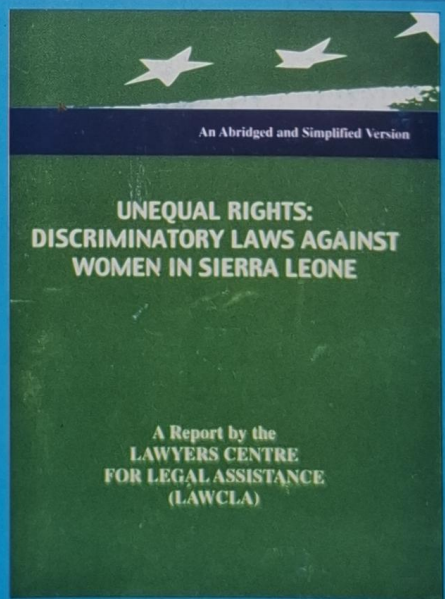




MISSION STATEMENT

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.

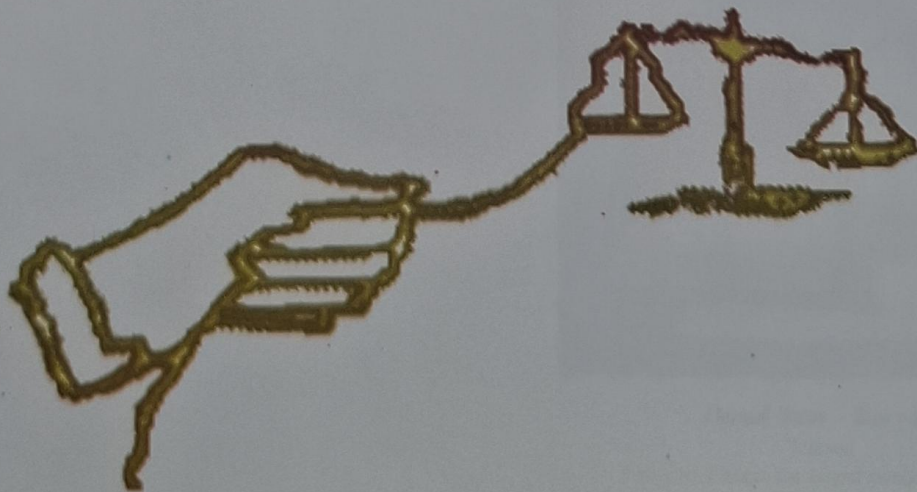


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FOREWORD

As an institutional tradition, LAWCLA publishes its reports quarterly; in addition to its normal research and reports into human rights issues.

The report you have in hand is one of such many reports the centre dishes out so as to make known to the public and donors what have been achieved, while at the same time outlining the challenges.

Looking at its re-organised management structure, LAWCLA has chosen to see the need to manage the Southern Provincial offices from its headquarters in the East of the country. This has been done with no negative effects on its role and relevance in post war Sierra Leone.

Building on its litigation and advocacy experiences, the centre has managed to follow through cases of human rights abuses in a country that is so badly in need of legal-aid. This certainly, must be the new direction of the centre, as the setting up of a legal-aid-fund would go a long way in helping advocacy groups to source from LAWCLA's services for the greater good of the greater majority of needy Sierra Leoneans.

Lastly, the centre's international and professional image has been enhanced by availing its services and facilities to interns of various nationalities. This must continue to be the ambassadorial role LAWCLA should continue to perform, since Sierra Leone is part of the human rights global headache.

Over the years, LAWCLA has had several brilliant and dedicated humanitarian international law students from Europe and North America. These have jointly impacted the work of LAWCLA from the point of research and legal administration within the centre. For this we can only be grateful to the institutions that have continued to be part of LAWCLA's success.



David Tam - Baryoh

Trustee

Lawyers Centre for Legal Assistance Trust

OVERVIEW OF REPORT

The Lawyers Centre for Legal Assistance continues to forge ahead with its development drive to meet the new challenges of our Legal System and Human Rights concerns.

In the period under review, the Centre received international recognition as the Director became the first Sierra Leonean Lawyer to receive the African Human Rights Lawyer Award at a prestigious ceremony in Pretoria, South Africa on Africa day-May 25th 2007.

The Centre also in the last twelve months produced and launched a Handbook entitled 'Juvenile Justice in Sierra Leone-Law and Practice thereby continuing its advocacy work on the promotion and protection of Children's rights. With a grant from the Justice Sector Development Programme, the Centre was able to monitor the treatment of Juveniles within the Criminal Justice System in Freetown and Makeni.

The Centre continues its collaboration with the Forum for African Women Educationist (FAWE) Sierra Leone Chapter and the Fifty-Fifty Group for the reform of discriminatory Laws against women in Sierra Leone. Consultations by this consortium were held with Parliament and other key stakeholders which eventually led to the enactment of the four women's rights Legislations.

The litigation and legal advisory services unit was able to win a major case on behalf of Liberian Refugees in Freetown against United Nations High Commissioner for Refugees represented by the State.

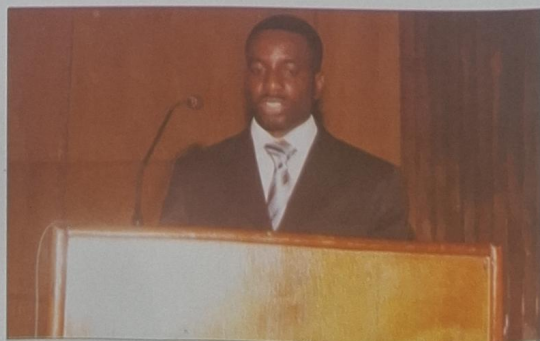
The Centre recruited a Legal Officer and also hosted a research fellow from France and six interns from the Milton Margai College of Education and Technology.

The Centre also signed a memorandum of understanding with the Movement for the Emancipation and progress for Sierra Leone in terms of which it collaborated with the said institution in the area of advocacy for the eradication of harmful traditional practices in Sierra Leone.

In September, the Director of the Centre was hosted by the Doen Foundation in the Netherlands where he sought the support of that foundation to fund a legal services project by the centre for three Years commencing in January 2008.

The Media continues to play a crucial role in the work of the centre and for that we are very grateful.

I thank all our partners and well wishers, and wish you all an enjoyable reading.



Melron C. Nicol-Wilson
DIRECTOR



Mrs. Alainchar-Country Director Plan Int.
Launching The Handbook on Juvenile Justice



Mrs. Nimata Eshun Baiden making a Statement during
the Launching of the handbook on Discriminatory Laws
against Women



Cross-section of Audience during the launching ceremony



Mrs. ELeen Hansciles National Coordinator - FAWE

RESEARCH AND PUBLICATION

The Centre continues to put a lot of premium on research and Publication and is now a leading human rights research Centre. The Centre believes that research into key Human Rights and Access to Justice issues will promote and protect human rights nation wide and regionally.

During the period under review, the Centre undertook a major research that led to the publication of a handbook entitled 'Juvenile Justice in Sierra Leone: Law and Practice.

The Handbook consider provisions in Sierra Leone's domestic Legislation relating to Juveniles such as the Prevention of cruelty to Children Act and The Children and Young Persons Act and highlights key areas where reform is urgently needed in order to meet international standards, and to ensure that Young people are treated in a just and fair manner.

This Handbook also examines the administration of juvenile Justice, revealing that many provisions enshrined in Sierra Leone's legislations are not enforced in practice such as obligation for Juveniles to be detained separately from adults.

The handbook also reveals the horrendous conditions of detention in the remand home and Approved School which are well below internationally accepted levels.

Several Staff Members also did research and wrote short Articles on topical Human Rights issues such as Emergency Rule and Human Rights under International Law, Defence Rights under Sierra Leonean and International Law, the need for Prisoners to be given voting rights and Abortion and the Law. These short articles are published in the LAWCLA NEWS of June 2007 and LAWCLA NEWS of December 2007 respectively.

The Articles are not only educative but has also provoked a range of discussions in the Human Rights Community in Sierra Leone and abroad.

The Centre's Director was also invited to present a Guest Lecture at his Alma Mata-The Centre for Human Rights, University of Pretoria shortly after which he was awarded The African Human Rights Lawyer for 2006.

EMERGENCY RULE AND HUMAN RIGHTS UNDER INTERNATIONAL LAW

BY
MELRON C. NICOL-WILSON

It is necessary to make provisions for the threat to the existence of law and order caused by serious civil commotion, national disaster and threat of armed invasion. However, not all forms of Civil commotion or natural disaster justify the declaration of a State of Emergency and the ordinary law of the Land should be able to deal with strikes, less serious natural disasters and even internal strife.

In general such events do not constitute a threat to the life of the nation and the normal restrictions that can be imposed on the rights of freedom of movement, assembly and speech by virtue of the provisions of the Constitution relating to fundamental rights and freedoms should suffice to address such phenomena. The International Law standard for the declaration of a justifiable State of Emergency places the emphasis on the gravity of the particular circumstances involved in its precipitation.

It is important to note that the 1991 Constitution in effect supplants the ancients and virtually untrammelled common law powers that existed for this purpose, such as Marital Law and cognate phenomena such as prerogative Powers which were not in general subject to judicial scrutiny or control. The reason for this is that the Constitution does not make provision for the Declaration of Marital Law nor does it give parliament archaic prerogative powers.

The jurisprudential justification for the suspension of fundamental rights and liberties during times of natural turmoil and emergency is based on necessity or self Defence. The ancient but highly questionable *salus republicae suprema lex* (the safety of the State is the highest Law) found expression in British Constitutional history and Law, and also in Roman-Dutch legal tradition and experience.

At the outset, it must be emphasized that a declaration of a State of Emergency may make provision for the suspension of certain fundamental rights and not for the suspension of the Constitution which continues to operate. The Constitution cannot be lawfully suspended. All emergency powers must emanate from within the confines of the Constitution itself and cannot have basis in so called ancient prerogative powers.

the operation of the Constitution requires that suspension of these rights in a declared emergency should be strictly construed and that all the formalities should be adhered to at all times. The fundamental purpose of a declaration of a State of Emergency is the protection of the Constitution and the democratic body politic. The objective is most certainly not the maintenance of the political status quo and the well being of the government of the day.

Emergency power cannot be employed unless a procedurally correct declaration has taken place. This is required by International Law. The purpose of a public proclamation is to inform the public of a crisis situation which requires the suspension of ordinary rights. In a democratic body politic, premised on the principles of Constitutionalism, the public has the right to be accurately and sufficiently informed of the extent and the nature of the crisis. A *de facto* State of Emergency is not permissible.

Furthermore the emergency can only be declared when there is an authentic threat to the life of the nation. In addition, the threat of War or other calamity must be such that the ordinary law of the land cannot suffice to restore peace and order.

There is some controversy in International Law in relation to the doctrine of the margin of appreciation that States should be accorded in ascertaining whether a public emergency does exist threatening the well being of the nation concerned. The margin of appreciation has come to be treated as a wide margin. Exceptional circumstances must exist before an emergency may be declared. The following requirements can be discerned from relevant international law instruments.

1. The emergency must be actually imminent.
2. The emergency must be of exceptional magnitude.
3. The life of the nation must be threatened.
4. The state of emergency must be the last resort.
5. The state of emergency must be a temporary measure.

The executive must endeavour to deal even with serious crisis using the ordinary law of the land. A state of Emergency must be perceived as a drastic measure only to be instituted as a last resort. The emergency must also be subjected to Political control and parliamentary oversight as well as judicial supervision to prevent abuse.

Certain fundamental rights are non-derogable and cannot be suspended even during an emergency. The paramount importance of fundamental rights in

RETHINKING SOCIO-ECONOMIC RIGHTS IN TRANSITIONAL SIERRA LEONE

BY
IBRAHIM B. KAMARA

Social and economic rights is that category of rights in which a positive obligation exists upon the state to enhance. It includes among others the right to education, employment, health care, food water and social security.

The response to social and economic claims has been very ineffective in Sierra Leone because of minimal acknowledgement. Added to that the constitutional regime frowns at their enforceability.

Also those independent doctrinaires have done a great harm by watering down the importance and existence of social and economic rights of the citizenry even in the midst of fabulous resources. This is evident in the existing scheme with no premium placed on social and economic rights.

It is legitimate to claim a right which has no legal recognition? One thinks that it is possible to achieve such end. It is by the constitutional order.

Sierra Leone, with the abundance of resources causes it citizens to make a claim to these rights which are a fundamental priori obligation. Perspecting this imperative as political does no good to the debate to ameliorate the inept and lack. The basis to realize these rights becomes achievable by revisiting but not to modify the compromise and compact which the sovereign has constructed.

The basis to realize these rights becomes achievable by revisiting but not to modify the compromise and compact which the sovereign has constructed.

The Solution is the emphasis to be placed upon these rights by that transitional scheme. If this is achieved an individual will have a claim to these rights, and hence the positive obligations of the state to act.

A progressive and functional regime should respond to living conditions which if effectively achieved constitute an antithesis to unparallel comports of social cohesion. A regime in this sense cannot be political but legal.

One hopes that the creature which is associated with the duty to proffer the applicable methods is expeditious in pursuing such line of thinking. This when accomplished will greatly enhance the individual's autonomy to act without interference.

PRIORITIZING WOMEN'S RIGHT

By Abdul D. Kposowa

The world over, there has been continuous agitations about women's rights and how states must prioritize their realization. Through series of international instruments the rights of women had evidently featured as one which nation states must bring into operation to enhance the potentials of this particular vulnerable sect.

In traditional societies like in Africa, women continue to be victims of violation and abuse by states and non-state actors. In Sierra Leone for instance, women face discrimination as a result of the provisions of some laws within our local traditions and customs. It is a cause for concern mainly because part and parcel of society providing them with the opportunities and an enabling environment will not only enhance improvement in family life but in the wider community in which they live.

LAWCLA's unequal rights handbook states that women do not play an active role in political parties and governance. Women's participation in local government has always been low. Traditional governance structures such as community development committees, paramount chiefs and district officers are in most cases dominated. This has not changed a lot. Even though the situation seemed to be improving but the percentage rate of women's participation is still a struggle.

Although women lack positions in formal politics, they constitute active and courageous defenders of the democratic movement in Sierra Leone. In the 1950's women participated in local and municipal government. They also participated actively in the struggle for independence. But has this issue been reflected in contemporary days? No. Even with the advent of the taking over of the reigns of power from the Sierra Leone's People's Party (SLPP) government to the All People's Congress (APC) government the situation remains the same.

LAWCLA as a leading legal aid institution in Sierra Leone continues to receive complaints of abuses both within the family and formal institutions. A deeper passion had made me to give an added voice to this concern which has not been adequately addressed in Sierra Leone.

Today in Sierra Leone, women faces discriminations in any kind of relationship. I deliberately used the term relationships because I am taking into consideration women who are married or unmarried because the law should be the same for everyone without any consideration whether he or she is married or not. With all this issues at hand there must be a collaborative effort from the media, civil society groups, other stakeholders, those in governance to help to

DEFENSE RIGHTS UNDER SIERRA LEONE LAW AND INTERNATIONAL LAW

BY
IBRAHIM KAMARA

Defense rights are rights of an accused during trial. They are guaranteed by the law or prescript of several entitlements of a person having been accused of committing a crime. Thus, no matter the gravity of the offence committed or alleged to have been committed, it remains fundamental for an accused in a democratic state to be accorded the opportunity to utilize these rights in pursuit of presenting his own side; as failure constitute a discard of the rule of law and the principle of natural justice known as *Audi Partem Alteram* which literally means: hear both sides of a story. When talking about defense rights, it simply connotes the uninterrupted or unfettered rights of an accused to defend him or her.

Sierra Leone as an emerging democracy has provided within its legal systems various rights of an accused during trial. There are two principal statutory creations that guide the court systems on the rights of an accused person during trial and these are the 1991 Constitution of Sierra Leone otherwise known as Act No. 6 of 1991, and the Criminal Procedures Act of 1965. One may proceed to look at these legal provisions in detail.

Section 23 in particular deals with security and protection of the law; and these entire sections posits numerous provisions on the rights of the accused persons. Accordingly, subsection (1) of that section, which is the preamble, state that a person having been accused of committing an offence shall be given a fair hearing within a reasonable time by an independent and impartial court established by law. There are several issues that could be depicted from this all embracing subsection, and among those are the following:

- * That the administration of justice in criminal cases is conducted without undue influence and that a kangaroo system or criminal adjudication has no place in our legal system.
- * An accused can undergo trials for a crime committed or alleged to have been committed without delay and further remedies could be sorted by an accused.
- * That an accused is made to have a fair opportunity to present his side just like those who prosecute; and that the Principles of Equality of Arms are readily provided for through him. As a sign of fair hearing.

According to section 23 (4) of the 1991 Constitution, an accused person is presumed innocent until found guilty which is a cardinal principle of criminal fact-finding with

the objective of attaining a correct account of events and ascertaining the culpability.

Thus, there are other specific rights which an accused person enjoys under the 1991 Constitution as provided for under section 23 (5). An individual shall be informed at the time he is charged of the offence he/she has committed and in the language he/she understands and in details of the nature of the offence charged. An accused person must be accorded adequate time and facilities in the preparation of his defence. He/she shall also be allowed to defend himself in person or by a legal representative of his own choice. He/she shall be afforded the opportunity to examine in person or by legal representative evidence presented by prosecution. He/she has a right to the service of an interpreter if he cannot understand the language used in his trial. In addition, he/she shall have the right to call witnesses in support of his case.

An accused as stipulated in section 23 (3) has a right to utilize records of trials. Also an accused has a right to appeal to a superior court.

Another important legislation that governs the defence right of an accused person during trial is the Criminal Procedure Act of 1965 as stated earlier. This statute contains numerous provisions on defence rights and one may proceed to mention some of them.

According to section 65 of the Criminal Procedure Act of 1965, where it appears to the court that a charge is malicious, frivolous or vexatious, and the court may order the prosecutor to pay all or any specified part of the expenses of the accused.

In preliminary investigation, the Criminal Procedure Act by virtue of section 110 states that upon the appearance of the accused before the court of summons, warrant or otherwise, an accused shall be made to know the substance of the charge against him/her and reserve the right to remain silent or reply thereto.

Furthermore, in cases of hearing of trial by jury, section 192 stipulates that if the accused is not defended by counsel, the court shall inform the accused of his/her right to address the court, to give evidence on his own behalf or to make an unsworn statement and to call witnesses in his defence, and in all cases shall require him or his counsel to state whether they intend to call any witness.

In section 193 of the Criminal Procedure Act, where an accused person is not defended by counsel and state that he does not intend to call any witness as to the facts except himself, the court shall forthwith call upon the accused to make his statement or say anything or give evidence on oath, as to the facts, and after his cross-examination (if any) he shall be permitted to address the court, if he so desires and to call any witnesses as to character

ABORTION AND LAW

By
Anne-Sophie Corset

In many countries, giving birth is considered as a human right. That means that every woman should be free to decide whether she wants to give birth or not. The problem is that sometimes, things do not happen as one desires and a woman can be pregnant without desiring the birth of a new baby. There are many reasons for unwilling pregnancy: lack of contraceptive knowledge, methods and means, lack of knowledge about maternity, women being raped... The choice of giving birth or not belongs to the intimacy of every woman's private life and nobody can judge the reasons why a woman seeks an abortion.

This article aims at analyzing the French and the Sierra Leonean law about abortion and explains why Sierra Leone should, in my opinion, reform its laws on this issue. Nowadays, abortion is still considered as a criminal offence according to the Sierra Leonean law and specifically the Offences against the Person Act, 1861 which is a relic of British colonial law.

Because of this odd and inconsistent act, a lot of women are forced into back-street abortion clinics in Sierra Leone and consequently can suffer from a lot of health complications, HIV infections and sometimes, death. Now that the practice is happening in Sierra Leone, this obsolete law has to be reviewed in order to be in line with the needs of the Sierra Leonean women and whole society.

In order to understand how Sierra Leone can reform the 1861 Act (III), it is important to study the notion of the beginning of life (I) and to consider abortion as a women's right (II).

I. The legal understanding of the beginning of life.

The main problem about allowing abortion is the question of legally defining when the human life begins to make the difference between abortion and murder.

If the law considers that the life of a human being starts on the day of its conception, abortion can not be authorized by the law because it will be likened to murder.

On the contrary, if the law considers that the beginning of human life dates back to the transformation of the embryo into a foetus or to the birth of the baby, abortion can be lawful without any confusion in mixing it up with murder.

The European Court of Human Rights decided not to take any sides on this issue of the legal definition of the beginning of life in order to let the member states specify in their own legislations whether they consider that

the human life and thus the legal protection of human beings should start at a certain time during the pregnancy or at birth (ECHR 2004 *Vo v. France*).

In France, the Civil code states in article 16 and following that the life and consequently the legal protection of a human being starts when the baby is born alive and viable. The French legal criterion for the beginning of life is to be born alive and viable, meaning to be endowed with all the vital organs (« être né vivant et viable »). In this condition, the legal protection of a human being starts at birth with the first breath of the baby. Before that, the fetus is not considered as a human being and has no rights but receives a certain protection by the law.

The French legal position about the beginning of the life allowed the law makers to pass the 1975 Act about abortion (Loi IVG dite Loi Veil, 9 July 1975). The French Abortion Act, 1975 draws up a difference between the therapeutic and the voluntary abortion whereas the Offence against the Person Act, 1861 only allows the therapeutic abortion.

In France, the therapeutic abortion is allowed all along the pregnancy if a doctor diagnoses that there is a vital threat for the mother or the baby or both. This is a medical issue and the threat about the vital prognosis has to be proven. The doctors can as well advice the future mother to go on abortion when he/she detects that the foetus is in a very bad state (serious disability, lack of vital organs...). The final decision always belongs to the future mother.

The voluntary abortion is allowed in France till the end of the twelfth week of pregnancy. During this time, the woman can decide whether she wants to keep the embryo in order to give birth to a baby or to give up the maternal project and go on abortion.

In Sierra Leone, this second kind of abortion is unlawful. Although everybody knows that abortions are committed everyday throughout the country, the law still considers the act as a grave criminal offence.

The ban on abortion is linked with an odd perception of abortion which is soaked in realm of religion. A lot of people in Sierra Leone consider that pregnancy is a present or gift from God and that they have to cope with it even if they do not have enough money to bring up the child or do not desire more babies. The problem becomes more acute when the pregnancy came about as a result of rape. The Sierra Leonean law protects the embryo and the foetus as if it was already a human being. Thus, abortion is considered as a crime. The demonstration of this position resides in the title of the 1861 Act that punishes unlawful abortion as a crime against the person. The first step to go on allowing abortion in Sierra Leone is to make a legal difference between the embryo or the foetus and a human being enjoying the protection of human rights.

II. Abortion as a Woman's right

As mentioned above, abortion is considered as a human right and more precisely as a women's right in many countries. In France, the right to choose to give birth is one of the most important rights for women, narrowly linked with the right to free disposal of one's own body. The embryo is considered as a part of the women's body all the time it is in her uterus and that is why she can decide on her own to put a stop to her pregnancy.

During the pregnancy, the embryo has no rights because it is not considered as a human being and the woman's right prevails over the protection of the prospective human being.

However, if the voluntary abortion is considered in France as a victory for women's rights and freedom, it sets certain limits. The French legal system makes a difference between the embryo and the foetus, when the main vital organs are developed.

The moment when an embryo becomes a foetus is not clearly medically defined but the law makers have to decide the moment of the beginning of the legal protection of the embryo and put a limit to abortion. It has been decided that for the voluntary abortion, the woman is free to go on abortion till the end of the twelfth week of pregnancy. After this date, going on abortion is unlawful and considered as a specific offence, different from the offences against the person. The judge will take into consideration the psychological distress of the offender during her pregnancy that had led her to go on an unlawful abortion.

In order to avoid unlawful abortions, the French law makes it compulsory for doctors and hospitals to practice abortions when their patient requires it within the first twelve weeks of pregnancy, or, if they choose not to practice any abortion because of personal reasons, they have the duty to recommend the patient to a healthcare service that will be able to practise the medical intervention in time.

The second main measure in order to give effectiveness to the right to give birth and abortion is the free access to abortion, event for minors. Women do not have to pay for it and minors do not have to ask for a parental assent. They just have to be accompanied by an adult of their choice.

France has also developed a lot of contraceptive measures in order to enable women to control their biological cycle. As an example, women, even minors can have free access to contraceptive pills or to aborting tablets (that they have to take the hours following an unprotected sexual relationship). These measures are aimed at preventing and reducing the cases of abortions.

In Sierra Leone, going on abortion voluntarily is considered as an offence and both, the patient and the doctor can be sentenced ranging from seven to twelve years imprisonment.

In facts, according to the Criminal Investigation Department of Sierra Leone, the cases are not frequent and only cases resulting to death are sometimes prosecuted when it is reported to the Police, whereas everybody knows that a lot of abortions are committed throughout the country, despite the absence of official registration.

These are the reasons why Sierra Leone needs to review the odd and hypocrite 1861 Act in the same vein as the 2007 Gender Reform Act in order to protect its own people especially women.

III. The need for reform

The law of a country needs to be adapted to the evolution and needs of its people. When a law becomes unable to adapt to changing times and it becomes too draconian it has to be removed or reformed.

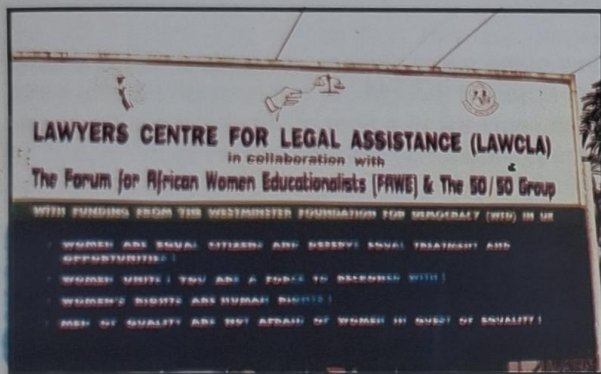
As demonstrated above, abortion is widely applied in Sierra Leone and is one of the answers to the special need of a particular segment of the population. Since 1861, the Sierra Leonean society has experienced rapid evolution and the law makers have to cope with this evolution of mentalities and needs. The odd and hypocrite British act has to be reformed because it does not fit within the Sierra Leonean society. This is where both the government and parliament comes to interplay to adapt to this evolution even if the new law would not be appreciated by a segment of the electorate.

It is true that abortion is badly seen by many religions but the law has to be independent from religious issues. A law will never be effective to stop abortions because the practice is already on going but a law can rule about the practice by finding a compromise between voluntary abortions and the necessary protection of the foetus.

In this light, the solution is to reform the 1861 Act by allowing voluntary abortion and defining proceedings and limits consistent with the Sierra Leonean ethics and values.



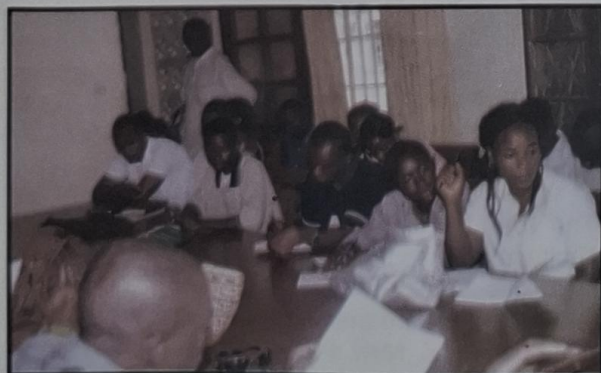
Police Officers, Justices of the Peace, Prison Officials and Human Rights Activists undergoing training in Makeni.



Displaying Bill Boards at strategic places is part of advocacy



Interns from MMCE undergoing training on the roles and responsibilities of Paralegal



Press Conference at the Head Office in Freetown.

ADVOCACY PROGRAMMES

The Centre continued to advocate for Law Reform during the period under review.

The Centre and its partners-The Fifty/Fifty Group and the Forum for African Women Educationalist (FAWE) collaborated on the second phase of a project to eradicate Discriminatory Laws against Women.

Several activities were undertaken in this regard including erection of Bill Boards in strategic locations throughout Sierra Leone. The Bill Boards carry messages advocating for the eradication of laws discriminating against Women. The consortiums also issued a press release and held consultations with the Parliamentary Human Rights Committee and several Women's Rights Groups.

As a result of this advocacy program by LAWCLA and partners some of the Discriminatory Legal Provisions were repealed through the passage of Four Legislations promoting Women's rights in Sierra Leone. These legislations are

- The Domestic Violence Act of 2007
- The Devolution of Estate Act of 2007
- The Registration of Customary Marriages and Divorce Act of 2007
- The Prevention and Control of HIV and AIDS Act 2007

This Advocacy Project which LAWCLA started in 2004 with the Production of a handbook entitled Discriminatory Laws against Women-An Urgent Need for Reform' was funded by the Westminster Foundation for Democracy in the United Kingdom.

TRAINING PROGRAMMES

The Centre continues to fulfill its mandate in training Law Enforcement and other Public Officials in Human Rights standards. During the period under review, the Centre conducted internal paralegal training programme for its interns from Milton Margai College of Education and Technology. Prior to the interns serving as monitors of Children within the Criminal Justice System the Centre also trained them on the Law and Practice relating to the treatment of Juveniles in Sierra Leone

Prisoners Deserve Voting Right In Sierra Leone

By Selwyn N.A. Nicol

Electioneering process was the pre-occupation of a lot of Sierra Leoneans during the months of August and September 2007 respectively. It was the fervent prayer of many Sierra Leoneans that the elections would be free from violence, fair and credible. The anxiety and fuss which greeted this election has disappeared. What stroke me during this period was that some Sierra Leoneans were either wilfully disenfranchised or the authorities blinded their eyes to the fact that these individuals have their civic right to vote. The individuals that I am referring to are those held in remand prisons and police cells all over the country awaiting either acquittal or conviction.

I have the strong conviction that it was wrong for these set of prisoners to have been denied their sacrosanct civic right to vote. The Act in Sierra Leone which disenfranchises prisoners is The Electoral Act 2002. This act states in section 7(d) that:

"No person shall be registered as an elector or, having been registered as such, shall be entitled to vote at any election if he is serving a sentence of imprisonment".

It is abundantly clear from the wording of this act that it did not in any shape or form contemplate the encompassment of detainees held in remand and police cells as they are not serving a term of imprisonment. Putting it in a very simple expression, detainees in remand and Police cells have the right to vote.

I think this is the rightful time that the authorities have a rethink over this issue as individuals who are held in remand are not serving a sentence of imprisonment as they have not been convicted. Britain has realized this and in 2000 passed the Representation of the Peoples Act which permits those held in remand to vote.

I would further like to thread on a very controversial subject which would provoke heated comments and possibly lead to the piloting of a new act that would lead to the amendment of section 7(d) of The Electoral Act 2002 in Sierra Leone which would ultimately lead to prisoners who have been sentence to a term of imprisonment be permitted to vote. In some countries convicted prisoners have been given the opportunity to vote without any restriction attach, it would be imperative that I mention these countries such as Sweden, Denmark, South Africa, Spain and Switzerland. For countries like Australia and New Zealand the determinative factor which permits one to vote is the length of sentence impose. So an indi-

vidual who is serving life imprisonment would not be allowed to vote whilst those serving very short sentences would be permitted.

There are several salient reasons I would like to press forward to support the view why it would be significant for the law which prevents prisoners from voting be amended to permit them to enjoy their right to vote. But before doing so, I would like to advance the points put forward by those who oppose to prisoners voting which I have found out to be very much opinionated.

One of the major reasons, advance by opponents of this school of thought, is that once an individual has been sentence to a term of imprisonment, he immediately suffers "civic death" meaning he loses all civic rights which he enjoyed in the past and his liberty and fundamental rights are suddenly affected. This is one of the punitive actions that are meted towards him as a result of him or her breaking the law and he/she must bear the consequence of his or her own action.

By denying prisoners various rights including the right to movement, conjugal right and the right to vote serve as a means of deterring future offenders that by going to prison they would be restricted in enjoying these rights and thus reduce or prevent the society from being crime-ridden.

It is submitted that these arguments are flawed with many patent weaknesses and unavoidable exposes itself to a barrage of criticisms. The first argument made by this opponent disregards the fact that prisoners are part and parcel of the Sierra Leone Society- I must hasten to say that they are citizens of this country and it is a fact that we cannot avoid.

We cannot just lock them up and forget about them. They have a right to personhood (the right to be recognized as human beings), this view was loudly echoed in the South African seminal **case of August & Ano v. The Electoral Commissioner and others, 1999 (3) SA 1 (CC), Para 17** in which the South African Constitutional Court gave each class of prisoners the right to vote. The court stated that:

"The vote of each and every citizen is a badge of dignity and personhood."

Secondly, the term prison has fallen into disuse in many countries. Now it is euphemistically referred to as a house of correction or a correctional institution, this connotes the idea that prison is no longer

a place that should be deemed as an institution to punish offenders and at the end of the day, they become traumatized and bitter towards society but rather it exists as an institution to reform and rehabilitate offenders so that when they are out, they would become good citizens.

Because a lot of people have clung to this perception that prison is an institution that prisoners are sent to, so that they maybe punish. Unsurprisingly, the end product of this notion is that Sierra Leone's prisons are overcrowded, unpalatable meals being served to inmates, poor health facilities, unclean environment, lack of beddings and maltreatment by prison officers. By allowing prisoners to vote, it would help to draw the attention of the authorities to address the welfare of the inmates and ensure that they are properly rehabilitated so that they can fit into society when they are released.

It has been established that the vast majority of people who are sent to prison in Sierra Leone belong to the down trodden class, having found themselves to be social dropout unable to climb the social ladder because they are illiterate or half baked and unemployed. They emerged most times from poverty stricken and sub cultural areas like Kroo Bay, Mabela, Surpitt, King Jimmy, Kanikay, Government Wharf, Old wharf etc. By allowing them to vote, it makes them to feel that they belong to society and shape their psyche positively so that they can contribute meaningfully to society.

It could also be of immense benefit to society as a whole if prisoners are allowed to vote so that they could influence the formation of major state policies like combating poverty, promoting good governance, employment, improved working conditions, creating educational opportunity, housing facilities, energy supply etc in a country where their children and family members are living and the society that they would eventually be released into. By voting it allows them to show case the glaring ineptitude of the authorities to address these issues which to some extent influence prisoners in the commission of offences.

By preventing prisoners from voting, it undermines our toddling democracy and under Section 5(1) of The 1991 Constitution of Sierra Leone, the grund norm of this country states that

"The Republic of Sierra Leone shall be a state based on the principles of Freedom, Democracy and Justice".

In the Canadian *case of Suave v Canada (Chief Electoral Officer); McCorrister v A-G of Canada and others 2002 SCC 68 Para 34* in which the Supreme Court Of Canada stated in very clear terms that:

"The right of all citizens to vote, regardless of virtue or mental ability or other distinguishing features underpins the legitimacy of Canadian democracy and Parliament's claim to power. A government that restricts the franchise to a select portion of citizens is a government that weakens its ability to function as the legitimate representative of the excluded citizens, jeopardises its claim to representative democracy and erodes the basis of its right to convict and punish law-breakers."

This line of view was toed in the *European Court Of Human Rights in the case of Hirst v. UK (2005)19 BHRC 546 at 571* showing how the prevention of prisoners voting is a complete negation of the spirit of democracy.

Perhaps the last straw to break the camel's back is the fact that the Sierra Leone constitution, the supreme law of this country- has no portion within it that precludes prisoners from voting but rather prevents prisoners from contesting for political offices such as becoming a parliamentarian or a president which is quiet understandable. Under Section 171(15) of the constitution, it is stated that any law which is inconsistent with the provisions of the constitution is void and has no effect.

The constitution has created in section 25, protection of freedom of expression. Expression is not only limited to writing and the making of speeches but also includes body language, sign language and also voting. By voting one expresses his political feelings, aspirations and opinions about a political candidate, government or a particular policy. Thus by preventing a prisoner from voting, it is a direct and slapdash obstruction of his sacred constitutional right to expression.

Under the limitation clause in section 25(2)(A)&(B) of the 1991 Constitution, the only point in time in which one could be restricted in the enjoyment of this said right is in the interest of national security, public order, public safety, public morality, public health, for the purpose of prevention of injure to someone's reputation, to maintain confidentiality, maintaining the independence and the authority of the court, to control and regulate the telephone, wireless broadcasting, post, telecommunication, television, public exhibition or public entertainment. By allowing a prisoner to vote I can safely say that it does not have any effect on the provisions of the limitation clause which I have stated above.

Whatever one may say, it is my candid opinion that this issue of allowing prisoners to vote must be subject to a constitutional test case, the authorities must approach this issue with a non-judgmental attitude, ensures that prisoners are allowed to vote and have a say in the development of this country that belongs to all of us.

A Call for Morality In Sierra Leone

By Cyphas Williams

Quite a long time ago, ordinary free thinkers, religious leaders, politicians, and philosophers alike, had and are still pondering, as well as striving, to set standard(s) on how to analyze and judge individuals thoughts and actions, as to whether they can be categorized as good or bad.

As life breaths on, Greek thinkers decided to name this intellectual enterprise as the art of morality or ethics. For a country like Sierra Leone, which does not seem to have an inkling of the subject, neither possesses, nor respect or cares about any ethical code governing their lives, professions, or the society at large, ethics is that normative discipline which sets standards or codes of conducts under which it judges actions to be virtuous or vicious. To put it bluntly, it is a search for an ideal litmus test of proper behaviour.

The golden rule which has its roots in Christian theology is a perfect example of a normative principle: "We should do to others as we want them do to us". Since I do not want someone to steal my property, then it is wrong for me to do likewise. Since legal aid is a necessity in any political setting, that is, why we are advocating for the creation of a legal aid commission. Since the government does not want its citizens to criticize it for making false promises, then the government should not only "talk the talk, but work the talk". And since I do not want someone to violate my rights, then I should not violate the rights of others. With this reasoning, I can theoretically and practically determine whether any possible action is right or wrong. And based on this golden rule, it would also be wrong for me to lie to, harass, victimize, assault, or kill others.

This rule establishes a single principle against which we judge all actions. This single principle and a host of others like, virtue theories, utilitarianism, social contract theory and duty ethics is used to solving life's daily dilemmas in that sub-field of ethics known as Applied Ethics.

For the sake of this piece, I will concentrate on the utilitarian theory. Utilitarianism which has just been mentioned is administered in applied ethics to solving contemporary social and political issues

as they arise for the general good. This theory was first propounded by Jeremy Bentham, and judge's actions and rules to be morally favourable or unfavourable in terms of their consequences. Unlike act, which weighs the consequences of each particular action, rule proffers a litmus test only for the morality of moral rules, such as "stealing is wrong". Adopting a rule against theft, explicitly and implicitly has more favourable consequences for everyone.

The same is true for moral actions and rules against lying, murdering and corruption which has adverse social, economic and political consequences for any nation. A certain action such as stealing or diverting funds from the national kitty is judged wrong as it violates a moral rule against theft or corruption. Morally, stealing of any sort or corruption per se is out rightly wrong. When assessed on a national scale, for a naturally rich but, sorrowfully, poor country like Sierra Leone, the consequences are dire-corruption diverts funds for development; leads to poor health and low quality of education; makes the majority poor; and does not create ways for job facilities.

Just think for a moment that monies meant for the payment of salaries and goods for school going children are being converted by one person or a certain coterie. It is an open secret that these actions definitely have adverse effects on the children and people who are to be paid, their nuclear and extended families, and well as the economy of the nation. On the other hand, these actions have violated the rule against theft or corruption which is morally binding. Therefore, adopting this rule against corruption would produce favourable consequences for everyone and the nation.

To crown it all, this missive is just a step to awaken our moral consciousness, as the standard of morality of the entire country is at low ebb. We are calling on everybody to read carefully, think and put these principles into practice. The outcome, without doubt would definitely be positive, and would instil a sense of moral awareness in this nation. We also want the government to take the lead and serve as a model in this respect. And finally, as we try to make the law accessible to indigent people of this nation, government should immediately create an ethical commission of reputable people, to look into and evaluate its governing actions and rules. The outcome is to praise or shame any individual or institution which falls below the moral limit. A journey of a moral million mile, starts with a single step.

LITIGATION

This Unit was restructured to deal with Impact Litigation Cases and Constitutional test cases in 2006 and continued with this mandate during the period under review.

Notwithstanding its mandate the demand for legal services from the poor prevented us from concentrating solely on our objective. As the Centre continued to receive hundreds of requests for Legal Advice, Representation and Assistance, the Centre responded by providing Legal services to even those who did not fulfill our criteria for impact litigation cases.

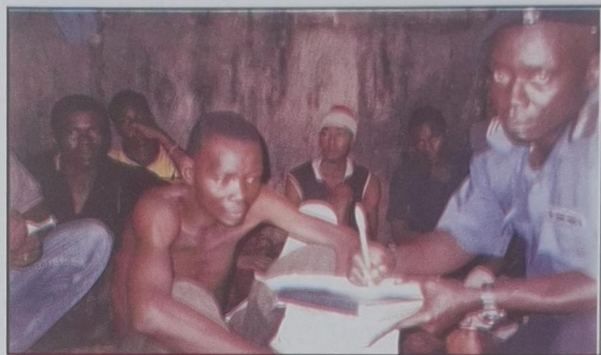
During the period under review the Centre also provided legal services to groups and communities in rural Sierra Leone through our Regional offices in Makeni and Kenema.

This unit continues to be at the forefront of advocacy for the Establishment of a National Legal Aid Board/Public Defender's Office. This office which we believe is absolutely essential will be more sustainable than donor driven institutions and would be able to arrest the rampant cases of lack of representation by thousands of Accused Persons going through the Criminal Justice System every Year.

The lack of legal representation has led to undue delays in the dealing of cases, over incarceration and miscarriages of justice in some instances.



A. I. Sesay - Head of Litigation Unit



Paralegals interviewing detainees inside the police Station



Three Sisters appealing for free legal assistance in Kenema



Some of the clients represented by LAWCLA

MONITORING OF CHILDREN WITHIN THE CRIMINAL JUSTICE SYSTEM

(Culled from LAWCLA News June 2007 Page 10)

The 30th June, 2007 was the last month of a six month monitoring of children within the Criminal Justice Unit of LAWCLA. It would be recalled that the Justice Sector Development Programme provided the Centre with a small grant to facilitate a monitoring project of children within the Criminal Justice System, In Freetown and Makeni.

This Project which purposely looked at the law and practice relating to the treatment of children in police stations and posts in Freetown and Makeni, the Freetown and Makeni Law Courts, also focused its activities in the Kingtom Remand Home and the Wellington Approved School.

Prior to the commencement of this monitoring project, the Coordinator of the Juvenile Justice Unit, Mohamed Bangura and other projects staff had undergone an internal professional training on the topical issues of juvenile justice conducted by Melron Nicol-Wilson, the Director of LAWCLA. The Juvenile Unit was then very equipped to embark on its six months monitoring of children within the Criminal Justice System.

During the course of the monitoring exercise, Juvenile monitors who were assigned to assess the law and practice relating to the treatment of juvenile offenders and defaulters regularly visited all the police stations and posts in Freetown and Makeni. They also monitored the trials of juvenile offenders in the Freetown and Makeni Magistrate Courts. The Kingtom Remand Home and Wellington Approved School were part of the institutions monitored during the said period.

Though the monitoring exercise was short lived, monitors from LAWCLA detected generic irregularities in almost all the institutions monitored. It was particularly discovered that there were enormous human rights violations suffered by those children within the Criminal Justice System. In some of the police stations monitored; children were detained with adult criminal and exposed to the dangers or criminal contamination. In Freetown Law Court, the trials of juveniles were mostly open to the general public. Whilst in the Makeni Magistrate Court, juvenile offenders were not only tried in the public domain but with adults as well.

The Kingtom Remand Home and the Wellington Approved School were discovered to be in desperate need for rehabilitation and basic amenities.

LAWYER IVAN RESCUES LIBERIAN REFUGEES

(Culled from LAWCLA News June 2007 Page 5)

Monday 18th June, 2007 was characterized by jubilation for victory won by LAWCLA and a reminiscence of a terrible history by the Executive and a cross-section of the membership of the Liberian Refugees Association at the Conference Room of LAWCLA.

The Thanksgiving Meeting which commenced at 4:30 pm was witnessed by Melron Nicol-Wilson, the Director of the Centre, Abdul D. Kposowa, Ibrahim Kamara, Desmond Taylor, Mohamed Bangura the Chairman of the programme and other staff members.

It could be recalled that on the 12th June, 2006, a significant number of Liberian Refugees were arrested and charged to court for alleged offences (comprising twenty one count charges) by the United Nations High Commission for Refugees, at their Freetown office.

Melron Nicol-Wilson was contacted by members of the refugees, and he assigned the matter to Ivan Sesay, a Lawyer at LAWCLA, who proceeded with it, to a victorious conclusion. Judgment on this matter was delivered on the 12th June, 2007. This verdict was greeted by those in court with a thunderous applaud. The accused persons were acquitted and discharged on all the 21 counts charges.

In his presentation, Melron-Nicol Wilson, LAWCLA's boss expressed gratitude to the Refugees and spoke about the aspect of International Humanitarian Law that does not take into consideration the peculiarity of the variables that influence the emergence of refugees in Africa. He further expressed the Centre's commitment to support the advancement of the course of humanity.

Melvin Bashiru Fambuleh, the Chairman of the refugees and other members present, showered praises on the Director, Melron Nicol-Wilson, Mr. Ivan Sesay and the Centre in general. The programme was climaxed with a presentation of a bouquet, by Alice Lumeh, the Chairlady of the Refugees to Mohamed Bangura on behalf of LAWCLA as a sign of their appreciation of the Centre's effort in rescuing their members from the claws of the judiciary.

COLLABORATION AND LINKAGES

The Centre during the period under review collaborated with a number of institutions in order to fulfil its mandate, including the following

* **Forum of African Women Educationalists (FAWE):**

LAWCLA and FAWE formed a consortium to implement the Women's Rights Projects funded by the Westminster Foundation for Democracy in the United Kingdom. Mrs. Eleen Hanciles National Coordinator and other staff members were very much instrumental in organizing workshop, sensitization seminars on the need for the reform of discriminatory Laws; and the consortium succeeded in the enactment of these laws. Consultations with stakeholders both within and without

* **50/50 Group**

The Centre, with financial support from the Westminster Foundation for Democracy in the United Kingdom, agreed to include 50/50 group to the consortium alongside with FAWE for the effective implementation of the Women's Rights Project and we were able to implement this project that forced parliament with a certificate of emergency from President Ahmed Tejan Kabbah for its enactment in what is known as the Gender Bills.

* **The National Forum for Human Rights:-**

With Alfred Carew as the National Director of the umbrella organization, the forum consists of about thirty two Human Rights and peace groups. The relationship between the forum and the Centre continued to grow. The Forum has helped LAWCLA to Network with other local Human Rights organization in promoting and protecting the rights of all, regardless of status and sex. The relationship could be traced back to 2002. Collaborative work was also facilitated with the Centre when the Westminster Foundation for Democracy in the U.K. supported the forum with financial support.

* **United Nations Integrated Office in Sierra Leone (UNIOSIL):**

In October this year, the Centre was privileged to be invited by UNIOSIL at their headquarter in Aberdeen to discuss some vital issues of Human Rights concern especially from the Human Rights and Rule of Law Section, we were able to discuss the day to day Human Rights situation in the country.

* **The Sierra Leone Police**

The Centre in its Juvenile Justice Monitoring project worked extensively with this institution within the Western Area and the Northern Province Township of Makeni. It also worked in conjunction with the Family Support Unit within the police force on issues pertaining to gender based violence and the prosecution of sexual offenders.

The Centre has also worked with the institution in areas of research work and they have benefited hugely because the hand book on juvenile justice served as a resource material for Police Officers.

* **The Milton Margai College of Education and Technology.**

LAWCLA collaborated with the Milton Margai College of Education and Technology by hosting six interns during the period under review. The Interns worked in various units of the Centre and others travelled to the Regional Offices with little or no supervision.

* **Centre For Peace And Conflict Studies Fourah Bay College - University of Sierra Leone**

The Centre continues to augment the service of the University through lectureship at the centre for peace and conflict studies department. Melron C. Nicol- Wilson Director of the centre continued to give pro-bono services to students of that Department by lecturing international Law and Peace on a cost free basis.

* **The Prisons Service**

LAWCLA has continued to receive the attention of prisons officials in relation to detainees and prisoners. The Centre's paralegals have been visiting prisons facilities and detention Centres in Kenema and Makeni and their respective places of operations.

* **Ministry Of Social Welfare Gender And Children's Affairs-**

Strong ties have existed between the Centre and the Ministry. A firm commitment was shown in the area of the domestication of the Convention of the Right of the Child. (C.R.C.)

In many occasions before the Child Rights Bill was promulgated by the outgoing parliament, the Centre and the Ministry have engaged in a wide range of fruitful discussions in which the Centre gave a lot of professional advice in the area of legal drafting and as to how the Ministry should approach parliament with these issues. The Centre also engaged in the training of most of the probation officers attached to the Ministry as to how they should handle the issue of Juvenile when they are in conflict with the law.

* **Plan International Sierra Leone:**

During this reporting period Plan has helped in no small way with the launching of the hand book titled Juvenile Justice in Sierra Leone; law and practice. In fact Plan Country Director Fadimata Alainchar was invited by the centre to do the official launching of the hand book.

* **TEDIWOSIL**

With Mrs. Martha .P. Chigozie as Director and founder of Thorough Empowerment and Development for Women's and Girls in Sierra Leone LAWCLA collaborated with TEDIWOSIL to stop discrimination against women folk of this nation.

Both institutions have worked tremendously in advocacy campaign using Radio and television discussion programmes.

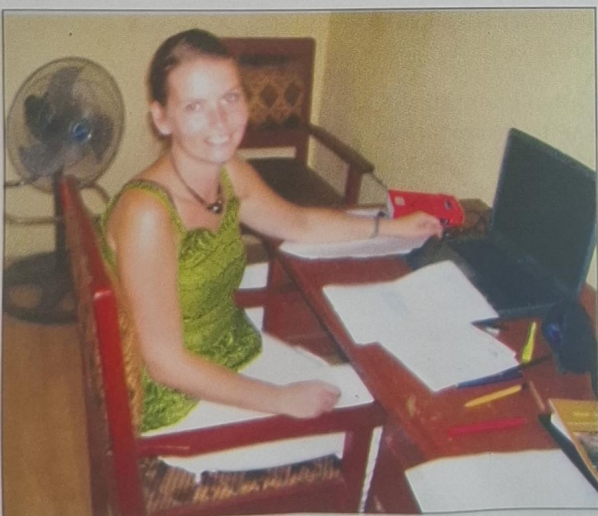
INTERNSHIPS

The Centre continues to enjoy a symbiotic relationship with its Interns during the period under review. On one hand the Interns learn a lot from the Centre about Human Rights and access to Justice. On the other hand by working with the Centre the interns contributed to the fulfillment of our Mandate.

On the 30th of August 2007, Anne-Sophie Corset, French Masters Degree in Law Graduate started a four month internship with the Centre. During the internship she assisted with the simplification of Four Legislations recently passed by Parliament dealing with the protection and promotion of the rights of Women as well as in developing training Manuals on the four laws. She also assisted the Centre with research in the area of Abortion and the Laws of Sierra Leone. Additionally she assisted in the writing of our half Yearly Newsletter-LAWCLA News for December 2007.

During her internship, the director of the Centre exposed him to lectureship of International Humanitarian Law at the University and to research as well as work with the Special Court for Sierra Leone.

During the period under review, the Centre also hosted six interns from the Milton Margai College of Education and Technology for a three month working experience program. The interns benefited tremendously from work at the Centre and the Centre was also assisted a lot in the implementation of its programs by the interns.



Anne-Sophie Corset - Intern from France

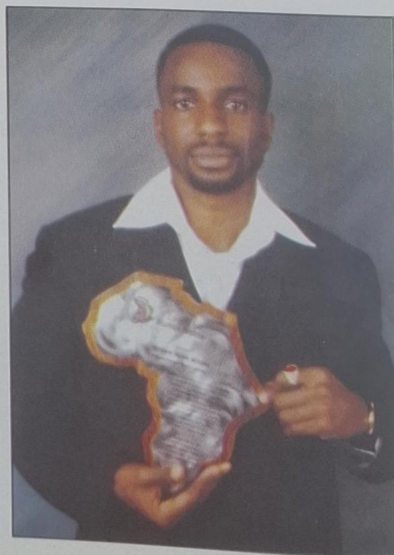
AWARD

Melron C. Nicol-Wilson, Director of the Lawyers Centre for Legal Assistance (LAWCLA) was singularly honoured by the Centre for Human Rights, University of Pretoria-South Africa during a UNESCO Award Ceremony to the Centre for Human Rights, University of Pretoria (which won the UNESCO Award for 2006) on the 25th May, 2007.

The honour to Nicol-Wilson is "in recognition of his Academic Achievements at the Centre for Human Rights and subsequent to leaving the University of Pretoria; his dynamism and courageous pioneering spirit in establishing the Lawyers Centre for Legal Assistance (LAWCLA) in Freetown, Sierra Leone; his unwavering commitment to improving the lives of people in Africa and for his outstanding professional achievements."

It would be recalled that in March 2001 Nicol-Wilson established the first Legal Aid Centre in Sierra Leone. Through this Centre, he has provided free legal services to thousands of poor Sierra Leoneans in conflict with the law. He has also trained law enforcement and public officials in Human Rights standards and has done extensive researches and publications on Human Rights issues such as the need for the abolition of the Death Penalty in Sierra Leone, Juveniles and the Criminal Justice System, Women and Discriminatory Laws in Sierra Leone and Paralegal work etc. Nicol-Wilson is also a leading advocate for Women's Rights

It could be recalled that in December 2003 Nicol-Wilson won the Lawyer of the Year Award presented by the All Works of Life and has also won several other national Awards in recognition of his services to humanity including free lectureship of Human Rights and International Law at Fourah Bay College.



Recognition By The Media

Both the print and the electronic media continued to recognize and publicize the work of the Centre. The Media have on a day to day basis given wider coverage in their respective institutions.

When the institution moved to the second phase of the Women's Rights Project, the media were actively involved in that campaign by reporting the news and events thereby supporting the reform of such Discriminatory Laws. Sometimes the Media houses will dispatch their reporters to those areas where they lack correspondence in order for them to effectively and efficiently cover our Advocacy Programs.

In fact the print media in most cases reproduced articles written in our LAWCLA News and other publications of the Centre. Reproduction of those articles assisted in educating members of the Public and provoking discussions on topical Human Rights Issues

Below are abstracts from some of the newspapers that reported our activities to the general public in 2007:-

The Spectator Newspaper on Monday 15th January, 2007 edition published a story with the headline "LAWCLA commences Monitoring of Children within the Criminal Justice System". This Article was written shortly after the Centre started a monitoring project in Freetown and Makeni as a result of a small grant from the Justice Sector Development Programme

The Spark Newspaper of Thursday February 8, 2007 edition published news stories with the Headline, "Over Human Rights violation LAWCLA Aggrieve over rape case"

The News Newspaper of Tuesday 15th 2007 Edition Published a News story with the headline, "LAWCLA Director to be honoured in South Africa".

The Equity Press of Thursday July 19, 2007 edition published a news story with the Headline, "LAWCLA, 50/50 and FAWE hold consultation

The Spark newspaper on Thursday July 19, 2007 edition published a News story with the Headline: "LAWCLA, FAWE, 50/50 Move to Provincial Towns". This was shortly after the Centre and its partners on the project for reform of Discriminatory Laws against Women held consultations with Women's Rights Groups in Makeni, Bo and Kenema

The Standard Times Newspaper on Wednesday July, 25, 2007 Edition: published a News story with the headline: "Without human rights concern: Lawyers Centre opposes Manifestoes". This was an Article in response to a Press Release by the Centre on Human Rights Concerns In Manifestoes of Political Parties. The

Centre in the press Release argued that the Manifestoes of the Leading Political Parties did not state the issue of the Death Penalty and the establishment of a Legal Aid Board

The We Yone Newspaper of Monday 30th July 2007 edition Published a story with the headline: "LAWCLA Condemns party Manifestoes". This Article was also in response to the Press release on Human Rights Concerns in Manifestoes of Political Parties However the Article stated the position of the All Peoples Congress Party and said that the Death Penalty would be left with the People to decide should the Party Wins the Presidential and Parliamentary Elections

The For di People Newspaper of Thursday May 13th, 2007 edition published a News story with the heading: "Death penalty is an affront to society". This Article stated the Centre's position on the Death Penalty which is abolition for all crimes presently punished by Death. The Article also called on the Government to urgently abolish the Death Penalty

The Awoko Newspaper of Thursday October, 25th 2007 culled an article from one of our LAWCLA News with the headline: A Vehicle without an engine: can the Anti-Corruption Commission be effective in the absence of prosecutorial Powers? This Article was written by Melron Nicol-Wilson and argues that until the Anti-corruption Commission is given Prosecutorial Powers independent of the Office of the Attorney-General, it will be nothing more than a vehicle without an engine and hence will not be effective

The Premier News newspaper of Monday October, 8, 2007 edition published an article culled from LAWCLA News June 2007 Edition on the headline defence Rights under Sierra Leone Law and international treaties". This Article written by Ibrahim Kamara examined the effectiveness of Provisions in the Domestic Laws of Sierra Leone and International Instruments on the Rights of Accused persons

The Spark news paper of Monday October, 29, 2007 edition published an article culled from the annual report 2003 on the Headline: "The role of the Ombudsman in protection of human rights". This article written by Melron Nicol-Wilson looks into the operations and structures of the Office of the Ombudsman and concludes that it will not be able to fulfil its mandate in terms of the Protection of the rights of members of the Public Administration for which the office has been established

The Peep! Magazine of Monday October, 29, 2007 Edition published the same Article on the "The role of the Ombudsman in the protection of Human Rights in Sierra Leone".

has fever attracted mercenaries to Sierra Leone?

Wednesday July 25, 2007

Without human rights concerns... Lawyers Centre opposes Manifestoes

LAWCEN, in its recent pamphlet, "In search of justice", has been criticised for its failure to mention human rights concerns in its Manifesto for the 2007 elections. The pamphlet, which was distributed to voters in the run-up to the elections, was criticised for its failure to mention human rights concerns in its Manifesto for the 2007 elections. The pamphlet, which was distributed to voters in the run-up to the elections, was criticised for its failure to mention human rights concerns in its Manifesto for the 2007 elections.

Guest House Manager... 2 others to make statement to Police as...

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NEWS PAPER CLIPS

Monday October 29, 2007

The role of the Ombudsman in the protection of Human Rights

The Ombudsman is a person who is appointed to investigate and report on the actions of public bodies. The Ombudsman is a person who is appointed to investigate and report on the actions of public bodies. The Ombudsman is a person who is appointed to investigate and report on the actions of public bodies.

In general, the principal focus of activity for an ombudsman is individual complaints against public entities or officials. However, distinctions are becoming more and more blurred as ombudsman offices engage in a wider range of activities for the promotion and protection of human rights

CHALMERS HUGHES
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Friday 5 October 2007

LOCKDOWN GOVERNMENT

By Alice Connel

It is often argued that politics have no place in local government. There may be some ground for this argument. The local government elections were partisan, with independent candidates able to contest. District constituencies carried out in May were established that some number of people wanted a clearly non-partisan local government. The 1991 constitution, which is the supreme legal document of the country, however, guarantees the right of political parties to provide candidates for the elections. The local government act of 2004, then, represents a compromise between constitutional requirements and public opinion in allowing independent candidates within a party's election.

However, where elections are conducted on party lines, the candidate order that the party sponsored for a political party has a high chance of success, especially where the party is dominant in a particular ward or district.

Therefore, nomination of the candidate to a party is tantamount to election to the local council. A case study in the Western District which is completely dominated by the APC party.

The electorate is accustomed to vote in party lines, and in some cases does not know the names of the candidates.

LEGAL ISSUES

Callan P. L. L. L. L.

The rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law.

Page 5

The impact of Politics in Local Government

Health, Education, Housing, planning etc. are political in nature and attract the attention of political organisations.

Again, it is no crime for the APC councilors to hold private 'caveau' meetings before normal council meetings in the town of political organisations. Party organisation in a democracy is essential for opinions to be organized into broad fronts. It is no crime for the APC councilors to hold private 'caveau' meetings before normal council meetings in the town of political organisations.

Whatever view one takes of these considerations it is vital to recognize that the impact of politics in local government is alive and healthy. The majority group must be able to determine policy in its own interest. It is no crime for the APC councilors to hold private 'caveau' meetings before normal council meetings in the town of political organisations.

Defense Rights Under Sierra Leone Law and International Treaties

A RELEASE from the Office of the Vice-President has warned that the rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law.

Page 6

ALPHABETIC PENALTY IS AN AFFront TO SOCIETY

Says Lawla Boss-Lawyer Melron Nicol-Wilson

SAYS LAWLA BOSS-LAWYER MELRON NICOL-WILSON, the current system of the death penalty is an affront to society. The current system of the death penalty is an affront to society. The current system of the death penalty is an affront to society.

AI BASTARDS JUSTICIARY

AMNESTY INTERNATIONAL Report 2006 has indicated that legal delays in trials remain common.

'Arie Wuteh' Warns The APC

A RELEASE from the Office of the Vice-President has warned that the rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law.

And To Gberie...

From Page 4
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READ FDP ALWAYS FDP TELLS IT AS IT IS

From Page 4
The APC Councilors have been warned that the rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law. The rights of an accused person during a trial are guaranteed by the law.

Thursday February 8, 2007
Over Human Rights Violation...
LAWCLA Angry Over Rape Case

By Anita Kamen
Law center in Sierra Leone has expressed great disappointment in a report in which this nation is being ranked over a use of force to get rid of a war criminal who was, actually, being held by forty-five or so old men. Amnesty International, which is a use of force to get rid of a war criminal who was, actually, being held by forty-five or so old men. Amnesty International, which is a use of force to get rid of a war criminal who was, actually, being held by forty-five or so old men.

Red Crystal Becomes Additional Protective Emblem

The International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC) welcome the new addition to the Geneva Conventions of 1949. The Red Crystal is a new emblem which will be used by the Red Cross and Red Crescent Societies to protect humanitarian aid workers and facilities. The Red Crystal is a new emblem which will be used by the Red Cross and Red Crescent Societies to protect humanitarian aid workers and facilities.

IPAM Director Suspends Lecturers

From front page
The International Peace and Justice Movement (IPJM) has suspended its lecturers for the first time in its history. The suspension is a result of the lecturers' failure to attend the IPJM's annual conference. The suspension is a result of the lecturers' failure to attend the IPJM's annual conference.

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The SPARK
Newspaper and see your business Spark

UNPP Leader Blasts APC, PMDC, SLPP

By Anita Kamen
Francis Tucker yesterday at the Sierra Leone News Agency (SLNA) in Freetown, Sierra Leone, blasted the APC, PMDC, and SLPP for their role in the 2006 elections. Tucker, leader of the UNPP, accused the ruling parties of rigging the elections and of committing human rights violations.

Magistrate Court Bond Overturned

Continued from page 1
The Magistrate Court in Freetown has overturned a bond order issued by the court. The order was issued in connection with a case involving a human rights violation. The court found that the bond order was not justified.

Page 3
THE NEWS
Human Rights Commission to monitor TRC recommendations

By Anita Kamen
The Human Rights Commission (HRC) has announced that it will monitor the recommendations of the Truth and Reconciliation Commission (TRC). The HRC will ensure that the TRC's recommendations are implemented and that human rights are protected.

Youth launches appeal fund for helicopter production

By Anita Kamen
A group of young people in Sierra Leone has launched an appeal fund to support the production of helicopters. The fund is intended to help the government and private sector to produce more helicopters for the country's defense and security.

Thousands match to support school feeding

By Anita Kamen
Thousands of people in Sierra Leone have joined a campaign to support school feeding. The campaign is aimed at ensuring that all school children have access to nutritious meals, which will help improve their health and academic performance.

LAWCLA Director to be honoured in South Africa

By Anita Kamen
The Director of the Lawyers Centre for Legal Assistance (LAWCLA), Mr. Peter K. K. K., will be honoured in South Africa. The honour is a recognition of his work in promoting human rights and the rule of law in Sierra Leone and the region.

Monday 30 July 2007
We Yone
LAWCLA Condemns Party Manifesto

By Anita Kamen
The Lawyers Centre for Legal Assistance (LAWCLA) has condemned a party manifesto. The manifesto, which was published by a political party, contained statements that were seen as a challenge to human rights and the rule of law.

APC Lauds CCYA Initiative

By Anita Kamen
The All Peoples Congress (APC) has lauded the CCYA Initiative. The initiative, which is aimed at promoting youth participation in the political process, has been praised for its potential to empower young people and to improve the quality of governance.

APC Back

By Anita Kamen
The APC has been backed by a group of supporters. The group, which is composed of individuals and organizations, has expressed its support for the APC's policies and its commitment to the development of Sierra Leone.

Page 3
EQUITY PRESS
AS and the World Bank fund

By Anita Kamen
The African Union (AU) and the World Bank have funded a project. The project is aimed at improving the lives of people in the region by providing them with access to basic services and infrastructure.

...A concern for all

By Anita Kamen
There is a concern for all in the region. The concern is related to the impact of climate change and the need to take action to protect the environment and the lives of people who are vulnerable to its effects.

PLP Leader Demands SLPP, PMDC and APC

By Anita Kamen
The PLP leader has demanded that the SLPP, PMDC, and APC be held accountable for their actions. The leader has accused these parties of corruption and of failing to deliver on their promises to the people.

LAWCLA, 50/50 and FAVE hold consultations

By Anita Kamen
LAWCLA, 50/50, and FAVE have held consultations. The consultations were held to discuss the challenges facing the region and to develop strategies to address these challenges. The participants agreed to work together to improve the lives of people in the region.

CONCLUSION

The Centre was able to achieve a lot during the year 2007 in spite of limited Funding. In December the Centre completed a three year project funded by the Doen Foundation and was able to negotiate a new three year grant with increase funding.

In the forth coming year, the Centre will be restructured to meet the new challenges and development within our Legal System and to consolidate its achievement over the last six years.

It is hope that this restructuring will lead to more accessibility of our services by the poor at low cost as the new drive of the Centre is low cost high impact.

This we can only achieve with your support

SUPPORT LAWCLA

The Lawyers Centre for Legal Assistance – Sierra Leone, is presently one hundred percent dependent on donors, for its operational and staffing costs. We believe that this dependence threatens the existence of the Centre, in the absence of funding from donors. In order to complement funds received from donors, and to ensure the Centre's financial sustainability, the Centre undertakes the under mentioned tasks for modest costs:

1. Solicitors work including setting up of Companies and other Business Entities, Conveyance , Lease/Tenancy and other forms of Agreement
2. Human Rights Trainings.
3. Human Rights and Legal Research
4. Consultancy and Retainer ship
5. Commercial adverts in our Newsletters and Reports

Our ability to continue and expand the work of the Centre depends on your support.

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ABOUT THE LAWYERS CENTRE FOR LEGAL ASSISTANCE (LAWCLA)

The Lawyers Centre for Legal Assistance (LAWCLA) is one of Sierra Leone's newest but promising Human Rights Institution. LAWCLA was established in March 2001 partly due to a concern by the founder 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 society.

LAWCLA is an independent, non-political, non-profit making, Public Interest Human Rights Law Centre which among other things provides free Legal services to poor members of the public.

LAWCLA's mission is "to make the Law and Justice more accessible to indigent members of the public through Legal Advice, Impact Litigation and Research".

LAWCLA's human rights work is unique in one respect that, it is Sierra Leone's first and only organization to date involved in Public Interest Litigation and providing "Pro Bono" Legal Aid. This is appreciated against the fact that human rights work by the vast majority of local groups in the country is limited to monitoring, reporting and community education and sensitization.

As a non-Profit Making Institution, the Centre is dependent upon donation and grants from a wide variety of sources.

The Centre welcomes your Technical, Financial and Moral Support.

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