

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



ATTORNEY-GENERAL'S DEPT.
P. O. BOX MB 60
ACCRA

Our Ref: XA 697/13

Your Ref.

Fax No.: 667609

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REPUBLIC OF GHANA

28th November, 2013

THE REPUBLIC
VRS
ARTHUR PAES

RE-FALSE ALLEGATION OF DEFILEMENT OF ONE
GEORGINA POMARY DONKOR

In your petition dated 7th October 2013 with the above caption, you sought clearance from the Honourable Minister for Justice and Attorney General for her position in respect of the above case. For your information and in response to your request, the Hon. Attorney-General has conclusively determined the above case. That upon perusal of the case docket which was thoroughly investigated by the Police, this office did not find any evidence to support the allegation of defilement against you. Accordingly, this office has advised that no charge should be preferred against you. In effect you have been exonerated.

To offer a little detail, in our letter No. XA685/11 dated 23rd December 2011, this office recommended your prosecution on the charge of Defilement contrary to section 101(2) of the Criminal Offences Act (Act 29) 1960. This advice was however made subject to further investigations into the case to cover some gaps, among other things relating to the age of the victim GEORGINA POMARY DONKOR.

Upon completion of the said investigations, our advice in our letter quoted above was reversed. This was as a result of the new development and evidence that emerged out of the investigations. Thus in our letter No. XA685/11 dated 5th October 2012, this office advised against your prosecution and added that the charge that had earlier been preferred against you should be dropped. It was further advised that MRS EUNICE WUBBERLING BOATENG should be charged with the offence of Deceiving a Public Officer Contrary to Section 251 of the Criminal Offences Act Supra for fabricating the story against you.

After the above advice, which exonerated you, MR ANAS AREMEYAW ANAS, a reknown investigative journalist petitioned this office against our advice exonerating you. Mr Anemeyaw made several allegations in his petition. This necessitated a review of our advice in our letter dated 5th October 2012.

Consequently, the allegations of Mr Aremeyaw were investigated. The investigations however established that the allegations of Mr Aremeyaw were spurious and speculative.

Accordingly, in our advice in our letter No. XA697/13 dated 11th November 2013 which was written by a different State Attorney, we maintained our earlier position in our letter dated 5th October 2012. In this later advice we maintained that no charge should be preferred against you. We thus advised against your prosecution.

In the light of the above, the Hon. Attorney General wishes to inform you that the above case has been conclusively determined and that it has been finally resolved in your favour. In a nutshell, you have been exonerated.

In deed, upon perusal of the case docket which was thoroughly investigated by the Police, it was established that the case against you was a fabrication by Mrs Eunice Wubberling Boateng hence our advice that she should be prosecuted.

To set the records straight, we also wish to inform you that contrary to information being circulated about, neither the Attorney-General nor the Police are pursuing you in respect of this case. As stated earlier, the case has been determined conclusively.


MATTHEW AMPONSAH
CHIEF STATE ATTORNEY
FOR: ATTORNEY-GENERAL

MR ARTHUR PAES
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CC: ATTORNEY-GENERAL

Ag. D. P. P.