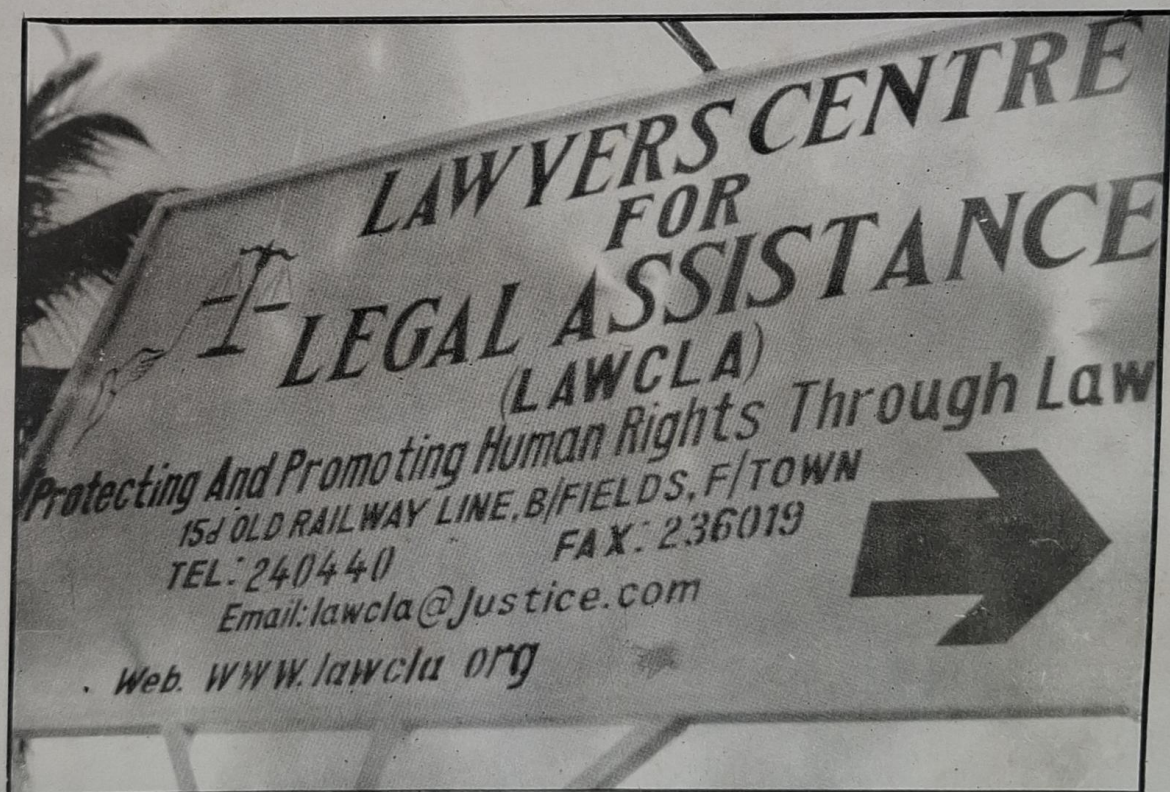

LAWYERS CENTRE FOR LEGAL ASSISTANCE

LAWCLA



**EIGHTEEN MONTH REPORT
JULY 2001 - DECEMBER 2002**

"I heard my good old friend, Mr. Francis Gbaidon the Ombudsman in the Network Africa programme yesterday praising the pioneering efforts of the young group of lawyers -LAWCLA- who now provide free legal aid to the indigent. I would like to commend and congratulate these men myself for their foresight and selfless service to society. This is the spirit we must all cultivate in order to improve the system."

We must not condemn all the time. We must do something positive to change the things we do not like - in this case, the widespread alleged injustices and corruption in the judiciary."

The Honourable Dr. Abdulai Timbo, Chief justice of the Republic of Sierra Leone
Statement - Conference of the Civil Society Movement

SPECIAL THANKS

The Lawyers Centre for Legal Assistance is grateful to the British Council - Sierra Leone for funding the publication of this report.

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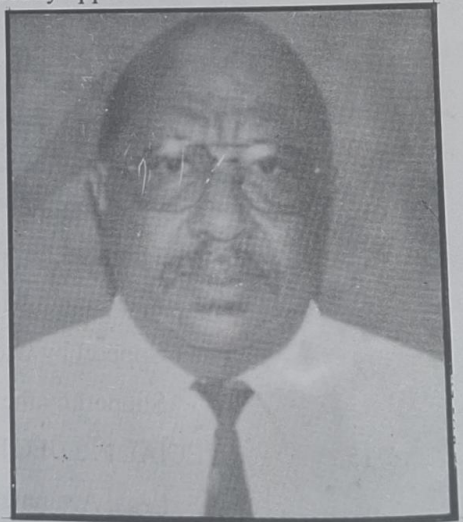
FOREWORD

It is with great pleasure and pride that I write this Foreword to the First Report of the Lawyers Centre For Legal Assistance (LAWCLA). This report is designed to inform and educate Sierra Leoneans and the International Community about the Centre's programmes and activities during the period July 2001 to December 2002.

Human Rights involve relationships among Individuals, and between individuals and the State. The practical task of promoting and protecting human rights is therefore primarily a national one for which each State must be responsible. United Nations efforts to encourage the creation and strengthening of National Human Rights Institutions can be traced back to 1946. Regrettably, Sierra Leone is without a National human Rights Institution and the Lawyers Centre for Legal Assistance has accepted the challenge and taken up the herculean task of playing this role under severe odds and financial constraints.

Yet we can only applaud and congratulate the Lawyers operating this Centre for the great work they have done within this short period over the whole country. I do sincerely hope this Report will encourage the Government of Sierra Leone and the International Community to give generous support to LAWCLA to continue its good work.

The work of the centre and its component projects would of course not have been possible without the support of some donors. Their continued support is indeed greatly appreciated. In closing, I take the opportunity in wishing the Centre well.



Francis A. Gabbidon
Chairman - Advisory Board

THE BOARD OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE

MR. FRANCIS GABBIDON - CHAIRPERSON

Ombudsman of the Republic of Sierra Leone

MS. BOLA MALCOLM-PARKER - VICE CHAIRPERSON

Gender Activist

MR. DAVID TAM - BARYOH

Executive Director
Centre for Media, Education and Technology

DR. ANTHONY SOYEI

Medical Practitioner and Italian Consul

MR. MAINA KIAI

Director for Africa
International Human Rights Law Group

MS CHRISTINE EVANS

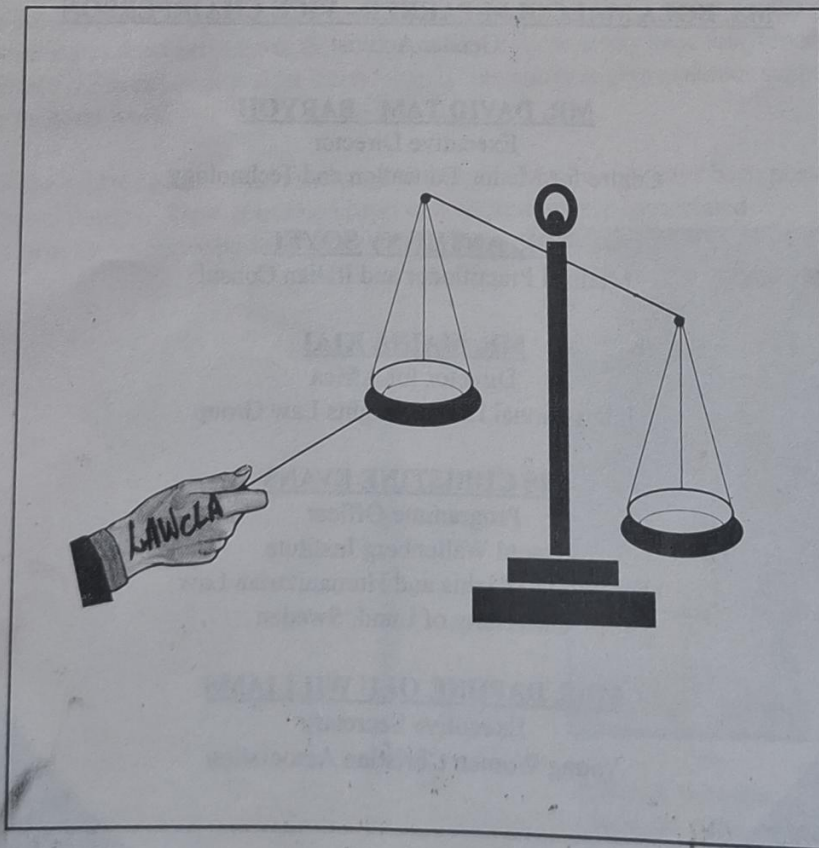
Programme Officer
Raoul Wallenberg Institute
For Human Rights and Humanitarian Law
University of Lund, Sweden

MRS. DAPHNE OLU WILLIAMS

Executive Secretary
Young Women Christian Association

MISSION STATEMENT

The Lawyers Centre for Legal Assistance being a public interest human rights law centre endeavours to make the law and justice more accessible to indigent members of the public through legal advice, impact litigation and research, with the ultimate aim of protecting and promoting human rights through law in Sierra Leone.



OVERVIEW

Summary of report for the period 1 July 2001 - 31st December 2002

The Lawyers Centre for Legal Assistance (LAWCLA) was founded in March 2001 as a Public Interest Human Rights Law Centre and is the only Sierra Leonean Organization currently involved in Public Interest Litigation and related activities in Sierra Leone.

Being the first and only Pro Bono Legal Services Centre, during the period under review there was the pressure of a massive volume of work to be attended to sometimes under difficult circumstances.

The first twelve months were extremely difficult. During this period the centre was unable to secure funding for its activities. But for the timely intervention of Mr. Franklyn Kargbo in the provision of a room (for use by the centre's four Lawyers and two Paralegals) in his law firm for the centre and access to his office facilities, stationery and computer, the centre would have existed from the street, if at all it were able to exist. Added to these administrative constraints was a steady increase in the number of clients that accessed the centre on a daily basis. This is due to the fact that in the recent past, the vast majority of poor and marginalized people were unable to assert their rights because there was no Institutional set up for the provision of free Legal Services. This situation the centre tried to change, as we believe that one cannot effectively talk about human rights without the legal means to protect them. We assisted our fellow citizens whose own resources do not permit them to access justice, and thus help them navigate the channels of the Legal System.

The centre in its first twelve months faced enormous challenges. The lack of funds and a proper office space threatened its existence. These challenges were

compounded by attacks directed at the centre and its clients by some members of the public, apparently on the theory that by providing free legal services we are under cutting our colleagues and encouraging the commission of crimes.

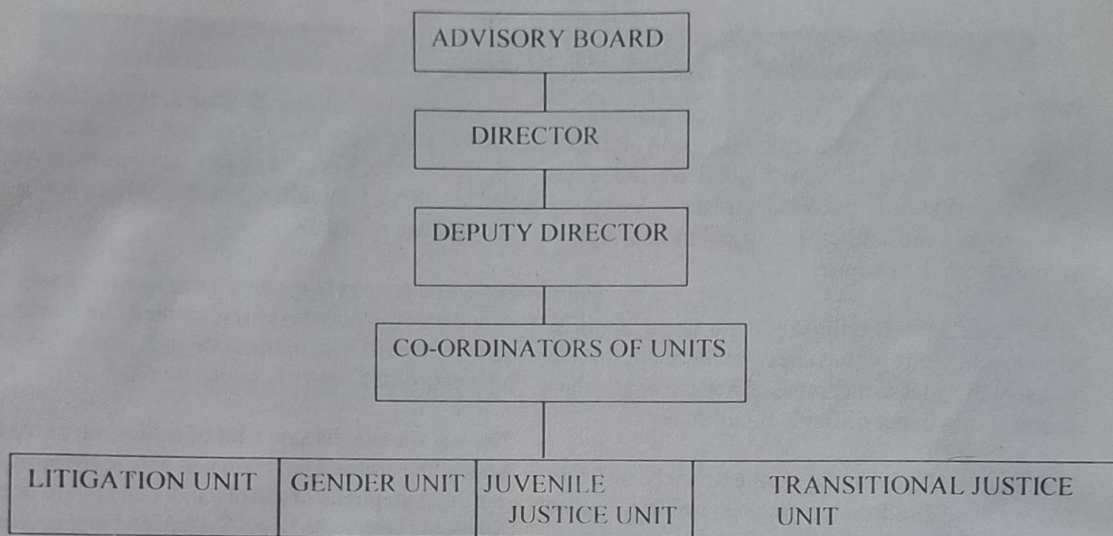
As Public Interest lawyers, we represent interests that would hardly otherwise be represented. We render our services free of cost to the poor and most vulnerable members of the Sierra Leonean Society.

The last six months saw a lot of achievements in the work of the centre. The centre was able to successfully represent hundreds of clients and was able to create awareness within the Legal System and among Legal practitioners that human rights are integral to the establishment of a sound legal system accessible to all. The centre was also able to publish two editions of its half-yearly Newsletter LAWCLA NEWS as well as one edition of its collaborated Publication SPECIAL COURT WATCH. However due to the volume of work the centre was not able to solely concentrate on impact Litigation cases the outcome of which would have made impact on the rights of a group of people rather than benefit an individual. Most of the cases we dealt with benefited individuals rather than groups.

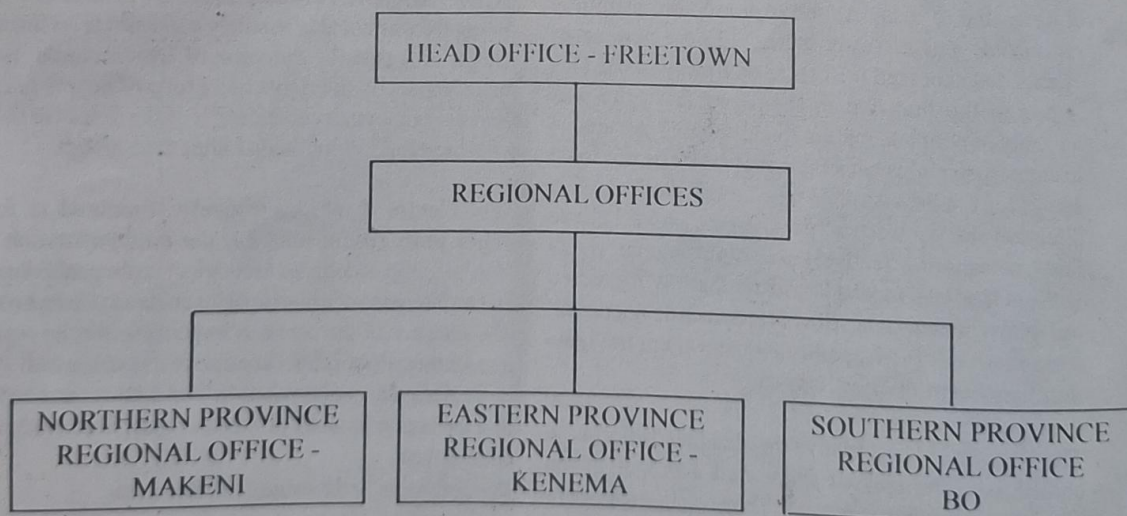
The Centre is administratively structured in four major units responsible for the implementation of strategic projects designed to contribute to the establishment and maintenance of a human rights culture in Sierra Leone. The Director of the centre is responsible for the overall management of the centre. The Centre cooperates with other institutions and organizations in Sierra Leone and abroad that are active in areas of human rights, democracy and development.

See next page for the structure of the centre

ADMINISTRATIVE STRUCTURE OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE



OFFICE STRUCTURE OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE



LAWYERS CENTRE FOR LEGAL ASSISTANCE

The Lawyers Centre for Legal Assistance and its offices in Freetown and Makeni were involved in an increasing amount of LITIGATION during the period under consideration, to the extent that the co-coordinators of the other units had to become actively involved in the work of the Litigation Unit. The majority of the cases remained labour related, sexual offences, Larceny, assault and Landlord-Tenancy disputes. The centre was able to secure a \$6,000 compensation for unlawful dismissal of one of its clients.

About two thousand five hundred clients approached the centre and its advice office for Legal Advice and Assistance. This excludes the hundreds of telephone requests for advice. As a result of these consultations approximately 800 files were opened for further action.

THE GENDER RESEARCH AND ADVOCACY UNIT achieved outstanding results in the period under review. The centre associated with the police in the prosecution of 47 people alleged to have committed sexual offences against girls below the age of eighteen years.

This unit has just completed the coordination of a major research on provisions of the Laws of Sierra Leone that discriminate against women. This document will be published early next year.

Over the past 18 months the promotion of children's rights through law has been the main focus of the JUVENILE JUSTICE UNIT. This unit was able to represent about 200 juveniles in court and did several applications on issues touching and concerning the rights of juveniles in the High Court in Freetown.

THE TRANSITIONAL and ECONOMIC JUSTICE UNIT in the period under review published the first edition of its collaborated Newsletter SPECIAL COURT WATCH. The unit is presently doing a research aimed at advocating for reparations for human rights abuses in Sierra Leone, as well as a background research on the legality of the Lome Peace Ratification Act of 1999. This research will be useful to the Litigation Unit, which intends to bring an action in the Supreme Court for invalidity of certain provisions of the Act.

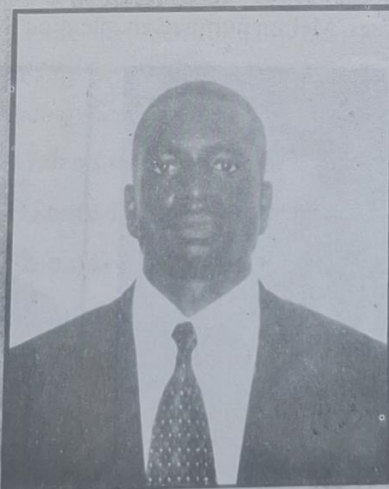
During the period under review the centre had fourteen full time part time staff members and sixteen intern volunteers from the Fourah Bay College Human Rights

Clinic. The centre remains dependent on donor funding for its activities due to the nature of its client base and the public interest service it provides. The major donors of the centre are the office of the United Nations High Commissioner for Human Rights in Geneva, the Open Society Initiative for West Africa in Dakar and the Department of Foreign and International Development (DFID) through the British Council - Sierra Leone.

The period under review has been a very challenging and successful one for the Centre. The major challenge now facing the centre is the improvement of its management and administration by the appointment of a Research and Information Officer, an Administrative Officer and a Documentalist in order for the centre to become more focused on its mission.

The successful implementation of the centre's programmes has in a large part been due to the continued dedication and hard work of all our members of staff. I wish to thank them for their commitment and support during the period under review.

Finally I must thank all our donors namely the Office of the United Nations High Commissioner for Human Rights (OHCHR), Department of Foreign and International Development (DFID) and Open Society Initiative for West Africa (OSIWA) for their financial support and cooperation in all areas of our work. Without their advice and assistance, we would not have achieved our goals.



Melron C. Nicol-Wilson
Director

HISTORY OF THE FORMATION OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE

The idea of the formation of a centre providing free legal services for poor people in Sierra Leone was conceived in 1997 by Melron C. Nicol-Wilson. In that year shortly after the Military Intervention of Major Johnny Paul Koroma and other coupists, Melron Nicol-Wilson left Sierra Leone to seek refuge in Namibia, South West Africa. He arrived in Namibia on a one-month visitor's visa. Before the expiration of the visa he heard about a centre providing free legal services for refugees and asylum seekers, called the Legal Assistance Centre. He then approached the centre, which wrote several Letters on his behalf to the Ministry of Home Affairs and succeeded in obtaining temporary asylum for him.

Impressed by the work of the Legal Assistance centre not only in his case but also with several other cases, Melron nurtured an intention to form

a similar centre on his return to Sierra Leone after the Civil and Political Impasse.

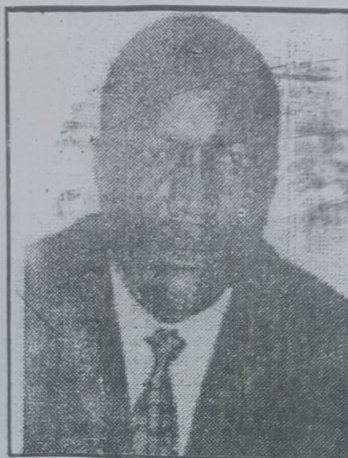
On the 16th of December 1998, shortly after completing a Masters Degree in Human Rights Law at the centre for Human Rights, University of Pretoria, South Africa, Melron returned home to consult with some of his colleagues on the need for the establishment of a free Legal Services Centre. However before he could accomplish this aim, rebels of the Armed Forces Revolutionary Council and the Revolutionary United Front invaded Freetown on the 6th of January 1999 forcing him to flee the country for a second time.

He traveled back to Namibia and South Africa and got involved in the refugee rights project of the Lawyers For Human Rights (Another Public

CONTINUED PAGE 9



Hanatu Kabbah



Abdulai Charm



Mohamed P. Fofanah

HISTORY OF THE FORMATION OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE

FROM PAGE 8

Interest Human Rights Law Centre) in South Africa. During this period also he taught human rights Law and facilitated a training Program on Human Rights for law enforcement officials in Namibia.

Still determined to form a free Legal Services centre in Sierra Leone he started communicating from Namibia with some of his colleagues in Freetown such as Miss Hanatu Kabbah and Mr. Yada Williams. They supported the idea.

In February 2001 Melron returned to Sierra Leone in a desperate bid to establish what he then referred to as the "Legal Aid centre". This name was later changed to the Lawyers Centre for Legal Assistance after several meetings on the formation of the Centre at the office of Mr. Yada Williams.

Based on the demands of his private Legal Practice and lectureship at the University of Sierra Leone Mr. Williams was unable to continue with discussions on the formation of the Centre.

The two remaining Lawyers, Melron Nicol-Wilson and Hanatu Kabbah then solicited the support of Mohamed P. Fofanah (then a counselor for Juvenile Justice with the child's rights organization Defence for Children international Sierra Leone Chapter) and Mr. Abdulai Charm (then an intern at the International Criminal Tribunal for Rwanda in Arusha, Tanzania) in the formation of the centre. The two lawyers supported the idea and took part in further discussions and Planning on the formation of the centre.

Melron C. Nicol-Wilson, Hanatu Kabbah, and Mohamed P. Fofanah (as Abdulai Charm was still in Tanzania) then founded the centre informally in March 2001, by the provision of free Legal Advice and representation to poor people in Freetown.

After this informal start of the centre, the founders contacted the Human Rights Section of the United Nations Mission in Sierra Leone through the Rule of Law Specialist Mr. Raphael Abiem, about the formation of the centre and requested their support. The Rule of Law Specialist then invited the founders to a meeting in which further modalities for the formal launching of the centre were discussed. Also present at that meeting was Mr. Ian Lax, a South African Human Rights Lawyer and member of the National Association of Democratic Lawyers - NADEL in South Africa.

Sierra Leone's first Public Interest Human Rights Law Centre was then formally launched on the 27th of July 2001 with the following individuals as founding members.

- 1. Melron C. Nicol-Wilson**
- 2. Hanatu Kabbah**
- 3. Mohamed P. Fofanah**
- 4. Abdulai Charm**

ABOUT THE LAWYERS CENTRE FOR LEGAL ASSISTANCE

The Lawyers Centre for Legal Assistance (LAWCLA) was founded by four Sierra Leonean Lawyers in March 2001 and formally launched on the 27th day of July 2001 by Dr. Rodoifo Mattarollo, Chief, Human Rights Section, United Nations Mission in Sierra Leone (UNAMSIL). The formation of the centre is partly due to a concern by the founders about the deplorable Human Rights situation in the country and the limited access to Justice and the Law by the majority of victims of human rights abuses and violations, especially indigent members of the Sierra Leonean society.

LAWCLA is an independent, non-political, non-profit making, public interest human rights law centre which, among other things, provides free legal assistance to indigent members of the public, undertakes research on human rights issues and facilitates the training of law enforcement and other public officials in human rights standards.

The Centre consists of four major units: a Litigation Unit; a Transitional and Economic Justice unit, a Juvenile Justice and Advocacy Unit and a Gender Research and Advocacy unit. Each of the units is coordinated by a legal practitioner and the overall work of the centre is collaborated and made wholesome by frequent meetings, networking and interaction. The centre has its main office in Freetown (the capital city of Sierra Leone) and a Regional Advice Office in Makeni (northern Sierra Leone) and will shortly be establishing Regional/Advice offices in Bo (Southern Province) and Kenema (Eastern Province). A legal practitioner will head each of the regional offices. The Centre's Board of Directors comprising lawyers and other professionals supervises its activities.

By its establishment, LAWCLA hopes, among other things, to give meaning to the provisions of section 28(5) of the 1991 Constitution of Sierra Leone by empowering indigent Sierra Leoneans with the legal means to seek redress in the normal courts when their basic human rights and freedoms are infringed upon.

The Centre is guided by the following Aims and Objectives:

1. To pursue strategic test cases bordering on human rights abuses and violations through the domestic courts, the African Commission on Human and Peoples Rights and other similar institutions established to protect Human Rights generally.
2. To pursue strategic constitutional test cases through the domestic courts.
3. To undertake impact litigation on behalf of indigent members of the public.
4. To provide legal advice to National Human Rights groups and institutions and to liaise with them in the monitoring and documentation of Human Rights violations and abuses in Sierra Leone.
5. To facilitate the training of law enforcement and public officials in Human Rights.
6. To facilitate and promote research on human rights issues.
7. To advocate for the ratification and domestic implementation by Sierra Leone of international Human Rights instruments.
8. To develop and maintain a resource center of Public law, Human Rights law, Constitutional law and other materials for use by its staff, researchers, human rights lawyers, academics, students and members of the public.
9. To produce a half yearly newsletter, articles and reports covering the field of human rights, constitutional and criminal law with particular focus on Gender, Juvenile and Environmental issues.

Practicing Law for poor people in Sierra Leone

The Lawyers Centre for Legal Assistance (LAWCLA) approaches the first six months of its formal establishment. This groundbreaking legal Aid Centre is now an established part of life in Freetown, a city that has become largely impoverished due to decades of misrule and a decade of civil conflict. The population to which we have extended and fulfilled the promise of equal justice under the law and the demand for our services has increased over the last six months. This demand has far outweighed the supply. In the recent past, the vast majority of poor and marginalized were unable to assert their rights because free legal assistance was lacking or greatly insufficient. This situation LAWCLA is desperately trying to change, as we believe that one cannot effectively talk about human rights without the legal means to protect them.

As public interest lawyers, we represent interests that would hardly be otherwise represented in our legal system. We render our services free of cost to the indigent and most vulnerable Sierra Leoneans that approach us - the unemployed and poor persons who have been unlawfully dismissed from their jobs, persons with disabilities, paupers, senior citizens with limited means, refugees and displaced persons, homeless children and child victims of abuse from especially poor backgrounds and, in general, the economically disadvantaged. We represent those who cannot afford to pay for the services of lawyers. We are beginning to give realization to the "Audi alteram partem" principle, which is a necessary condition for the sustenance of substantive justice. The right to counsel is also a fundamental ingredient of the standards of fair trial in a democracy.

Notwithstanding the fact that the Centre has not received funding for its activities from any source so

far, our mission has remained fixed: to address the legal problems of our fellow citizens whose own resources do not permit them access to legal services, and thus help them navigate the channels of the legal system.

Correspondingly, clients' responsibilities as useful and law-abiding citizens are always emphasized in the process of providing pro bono legal services to them.

The Centre also faces enormous challenges. The lack of funds continues to threaten its existence. At the same time, we must respond effectively to the devastating social and economic pressures faced by our clients every day. These challenges are compounded by the attacks directed at the Centre and its clients by some members of the public, apparently on the theory that by providing free legal services we are undercutting our colleagues and encouraging the commission of crimes. No accusation could be more misguided and misdirected.

LAWCLA plays the role it does because very few people are willing to fight for the rights and liberties of poor clients, and also because the Government is yet to fulfill its constitutional obligations under section 28 (5) of the 1991 Constitution, which is to assist poor people access the services of lawyers. Coupled with the rampant grinding poverty and economic corruption into which our beloved country has been slumped, LAWCLA's services are more than necessary and meaningful at this material time of Sierra Leone's unfortunate history.

We shall continue to practice law for indigent members of our society and we will always fight for their rights!

From an article by Melron Nicol-Wilson in LAWCLA News Vol. 1 Issue 1

THE FREETOWN OFFICE

The Head Office of the Lawyers Centre of Legal Assistance is located at 15D Old Railway Line Brookfields Freetown. The office is a two storey building consisting of office space for four (4) lawyers; an office for the Finance Officer and his Deputy, a Library/Conference room, a big reception room for clients, a secretaries, paralegals and clerks. The office is situated close to one of Freetown's poor settlement around the Brookfield's community.

The Director of the office during the period under review is Melron C. Nicol-Wilson assisted by the Deputy Director, Miss Hanatu Kabbah.

The office also had three other legal practioners, a Finance Officer, a Research and Information Officer, Clerks, Paralegals, Office Assistant and a Secretary.

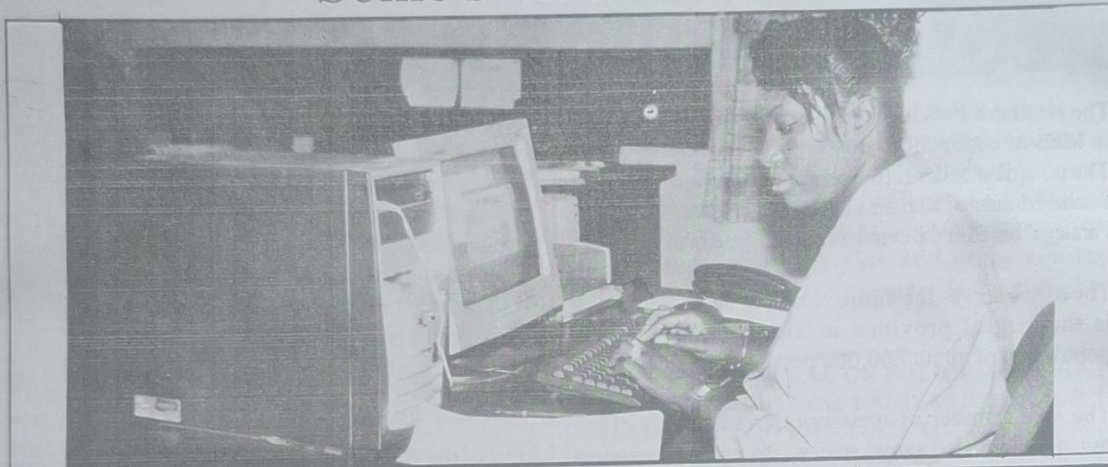
The office serves the entire Capital city of Sierra Leone with a population of about 1.5 million people, the vast majority of whom are indigent. The office also coordinates the work of the Centre's, Northern Province Regional Office in Makeni.

The vast majority of matters referred to the office during the period under review are, unfair labour practices, domestic violence and sexual offences especially against minors.

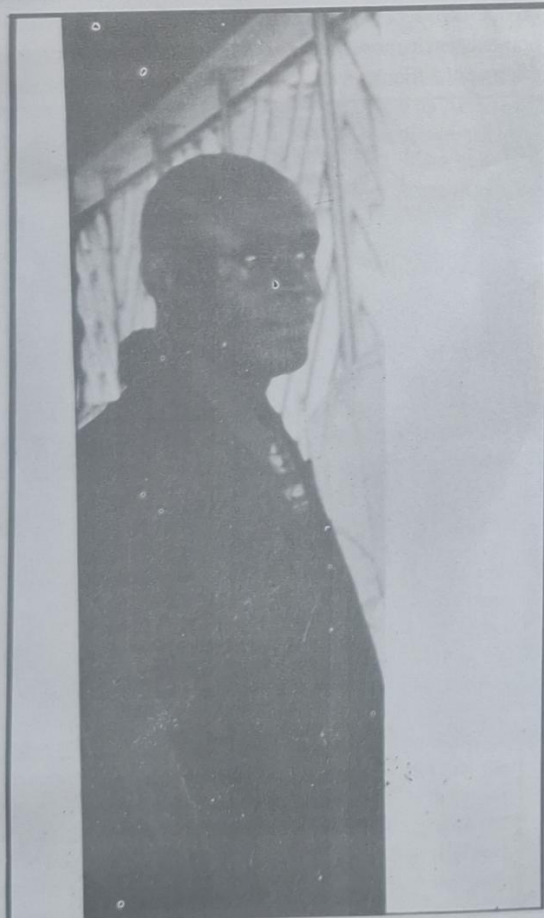
The Centre moved over to this office structure in January 2002. Before moving to this building, the Centre was housed in the Law Firm of Franklyn Kargbo at 65 Siaka Stevens Street in down town Freetown.



Some staff members



Gloria Kamara, Secretary



Lansana Dumbuya Esq.



Cyphas Williams



Maigore J. Benghe



Saidu Dunkay Mansaray

THE NORTHERN PROVINCE REGIONAL OFFICE IN MAKENI

The Northern Province Regional Advice office based in Makeni commenced operation in November 2002. The co-ordinator during the period under review is a retired teacher Mohamed Kamara assisted by Maigore J. Bengheh, a Paralegal based at the centre's office in Freetown.

The office serves the entire Northern Province, which is the largest province in Sierra Leone, with a population of about 800,000 people.

The vast number of matters referred to this office during the period under review are unlawful conduct (including assault) Denial of Justice (including Bail refusal by Magistrates) sexual offences and economic crimes. Due to the fact that the centre does not have enough funds to hire the services of a lawyer to be based at the Makeni office, the

lawyers based at the Main Office in Freetown have been provided Legal backup to the Makeni office. This means that when a matter is reported to the Makeni office the Paralegal investigates the matter, which often involve travelling several kilometers to take statements and collect evidence. In the course of the investigation of the matter should advice or representation be required, the matter is referred to the head office in Freetown for the taking of the necessary Legal Action by the Lawyers based at the head office.

Most of the clients that approach the Centre's Regional Office for assistance live in remote area. Many of these clients do not have access to telephones and the Postal Service is non-existent in most areas, so communication about cases is often very difficult.



THE DIFFERENT UNITS OF THE LAWYERS CENTRE FOR LEGAL ASSISTANCE

THE LITIGATION UNIT

Co-ordinated by Abdulai Charm and ably assisted by Lansana Dumbuya this unit is mainly responsible for litigating on cases dealing with human rights abuses and violations of male adults whose cases do not fall within the jurisdiction of the Transitional and Economic Justice, Juvenile and Gender Units. The Unit is also responsible for pursuing strategic constitutional

test cases in the Supreme Court of Sierra Leone.

The Unit is also responsible for undertaking impact litigation on behalf of indigent individuals and pursues strategic test cases bordering on Human Rights abuses and violations through the African Commission on Human and Peoples Rights and other similar institutions established to protect Human Rights generally.

THE CASE OF INSPECTOR-GENERAL OF POLICE AGAINST ALUBINE SILLAH (CS 298/2001), a Guinean

The Accused, a Guinean by nationality, was arrested on the 23rd day of February, 2001 at 12 hours and charged with the offence of Unlawful Possession of 0.13 carats of Diamond valued at \$12 US or Le21, 342.48 without license contrary to section 2 of Public Emergency Regulation (Public Notice No. 25) 1992. The Accused was disembarking from a Ferry Boat called Fanta, which had just sailed from Guinea to Freetown when he was reportedly arrested by a certain sub-Inspector attached to the Queen Elizabeth II Quay in Freetown, on suspicion of carrying precious minerals on him. He was later frisked by the said Inspector and allegedly found with a stone suspected to be diamond. In a statement to the Police, the accused denied knowledge of carrying diamond on him and claimed that he has never seen a diamond before, although he admitted receiving an unknown substance from his uncle in Guinea to take to another relation in Bo in Southern Sierra Leone. Notwithstanding the fact that he was travelling from Guinea to Sierra Leone and was just disembarking, he was charged to Court on the 27th day of February, 2001 for unlawful possession of diamond aforesaid and arraigned on the same date at a Magistrate Court. He pleaded "Not guilty" to the charge against him and was admitted to bail. There was however no one to bail him.

At a later stage in his trial, a surety secured his bail but surrendered him shortly after; the surety indicating that he (the surety) was leaving the jurisdiction. LAWCLA mounted a strong defence for the accused especially as the arresting officer himself failed to testify and that the alleged diamond was itself never exhibited. At the close of trial, the accused was acquitted and discharged on the 13th July 2001 after having spent more than 4 (four) months in custody. He is in late 20s and speaks only French and Madingo.

INSPECTOR-GENERAL OF POLICE AGAINST ABU BAKARR JALLOH I AND ABU BAKARR JALLOH II (CS 1390/2001) (1st accused: a Senegalese/ 2nd accused: a Guinean).

Accused persons are foreigners - the first accused (Abu Bakarr Jalloh I aged 15 years) a Senegalese, and the second accused (Abu Bakarr Jalloh II aged 19 years) a Guinean and both of them were shoe-shiners before they were taken up by the complainant (their benefactor) to be assisting him with his retail trade. The Accused persons were arrested on 20-4-01 at 06:15 hours and charged to Court on 24-4-01 on a charge of larceny of household and tailoring materials, property of one Mohamed Sallieu Bah (the complainant). Although bail was granted to the Accused persons, they could not secure sureties to ensure their bail- the complainant being their sole benefactor and guardian. Throughout the proceedings on a preliminary investigation, the said Complainant (Mohamed Sallieu Bah) failed to appear in Court, thus derailing the prosecution process and contributing to the continued detention of the Accused persons. At the close of prosecution, only the formal witness (the investigating officer from the Criminal Investigations Department) testified and he admitted that the absent Complainant in his statement, said that the Accused persons told him that they had taken the allegedly missing items to a certain Mohamed Barrie in Freetown for safe keeping in the course of business, inferring that they may not have intended steal them.

Although Mohamed Barrie's premises was searched and many items of interest found therein, the investigating officer during cross-examination by Lawyers of LAWCLA, said he did not charge the said Mohamed Barrie to Court.

Both accused persons were subsequently discharged on 28-09-01 after spending more than 5 months in custody and after making 18 appearances in Court without the Complainant turning up.

THE TRANSITIONAL AND ECONOMIC JUSTICE UNIT

Coordinated by Melron Nicol-Wilson this Unit is mainly responsible for undertaking and publishing research on a range of issues pertaining to Transitional Justice in Sierra Leone such as the Special Court, The Truth and Reconciliation Commission, Reparation for Human Rights Abuses, the Relationship between the Special Court and the Truth and Reconciliation Commission, the impact of the Special Court on the National Courts etc. The unit is also responsible for providing legal Advice and Representation to victims of unfair Labour Practices.

Sulaiman S. Fofanah, Saidu Kargbo & nine Others V Idrisa Kargbo, Silver Wings Entertainment Centre Industrial Court No 89/02 F No 4.

The Plaintiffs were employees of Silver Wings Entertainment Complex, Aberdeen Beach, Aberdeen, Freetown. They claim that their employer failed to pay them Eighteen months salary and other arrears. The applicants first led a delegation to the Ministry of Labour to make a complaint for the payment of the said salaries and arrears. The ministry often helps victims of this abuse to secure payment for them. The ministry's endeavour to help, fell on adamant ears and thereafter referred the matter to the Industrial Court in Freetown. The complainants claimed that since the proceedings began, they were not represented. On December 30th 2002, they forwarded a report to LAWCLA soliciting immediate assistance in their matter. LAWCLA then provided Legal representations for the plaintiffs. The matter is still pending.

SAMURA WINS PORT

Komrabi Abu Bakarr Samura was employed by the Sierra Leone Ports Authority on the 12th of January 1991 as security personnel pursuant to the Provisions of Section 17(2) of the Police Act of 1964 but was unlawfully dismissed from the company on a one-day notice on the 17th of August 1994. Samura is one of LAWCLA's numerous clients seeking economic justice.

After his dismissal, Samura proceeded to consult and retain the services of two legal practitioners in connection with the matter to challenge his dismissal and request payment of damages from the company. However, both practitioners were unsuccessful in spite of the advice to the Company by its then Legal Retainers: Gooding and Gooding for payment of benefits due Samura.

On July 12th 2001, shortly after the launching of LAWCLA, Samura came to the Centre and reported his case; requesting help to recover damages for unlawful dismissal, undue embarrassment, emotional stress and financial loss from the company. The Centre wrote several letters to the company demanding payment of damages for unlawful dismissal to Samura and threatened legal action if the demand was not complied with. The legal retainer of the Company Mr. U. Barrie replying to LAWCLA's letter which was copied to the Port's Management acknowledged inter alia: "We have no legs to stand on in this matter": which implied therefore that payment due Samura should be effected on demand.

Later Management accepted to pay and requested a new estimate for damages. In a letter dated 8th April 2002 and signed by Lawyer Umaru Barrie and entitled RE:WRONGFULDISMISSAL OF ABU BAKARR SAMURA, the said Lawyer wrote:

"I write to forward (enclosed) a Standard Chartered Bank cheque No 687997 the sum of Le13, 000,000/00 (Thirteen million leones) (the equivalent of \$6000) being full and final payment for your client..."

When Samura got the news a day after that LAWCLA had secured payment for his unlawful dismissal, he was extremely happy. In an exclusive interview with a reporter of the Independent Observer press which published the story a few days later, Samura was quoted saying, "I am not the only beneficiary of LAWCLA's free assistance. Hundreds of people including prisoners, children, women, youth and elderly people who come to their office have this same feeling". After winning Samara's case, LAWCLA's industrial clients have multiplied so much that LAWCLA is now contriving to establish an Employment Justice Unit (a fifth unit) to handle cases of this nature.

The constitutional violation of the Right to Life in Sierra Leone

The question of whether the state can kill has since time immemorial been debated upon by various scholars from both Legal and moral perspectives. This debate has never been laid to rest as the forces contending against each other (Human Rights activists on the one hand and respective State Governments on the other) are very strong and powerful. In any case the argument against the death penalty seems to be gaining ground as [we see] numerous international Instruments such as the Universal Declaration of Human Rights, proscribing the death penalty and guaranteeing the right to life, security, and protection against inhumane and degrading treatments.

Ontologically the right to life is perceived as the most fundamental and essential of all human rights. All the historic moral codes, both of a religious and secular character, that have evolved in the course of the civilization of mankind emphasize the importance and immanence of human life.

Capital Punishment violates the right to life and, offers an illusory solution to crime and, as such effectively detracts from really effective measures to protect the public. Provisions of the Laws of Sierra Leone, which sanctioned capital punishment, are inconsistent with a number of provisions of the 1991 Constitution and, the prohibition of cruel, inhuman and degrading punishment contained in Section 20 (1) of the 1991 Constitution.

The Laws of Sierra Leone are yet to meet International Standards. In any case, the 10 year gruesome civil war, which has just ended, and the subsequent efforts of the International Community to assist the nation into bringing perpetrators of these horrible crimes to justice have raised questions as to whether we indeed have a place for the

death penalty in any civilized jurisdiction. Within the domestic court the death penalty is handed down on persons convicted of treason and murder, contrary to law. However the Special Court which has been established to try and, to punish those most responsible for atrocities during the civil war does not see the death penalty as justified and, thus will only sentence those guilty to terms of imprisonment.

Thus, while 'the bad boys' convicted by the Special Court will be sentenced to Terms of Imprisonment, 'the good boys' convicted by our national courts for similar offences shall face the death penalty.

I see a breach of the fundamental right of equality here. In the same jurisdiction, the same crime (murder for instance) carries different penalties.

The situation is not hopeless. We are not suggesting that to eliminate the inequality problem all must suffer the death penalty. We are simply asking that our Laws be reformed with a view to abolishing the death penalty which is cruel, inhuman and degrading.

There could be instances that could justify the taking of a life, like Chaskalson P, pointed out in the case of *S. V. Makwayane* (1995) 4 S.A.C.R 250 "Lethal force may be applied by the state to kill a hostage taker in order to save an innocent man or to suppress a rebellion or external aggression. But where one has submitted himself to the jurisdiction of the court and has been tried and convicted there is not reason for the state to consider him dangerous to others if he is kept behind bars"

From an article by Melron Nicol-Wilson and Lornard Taylor in LAWCLA News Vol. 2, issue 2

The unconstitutionality of the Amnesty and Pardon Provisions of the Lome Peace (Ratification) Act 1999.

On the 7th of July 1999, the Government of Sierra Leone, in a desperate bid to put an end to the eight year civil war and the wide spread and horrendous violations of Human Rights and Humanitarian Law in the country, signed a Peace Agreement with the Revolutionary United Front (RUF) of Sierra Leone in Lome, the Capital City of Togo.

This Agreement was later incorporated into Sierra Leonean Law by the Lome Peace (Ratification) Act of 1999. Questions have been raised about the legality of the process of incorporating such an agreement into Sierra Leonean Law. Were the provisions of the Constitution dealing with the procedures for enacting legislations complied with?

Article ix of this statute provides amnesty and pardon to "all combatants and their collaborators for all acts done in pursuance of their objectives" during the civil war. This provision was widely condemned by Human Rights and other groups as amounting to impunity and injustice and is perceived to have a negative effect on future prospects of peace in Sierra Leone. The Provision is inconsistent with a number of Provisions of the 1991 Constitution of Sierra Leone (being the supreme law of the land), including the following:

- Section 28(1) of the Constitution gives the individual the right to seek redress in the Supreme Court of Sierra Leone for violation of any of his constitutionally protected rights. The Amnesty Provisions referred to above, prevent individuals from enjoying this right.

Section 63(1) (a) of the Constitution provides for Presidential Pardon to convicted persons. Such Pardon is to be given at the end of the determination of a case and not during the course of a trial or before a trial. Pardons may be given only after exhaustion of all judicial remedies.

By virtue of the provisions of Section 171(15) of the Constitution, any Law which is inconsistent with any provision of the constitution "shall to the extent of its inconsistency be void and of no effect". It is therefore my submission that since the amnesty and pardon provisions of the Lome Peace (Ratification) Act are inconsistent with section 28(5) and section 63, among others, of the 1991 Constitution, these provisions are null and void. The question at this juncture is what can be done to challenge the unconstitutionality of these provisions?

Section 127(1) of the Constitution Provides that "a person who alleges that an enactment is inconsistent with a provision of the Constitution, may bring an action to the Supreme Court for a declaration to that effect."

The Lawyers Centre for Legal Assistance in fulfilling its objective to pursue strategic constitutional test cases through the domestic courts, is considering applying to the Supreme Court of Sierra Leone for a declaration to that effect.

Aut non tentaris aut perforce!!

From an article by Melron Nicol-Wilson in LAWCLA News Vol. 2, issue 1

The Search for Lasting Peace in Sierra Leone - The Role of Human Rights and Peace Groups.

When the English philosopher Thomas Hobbes observed in the 16th century that life in the "state of nature" was nasty, poor, brutish and short, probably, no more an apt phrase exist to describe the lives of Sierra Leoneans today, after ten years of brutal civil war, characterized by widespread and horrendous Human Rights Abuses, that has seen the country's four and half million people plummet to an abysmal level and casted a long shadow over any claim in the country to any standard of modern civilization. The war lasted almost twice as long as the second world war. It has taken tens of thousands of lives than the war in Kosovo and has created more refugees than almost any other conflict in the world. And then there are those that the war has touched personally-the thousands of amputees, the thousands of victims of gang rape and sexual slavery, the thousands of traumatized child soldiers and those who grieve for family members killed or missing. It is virtually impossible to identify an extended family in Sierra Leone that has not been a victim of some kind of human rights abuse. It is against this background that more than a dozen active human rights and peace groups operate. Now, as peace begins to slowly take roots in the country these groups are actively participating in discussions aimed at creating institutions for accountability for past human rights abuses.

The first step in the search for a peaceful settlement to the Sierra Leonean conflict was a peace agreement signed by the Government of Sierra Leonean and the Revolutionary United Front of Sierra Leone in July 1999, in Lome, Togo. Human Rights and peace groups participated in the peace talks leading to the signing of the agreement. The agreement brought about painful peace in the country as it provided for a blanket amnesty for all the perpetrators of wide spread abuses as trade-off for peace. The agreement also provided for the establishment of a Truth and Reconciliation Commission (TRC) to give voice to the experiences of victims, witnesses and perpetrators, with the intent of uncovering as complete a picture as possible of the causes, nature and extent of the past abuses. However this peace agreement neither brought the expected peace nor an end to the atrocities in Country. As a result, responding to a request from the government of Sierra Leone the United Nations Security Council has proposed the establishment of a Special Court to try and punish those most responsible for seri-

ous violations of International humanitarian law and Sierra Leonean law during part of the conflict. Despite this proposal by the UN, complete and total peace that would be long lasting is far from been achieved. While the two institutions (A Special Court and a Truth Commission) will contribute to peace in the country, they will not in themselves create lasting peace in the country.

How would lasting peace be achieved? What role will Human rights and peace groups play in its achievement? What are the different perspectives among the various groups on how best to protect and promote human rights in this transitional period in the country's history?

Human Rights and Peace groups in Sierra Leone are a creature of the civil war. Before 1991 one can hardly talk about the existence of such groups. During the ten years of civil war, about 33 human rights and peace groups were formed, largely as a response to the widespread human rights abuses in the country. As a result, these groups are not very established. Most of them are headed by and consist of people with a lot of practical experience in the field of human rights. As a result some of these groups are very effective. The umbrella organization of all the human rights and peace groups in the Country is the National Forum for Human Rights. It is a very effective and powerful coalition in view of the diversity of its membership and the experience of its leadership.

The war has not only led to the creation of these groups but also the opportunity for these groups to dialogue and work closely with each other, especially with regard to discussing the conflict resolution strategies of the UN for Sierra Leone which has opened a debate among such groups as to the desirability of such strategies in the achievement of sustainable peace in the country. All the different groups meet and discuss various human rights and peace issues every two weeks at what is known as the Human Rights Committee Meeting, at the Headquarters of the United Nations Mission in Sierra Leone (UNAMSIL).

Perhaps the most controversial issue among these groups is the thorny question of whether past perpetrators should be punished or pardoned and the implications for peace in the country. This is an issue in which these groups have different positions. Some groups have argued strongly in favor of pardon-A truth and reconciliation commis-

The Search for Lasting Peace in Sierra Leone

FROM PAGE 18

sion as opposed to Punish-A special court. The argument been that the TRC will create lasting peace in Sierra Leone by its emphasis on reconciliation and restorative justice rather than retributive justice. It is also further argued that the establishment of a Special court will throw spanners into the fragile peace that already exist, by serving as a disincentive to combatants to lay down their arms for fear of been tried. On the other hand some groups have argued that the punishment of persons most responsible for the atrocities during the conflict would create lasting peace, by alleviating the desire to exact revenge on suspects and would deter future violations and accelerate the process of peace and reconciliation.

My organization- The lawyers Center for Legal Assistance

(LAWCLA), has always stood for the two-track approach of pardon and punishment. We have maintained that the authors of the violations must be punished, while the students and trigger-pullers should be pardoned after going through a Truth process. This is because refusing to try those most responsible will amount to impunity and injustice for thousands of innocent victims of unspeakable crimes and atrocities. Furthermore if punitive measures are not seen to be taken at some level, this could seriously jeopardize the attempts at restoring the rule of law in the Country and building structures for lasting peace. It is also maintained that Truth without justice will not necessarily lead to Peace. While some victims will be satisfied by knowing the facts particularly in the case of missing relatives, yet for others, such truth may heighten anger and calls for justice rather than leading to feelings of reconciliation. There is also the constant threat of perpetuated cycle of revenge once the Truth is out- this will affect Peace efforts. Justice is essential to the Human Rights cause and provides a measure for respect for the victims and lays the foundation needed to deter atrocities tomorrow. My organization therefore maintains that any arrangement short of the two-track approach will seriously undermine the search for lasting peace in our country.

However, notwithstanding the divergence of opinions among human rights and peace groups on how best to deal with the past, the conflict has opened up opportunities for groups to advance the struggle for human rights. In every corner of the country, people are now talking about their entitlements to rights, largely due to the effort of human rights and peace groups in sensitizing the public about their rights. Such groups have embarked on

public education programs, radio and television discussions informing people about their Rights, while talking about strategies for the achievement of peace in the country. Some groups, such as the Fourah Bay College Human Rights Clinic, have gone to schools, teaching school-going youths about human rights with the aim of trying to develop a human rights culture within one of the key target populations of the country. The search for lasting peace has also empowered the Sierra Leonean populace to claim and defend their basic rights, because they are now more informed than ever before, about their rights and the means to seek redress in cases of violations. The search for Peace has therefore definitely led to the Promotion of Human Rights in the Country.

Another significant achievement for human rights in Sierra Leone during this difficult time is the creation of My organization, which was formed in March this year as a result of the gross violations of human rights in the country and the lack of access to the law and justice by indigent victims of such abuses. This centre which provides free legal assistance to indigent members of the society has provided the individual with a rights to seek redress, which hitherto has been limited for lack of funds to access the services of lawyers.

However, notwithstanding the efforts of human rights and peace groups, the search for lasting peace in Sierra Leone will not be achieved until the root causes of the conflict are properly addressed. My organization has always maintained that the Human Rights related root causes of the conflict should be adequately addressed not only in the search for a solution to this conflict but also in order to prevent conflicts in future.

The roots of Sierra Leone's tragedy lies in bad governance and all its attendant ills; debilitating poverty, poor education, arbitrary arrest and detention, cruel and inhuman treatment of detainees and prisoners, joblessness especially among young people, poor health facilities, rampant corruption etc. These circumstances provided the combatants for the conflict and once it had been ignited, diamonds provided the funds to sustain it.

Lasting peace cannot be achieved merely by setting up institutions to pardon and punish perpetrators of abuses. For there to be lasting peace in Sierra Leone the causes as well as the consequences of the conflict must be urgently addressed.

From an article by Melron Nicol-Wilson in LAWCLA News Vol. 2, issue 2

THE GENDER RESEARCH & ADVOCACY UNIT

Coordinated by Hanatu Kabbah the Unit is primarily responsible for dealing with cases in the centre relating to Gender issues. Currently the most prominent cases referred and dealt with by the Unit are Rape and other forms of sexual abuse especially for victims below the age of 18 years. Other issues such as maintenance and child support, divorce,

child abuse are also dealt with.

Apart from giving legal advice and representation, the Unit is also responsible for Research on Gender issues. Presently, a focal issue in the activities of the Unit is advocating for the reform of laws discriminating against women in Sierra Leone.

2 YEAR OLD RAPED!!

LAWCLA moved into action on the 5th day of November 2002 at Magistrates Court No. 8 in Freetown to head the prosecution team against Christian Sylma - an adult in his mid twenties who was arraigned on two count charge of having unlawful carnal knowledge of a baby girl aged 2 years and for indecently assaulting her. The incident occurred at Skelton Street, Wilberforce in Freetown and a confessional statement by the accused, a convincing medical report and testimonies of witnesses including the victim's mother who appeared at the scene minutes after the incident, were all sufficient evidence that warranted the committal of the accused to the High Court for trial. The preliminary investigations lasted for a month and a week and the accused, who had been in custody at the Pademba Road prisons throughout the investigations, was granted bail and committed to the High Court on the 13th December 2002. LAWCLA commends the Magistrate at court No. 8 for the speed with which the preliminary investigations went. It is hoped that the indictment against Sylma will be drafted and served by the Law Office without delay so that his trial can commence soon.

I.G.P - V - M.S (JMC)

The accused is a sixteen year old girl who was arrested in the provinces on September 29th 2002 on allegation that she had stolen property belonging to her guardian, a Nigerian and brought down to Freetown for trial. She was charged with House Breaking and Larceny. The accused claimed that her guardian framed up the story and informed LAWCLA that she was denied bail during the investigations. The accused further informed LAWCLA that she had opened the door to the sleeping room of her ward to collect her belongings therein without the knowledge of her guardian because she had wanted to visit her parents in the provinces whom she had not seen for a long time. She alleged the guardian did not want her to go and so made the claims against her which led to her arrest in the provinces and transferred to Freetown.

LAWCLA announced representation for her on October 28th and pleaded on her behalf to be cautioned and discharged as she was a first-time offender. The application was granted on the same day.

Threatened Female Genital Mutilation

On the 15-8-01, a 16 year old Sierra Leonean girl named A. K. who has, since her early childhood, been in the care and custody of her uncle (a Police Superintendent), approached our office with the complaint that her mother was threatening to initiate her into the female secret society. She complained that the threats had been looming since she was 14 years old but that they were more visible now when her mother left Kenema purposely to come and take her to undergo the ceremony.

According to the girl, the mother and her Guardian asked her to pack up and prepare herself for a visit to Kenema. She was however told by a concerned relative that the mother's visit was to primarily ensure that she takes her along herself so that she could be initiated into the female secret society and then be married by a man of her parents' choice. This got the girl frightened as she had earlier told her uncle, her other relatives and even her mother that she is not interested in the ceremony. She subsequently absconded from home and was moving from one friend's house to another. Her friends (most of whom were girl traders like herself) advised her to seek legal redress with LAWCLA. After a week of staying away from home, she finally approached LAWCLA and told us her story.

LAWCLA took up the issue with her police uncle/guardian. In a meeting with him, the uncle lamented the situation and told members of the Centre that he did all he could to let the mother understand that the ceremony can only be undertaken with the unwavering consent and acquiescence of the girl. The girl was asked to return home since the mother had gone back to Kenema and the uncle undertook to do all that he could to ensure that the girl's decision was not interfered with or influenced and that he would continue to care for and shelter her. The girl has never been to school and sells petty food items for her uncle's wife.

LAWCLA advised the victim to return home and to report to the Centre any time such threats come up again. LAWCLA was especially concerned as such threats violate Articles 13 (expression); 16 (privacy); 19 (physical/mental injury/harm); and 37 (torture/cruel treatment) of the Convention of the Rights of the Child of 1990 which Sierra Leone has ratified and also Articles 16 and 21 (i.e. protection against harmful, social and cultural practices etc.) of the African Charter on the Rights and Welfare of the Child. It equally infringes Cap 31 (Prevention of Cruelty to Children Act) of the Laws of Sierra Leone and some provisions of the Sierra Leone

DISCRIMINATORY LAWS AGAINST WOMEN IN SIERRA LEONE - AN URGENT NEED FOR LAW REFORM

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood"

Universal Declaration of Human Rights 1948

Women in Sierra Leone and around the world are discriminated against in many spheres of life. In Sierra Leone, this discrimination has been reinforced by the provisions of a number of Statutes.

Such discriminatory provisions can be found in section 27 (4) (d) and (e) of the 1991 Constitution, the Sierra Leone Citizenship Act of 1973, Chapter 45 of the Laws of Sierra Leone 1960 dealing with the Administration of intestate Estates and Chapter 31 of the Laws of Sierra Leone 1960 dealing with the Prevention of Cruelty to Children.

The discriminatory legal provisions mentioned above are buttressed by discriminatory and unwritten customary practices, which are culturally ingrained and justified in the name of tradition. Such practices apply to over 80% of Sierra Leone's Women most of whom live in the rural areas. These customary practices are recognized as part of the Laws of Sierra Leone by virtue of the provisions of Section 170 (2) and (3) of the 1991 Constitution.

Interestingly, Sierra Leone is a signatory to several international human rights instruments including the Convention on the Elimination of Discrimination against Women (CEDAW), which was ratified in 1988. However this international instrument has no force of law in the country because Sierra Leone's Parliament is yet to pass the necessary implementing legislation to give it legal efficacy, as the country practices the dualistic system of International Law.

The workability of advocating for the equal status of women and barring all forms of discrimination against them is a herculean task. It will require, among others, calling upon the Government to fulfil its obligations under CEDAW, such discriminatory laws and practices and how they affect their constitutional right to equality.

The discriminatory legal provisions highlighted above, would also have to be reviewed by Parliament; and women will have to be educated about them.

Presently, in advocating for such review, most of the voices, heard are those of educated Sierra Leonean women who are in the minority. Most of the women affected by these laws and practices are illiterate and live in rural areas. Their voices are hardly heard. Legal issues dealing with inheritance; maintenance and marriage for example are difficult to comprehend and could hardly be understood by such women. There is therefore an urgent need for the provisions in such laws to be simplified and explained to women en masse. This would help them know what their basic legal rights are.

Advocating for the eradication of prevalent discriminatory practices like child marriages, domestic violence and restrictions on property rights is not an easy task. A primary method of achieving positive results, as earlier stated, is to educate women on their basic rights. This entails community outreach programmes with a view to understanding the cultural/traditional settings, norms and values and striving for the reform of those glaringly discriminatory practices.

From the foregoing, it is clear that there is an urgent need for reform of legal provisions which are discriminatory against women as well as the incorporation of legal provisions designed to reflect international standards such as the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), which as earlier indicated, Sierra Leone has signed and ratified. By so doing, women's rights in Sierra Leone would take a significant step forward.

Furthermore, the limited amount of law reform that has taken place in Sierra Leone over the decades gives little hope to winning a battle for equal status for women in the country. Still, the fear of accidents will not stop us from driving!!

The Lawyers Centre for Legal Assistance (LAWCLA) is pioneering and advocating for the review of laws that discriminate against women in Sierra Leone and have already completed a research dealing with the same.

From an article by Hanatu Kabbah in LAWCLA News Vol. 2, Issue 1

THE JUVENILE JUSTICE UNIT

Co-ordinated by Mohamed P. Fofanah, the Juvenile Justice Unit operates as the child Rights Division of the Centre, dealing with all matters relating to children and the protection and promotion of their basic rights and welfare.

At its inception in July, 2001, the Juvenile Justice Unit of LAWCLA focused essentially on "Protecting and Promoting Child Rights through Law" a variation of the Centre's motto designed to adapt to the felt needs of the Unit. Its foremost objectives is to assist juvenile offenders below 18 years of age whose parents/guardians could either not afford the services of lawyers or have abandoned them, and secondly to prosecute or assist in the prosecution of offences perpetrated against children including reported cases of carnal abuse of children, child torture and other forms of cruelty to children, and reported cases of child ne-

glect and/or abandonment.

In a non-litigious way too, the Juvenile Justice Unit has, through legal correspondence, addressed issues of maintenance for neglected and/or abandoned children and their mothers and issues of child custody pursued by single parents or guardians seeking the best interests of their children/ward.

Also, the Unit has, through various interchanges and discussions at seminars, conferences and public debates, advocated for the promotion of child rights at all levels of society. Constitutional and Customary Law responsibilities by adults (especially parents/guardians) to children as a basis of national development, have been emphasized.

Kargbo Freed At Last

Kargbo a 16 year old boy was living at Benguema Barracks about twenty kilometers from the centre of Freetown with some friends, after being separated from his family and not knowing their whereabouts since rebels attacked their village. He owned a small business and credited a soldier who refused to pay him despite repeated demands. One day Kargbo went over to the soldier's house to request payment of money due him. The soldier then threatened to kill the boy with a gun he was carrying. He then cocked the gun and was about to manifest his threat when the boy grabbed the gun and in the ensuing battle the soldier pulled the trigger and a bullet hit and wounded a passer-by.

Later, towards the end of the year 2000, both Kargbo and the soldier were, apprehended and detained at the Barracks for one week after which period, the soldier was released. From Benguema Barracks says Kargbo, "I was brought to the Waterloo Police Station where I spent two weeks in terrible conditions and then taken to Kissy Mess Police Station. The two weeks spent at the said Police Station left bitter and thoughtful nightmares in my life."

Kargbo was later charged to court and upon his first appearance, was remanded in custody at the central prisons for three months, even though being a juvenile, he ought to have been remanded at a juvenile home. On his subsequent appearance after three months in detention, the magistrate adjourned the matter and then kept adjourning until he spent another eleven months in prison. According to Kargbo, it was then that he knew that poverty is "a dangerous man-made disability."

Lawyers from LAWCLA whilst in court one day, spotted Kargbo and spoke with him. Upon information given to the lawyers, the Centre decided to represent him. On that same day, LAWCLA lawyers perused his file and realized that the complainant had never turned up for Kargbo's trial throughout his period of detention. An application was therefore made for his discharge pursuant to the provisions of section 94 of the Criminal Procedure Act of 1965 and section 5 of the Law Officer's (Conduct of Prosecution Instructions) Act of 1965. The application was granted and Kargbo was released on the same day. Inspector Fasuluku of the Prosecution Department decided to provide Foster care for him and is now living happily with the family of the said Inspector.

Musa Transferred to the Remand Home

Musa - is a 16-year-old boy from Yeadia village, Semgbeh Chiefdom, Koinadugu District in Northern Sierra Leone, who was arrested on the 24th of April 2001 for allegedly murdering one Samme Sesay. According to Musa, he was playing with his uncle's gun together with his aunt after the day's hunt, when it accidentally went off and killed his aunt. Three days after hiding, fearing reprisals, he gave himself up to the Police. He was consequently charged with murder and is presently awaiting his preliminary investigations (which is being conducted in open court) to be concluded at the Principal Magistrate Court in Freetown. This will determine if there is sufficient evidence to put him on trial at the High Court.

Musa has been on preliminary investigations since the 25th of July 2001 after having spent three months in police custody at Koinadugu District before being transferred to Freetown. Like all murder matters, Musa could not be admitted to bail at the Magistrate's court level. In like manner, Musa's preliminary investigations could not be expedited on grounds that all the witnesses of fact from his village could not be traced and brought down to Freetown to testify. So since he was arraigned in the Freetown court, only three formal (police) witnesses have testified against him; yet he continues to be in custody unsure of when his matter would be concluded. Besides this predicament, Musa was before 1st May 2002, remanded at the Pademba Road maximum Security Prisons with adults even though two Medical Doctors during various medical examinations ascertained that he is 16 years old. The reason(s) for this apparent child right violation was informed on two factors: (1) that Musa's case involved an act of murder - a capital offence and (2) that the remand home for children was insecure and that he had shown propensity to escape whilst in custody.

After several interventions by LAWCLA, including advocacy and appeals for Musa, he was finally on the 1st of May 2002 transferred to the Remand Home for Children at kingdom where he has since continued to be of good behaviour pending his preliminary investigations. Thankfully, that home now seems to be undergoing some gradual renovation!! LAWCLA continues to represent Musa.

**I.G.P -V- N T AND 31 OTHERS.
(CS 1416/2001) (All of them Sierra Leoneans).**

The accused persons were all school going pupils arrested on 24-4-2001 at 17:20 hrs for riotous conduct and disorderly behaviour. They were arraigned in open court on 25/4/2001 giving that some of the offenders were above the statutory juvenile age of 17 years pursuant to provisions of the Children and Young Persons Act (Cap. 44 of the Laws of Sierra Leone). They were all granted bail after they had all pleaded "Not guilty" and were all represented by LAWCLA following an interview conducted with them by LAWCLA's paralegals.

They all alleged that they were not involved in any riot or disorderly behaviour and that they were randomly picked up in the streets of the centre of Freetown after the incident had occurred among various pupils of rival schools. In the interest of juvenile justice, fairness, the right to legal representation and above all, the best interest of the child, LAWCLA's Juvenile Justice and Advocacy Unit provided legal representation to all the offenders - the youngest being 11 years and the oldest 19 years of age. With the cooperation of the Law Officers' Department, the case against the offenders was withdrawn and they were on 7-09-01, cautioned and discharged. The parents and guardians of the offenders were admonished to take proper care of their children/wards and teach them to be law abiding.

**I.G.P -V- M G, T K, M G, S K, A S,
M K, O K AND S K (CS9388/20010)
(all accused persons are
Sierra Leoneans).**

The Accused persons are all juvenile offenders between 11 to 15 years of age arrested on the 24-7-2001 for "loitering and disobeying curfew order". They were arraigned in Court, pleaded "Not Guilty" and were denied bail; remanded for 13 days in custody (at the Children's Remand Home). On the adjourned date 6-8-01, they all changed their pleas to "Guilty" and a plea in mitigation was conducted by LAWCLA on their behalf. The Defaulters were subsequently cautioned and discharged. In a post-trial meeting with LAWCLA, the discharged defaulters were advised and encouraged to go off the streets (many of them were street kids) and some were relocated with their parents/guardians. The 1st defaulter was 11 years old, 2nd: 14 years old, 3rd: 14 years old, 4th: 15 years old, 5th: 13 years old, 6th: 14 years old, 7th: 13 years old and 8th: 14 years old and all of them live in Freetown.

Committal Proceedings and Child Offenders

There exists a rather erroneous view that juveniles charged with felonious offences triable on an indictment cannot, like adults, be "tried" in the juvenile magistrate's court. It is argued that in such cases, the court can only conduct preliminary investigations on them pursuant to both general provisions of the Criminal Procedure Act (Act No.32 of 1965) and specific provisions of the Courts (Amendment) Act (Act No.2 of 1981).

This argument cannot however, be supported by any provision in the two Acts cited above, or in the Children and Young Persons Act of the Laws of Sierra Leone (1960) otherwise called Chapter 44, especially in cases where child offenders alone form the subject matter of criminal actions. Section 210 of the Criminal Procedure Act acknowledges and endorses Chapter 44 as the fundamental law for all juvenile hearings in Sierra Leone. The provisions of sections 2, and 7 of Chapter 44 carry this law further. Section 7 in particular states as follows:

"when a child or young person is brought before a juvenile court for any offence other than homicide the case shall be finally disposed of in such court". (Emphasis added).

The choice of words "shall be finally disposed of" above assures a juvenile offender that the hearing and adjudication of his/her case for offences other than homicide, will be completed in the juvenile magistrate's court. Such offences include serious felonies like wounding under section 18 of the Offences against the Person's Act (1861), burglary and rape among others.

The jurisdiction of the juvenile magistrate's court thus shifts when "homicide" (which includes murder and manslaughter) becomes the issue. It appears the legislators intended that a juvenile court could conduct the preliminary investigation into a charge of homicide. If sufficient evidence is found, the offender would then be committed to the juvenile Chambers of the High Court for "trial". Section 2 sub-section 1 of Chapter 44 states thus:

"If in the course of any proceedings in a Magistrate's Court it appears to the

court that the person charged or to whom the proceedings relate is under the age of seventeen years, the court shall continue with the hearing and determination of

the case in accordance with the provisions of (Chapter 44) ... and a court so sitting shall be a Juvenile Court for the purposes of the (Act)". (Emphasis added).

The emphasis on "any proceedings" above evidently includes proceedings of preliminary investigations involving juvenile offenders charged alone with homicide.

It is thus hoped that juveniles already on preliminary investigations in open courts on charges of homicide (there are about four at the time of writing) will have their cases remitted to the appropriate juvenile magistrate's court, where their respective judicial investigations can be properly and lawfully carried out. Any attempt to do otherwise would be against the grain and spirit of:

(1) Chapter 44, (2) section 210 of the Criminal Procedure Act and (3) the juvenile's best interest which is fundamentally entrenched in the various international instruments that touch and concern children, including the Convention on the Rights of the Child (CRC).

Perhaps above all, it could be said that trying juveniles in open court violates the provisions of section 23 (3) of the Constitution of Sierra Leone. This section inter alia states the need for proceedings involving "the welfare of persons under the age of twenty-one years" to be conducted in places where "persons other than the parties thereto and there legal representatives" are excluded from attending.

The savagery of Sierra Leone's civil war and the level of the involvement of children in it demand that the jurisprudence of juvenile justice and the procedure that would ensure its proper administration, be developed without delay.

From an article by Mohamd P. Fofanah in LAWCLA News Vol. 2, issue 1

INTERNSHIPS AT THE CENTRE

During the reporting period the centre accepted applications for Internship from four foreign students. The interns are Jayant Dahr and Robyn Trask from the University of British Columbia in Vancouver, Canada, Sophie Rodella from the Fletcher School of Law and Diplomacy, Tufts University, Boston, U.S.A and George W. Bush, a graduate in Development Studies from Leeds University, U.K.

The interns arrived in Freetown in May 2002 and spent ten weeks at the centre. During their internship they worked with the centre's numerous clients, took part in a legal Awareness Project for Litigants and did research on The Truth and Reconciliation Commission and the Special Court.

The Human Rights Clinic of Fourah Bay College in June 2002 assigned six Law Students to LAWCLA for a ten weeks

internship program beginning on the 1st of July 2002. They are Manuela A.J. Harding, Mohamed Stevens, Komba Kamanda, Khalila Kamara, Lornard Taylor and Brima Koroma. During their internship period the interns assisted the centre with a research aimed at reviewing the human rights provisions of the 1991 Constitution and also took part in the Centre's Prisoners Rights Project and other activities of the centre.

In November 2002, the centre entered into an informal arrangement with the Fourah Bay College Human Rights Clinic in terms of which the clinic assigned sixteen members to work with the Centre until April 2003. Each of the students worked for the Centre for five hours every week.



INTERNS with the Centre from Fourah Bay College Human Rights Clinic during a field trip

Partnerships and Collaborations

HUMAN RIGHTS SECTION UNITED NATIONS MISSIONS IN SIERRA LEONE (UNAMSIL)

The Centre has a very good working relationship with the Human Rights Section of UNAMSIL, which started at the formal launching of the centre by the Chief Human Rights Officer of UNAMSIL, Dr. Rodolfo Matarolo in July 2001. The Human Rights Section (HRS) of UNAMSIL was also instrumental in the securing of a grant by the Centre from The Office of the United Nations High Commissioner for Human Rights (OHCHR) in July 2002.

The Centre has provided Legal opinions to the HRS and participated in workshops, Training Programs and Conferences organized by HRS-UNAMSIL.

The Centre has also benefited tremendously from the criticisms, guidance, advice and support of the Chief Human Rights officer and members of his section.

ANTI-CORRUPTION COMMISSION (ACC)

The Anti-Corruption Commission has a very good and close working relationship with the Centre, which started with an informal visit by the Commission to the Centre shortly after its formal launching.

The Commission during the reporting period referred cases to the Centre that do not fall within its mandate for legal advice and those cases were acted upon with successful outcomes.

The Centre in December 2001 also wrote an opinion on Prosecutorial Strategy for the commission.

OFFICE OF THE OMBUDSMAN

The Centre has an informal partnership with the office of the Ombudsman and as a result of this partnership created a good working relationship during the reporting period. The office of the ombudsman referred a number of cases to the centre for legal advice and representation, which were acted upon accordingly.

In November 2002 the centre took part in the African Ombudsman Association Conference in Freetown and presented a paper on the Role of the Ombudsman in the Promotion and Protection of human rights in Sierra Leone

The present Ombudsman is the Chairman of the Advisory Board of the Centre.

THE SIERRA LEONE PARLIAMENT

The Centre was instrumental in the establishment of a Human Rights Committee by the Sierra Leone Parliament.

In November 2002 the Director of the Centre was invited by the Clerk of Parliament to do a presentation on the Role of Parliament in the Promotion of human rights. It was during that presentation that he called for the establishment of a human rights committee, noting that no such committee existed among the many committees of Parliament. Shortly after this call, the Committee was established.

The Centre has already established contacts with some members of this committee and hope to work closely with the committee in the near future.

HUMAN RIGHTS GROUPS

LAWCLA works closely with the National Forum for Human Rights, which is an umbrella organization consisting of about thirty-four human rights and peace groups. The centre has been working with some of those groups in monitoring and documenting human rights abuses in Sierra Leone.

In July 2002 shortly after a riot in Freetown, in which UNAMSIL Peace Keepers were alleged to have shot and killed two civilians, LAWCLA and NFHR called for an investigation into the causes of the deaths and for punitive measures against those responsible. A civil society investigation team consisting of representatives of seven human rights groups was mandated by the Human Rights Committee to investigate. The Director of LAWCLA was appointed Chairman of the Investigation Team.

LAWCLA is also part of the Human Rights Committee. This is a body of human rights, peace and humanitarian groups that meets fortnightly under the auspices of the HRS-UNAMSIL.

By LAWCLA's participation in such meetings, a number of groups have indirectly benefited from the Legal expertise of the centre. The centre has also participated in workshops, conferences and seminars organized by Local and International Human Rights Groups. Local Groups have also supported the work of the centre in diverse ways.

INTERNATIONAL HUMAN RIGHTS LAW GROUP

On the 30th of October LAWCLA established an informal partnership with the International Human Rights Law Group (IHRLG) at its main office in Washington D.C. Since then the IHRLG and its Directors have supported the work of the centre in diverse ways. Mr. Maina Kiai, Africa Program Director is one of the Board Members of the centre.

SUPPORT BY GREATER BOSTON LEGAL SERVICES

In October 2001, the centre established a Partnership with the Greater Boston Legal Services. This Partnership was created at a meeting in Boston, U.S.A between the Centre and The Greater Boston Legal Services in which the latter promises technical support of LAWCLA and inclusion of the centre into a network of Legal Aid Organizations in Africa and USA.

SUPPORT BY RAOUL WALLENBERG INSTITUTE

The Raoul Wallenberg Institute at the University of Lund is one of the greatest supporters of the work of the Centre.

In January 2002 the Raoul Wallenberg Institute donated Human Rights Law Books to the centre to help in its research and litigation work. During the reporting period the Raoul Wallenberg Institute also funded the head of the Centre's Gender unit for attendance of the course on Equal Status and Human Rights of Women at the Raoul Wallenberg Institute, University of Lund, Sweden in September and October 2002.

Ms. Christine Evans, a Program Officer of the Raoul Wallenberg Institute is also a Board Member of the Centre.

SPECIAL PROJECTS

LEGAL AWARENESS PROJECT

In July 2002, the centre launched a sensitization program on "The Rights of Accused Persons and The Right to Bail", at the Law Courts building in Freetown. Hitherto the launching the centre observed that some court officials were creating barriers to access to bail by requesting money from litigants and relatives of litigants who had been admitted to bail.

The centre distributed leaflets and placed posters in public places throughout Freetown informing litigants and the gen-

eral public that bail is free and that no money should be paid for one to enjoy this right. The Posters and Leaflets also informed litigants about other trial rights, such as the right to be tried in the language an accused understands.

This Project was hugely successful in that it not only reduced overcrowding in prisons as more litigants became informed, but also enabled members of the public to speak against the former practice of some court officials to demand money before filing bail bonds.

THE RIGHTS OF ACCUSED PERSONS IN COURT

You are innocent until proven guilty.

- Just because you have been accused of a crime, does not mean that you are a criminal.
- This means that you have the same rights as any other person.
- You can only be found guilty after the court has heard evidence. If you are innocent, you are free.

You have the right to be tried without unnecessary delay.

- Your trial must be carried out quickly.
- If you are not on bail, your case cannot be adjourned for more than 8 days at a time.
- If you are on bail, your case should not be adjourned for an unreasonable period of time.

You have the right to have a lawyer.

- You have the right to choose your own lawyer.
- If you cannot afford a lawyer, you have the right to defend yourself in court.

ABOUT THE LAWYERS CENTRE FOR LEGAL ASSISTANCE (LAWCLA)

The Lawyers Centre for Legal Assistance (LAWCLA) is an independent, non-political, non-profit making public interest human rights law firm that provides free legal assistance to Sierra Leoneans who cannot afford to pay for a lawyer.

You have the right to examine witnesses.

- If you do not have a lawyer, you have the right to ask questions to the witnesses called against you.
- You have the right to call your own witnesses to support your case.

You have the right to get bail.

- Anybody charged with an offence (other than murder or treason) can get bail from a Magistrate.
- If you are charged with murder or treason, you can only get bail if you apply to a High Court Judge.

You have the right to be tried in a language that you understand.

- If you do not understand English, the court must bring an interpreter for you. The court will pay for the interpreter.

THE CONTENTS OF THIS POSTER HAVE BEEN APPROVED BY THE HONOURABLE JUSTICE TROMB, ACTING CHIEF JUSTICE.

You have the right to ask questions during the trial. If you do not understand what is happening.

- If something happens that you do not understand, you have the right to ask the judge or magistrate to explain it to you.
- If a judge, magistrate, court clerk, lawyer or anybody else says something that you do not understand, you have the right to ask him or her to repeat it until you understand.

If you are an adult (17 years or older), you have the right to be tried in public.

- If you are an adult, your trial should be in public.

If you are under 17 years old, you have the right to be tried in a closed court.

- If you are under 17 years old, you must be tried in a closed court, unless you have been charged with an adult.

CONTACT INFORMATION:

If you feel that any of your rights have been violated, or if you have any questions, please contact Lawyers Centre for Legal Assistance (LAWCLA).

150 Old Railway Lane
Brenkfield, Freetown, Sierra Leone
Tel: (+232-22) 224733 Fax: (+232-22) 227618
Email: lawcla@sigtel.com

9 QUESTIONS ABOUT BAIL

What is bail?

After you have been charged with a crime, you can be released from jail until your next appearance in court. This is called bail. If you do not get bail, you have to stay in jail until your next appearance in court. Before you can get bail, you must get a surety to promise that you will return to court.

What is a surety?

A surety is a person who will promise that you will return to court throughout your trial. The surety must promise to pay money to the court if you do not return to court.

Who can be a surety?

For most charges, any adult (male or female) aged 21 years or older can be a surety. Sometimes, if it is a serious crime, the Magistrate might say the surety must be a senior citizen. A senior citizen is a responsible adult (male or female) of middle age or older. Also, if it is a serious crime, the Magistrate might say that the surety must be a landowner and must live in the same town in which the court is located.

ABOUT THE LAWYERS CENTRE FOR LEGAL ASSISTANCE (LAWCLA)

The Lawyers Centre for Legal Assistance (LAWCLA) is an independent, non-political, non-profit making public interest human rights law firm that provides free legal assistance to Sierra Leoneans who cannot afford to pay for a lawyer.

Who can get bail?

Anybody charged with an offence (other than murder or treason) can get bail from a Magistrate. If you are charged with murder or treason, you can only get bail if you apply to a High Court Judge.

When can you get a surety to bail you out?

If the Magistrate has granted you bail, you can get a surety at any time.

What does the surety need to bring?

The surety must bring his or her National Identity Card, and two passport-sized photos. The surety will have to fill out a bail bond form. The surety will have to write his or her name, address and age on the bail bond form. The name, address and age that the surety writes on the bail bond form must be the same name, address and age that is written on his or her National Identity Card.

Do you need to pay money to get bail?

No, you do not need to pay any money to anybody. The surety does not need to bring any money to the court. The surety only has to pay money if you do not come to court. So if you get bail of 1 million Leones, this does not mean that the surety has to bring any money to the court. Nobody (including police officers) has the right to demand money from you before you get bail.

What happens if you do not get bail?

If you do not get bail, you have the right to apply to a High Court Judge for bail.

What happens if you jump bail?

If you do not return to court you will be charged with a criminal offence in addition to your original charge. Also, the surety will be arrested and will be forced to pay the amount of the bail. If the surety helped you to jump bail, he or she will also be charged with an offence. It is also a criminal offence to give false documents or make false statements in order to get bail.

CONTACT INFORMATION:

If you feel that any of your rights have been violated, or if you have any questions, please contact Lawyers Centre for Legal Assistance (LAWCLA).

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Brenkfield, Freetown, Sierra Leone
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Email: lawcla@sigtel.com

THE CONTENTS OF THIS POSTER HAVE BEEN APPROVED BY THE HONOURABLE JUSTICE TROMB, ACTING CHIEF JUSTICE OF THE REPUBLIC OF SIERRA LEONE.

PRISONERS RIGHTS PROJECT

In September 2002 the centre launched a Prisoners Rights Project throughout Sierra Leone. The aims of the project was three fold:

Firstly to collect statistical data on the number of detainees and the offences for which they are been detained, charged or tried in all police stations and functional prisons throughout the country.

Secondly to provide free legal advice to all detainees and prisoners found at police stations and prisons throughout the country.

Thirdly to provide free Legal Representation to detainees and prisoners who cannot afford to pay for the services of lawyers.

For the fulfillment of the above-mentioned objectives, members of the centre, divided into three teams, traveled to the Southern, eastern and northern provinces of the country.

The eastern team collected data and provided Legal Advice at nine police stations including Kailahun, Pendembu, Segbwema, Daru, Kenema, Blama, Tongo, Tankoro and motema Police Stations.

The Southern Team collected data and provided Legal Advice at eight police stations including Bo, Pujehun, Moyamba, Matru and Malema Police Stations.

The Northern Team collected data and provided Legal Advice at several police stations including Kambia, Mile 91, Lungi, Lunsar, Kabala, Makeni, Port Loko and Kamakwe police Stations.

The Centre was unable to conduct the similar exercise in prisons throughout the country as the necessary permission to do so was not granted by the relevant authorities.



LAWCLA staff inside a Police cell interviewing detainees

EIGHTEEN MONTH REPORT





The activities of the centre have received the attention of the populace and media houses. Media Houses especially the press, always cooperate with the centre by giving it extensive and satisfactory coverage. This coverage has kept the flames of human rights burning. For instance, the BBC Network in Africa Programme did a profile about the centre in November 2002 and as a result of this profile number of our clients positively commented about our work.

The Lawyers centre for Legal Assistance has participated in several human rights discussion on the National radio and television which has geared-up towards sensitizing and informing the general populace; like for instance in April 2002 The Deputy Director of LAWCLA had a radio discussion with Radio UNAMSIL on the topic "Women, The Laws and Human Rights". Several radio and television discussions were also done by LAWCLA's officials on human rights of children, human rights of women, prisoners rights and law enforcement officers duties in relation to offenders by both local and international broadcasting media.

Officials of the Lawyers Centre for Legal Assistance also participated in human right seminars, conferences, workshop as well as lectures both nationally and internationally, these activities of the centre have also drawn the attention of the broadcast media both nationally and internationally.

Officials of the centre are usually interviewed by the local and international media. A typical example, which can be cited, is the July 18, 2002 incident which saw the alleged killing of a young boy by UNAMSIL peacekeepers. After the incident, the Director of the Centre was interviewed by both local and international broadcasting media about the inhuman manner in which the boy was killed. The centre have a good relationship with the local broadcasting media, and as a matter of fact the local broadcasting media always do coverage of the centre's activities at its headquarter office in Freetown and at the Northern Province Regional Advice Office in Makeni.

The Centre has worked with the Broadcast media in informing and sensitizing people about its roles and activities.

The relationship, which existed between the centre and the local print media under the umbrella of Sierra Leone Association of Journalists (SLAJ), constitute an influential parameter on which news about the Centre's activities Nationwide has so far been drawn.. Journalists have kept a close eye on the centre activities.

Infact since the formal launching of LAWCLA the print media has always been reporting on its activities. For instance in September 2001 three months after the official launching of the centre, the centre took up a case on behalf of a police man who was allegedly assaulted by the leader of the majority party in Sierra Leone Parliament. As a result of this representation, the Standard Times wrote: "Human Right Lawyers to nail S.B. Marrah"

Pupils of the Katombo Primary School pose in front of the rehabilitated school in Kabala. The school was rehabilitated with funds from USAID and was officially opened July 23 by US Ambassador Peter Chaveas

The MPs were not allowed into the committee after it was discovered that they had left their mobile phones on during the proceedings. Hon. Ernest Bai Koroma, the APC Opposition leader, Hon. Ibrahim Jayay and Hon. Shikur Koroma both of the SLPP, were the victims. According to the Speaker, the MPs have had a separate warning to refrain from switching on the mobile phones during proceedings. The practice the Speaker argued, has the potential of distracting the attention of the House which is the highest body in the land, he continued.

With Cement Worth Millions

...ally as pain poem) was carrying on board about one hundred bags of cement worth millions of dollars it went down. The cause of sinking is still under police investigation.

However, the captain of *Sepeti Lika*, Paddy Sooma of No. 3 Rich Course, Rosel...

in front of him when the first accused Anomama Koroma surfaced at the scene with a stick in his hand. He told the court that with little or no argument he saw the first accused hit the deceased with a stick on his head. The second accused Foday Kargbo who he said was also a claimant of the disputed land, joined to beat up

TRY
SALONE TIMES
TODAY AND
WATCH YOUR
BUSINESS GROW

Mano River Medical team meets with Minister of Information

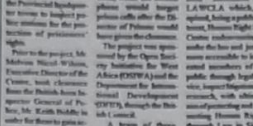


A medical team consisting of doctors from the Mano River countries met with the Minister of Information, Prof. Augustine Ekeh, to discuss the health situation in the Mano River countries.

The team, headed by Dr. Ekeh, said the health situation in the Mano River countries is not as good as it should be. They said the health situation in the Mano River countries is not as good as it should be.

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LAWCLA spread its tentacles



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INDEPENDENT OBSERVER

Published Daily Since 9th August 1997
 Monday 20th November 2002
 Peace & Democracy Are Two Sides Of The Same Coin
 Ls 500

bracing up for appeal court... 5 more lawyers for Paul Kamara

Paul Kamara, the former President of Sierra Leone, is bracing up for an appeal court. He has hired five more lawyers to represent him in the appeal court.

The appeal court is expected to hear the case in the near future. Paul Kamara is expected to appear in court with his legal team.

Soja kills Soja at Kalahun for woman

A woman named Soja was killed by a man named Soja at Kalahun. The incident occurred in the town of Kalahun.

The woman was killed by the man because of a woman. The incident occurred in the town of Kalahun.

Eviction order-Police wounded as Bailiff manhandled

A bailiff manhandled a woman named Soja. The woman was wounded by police during an eviction order.

The incident occurred in the town of Kalahun. The woman was wounded by police during an eviction order.

Another matter undertaken by LAWCLA which drew the attention of the print media was the case in which the centre sued the Section Chief of Lumpa Rural District Alimamy Tarawallie for unlawfully detaining his subject. In this matter the STANDARD TIMES published, "Unlawful Detention - Unlawful Drag Chief to Court".

THE NEWS also published "LAWCLA has consented to assist in prosecuting the matter to its logical conclusion and a letter has already been forwarded to the Director of Public Prosecution....." This was a rape case of a two year old girl who had been raped by a security guard.

After the Publication of the Centre's inaugural Edition of its half yearly Newsletter-LAWCLA NEWS, the PEEP Magazine in its Wednesday January 8, 2002 Edition Wrote "Progressive Young Lawyers give free Legal Aid to the Poor" The Article went on to enumerate the achievements of the centre in the first few months of its establishment.

After the Publication of the second edition of its half yearly Newsletter cataloging the work of the centre from January-June 2002, For Di People Newspaper wrote in its September 19, 2002 Edition, "Abu Samura Wins Port" thereby reporting about the victory of the centre in a case against the Sierra Leone

Ports Authority for unlawfully dismissing Abu Bakarr Samura. Samura was paid the equivalent of \$6000 for the unlawful dismissal.

When the centre established its first office outside Freetown in Makeni several newspapers wrote about it. For instance: Concord Times wrote on the 12th of November 2002 "LAWCLA welcomed in Makeni". Standard Times wrote on Friday 15th November 2002 "LAWCLA enters Makeni" The NEWS wrote on Monday 18th November 2002 "LAWCLA IS A BLESSING TO MAKENI" Sierra News wrote on Friday, September 20 2002 "LAWCLA spreads its tentacles"

In July 2002 when two civilians were alleged to have been killed by UNAMSIL Peacekeepers during a riot in Freetown, the centre called for a Commission of Inquiry to investigate the causes of the death and prosecute those responsible. This call was widely reported by several Newspapers. The Democrat Newspaper wrote on the 22nd of July 2002 "UNAMSIL under fire to punish killers" Independent Observer wrote on 22nd of July 2002 "Alleged killing of innocent civilians By UNAMSIL peacekeepers. Standard Times wrote on Wednesday 31st of July 2002 " July 18 Incident - Civil Society to Investigate"

When the centre launched a Legal Rights Sensitization Project in July 2002, several papers wrote about the project. For instance The News on Friday July 12, 2002 wrote "LAWCLA launches Legal Education Project"

Awoko Newspaper wrote on the 12th of July 2002 "Lawyers to offer free legal Advice"

When the centre launched its Prisoner's Rights Project in September 2002, it was widely reported by the Print Media, thus giving publicity to the work of the centre in Police Stations and Prisons throughout the country, giving free legal advice and representation.

The Concord Times on the 20th of September 2002 wrote an Article entitled "Human Rights Lawyers visit Provincial Police Stations" The Salone Times wrote an Article entitled "Lawyers, Police, Prisoners Discuss Human Rights. THE NEWS in its Friday 20th September 2002 Edition wrote an Article entitled "Lawcla launches Prisoners Rights Project"

The report by Newspapers about the work of the centre in Protecting human rights through Law have significantly contributed towards the reduction of human rights abuses and violations and have also educated the populace about their rights.

Tholla Thompson vs Paul Kamara

LAWCLA Intervenes

The fear is now alleged that Kamara lacks legal representation in a matter that looks sure for him. He did not look fit and was convinced that he did not commit any wrong in the face of the law

Tholla Thompson, a 31-year-old man, was arrested on the 12th of July 2002, and charged with the murder of Paul Kamara. Thompson is a member of the Sierra Leone Police Force. He was arrested while on duty at the police station. Thompson is currently in custody at the police station. Thompson is a member of the Sierra Leone Police Force. He was arrested while on duty at the police station. Thompson is currently in custody at the police station.

Sierra Leone Association of Journalists

SLAJ

General Election

Sept 28, 2002

VOTE

Jonathan Leigh

for Vice-President

Wind Of Change

World Relief Sierra Leone

Job Announcements

WORLD RELIEF SIERRA LEONE seeks for the highest level of professional, integrity, and Christian service to its program across the world. The current program, the Education Improvement Program (EIP), encompasses the provision of the following new team members:

HEALTH PROMOTION SPECIALIST

Responsibilities will include:

- Developing strategy and results, in collaboration with local health workers, for a second presentation health program;
- Supervise a staff of 6 village monitors regarding health activities;
- Monitor the activities of the EIP through daily reports to target villages, communities with progress, staff, and other MOGs;
- Conduct baseline assessment and periodic evaluation of program impact;
- Significant responsibility to the country representative on significant program difficulties;
- File monthly reports on progress health program activities.

ACCOUNTING AND EVALUATION SPECIALIST

Responsibilities will include:

- Assess 100% compliance with WFO Guidelines and best practices for presentation and budget;
- Monitor the efficient use of resources by presenting quality materials, at the lowest available price;
- Supervise drivers and maintain and repair vehicle resources; the health vehicles and maintain and repair vehicle resources; the health vehicles and maintain and repair vehicle resources;
- Supervise drivers and maintain and repair vehicle resources; the health vehicles and maintain and repair vehicle resources;
- Supervise drivers and maintain and repair vehicle resources; the health vehicles and maintain and repair vehicle resources;

All the above positions require the following qualifications:

- Degree in a field appropriate to the stated position;
- Minimum two years of experience with a reputable organization;
- High level of integrity and respect for local community knowledge and experience in computing;
- Able to meet deadlines and work independently;
- Appropriate, which are to include a degree in accounting, CV, and philosophy of development, should be forwarded to the office of **WORLD RELIEF SIERRA LEONE**, not later than 5 PM on 27 September 2002. They should be submitted to The Country Representative, World Relief, 2 UN Drive (off Williams Road), Freetown.

Prisoners Rights Project launched

REMARKABLE The Law Centre for Legal Assistance (LAWCLA) has launched a Prisoners Rights Project in the country. The project is aimed at providing legal assistance to prisoners in the country. The project is aimed at providing legal assistance to prisoners in the country. The project is aimed at providing legal assistance to prisoners in the country.

BANK OF SIERRA LEONE

TREASURY BEARER BONDS AUCTION

The Bank of Sierra Leone is holding an auction of Treasury Bearer Bonds. The auction is open to all interested parties. The auction is open to all interested parties. The auction is open to all interested parties.

Local News

LAWCLA welcomed in Makeni

The Law Centre for Legal Assistance (LAWCLA) has been welcomed in Makeni. The centre is providing legal assistance to the people of Makeni. The centre is providing legal assistance to the people of Makeni. The centre is providing legal assistance to the people of Makeni.

SELF MADE WOMAN

A woman who has made a name for herself in the business world. She is a self-made woman. She is a self-made woman. She is a self-made woman.

CONCLUSION

The Centre in the past eighteen month explored different means to raise Awareness about the Legal Protection of Human Rights in Sierra Leone.

We believe that one cannot effectively talk about Human Rights without the Legal means to protect them.

The major challenges facing the Centre are ensuring its financial sustainability, securing the services of other lawyers and establishing a Southern and Eastern Province Regional office.

It is hoped that the Centre will be able to meet these challenges in the next twelve months.

SUPPORT LAWCLA

The Lawyers Centre for Legal Assistance - Sierra Leone welcomes your financial and technical support. Our ability to continue and expand the work of the Centre depends upon the grants, gifts and technical support we receive from foundations, organisations and individuals like you.

We are grateful to the following for their support.

- Open Society Initiative for West Africa (OSIWA)
- Office of the United Nations High Commissioner for Human Rights (OHCHR)
- United Nations Mission in Sierra Leone (UNAMSIL), Human Rights Section
- International League for Human Rights, New York, USA
- Centre for Media, Education and Technology (CMET) - Sierra Leone
- Raoul Wallengerg Institute of Human Rights and Humanitarian Law, University of Lund, Sweden
- Department of Foreign and International Development (DFID)
- University of British Columbia Branch of Canadian Lawyers Association for International Human Rights
- British Council, Sierra Leone
- Mr. Ambrose Ganda
- Mr. Franklyn B. Kargbo
- Dr. Anthony Soyei

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