



MEDIA BRIEFING

Good morning members of the media. I warmly welcome you again to the Office of the Special Prosecutor.

One of the contemporary legal problems that confront us is the movement and the stashing of large sums of cash – with its attendant likelihood of distorting economies. Ordinarily, it is not unlawful for a person to move or keep large cash sums as long as the money was lawfully acquired. After all, it is the person's money and as owner, that person may choose to do what pleases that person with that person's money.

The important consideration is that the holder of large cash sums should be able to account for same as to the lawfulness of the source. Therefore, where the source of the money is cast in some considerable doubt, then legal hurdles are raised and questions are posed.

On this score, the antenna of investigative authorities swing into enquiring activity where public officials are detected to be keeping or moving large sums of money. This is because, in almost every jurisdiction, including Ghana, it is extremely unusual and highly suspicious for a public officer to have such large cash sums stashed in their homes – as it raises concerns of suspected inappropriate conduct. And such occurrences dictate pause and reflection.

It is in this context that the Office of the Special Prosecutor commenced investigation in July 2023 in respect of suspected corruption and corruption-related offences regarding large amounts of money (mainly in foreign denominations) and other valuable items involving Ms. Cecilia Abena Dapaah, a former Minister of Sanitation and Water Resources and her spouse, Mr. Daniel Osei-Kufour.

The investigation was triggered by a complaint filed by Ms. Dapaah and Mr. Osei-Kufour to the police against certain individuals on an allegation of the theft of large sums of money from the residence of the complainants. Ms. Dapaah was the Minister of Sanitation and Water Resources at the time. The complaint precipitated criminal proceedings in the Circuit Court, Accra against four (4) persons on various counts of theft in Court Case No. D4/155/2023 *The Republic v. Patience Botwe & Three Ors.* The charges recounted that between July and October 2022 the accused persons allegedly stole valuable items from the residence of Ms. Dapaah and Mr. Osei-Kufour at Abelemkpe, Accra – including cash amounts of One Million United States dollars (US\$1,000,000.00) and Three Hundred Thousand euros (€300,000.00).

The initial complaint to the police recounted that Eight Hundred Thousand United States dollars (US\$800,000.00) of the amount reportedly stolen from the residence belonged to Ms. Dapaah's deceased brother and Three Hundred Thousand cedis (GH¢300,000.00) was contribution towards Ms. Dapaah's mother's funeral which was contained in a box. There was no indication as to the source of the remainder of Two Hundred Thousand United States dollars (US\$200,000.00) and Three Hundred Thousand euros (€300,000.00).

On the basis of Case No. D4/155/2023 *The Republic v. Patience Botwe & Three Ors.* and the totality of the criminal intelligence gathered by the Office and that large sums of money were physically stashed at the residences of Ms. Dapaah and Mr. Osei-Kufour, the Special Prosecutor directed full investigation into corruption and corruption-related offences involving the respondent (in accordance with regulation 6 of the Office of the Special Prosecutor (Operations) Regulations, 2018 (L.I. 2374)) as the circumstances reasonably indicated to the Office that the source of the cash sums stated as belonging to Ms. Dapaah (a public officer at the time) on the charge sheet in D4/155/2023 *The Republic v. Patience Botwe & Three Ors.* was suspicious and that the cash sums were suspected tainted property as being proceeds from corruption and corruption-related offences.

On 24 July 2023, the Office placed Ms. Dapaah under arrest on charges of corruption and corruption-related offences. The Office subsequently conducted searches in three (3) residential properties associated with Ms. Dapaah and Mr. Osei-Kufour at Cantonments, Abelemkpe and Tesano in Accra. The searches, which were carried out over a period of two (2) weeks, led to the discovery of the cash sums of Five Hundred and Ninety Thousand United States dollars (US\$590,000.00) and Two Million Seven Hundred and Thirty Thousand cedis (GH¢2,730,000.00).

Ms. Dapaah and Mr. Osei-Kufuor could not readily provide a reasonable explanation as to the sources of the cash sums. Authorized officers of the Office seized the discovered cash sums on reasonable grounds that they were suspected tainted property in accordance with section 32(1) of the Office of the Special Prosecutor Act, 2017 (Act 959) as it was necessary to exercise the power of seizure to prevent concealment of the cash sums.

The Special Prosecutor, considering it necessary to facilitate the investigations, issued a freezing order against the bank accounts and investments of Ms. Dapaah domiciled at Prudential Bank Limited and Societe Generale Ghana.

Upon the refusal by the High Court to confirm the freezing and seizure orders in August 2023, the Office re-seized the cash sums and re-froze the bank accounts and investments and applied to the court again for confirmation in FT0074/2023 *The Special Prosecutor v. Cecilia Abena Dapaah & Daniel Osei-Kufour*.

Extensive investigation was conducted in-country involving twenty (20) persons and three (3) state institutions, and especially in the Ashanti Region to establish the financial standing of Ms. Dapaah's deceased brother during his lifetime and at the time of his death.

From October 2023, the investigation became cross-border and transboundary upon the claim by the persons of interest that part of the seized cash sums was transported to Ghana from the United States. For that reason, the Federal Bureau of Investigation (FBI) of the United States became involved in a collaborative investigative work with the Office on the matter.

The investigation has been aimed at determining the source(s) of the large cash sums associated with Ms. Dapaah and Mr. Osei-Kufuor.

The Office has had the benefit of seven (7) months of in-country and four (4) months of collaborative transboundary investigation. On the totality of the gathered evidence and intelligence, it seems to us that the case is largely in the province of suspected money laundering and structuring.

By operation of law, the Economic and Organised Crime Office (EOCO) has a specific and direct mandate in respect of suspected cases of money laundering and its attendant activity of structuring. Consequently, the Office is referring the case to EOCO for continued investigation and further action. The Office will be in close collaboration with EOCO and continued collaboration with the FBI.

A little over an hour ago, the Office discontinued its application that was pending before the High Court for a confirmation of the seizure and freezing orders in pursuance of the referral of the case to EOCO. The Court ordered a return of the seized cash sums and unfreezing of the bank accounts and investments within seventy-two (72) hours.

The Office also discontinued the procedural criminal charge against Ms. Dapaah for failure to return forms on declaration of property and income.

The Special Prosecutor
25 January 2024