



OFFICE  
OF  
THE ATTORNEY-GENERAL  
AND MINISTRY OF JUSTICE

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Kindly quote this number and date on all correspondence

My Ref. No. \_\_\_\_\_

Your Ref. No. \_\_\_\_\_

Date: 30<sup>th</sup> July, 2024

**TO ALL PRESS HOUSES!!!**

**PRESS RELEASE**

**RE: REPUBLIC Vrs. 1. CASSIEL ATO FORSON & 2 OTHERS**

1. On 30<sup>th</sup> July, 2024, the Court of Appeal by a split 2–1 decision, allowed an appeal against the ruling of the High Court, Accra dated 30<sup>th</sup> March, 2023, dismissing a submission of no case filed by the accused persons and ordering them to open their defence.
2. The Office of the Attorney-General considers the decision of the Court of Appeal to be perverse in the quest for public accountability and the rule of law. The decision clearly is heavily against the weight of the cogent evidence led by the prosecution in substantiation of all the charges against the accused persons at the trial.
3. The relevant facts of the matter, as borne out by the undisputed evidence led so far, show that:
  - i. Vehicles purporting to be ambulances were imported into the country in December, 2014 in violation of the contract governing the transaction.
  - ii. The then Minister for Health, Ms. Sherry Aryithey, had cautioned in writing against the importation of the vehicles into the country. There was thus no request by the Ministry of Health for the vehicles to be imported into the country, or for the letters of credit which were the means of payment for the vehicles under the contract, to be established.
  - iii. With no request from the Ministry of Health or any authorisation whatsoever, and at a time that the period for supply of the ambulances under the contract had even lapsed, the first accused, Cassiel Ato Forson, by letters dated and 7<sup>th</sup> and 14<sup>th</sup> August, 2014, instructed the Bank of Ghana and the Controller and Accountant-General to issue letters of credit for the payment for the vehicles.
  - iv. The letters of credit were consequently established on 18<sup>th</sup> August, 2014. Big Sea General Trading LLC, the suppliers of the vehicles based in Dubai, whose contract had no parliamentary approval, proceeded to ship the vehicles on receipt of the letters of credit.
  - v. When the vehicles arrived, they were not of the kind specified in the contract. Further, apart from the absence of basic parts

and equipment required for an ambulance, the National Ambulance Service and the Ministry of Health noted serious defects with every material part of the vehicles.

- vi. Such was the fundamental nature of the defects that a former Minister for Health, Dr Alex Segbefia described the vehicles as “*ordinary vans*” not fit for purpose. In point of fact, a report on the vehicles by the authorised dealers in Mercedes Benz, commissioned by the Ministry of Health in 2015 to assess the vehicles (tendered in evidence by the prosecution), stated that the vehicles could never be converted into ambulances.
  - vii. The defects were so irremediable that from the time the vehicles started arriving in December, 2014 up to January, 2017 when the erstwhile John Mahama administration left office, they could not be converted into ambulances.
4. The Office of the Attorney-General considers the decision of the Court of Appeal grossly unfair to the nation and inimical to the fight against impunity and abuse in public office. The Office will promptly file an appeal in order to erase the effect of this erroneous decision of the Court of Appeal. **END.**

SGD  
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