

PRESS CONFERENCE BY THE NATIONAL EXECUTIVE COMMITTEE OF THE UNIVERSITY TEACHERS ASSOCIATION OF GHANA ON RECENT DEVELOPMENTS ON THE UNIVERSITY OF EDUCATION, WINNEBA MAIN CAMPUS.

Introduction

Good afternoon Ladies and Gentlemen of the media. We welcome you to this Press Conference today, 26th March, 2019 at the University of Professional Studies, Accra.

We are all aware of the unfortunate happenings on the UEW main campus in the past few days and the subsequent bizarre response from the Governing Council of UEW through a Press Conference held on 18th March, 2019.

If one reads the press statement of the Governing Council of the University of Education, Winneba, signed by Prof. E. N. Abakah, Chairman of the said Governing Council, one gets the sense that the posture and communicative stance of the press release is not one aimed at seeking resolution to the current impasse. The tone is that of an obstreperous bully who cannot countenance the idea that their highhandedness in dealing with matters of University administration has been rightfully called into question. Indeed, he who comes to equity must come with clean hands. Sadly, that cannot be said of the Management of UEW. Power, they say, tends to corrupt and absolute power, corrupts absolutely. It is for this reason that there are checks and balances of unbridled power in university administration. It is unfortunate that the action of the police led to the destruction of property after students had protested peacefully for three good days. The destruction of property is however, condemnable.

This current press conference by UTAG seeks to set the records straight and clearly enunciate UTAG's position on current happenings at UEW and respond to certain misrepresentation of facts and the unifocal view expressed by the Chairman of the Governing Council, Prof. Abakah, at their press conference.

The presentation will focus on

1. The case of the three recently dismissed senior members and 20 others;
2. The effusions and tyranny of Prof. E. N. Abakah and Prof. Afful-Broni;
3. Response to the Press Statement by the Registrar, Surv. Paul Osei-Barima, Esq;
4. UTAG's considered opinion on the current impasse;
5. Resolutions and
6. Way Forward

The Case of the Three Recently Dismissed Senior Members

The UEW Governing Council, through its Chair, in an attempt to justify their highhanded action sought refuge in Statute 36 and Schedule G of the UEW Statutes and a unilateral interpretation of Clause 2 subsection B of the said Schedule G which talks about insubordination, which forms their major basis for dismissing the three Academic Senior Members. The ambit of insubordination appears to be the sole prerogative and interpretation of the VC and the Disciplinary Board as spelt out in clause 5 of the Schedule G which, unfortunately, in these instances have been abused.

We note that nowhere in the press release is reference made to clause E of Statute 36 which deals with the rights of appeal as prescribed by the rules. Thus, UTAG's call for the decision of the Disciplinary Committee to be rescinded is not out of order unless University Management does not wish to countenance a review of its own position in contravention of the statutory requirements.

It is unfortunate that a respected body like a Governing Council will publish the details of dismissal letters in that unfortunate press conference and we believe that it was ill motivated, unethical, immature and callous. We deem the over flogged expression "taken through due process of the law as established under Statute 36 and in accordance with Schedule G" as dishonest. We want to state without hesitation, that in construing and complying with the afore-mentioned Statute, due consideration should have been taken in composing Committees with people who are fair minded, objective and had not already taken sides with Management.

We wish to draw attention to the contents and chronology of events as spelt out in paragraphs 7 – 14 of the press release of the Governing Council which purports to set out the reasons for the dismissal of the Academic Senior Members and opine as follows:

The Case of Dr Frimpong Kaakyire Duku

The disciplinary action against Dr. Frimpong Kaakyire Duku supposedly "ended about five months before he prevailed in his Appeal Court case in January 2019". The question that arises is why the Governing Council delayed in communicating the decision of the Disciplinary Board since the process ended in August 2018 but had to wait and announce its decision to Dr. Duku on the 8th of March, 2019, a day after UTAG National had formally written to the UEW Management to recognise Dr. Duku as UTAG President of UEW. Ladies and Gentlemen, could this be a mere significant coincidence? The Council Chair, claims that Dr. Duku chose to go to Court at the expense of his lectures; a claim that is unsubstantiated and which the Council Chair must prove. Our colleague, a diligent and conscientious academic, attended all his lectures, with the exception of one which he

rescheduled knowing that he had to be present in Court the following day. We are daring the Council Chair to provide any evidence of complaints from the students or a query from the Head of Department or Dean of Dr. Duku's absence from lectures to substantiate their claim. Have we reduced the business of lecturing to the point where lecturers need to seek exeat before attending to important business? If indeed such a thing happened, then one would have expected that statute 36, schedule G, rule 9 would have applied.

“Notwithstanding the provisions of rule 2 above, any member of staff who absents himself /herself from duty without leave or reasonable cause shall not be entitled to his/her salary for the period that s/he stays away from duty. The non-payment of salary shall be without prejudice to any disciplinary action which may be taken against him/her”

Why then did the Council renege on its responsibility in applying the rule? The Council Chair further asserts strangely that Dr. Duku's act of failing to appear before a Disciplinary Board constituted gross misconduct and argues that he did so without any justifiable reason. However, in the last sentence of paragraph 7 of their own press release, the Council Chair acknowledges that Dr. Duku submitted a letter from his lawyers to the Committee on why he could not make an appearance. The stated reason was that he had to appear before a High Court on the same day that the Disciplinary Board was meeting.

Ladies and Gentlemen, does this constitute unjustifiable grounds? Prof. E.N. Abakah seems to be fixated with his institutional authority as Chair of the Governing Council and commits a fallacy of *argumentum ad verecundiam* (fallacy of appeal to authority) when he claims that “by failing to appear before the disciplinary board, Dr. Duku showed gross misconduct and disrespected the authority of the Governing Council.” Prof. Abakah seems to be pursuing a vendetta against Dr. Duku because he claims that Dr. Duku led in bringing contempt application against himself as the Chairman of Council, the Vice Chancellor and the Registrar “with the sole aim of committing them to prison.” Ladies and Gentlemen, who will appear unscathed when the three most powerful people who allege you have fouled are the accusers, judges and executioners at your trial? Prof. Abakah commits the fallacy of *argumentum ad misericordiam* (fallacy of appeal to pity) when he tries to court public sympathy by claiming that Dr. Duku's court case against the acting Vice Chancellor to restrain him from officiating at the Congregation, a case that was dismissed by the High Court, was calculated to “cause so much anguish, financial loss to the University and students” thus, he had to be seriously disciplined. Since when did a law abiding citizen's attempt to seek reliefs at a Court of competent jurisdiction become a matter of gross misconduct meriting dismissal from the workplace, especially when in the UEW Act (Act 672, 2004) it is stated that “*The University shall be a body corporate with perpetual succession. A common seal and may sue and be sued in its own name*”.

In any case, the claim by Prof. Abakah is a palpable lie. The injunction deposed by Dr. Duku did not have anything to do with graduation. It only sought to prevent the Ag. Vice

Chancellor from holding himself as such (SUIT NO: E10/4/2018). Clearly, Prof. Abakah misrepresented the facts deliberately with the view of winning public sympathy.

The Case of Dr. Emmanuel Osei Sarpong

Ladies and Gentlemen, we move on to examine the case of Dr. Emmanuel Osei Sarpong. At the said Council meeting on the 22nd February 2018, the Council Chair, Prof. Abakah claims Dr. Sarpong walked out on him and other members of the Governing Council without acknowledging that at the time of the said event that Dr. Sarpong was a member of the Governing Council. Thus, Dr. Sarpong was very conscious of the rules regarding meeting procedures at Council. We aver that he did not walk out on his colleagues but recused himself from a vote which he could not, in good conscience, be party to.

Ladies and Gentlemen, walking out of a meeting or recusing oneself from a discussion or voting is an acceptable procedure at meetings. Therefore, Dr. Sarpong's legitimate action of recusing himself could not be interpreted as a disrespectful action or one tantamount to gross misconduct. Again, Professor Abakah's (Council Chair) claim that Dr. Sarpong was "unaware that his walkout on Chairman and Members of the UEW Governing Council was an insult and disrespectful" is malicious, personal and vindictive because Dr. Sarpong was prevailed upon to tender a letter of apology to the Council which he obliged respectfully only for him to be dismissed 8 months later. The Council Chair's case against Dr. Sarpong is an *argumentum ad hominem* (fallacy of personal attack) and it is not supported by the facts. It smacks of pomposity and pettiness on the part of someone who occupies the venerable position of Chairman of a Governing Council of a Public University. It is instructive to note that Dr. Sarpong was representing the Alumni on the UEW Council. Therefore, informing the alumni of an invitation to a disciplinary hearing was within his right and never sought to cause any disaffection for Management. Is it not ironical that Dr. Sarpong was forced to issue a disclaimer on the alumni page even though he did not put the said letter on the page and yet same has been used against him? This is clearly a case of no matter what you do, we will get you out. What kind of regime is this?

It is important to note that Dr. Sarpong was representing the alumni on the Council and not as a worker of the University. Ladies and Gentlemen, assuming that Dr. Sarpong was not an employee of the University, how would they have punished him if he were not in the employment of the university? Ideally, if the Council was displeased with his action, the farthest they could have gone was to appeal to the Alumni Association to replace him.

The Case of Prof. Ephraim Avea Nsoh

Now let us have a look at the reasons given for the dismissal of Prof. Ephraim Avea Nsoh. The Chairman of UEW Council recognises the fact that Prof. Avea Nsoh was “a Principal Member of the University” and occupied the position of Principal at Ajumako Campus. What prevents Prof. Avea Nsoh from expressing his sentiments about the conflict that ensued at UEW? Did his position as Principal debar him from expressing his views on critical developments on UEW campus? Management of UEW is not a Court of law for it to hold Prof Avea Nsoh in contempt for expressing an opinion on a matter supposedly pending before Court. Prof. Avea Nsoh per statutes of UEW is in attendance at Council so he has every right to speak on matters concerning the University, especially when he did not organize a media press conference. Indeed, if he had broken any law, one would have expected the Court to deal with him. He engaged in a legitimate academic exercise of “taking the gown to town” which is protected by Academic freedom. Also, on every occasion that Prof. Avea Nsoh held a seminar he issued a disclaimer to the effect that he was not speaking for University Management. In fact, the accusation against Prof. Avea Nsoh is a classic case of “giving a dog a bad name in order to hang it” and this is unacceptable in a 21st Century University.

The Effusions and Tyranny of Rev. Fr. Prof. Anthony Afful-Broni and Prof. E. N. Abakah

Rev. Fr. Prof. Anthony Afful-Broni (Vice Chancellor of UEW)

Ladies and Gentlemen, it is important to underscore that the current Vice Chancellor, Prof. Afful-Broni, assumed office after the current Governing Council dismissed Prof. Mawutor Avoke following series of allegations that were levelled against him. Prof. Afful-Broni has been cited to have leaked documents to the Hon. Afenyo Markin, (MP for Effutu) that orchestrated the dismissal of his former boss, Prof. Mawutor Avoke. Therefore Rev. Fr. Afful-Broni should be blamed personally for all the bad press UEW has seen in recent years. We wonder why this information that he was complicit in the dismissal of his former boss, which has been in the public domain for several months has not been refuted by Prof. Afful-Broni. The question on the minds of many is, “what is the Reverend Father looking for to be deeply involved in this confusion, underground machinations and show of power?” It is also interesting to note that there are allegations of financial malfeasance (i.e. GHS 5.7 million honorarium) as well as allegations of inflated and cooked up contracts against Prof. Afful-Broni, which were carried by no mean a paper than the Daily Graphic on Wednesday, March 13, 2019. We ask, has there been any measures taken by the Governing Council to investigate Prof. Afful-Broni and to cause a disciplinary action against him? Or is it a case that the Rev. Fr. is a protégé of Prof Abakah and therefore

not capable of doing wrong? We do not wish to believe that Prof. Abakah is being derelict in his duties or even worse, being complicit in these allegations of financial malfeasance. Prof. Afful-Broni is also known to have exhibited vindictive tendencies through a warped application of his discretionary and oversight powers by stripping appointments off people who were deemed to be sympathizers of Prof. Mawutor Avoke and giving same appointments to people he deemed loyal to himself, even where these new appointees were of lower rank.

If these sordid details above constitute the unenviable record that the Governing Council is proud of, supports, and seeks to insulate the Vice Chancellor from, then it is the position of UTAG that both the Council Chair and the Vice Chancellor must honourably resign their positions with immediate effect.

Prof. Emmanuel Nicholas Abakah (Chairman of Governing Council)

Ladies and Gentlemen, it is also interesting to note that from paragraphs 15-18 of their press release, Prof Abakah assumes a moral high ground and pontificates when in actual fact if the spotlight is shown on him he is reduced to a moral dwarf. How can someone who compulsorily retired in 2014 from the employment of the University of Education at the rank of an Associate Professor be promoted a little over four years later in 2019 as a Professor?

Documents we have in our possession indicate that Prof. Abakah used his position as Chairman of UEW Governing Council to engineer a retroactive application of a statutory provision, which did not apply to him when he was in active service, to gain promotion. It is eye opening to observe that Prof. Abakah failed, statute wise, to gain promotion under a previous administration, but under the administration of his protégé, Prof. Afful-Broni, under a Governing Council that he Prof. Abakah chairs, that the rules were tinkered to enable him be promoted with retrospective effect even after about five years of his retirement. In fact, the document that the Registrar cites in his letter of 11th July, 2018 “Conditions of Service of Senior Members of Public Universities of Ghana” has not been accepted nor implemented by the various University Councils of the Public Universities of Ghana and by extension Government. So why this selective application? Was it because Prof. Abakah stood to benefit from this whimsical retroactive application of the rules? We aver that indeed he did benefit also in a pecuniary fashion because his promotion was backdated to 19th December, 2013. Thus he stood to gain from back pay calculated from December 2013. If this decision did not bother on conflict of interest, gross corruption, wanton dissipation of public funds and bending rules to suit oneself because one is in power, then we do not know what else conflict of interest is.

We know that Prof. Abakah as a former Pro Vice Chancellor of UEW retired in 2014 and left the university under the previous administration with so much bitterness. Therefore he should have honourably declined acceptance to the position of Council Chairman because of the existence of a potential conflict of interest which has clearly been actualized. His biases, dislike and retributive vengeance have all contributed immensely to the crises we find in UEW today. If not for these negative qualities, Prof. Abakah was in a good position to help the Vice Chancellor chart a peaceful reconciliatory path as charged by the President, H. E. Nana Addo Dankwa Akufo Addo, at his investiture.

Ladies and Gentlemen of the media, this is the man Prof. Abakah who wishes us all to believe that he is a moral giant, a stern disciplinarian and a stickler to the rules.

We are by this release calling on the President of the Republic to initiate a full scale investigation into the conduct of Prof. Emmanuel Abakah on the UEW Council and to bring him to book if found complicit. We equally call on CHRAJ to investigate the conflict of interest situation Prof. Abakah finds himself in.

Response to the Press Statement by the Registrar, Surv. Paul Osei-Barima, Esq

Ladies and Gentlemen, we wish to make few comments on the press statement by the Registrar of UEW on 25th March, 2019 trying to justify why the Chairman of the Governing Council of UEW decided to promote himself upon assumption of office as Council Chair after 5 years of retirement. The skimble-scamble statement signed by the Registrar, whom we are told is a lawyer and should have known better, makes the illegal self-promotion with retrospective payment to the Governing Council Chair even murkier. We wish to state that the Unified Conditions of Service document which was the basis for amending the rules has not been adopted by Vice Chancellors Ghana nor any recognized body and it is therefore not in use in any Public University in Ghana. This is a clear indication that UEW Management and the Council, chaired by Prof. E. N. Abakah, are ignorant of existing statutory regulations governing Public Universities in Ghana. Even if the Council's decision on 16th August and 28th December, 2017 is anything to go by, why was it applied to Prof. Abakah's application when it had clearly elapsed and did not even have the required number of papers for promotion at the time (2013)? The inclusion of the other applicants was a mere cover up for Prof Abakah's application. He recusing himself from the meeting was irrelevant because the basis for considering of his application by the Governing Council was extraordinarily fraudulent in the first place.

Ladies and gentlemen, it is gratifying to note that the Registrar acknowledged that the Council Chair could recuse himself from the illegal promotion decision but finds it disrespectful for Dr. Sarpong to recuse himself from voting.

From the promotion letter issued to Prof Abakah, it is clear that Prof Abakah did not reapply as indicated by the said press statement because his promotion was backdated to the date of his first failed application which was in December 2013. Assuming without admitting that the Council's decision to amend the rules of promotion was legal, one would have expected that Prof. Abakah would have declined to be the first beneficiary of a rule he superintended over if he had any little integrity.

UTAG's Considered Opinion on the Current impasse

Ladies and Gentlemen, it is clear that the UEW Management and Council led by Prof. Afful-Broni and Prof. Abakah, respectively, are clearly on a path to deepen a new culture of fear and silence on UEW campus. This culture is antithetical to the very spirit of academia. UTAG strongly admonishes any group or groups interested in the proper corporate culture of a 21st century University to visit UEW and without doubt, one will witness the collapse of deliberations, consensus building and freedom of expression on the campus.

Why should lecturers be loyal to the Vice Chancellor, Rev. Prof. Afful-Broni , failure of which should lead to their victimization? The University is not a place to build a cult or a sect where followership is a necessity. Ladies and Gentlemen, UTAG notes with concern this growing sectarian nonacademic culture and the rise of a dragon at UEW. If we do not wake up to cure this canker the effects of the crises of UEW will be perpetuated by generations to come. The situation is so bad that there is now a culture of silence on UEW campuses. If this is not true, is the deafening silence of the lecturers on happenings on UEW not surprising? The few who are bold to talk are the once being dismissed under the guise of a so called due process.

Prof. Abakah claims that UTAG had exaggerated the number of persons who have been dismissed, suspended or demoted under the current Governing Council and that it was meant to put the Council in a negative light. Ladies and Gentlemen, one would have thought that the Governing Council would have set the records straight by providing the exact numbers. Having failed to do so out of shame, UTAG provides the following details of Staff who have been affected by the treacherous decisions of the Vice Chancellor and the Chairman of the Governing Council in just a little over one year.

Dismissed Staff – (Senior Members, Teaching)

1. Prof. Mawutor Avoke
2. Prof. Avea Nsoh
3. Dr. Samuel Ofori Bekoe
4. Dr. Samuel Atintono
5. Dr. Frimpong Kaakyire Duku
6. Dr. Emmanuel Sarpong
7. Dr. Phillip Omoregie Osamende
8. Dr. Wisdom Hodzi
9. Ms. Shine Agbevivi
10. Mr. Kennedy Bodua-Mango
11. Mr. Lawrence Quarshie

Dismissed Staff – (Senior Members, Non-Teaching)

12. Dr. Theophilus S. Ackorlie
13. Frank Owusu Boateng
14. Mr. Ing. Daniel Tetteh
15. Mary Dzimey
16. Sena Dake

Dismissed Staff – (Senior Staff)

17. Dennis Marfo
18. Ebenezer Bondzie
19. David Adjaho

Suspended and demoted

20. Mr Charles Edem Bedra (Snr Member)
21. Mr. Francis Amoni (Snr Staff)
22. Mr. Epiphany Agbeshie (Snr Member)
23. Eldad Tetteh (Snr Staff)

Please note that this list excludes those who have been transferred out of vindictiveness although transfers are normal in any administrative set up. We are very sure that the Chairman of the Governing Council, Prof. Abakah, and the Vice Chancellor cannot deny that all these people expressed dissenting views. Meanwhile the culture of dissent is not antithetical to the very spirit of academia. This is to prove that we have never exaggerated the figures. Our intelligence indicates that more people have been lined up to be sacked, including students.

Ladies and Gentlemen, is it the case that UTAG cannot express an opinion on the happenings on the UEW campus as espoused by Prof. Abaka and his Council? Traditionally, a university is made up of senior and junior members supported by other staff and the majority of the senior members are academic senior members who belong to UTAG. Also, the core business of a university is teaching, research and extension services which are carried out by UTAG members, thus, without any equivocation; we can state that UTAG is the greatest actor when it comes to university education and management. Hence, any attempt made by UTAG to salvage a bad situation is legitimate and cannot be misconstrued as a destructive tendency. In fact, UTAG has a greater claim to the success of UEW than any Council Chair and Vice Chancellor since they hold positions only for a short while whereas for UTAG, it is a life time enterprise.

Resolutions

UTAG has carefully reflected without bias on the crises of UEW and resolve the following:

1. We call for the immediate reinstatement of all affected staff and not only UTAG members.
2. The immediate resignation of the Vice Chancellor, Prof Afful-Broni for his vindictive attitude and failure to reconcile factions in the crises he created and benefitted from.
3. Swift investigations be conducted by CHRAJ into the conflict of interest cited against Prof. E. N. Abakah.
4. We call on the NCTE, Ministry of Education, EOCO and the office of the Special Prosecutor to immediately launch a probe to investigate the several allegations levelled against Prof. Afful-Broni.
5. A probe into alleged promotions given to people who did not meet the requirements spelt out in the Statutes of UEW.
6. The immediate resignation of Prof. E. N. Abakah as Chairman of the Governing Council of UEW since he has failed to provide guidance and proper counsel to the entire Governing Council and the Management of UEW.
7. We are again calling on the Catholic Bishops Conference to call Rev. Fr. Prof. Afful-Broni to order since he has become very treacherous and vindictive.
8. As a matter of urgency, neutral persons should be brought in to lead the Management of UEW and the Council.

Way Forward

The National Executive Committee of UTAG will monitor the situation for a while with the view of finding a lasting solution and an end to the victimization of lecturers and other staff. If we see no end in sight, UTAG will advise itself.

We thank you for your time.

Signed
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