

Cocaine Turns Into Washing Soda After Certification By Police Forensic Lab

Source: -daily-graphic

Wednesday, 14 December 2011 14:47 - Last Updated Wednesday, 14 December 2011 14:52



The Accra Circuit Court is puzzled as to how a substance alleged to be cocaine which was seized from an accused person, confirmed by the police to be cocaine after testing and weighing 1,020 grammes later turned out to be sodium carbonate (commonly known as washing soda) after the court had ordered another test to be conducted by the Ghana Standards Board (GSB).

After more than three years into the trial, the court yesterday called on the Inspector-General of Police (IGP) to, as a matter of urgency, institute a service inquiry to determine who might have tampered or changed the drug alleged to have been found on the accused person and prescribe the necessary sanctions.

The substance had been in the custody of the police and the court ruled that if the allegation was true, it was a serious indictment on the efforts by the law enforcement agencies to curtail the drug menace in the country.

The court made the recommendation when it acquitted and discharged an accused person, Nana Ama Martin, of the charge of possessing cocaine, in the trial which was aborted after the court had upheld a submission of 'no case' made by counsel for the accused person.

Sodium carbonate or sodium hydrogen carbonate is the chemical compound with the formula NaHCO_3 . It is a white solid that is crystalline but often appears as fine powder. It has a slightly salty, alkaline taste.

The trial judge, Mr Eric Kyei Baffour, expressed misgivings at the way the trial was conducted, as the State Attorney in the matter became troubled when the court acceded to the request of the defence to order another test on the substance.

When a court witness, a GSB official who had conducted the second test, was about to testify in court, the state prosecutor again prayed that the evidence be taken in chambers.

"This was a strong proposition in a criminal trial of this nature that is alien to any known procedure," the court said, and added that the prosecutor, at a point, even retorted that the substance could have been changed in court, since the substance was taken in the presence of the registrar and the investigator who tendered it and saw that it had not been tampered with before it was taken to the GSB.

"That desperation to blame everybody for the substance not being cocaine except prosecution is mind boggling.

After all, if prosecution genuinely believed that the substance tendered was cocaine, what was the cause for such inexplicable apprehension, as the nature of the drug can never change," it

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held.

It said the trial had to take place not because prosecution was willing to prosecute the accused person but simply because of the sole instrumentality of the court when it suo moto (on its own) behaved like an inquisitorial French judge and caused the arrest of the surety and remanded him into custody for a very long time before relatives of the surety caused the arrest of the accused person.

The acquittal of the accused person was after her lawyer had made a submission of 'no case' that the prosecution had failed to establish a prima facie case against the accused person.

The accused person, according to the prosecution, was, on August 22, 2008, in the company of other persons on board a taxi around the Airport Residential Area.

When they were arrested, she had two bags and in the smaller of the two was the substance concealed as slabs.

During the trial, the prosecution tendered the substance, which it claimed proved positive for cocaine when tested at the Police Forensic Laboratory.

The officer who conducted the test told the court that the substance was, indeed, cocaine and so for him if another test proved to be negative for cocaine, then that substance could not be the substance he had conducted the test on.

But defence counsel objected and claimed that the substance was not cocaine, following which counsel requested the court to order another test on the substance at the GSB.

His claim was corroborated by the test conducted by the GSB, whose officer also said he had conducted the test in the presence of the court registrar and a police officer and it had proved negative for cocaine.

The GSB official said in his curiosity to find out what substance it was, he had conducted a further test which proved to be sodium carbonate.

Armed with the evidence, the court was faced with the task of determining whether the prosecution's case was reliable or not to warrant the accused person being called to open her defence in the matter.