

THE KYEREMA

FSB LAW CONSULT'S MONTHLY NEWSLETTER

Vol. 2 | Issue 7



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Right to privacy is winning big in Ghanaian Courts.



Francisca Serwaa Boateng, Esq.

On 21st July, 2021, the High Court (Labour Division), Accra awarded damages of GH¢75,000 for breach of right to privacy in favour of Ms. Q-C, a former school Administrator. The proprietress of the school where Ms. Q-C formerly worked, had taken her photo without her consent, knowledge or authorization and shared the photo on

the school's WhatsApp group for its teaching and non-teaching staff. The photo was taken when Ms. Q-C and another staff member, Mr. K A (now deceased), were taken by two policemen from the school premises to the Manet Police Station at Spintex Road, Accra. From the evidence, the policemen acted upon the instruction and direction of the school proprietress. Ms. Q-C was never charged with or convicted of any crime at all. But her photo taken at the Police Station and circulated by the school proprietress put nobody in doubt that she had committed a crime.

The Court held that, taking the photo without her consent, knowledge or authorization while in the custody of the police and circulating it on the school's staff WhatsApp group was an infringement on Ms. Q-C's right to privacy as enshrined in Article 18(2) of the Constitution and the Data Protection Act. The Court further awarded her damages for false imprisonment, defamation and constructive dismissal.

Moral of the case: We must be careful what information we pick on other people and share on social media or elsewhere. We may suffer huge damages and costs for it.



FOOTNOTE:

For the full judgment on the case, see: Suit No. IL/122/2019 *Yvonne Quintin-Cofie v Kiddie Kollege International School & Another* (Coram: Aboadwe Rockson, J.) dated 21st July, 2021, HC (Unreported)

FROM THE HOUSE



By: Bernadette Musey

Vetting of Special Prosecutor nominee by the Appointments Committee

On Thursday, 22nd July, 2021, the nominee for Special Prosecutor, Kissi Agyebeng, Esq., appeared before the Appointments Committee of Parliament for vetting. The Committee unanimously

recommended the nominee for approval by the House as Special Prosecutor a few hours after the vetting.

The Attorney-General, Mr. Godfred Yeboah Dame, nominated Mr. Kissi Agyebeng to the President for consideration to be appointed as Special Prosecutor on 16th April, 2021. This was after the resignation of the first Special Prosecutor, Mr. Martin Amidu on 16th November, 2020. Upon his approval by the House, Mr. Kissi Agyebeng will be Ghana's second Special Prosecutor.

Parliament set to pass bill for criminalization of LGBTQI+

Parliament is deliberating on a Bill which, when passed into law, will be known as "Promotion of Proper Human Sexual Rights and Ghanaian Family Values". The Bill was introduced into the House as a private member's bill by eight Members of Parliament.

The object of the Bill is to provide for proper human sexual rights and Ghanaian family values, make illegal LGBTQI+, make unlawful the propaganda, advocacy or promotion of LGBTTTQQAAP+, etc. It will also provide for the protection and support for children and persons who are victims or accused of LGBTTTQQAAP+.

This Bill has brought about divergent views on gay and lesbian rights in Ghana. While some are in full support of the Bill's passage, others argue that it is an infringement of the fundamental human rights of LGBTQI+, including freedom of association. A key provision in the Bill is that, any person caught engaging in sexual intercourse with another person of the same sex may be imprisoned for between three and five years or fined between GH¢600 to GH¢60000 or both.

FSB NEWS



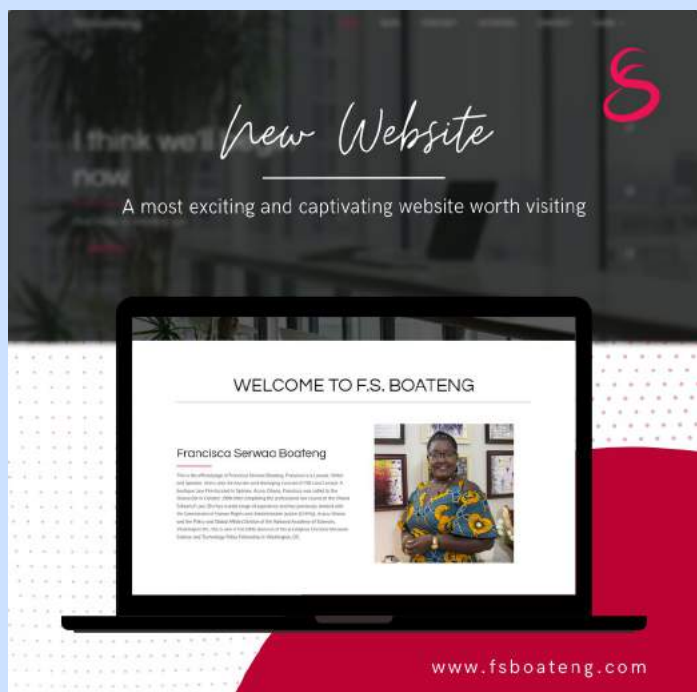
FSB Law Consult had its maiden Inter-Law Firm's Sporting Activities Day dubbed, "Game On" on the 3rd of July, 2021. It was a fun and exciting program as the represented firms participated in activities such as football, lime and spoon, sack race, tug of war,

lip singing and various board games.

Although the Firm planned to "host and win", Nsiah Akuetteh & Co and Effiba Amihere & Associates put an end to that dream by taking home the trophies for the football games. We look forward to the next games and we will surely "Host and Win" it!



Launch of our Managing Counsel's Website



We are excited to announce that, our Managing Counsel's website is LIVE now. A one-stop shop for everything Francisca Serwaa Boateng: blog articles, podcast and YouTube video appropriately called "Outside the Courtroom" and many more exciting, informative and educative stuff.

Check it out at www.fsboateng.com and also follow her on all her social media channels, @fsboateng.

End of Pupillage:

Ms. Sabina Arkorful

Ms. Sabina Arkorful's six-month pupillage with FSB Law Consult ended on 5th July, 2021. During her pupillage, she served as the writer of the "From the Supreme Court" column of our esteemed newsletter, The Okyerema. We wish Sabina all the best in her future endeavours.

Value and Indispensability at the Workplace II



By: Lebene Gbebleou
-Sleem

In the May, 2021 edition of *The Okyerema*, we looked at the general concept of indispensability at the work place. While this concept or notion is great, the question still remains; how do employees make themselves indispensable or valuable at the work place?

As an employee, we are employed to fill a certain role and we aim to do just that. How

do we catch the eye of our employer in the midst of many other employees? The following useful pointers will assist us greatly in achieving our aim.

1. **Be Proactive.** Simply put, think in the shoes of your employer. What new ideas can you bring to the table to help the business succeed? Do you see a situation you know you have solutions to but don't bring it up because that's not what you were employed for? Do you ask questions when you do not understand a certain project being undertaken? How involved in the work are you? Are you the type to get to work, focus only on your work and go back home without caring about what else is being done? Make sure you bring value to the work without always waiting to be told what to do.
2. **Have a great attitude.** Most of us downplay the importance of attitude at the work place. We assume employers are only interested

in our work output and do not care much about personalities. True as that may seem, most employers also look out for the employees with great attitude. Are you the type who always has a negative comment about everything, badmouthing your superiors and other team members to your colleagues? Do you try to make your employers look unreasonable to other colleagues? Or are you the type to look out for the positive outcome of every task with a 'can do' spirit? Believe it or not, employers always notice such things. The least admired types of employees are the constant bickerers and negativity-oriented kind who only see the negative in every action of others. Suffice it to say that, that does not mean we are not allowed to voice our genuine thoughts on issues. However, the way and manner in which we express ourselves is usually very telling. Besides, every leader appreciates a good and constructive criticism. Great leaders do not want only "yes men and women" around them.

3. **Be Dependable.** We must be someone our superiors can always rely on. This should be made evident in our punctuality, consistent productivity and speed. Our turn-around time in completing tasks and completing them correctly will make us employees of choice in our organizations. Employers cherish such team members and would have them onboard for the long term.

The above points are not the only ways to become indispensable at the workplace. They are also not a 100% guarantee that you will keep your position but utilizing them will make you an employee your employers will fight to keep. So, let's all endeavour to be indispensable.

Meet the Editorial Team!



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- Labour/Employment Law
- Family Law
(Wills, Probate & Divorce)
- Property/Real Estate Law
- Technology law
(Data Protection, Privacy, E-commerce)

FSB Law Consult's lawyers are based in Accra, but act for clients nationwide.