd July 2024 and 17th July 2024. On 17th July 2024, the Supreme Court decided to defer the grant or refusal of injunction in the two applications. The reasons for arriving at this decision were stated in the ruling on the Amanda Odoi case, which was adopted in the Richard Sky case. The court said: ... *'we are convinced that the matters raised in this application can be better dealt with by obtaining all the facts through an early trial, than by considering the peculiar merits of the purposes of this application at this time. We also hold the view that an early trial of the action will serve the cause of justice, in view of the fact that it will render a clear view of the constitutional issues raised, than a sustained dispute over interlocutory matters'*. A copy is attached.

CONSTITUTIONAL ACTIONS

In any constitutional action in the Supreme Court, the Plaintiff is required to file a Statement of Case. The Plaintiff's Statement of Case should be defended by the Defendant in a Statement of Case within fourteen days of receiving the Plaintiff's Statement of Case (Rule 48 of the Supreme Court Rules 1996, CI 16). After the two Statements of Case have been filed, the parties have to file a Joint or separate Memorandum of Issues stating the constitutional questions in dispute that the parties want the Supreme Court to give a decision on (Rule 50 of the Supreme Court Rules 1996, CI 16).

STATUS OF THE TWO CASES BEFORE THE SUPREME COURT

SUIT NO. J1/09/2024 RICHARD SKY's CASE

This case was started with a Writ filed on 5th March 2024. As at 31st July 2024, when the Supreme Court went on recess, neither Parliament (1st Defendant), nor the Attorney General (2nd Defendant) had filed a defense to the Plaintiff's action in the form of their Statements of Case. The three parties can only file the Memorandum of Issues for the trial when the Statements of Case are in place. Until then, the Supreme Court cannot hear the case.

SUIT NO. J1/13/2023 DR. AMANDA ODOI VRS 1. SPEAKER OF PARLIAMENT 2. ATTORNEY GENERAL.

This case was started with a Writ filed on 11th June 2023. The 1st defendant (Parliament) filed its Statement of Case on 14th March 2024. The 2nd Defendant has not filed a Statement of Case. The three parties are to file the Memorandum of Issues for the trial when the Statements of Case are in place. It is after the filing of the individual or joint Memorandum of Issues that the Supreme Court will have the ability to try the case.

From the above, the parties have not completed the work they are to do before a hearing by the Supreme Court can be conducted.

REGISTRIES

The Judicial Service wishes to assure the General Public that registries of the Supreme Court, Court of Appeal and High Courts are open throughout the legal vacation, Christmas and Easter vacations to receive all processes that are due to be filed.

The General Public is further assured of the Judiciary's readiness to adjudicate any matter that is ripe for hearing.

Issued By: The Communications Department, Judicial Service of Ghana