

RES IPSA

LEGAL BRIEF

Police Service Act, 1970 (Act 350)

"23(1) Any member of the public shall be entitled, without prejudice to any other means of redress legally available to him, to make a complaint in writing, signed by him, as to—

- (a) any instance of bribery, corruption, oppression, or intimidation by a police officer;
- (b) any neglect or non-performance of his duties by a police officer;
- (c) any other misconduct by a police officer"



Wisconsin Law Faculty to participate in the next Law Challenge

The Faculty of Law is pleased to announce that it will be participating in the next edition of the Law Challenge, the annual competition between students from the various faculties of law in Ghana that is broadcast on Joy News.

The two lead/primary members of the Wisconsin team are Ebenezer Frimpong (Level 300) and Kelvin Amoako (Level 200). The third team member, who is an alternate, is Kirsten Bennett Nii Adjei Larsey (Level 300). Below are the profiles of the three. They will certainly appreciate the support and prayers of all members of the Wisconsin community.

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Ebenezer Frimpong

Ebenezer Frimpong is a Level 300 student (going to Level 400 next academic year). He is a member of the Military Police (MP) unit of the Ghana Armed Forces by profession. His hobbies include teaching ordinary

persons to know and understand the law. Ebenezer has a deep interest in Public International Law and hopes to work at the United Nations someday.



Kelvin Nana Yaw Aning Amoako

Kelvin Nana Yaw Aning Amoako is a Level 200 student (going to Level 300 next academic year). He is a 2020 graduate of the University of Ghana, Legon, where he obtained a

Bachelor of Science degree in Psychology. He is the current Organizing Secretary for the Law Students' Union, and the Vice

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GO WISCONSIN LAW!!!

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President of the Rotaract Club of WIUC for the 2023/24 service year. His hobbies include reading, swimming, listening to music, watching football and playing video games. Kelvin has a deep interest in Constitutional and Administrative law, and he aspires to be a practicing lawyer in Ghana, Sierra Leone and the United Kingdom.



Kirsten Bennett Nii Adjei Larsey

Kirsten Bennett Nii Adjei Larsey is a Level 300 student (going to Level 400 next academic year). Kirsten has a deep interest in the intersection between, on the one Artificial intelligence

and technology, and the Law, on the other, and he aims to be the primus inter pares in the future in the field of technology and the law. He envisions a future where he will spearhead groundbreaking advancements in legal technology that will revolutionize the legal landscape.

The ICC arrest warrant for President Vladimir Putin: An International law analysis

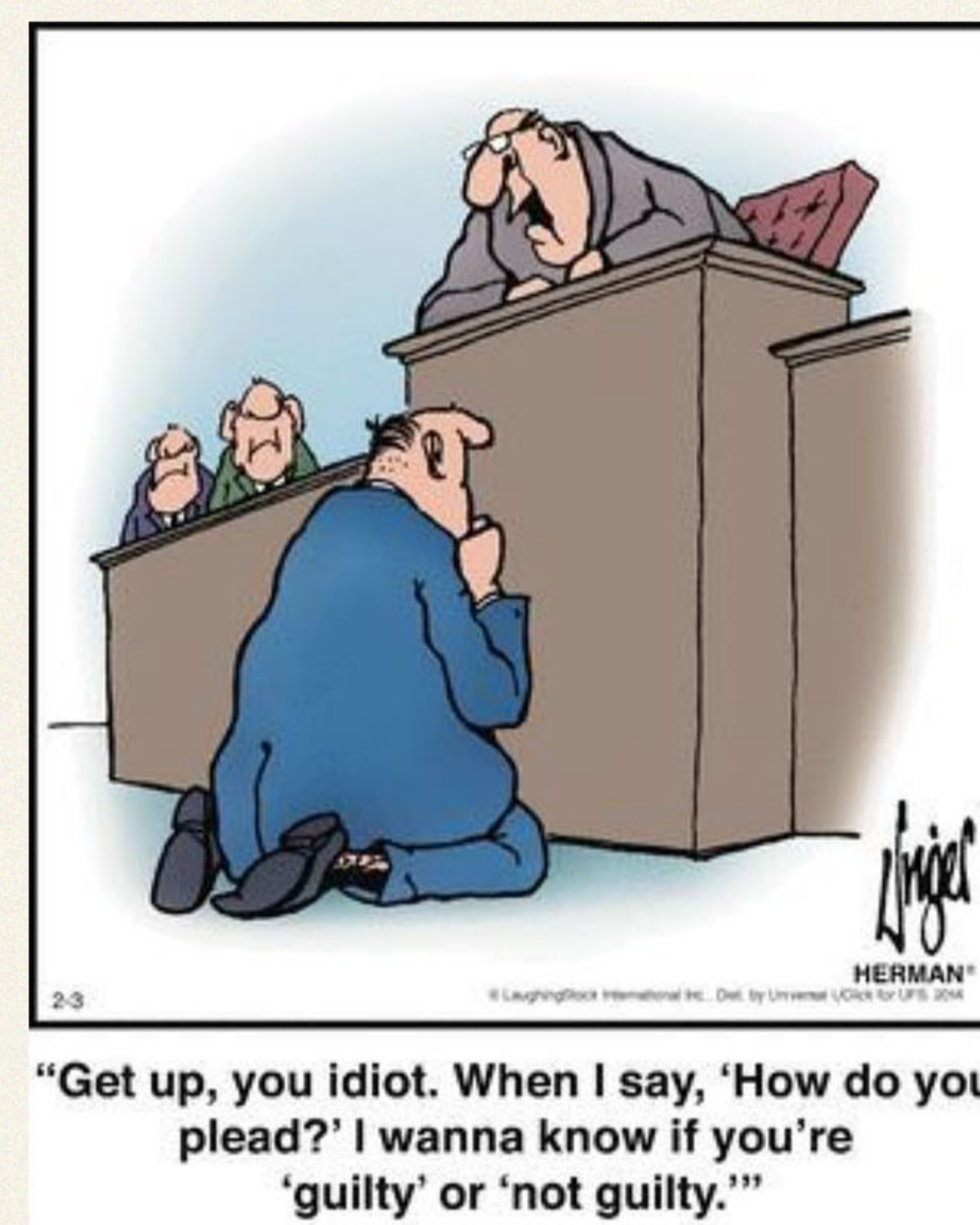
By Kirsten Nii Bennet Adjei Larsey

The International Criminal Court (ICC) was established by the Rome Statute, which is an international treaty that came into force on July 1, 2002. The Rome Statute serves as the ICC's foundational and governing document. It outlines the court's jurisdiction, structure, and procedures. The treaty was adopted on July 17, 1998, during a diplomatic conference held in Rome, Italy, and has been ratified by 123 countries as of September 2021.

Pursuant to the Rome Statute, the ICC can issue an international arrest warrant when there is reasonable evidence that an individual has committed crimes that fall within its jurisdiction, such as genocide, crimes against humanity, war crimes, or the crime of aggression. The ICC may decide to issue an arrest warrant after conducting investigations, gathering evidence, and determining that there are grounds to believe that the person in question has committed the alleged crimes. The ICC is a court of last resort, so, it will only step in when national courts are unwilling or unable to genuinely investigate or prosecute the alleged crimes.

On Friday, March 17, 2023, after President Putin's invasion of Ukraine on February 24, 2023, the ICC, following its investigations surrounding the deportation of children from Ukraine to Russia, accused President Putin of perpetrating war crimes in Ukraine, and issued a warrant for his arrest. As anticipated, President Putin rejected the claims and described the ICC warrant as "preposterous."

How effective is the ICC arrest warrant? Can President Putin be arrested? The ICC arrest warrant has limited effectiveness. As the ICC's website indicates, to date, 15 persons for whom the ICC has issued warrants in respect of 87



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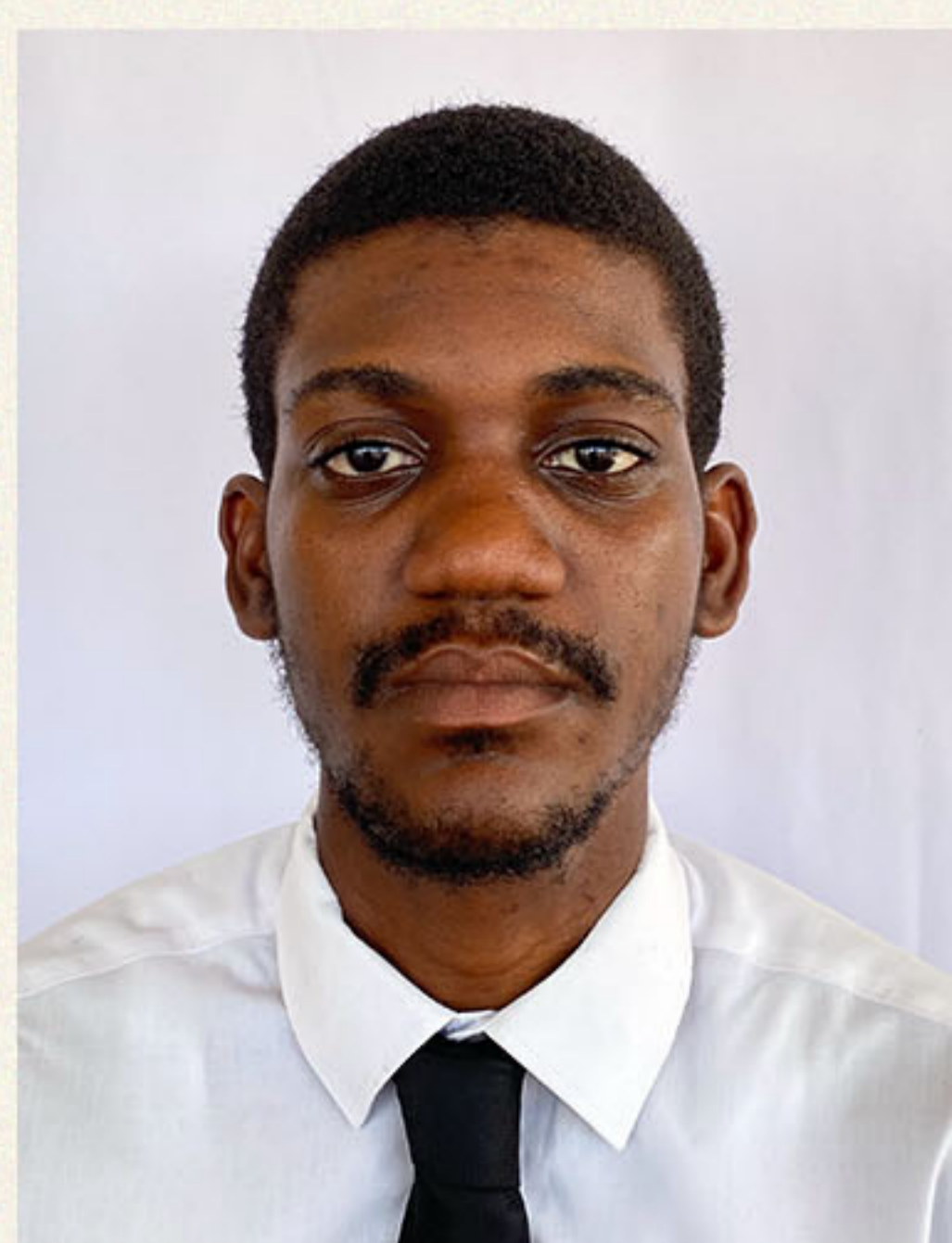
counts of crimes against humanity, and 116 counts of war crimes, remain at large. There are a number of reasons why the ICC arrest warrants are not as effective as they should. Perhaps the most important of these reasons are the lack of cooperation of the international community and the very nature of international law.

As a matter of international law, the ICC has no enforcement powers so only states have the power to execute the arrest warrants of the ICC. Further, only State Parties to the Rome Statute have an obligation to cooperate fully with the ICC, pursuant to Article 86 of the Rome Statute. So, the cooperation of the ICC's member states, at the diplomatic and operational level, is needed to ensure the effectiveness of arrest warrants. While member states have an obligation to cooperate with the ICC, if a member state is reluctant to cooperate, there is very little that the ICC can do.

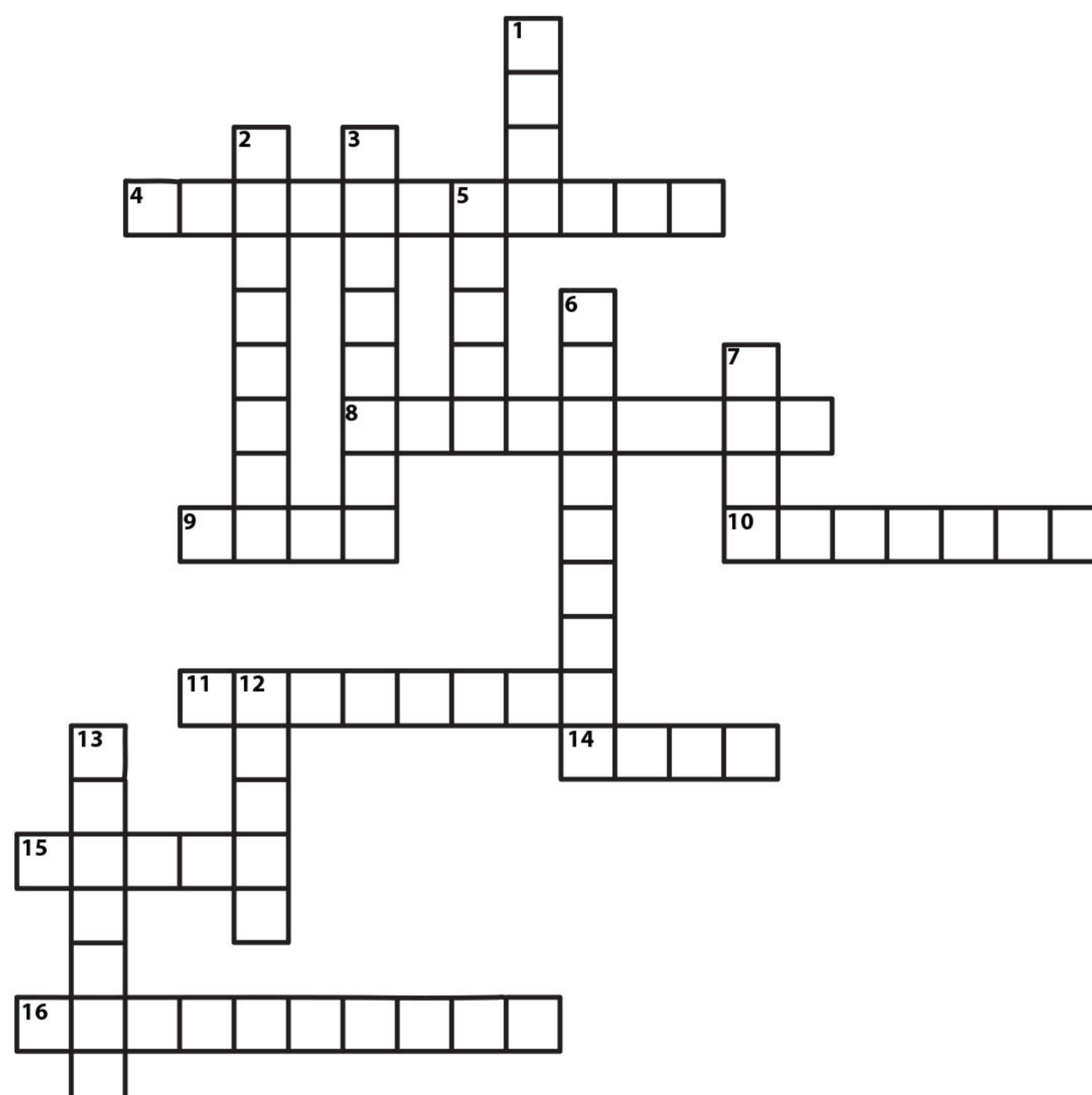
There is no mechanism to enforce the cooperation obligation of its member states. Further, in the case of President Putin, the court's ability to enforce the arrest warrant is also significantly hindered by the fact that Russia is not a member of the ICC, so the arrest warrant is ineffective within Russia, and the Russian government cannot be compelled to cooperate. Ultimately, it is unlikely that the arrest warrants issued for the arrest of President Putin can be enforced.

Author
**Kirsten Bennett Nii
Adjei Larsey**

Level 300



Legal Challenge Crossword



ACROSS

4. I am not a defence, I only go to mitigation in damages
8. Woman making a Will
9. Lawful successor
10. Having no legal force
11. I ate an ice-cream bought by a friend and set a precedent
14. I am the 1st element in negligence
15. Enough of a reason
16. Adjective that is the third word after "Fair and Just"

DOWN

1. Pointless to argue over
2. Quality of being valid until set aside by party
3. Res ipsa -----
5. The 1st of the mental element and the 2nd of a cause
6. Word that modifies the scope of one's privilege
7. Hold on property of another
12. I indicate a willingness to contract on stated terms
13. I subject a person to ridicule

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CHATGPT: The Legal Pros and Cons

By Kirsten Nii Bennet Adjei Larsey

Artificial Intelligence (AI) is bringing about drastic changes in the use of technology in law, and the study of the law. For example, one of its offspring, CHATGPT, has, since its introduction in November 2022, either been embraced or criticized by many legal scholars and law observers.

As a Ghanaian law student, I am of the view that CHATGPT has infinite possibilities and could be used to undertake on-the-go legal research in the same manner as search engines such as Google or Bing. The big difference between CHATGPT and search engines such as Google or Bing is that you can chat with CHATGPT and, during the interaction, obtain tons of historical facts and general knowledge of the world. That to me, is quite fascinating!

In my view, the use of AI in law has come to stay; notwithstanding its critics. For example, in early January this year, the legal blog, law.com reported that CHATGPT was given a constitutional law and tort law exam by the professors at the Faculty of Law at the University of Minnesota, and it passed, albeit with a mediocre C+, lower than the human average of a B+. Also, in February 2023, CHATGPT was used by a Colombian judge, Juan Manuel Padilla, to draft a court ruling. However, the AI's use has not all been rosy. Recently, a New York Federal judge fined two lawyers \$5000 for submitting a legal brief that contained fictitious citations that had been created by CHATGPT.

The question is how can we, Ghanaian law students, lawyers, judges, and legal

scholars make the best use of this AI? Firstly, as in the case of the Colombian judge, I am of the view that CHATGPT can be invaluable in legal research because of its ability to access multiple sources of information in a short time. So, for example, time-consuming searches through multiple legal indexes and case summaries from different law reports for that one precedent, or applicable statute, can be undertaken with just a click of a button. Though, as in all cases, it would be necessary to verify the results of a CHATGPT research. Secondly, for those persons and institutions with limited resources; who do not have extensive law libraries, it levels the playing field in terms of providing access to sources of research.

While Ghana is not at the same level as the West when it comes to the use of technology in law, I believe that CHATGPT offers an opportunity to make leaps and bounds when it comes to incorporating the use of AI in the study of law, and in our legal system.

Author
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Level 300

