

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

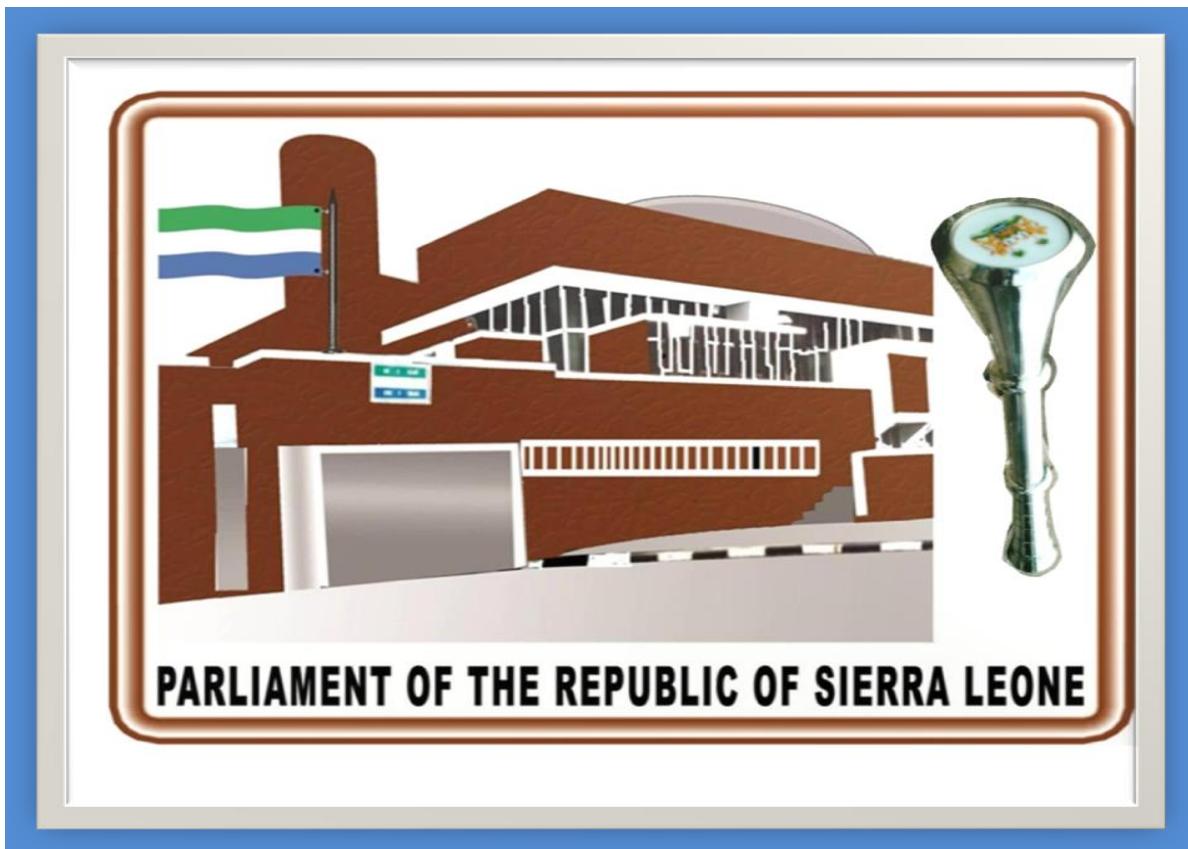
[HANSARD]

OFFICIAL HANSARD REPORT

FIRST SESSION – FIRST MEETING

TUESDAY, 18TH APRIL, 2024

SESSION – 2023/2024



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

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First Meeting of the First Session of the Sixth Parliament
of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House
Held Thursday, 18TH APRIL, 2024

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THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

FIRST SESSION – FIRST MEETING OF THE SIXTH PARLIAMENT OF THE SECOND REPUBLIC

Thursday, 18th APRIL, 2024.

I. PRAYERS

[The Table Clerk, Mr Edward Sahr Lebbie, Read the Prayers]

[The House met at 10:10a.m. in Parliament Building, Tower Hill, Freetown]

[The Speaker, Hon. SEGEPOH SOLOMON THOMAS in the Chair]

The House was called to Order

II. RECORD OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY 16TH APRIL 2024.

THE SPEAKER: I will go through the Votes and Proceedings but I will skip Pages 1 to 5. Page 6?, Page 7?, and Page 8? Can someone move for the adoption of the Votes and Proceedings for the Parliamentary Sitting held on Tuesday 16th April, 2024?

HON. ALICE JEBBEH KUMABEH: I so move, Mr Speaker

THE SPEAKER: Any seconder?

HON. EMELIA LOLO TONGI: I so second, Mr Speaker.

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE [*Mohamed Lamin Tarawally Esq*]: Mr Speaker, Honourable Members, the then Attorney General's response to seek for and to obtain amendment to Section **136** of the **1965** Criminal Procedure Act, providing for an indictment to be proffered for any offence in the High Court with the consent in writing of a judge without going through preliminary investigation. Section **39** of the Criminal Procedure Act **1965** is an example of that, and that is one of the main reasons among others that I am before you this morning.

In its original form, all preliminary investigations and summary retrials were to be conducted in the Judicial district where the offence was committed. In 1973 Mr Speaker, the Minister of Information by then, Alimamy Gazali was charged together with three others with the offence of murder, which it was alleged had been committed somewhere in Port Loko District. The preliminary investigation [PI] was begun in Port Loko Magistrate Court.

Mr Gazali was then a strong man in Port Loko, and as such, there was a tension when the case came up for hearing in Port Loko because they knew that Port Loko was Mr Gazali's stronghold. So a decision was made; the Attorney General of the day then had the case transferred to Freetown for continuation of the PI. Again, a challenge was raised to him along by doing so. The case had to be enquired into, and was therefore later sent again to Port Loko District because it was presumed, and the law was that

their matter should be conducted at the preliminary stage in the area where the offence was committed. It was amended accordingly; this is why that though at the present day a summary offence had to be tried in the district where it was committed, a PI could now be conducted in any part of the country irrespective of the offence or the area where the offence was committed.

Mr Speaker, Honourable Members, another outcome of the Gazali case was the amendment to Section **188** of the Criminal Procedure Act of 1965. Initially, as I said, amendments to the CPA were done in Piecemeal, and the reason why I am here before you Honourable Members, is to ensure that we collate everything and speak in line with it.

Mr Speaker, Honourable Members, at the trial in the High Court, the prosecutor sought to call additional witnesses; the law and practice had always been that names of all witnesses who testified at the preliminary investigation should be listed at the back of the indictment. Section **188** in its original form provided that a witness who had been given the position in Magistrate Court but his name was not listed at the back of the indictment could be called as an additional witness. Because of the amendment to Section **136** in 1970, the persecution had taken the case straight to the High Court without going through a preliminary investigation. As such, there were no depositions; additional witnesses could not therefore be called. The Attorney General's response was to push through amendment to Section **188**, thereby enabling the persecution to call any witness whose name did not appear on the back of the indictment. Currently, that is the position, Mr Speaker.

Mr Speaker, moving forward, as we all intend, based on the several treaties that Sierra Leone has signed, and we are now a friend and a member of the global village, and because we want to improve on the criminal justices system of sierra Leone, Mr Speaker, Honourable Members, I am here before you this morning to present the Bill titled 'Criminal Procedure Act, 2024' for debate in this House.

On that note Mr Speaker, Honourable Members, I move that the Bill entitled; ' the Criminal Procedure Act, 2024' be read the second time

[QUESTION PROPOSED]

THE SPEAKER: Yes, Honourable Chairman.

HON. ABDUL MARRY S. CONTEH: Thank you very much, Mr speaker. Mr Speaker, Honourable Members, I want to thank the Attorney General [AG] for his presentation this morning. It is an open secret that the justice system needs to be sanitized.

Mr Speaker, going back to sub section **1** of section **5** of the 1991 Constitution, it says, '*the Republic of Sierra Leone shall be a state based on the principles of freedom, democracy and justice*'.

From time to time, legal systems need to be reformed and modernized so that they are responsive, inclusive, innovative, people centred, and above all, uphold human rights. Mr Speaker, Honourable Members, we have laws made by us long time ago, and we need to consolidate all of these laws to meet the current trend. So I think having the Criminal Procedure Act here in front of the people's representatives who represent the potential people that come in contact and in conflict with the law, I think we are better placed to make a law that will stand the test of time. We have due provisions as the AG briefly stated that we would have to look at during the pre-ledge. We would have to be looking at the trial by Judge alone, and of course we are going to see in this new Bill that the preliminary investigation period is reduced at least to 28 days, we are going to see alternative sentences, suspended sentences and deferred sentences. So, there are so many new things that will be coming into this law, but again it is our responsibility as the people's representatives to keep an open mind when dealing with these issues and also take into consideration the current trend.

But I also want to draw the attention of the AG that we also have some other petty offences that help congest our prisons; minor traffic offence, issues of non-payment of debt, loiter- these are all in the old laws. In fact some of these laws are so vague in such a way that they are open to abuse. So I think, maybe along the line we can also look at this because when you talk about the Criminal Procedure Act, it is an Act that is going to govern all criminal procedure in this Country.

So Honourable Members, I want to encourage all of us that during the Committee hearings let us go there and make our meaningful contributions to this whole exercise.

Mr Speaker, I also want to appeal that we involve other key stakeholders that are very vital for the implementation of this Act. Institutions like the Police, the Prison and other key stakeholders that we think are relevant to be part of this exercise because during the pre-ledge there were so many instances that came up that we believe they may have a role to play.

So Honourable Members, the document is ours, it is our responsibility to fulfil the mandate that the people sent us here for, thank you very much, Mr Speaker.

THE SPEAKER: Any other Member? Yes Honourable, Tamba Kellie

HON. TAMBA KELLIE: Mr Speaker, Honourable Members, I would be remiss if I did not express gratitude to the Acting Chief Justices. Having this Bill in front of us today is a testament of his resilience and determination; he has worked tirelessly to bring us to this stage. Those of us in legal practice know the difficulties we have been having with the current Criminal Procedure rule, including you, Mr Speaker. So my lord, Acting Chief Justices, I doff my hat to you for a very good job done. This is not just a year's work; this goes back to over 5 years ago, and therefore he deserves every commendation for a job well done.

THE SPEAKER: Any other Member? If not, then we round up. Honourable AKK, do you want to say something? Yes, please do.

HON. ABDUL KARIM KAMARA: Thank you very much Mr Speaker. I have attended something like three workshops on this, and in recent time, as the Chairman of Human Rights, we visited key institutions, and what we have before us is very much important in the justice sector. We want to thank the Acting CJ because all through the time we have gone for workshops, he has helped us understand the concept. This is not just one of the laws we do because it's before us, but we understand fully the concept of what we are doing.

Mr Speaker, visiting correctional centres, you would go to meet people in correctional centres for crimes that are not up to **NLe1000** but the state is spending up to **NLe40,000** to keep them in prison for one, two years. The costs of running for some prisoners far outweigh the cost of the crimes they committed. For example, we visited the Kenema Prison some time in 2020 under the Internal Affairs Committee and we discovered that, **S.O 2, Di uman troway five cup pap, den sen am na prison for six months'** You look at the cost of the pap at the time, it was just something around **Le2, 500** [old note], and the state was spending something like **Le150, 000** a day to upkeep her in prison. So you would ask yourself what is the rationale for some people to be kept in prison for days and months at time even when the person that has the matter might not be interested in pursuing the case? So I pray we do justice to this one before us.

Mr Speaker, as the Chairman said, let us include other key stakeholders like Human Right Organisations and the Bar Association because these institutions have been working around these issues over the years. As Members of Parliament, we make laws but we are not professionals in every area.

Mr Speaker, Honourable Members, we have talked about the issue of having Jurors, and it is a kind of complex matter. So we want to ask people who are interested in these matters; Human Rights and the Bar Association to come and explain to us better before we take such key decisions that will affect the judiciary. Almost every Sierra Leonean has complained about issues relating to the judiciary. It was when we started this Bill that most of us came to understand that some of the issues we complain about have to do with the rules that we are dealing with now.

So as Members of Parliament, I pray we pay attention; we read and ask questions where necessary so that we have a good judicial system running, thank you very much.

THE SPEAKER: Yes, Honourable Chief Whip.

HON. DICKSON M. ROGERS: Yes, thank you very much, Mr Speaker.

Mr Speaker, this morning I want to doff my hat to my colleague on the other side for he has spoken very well. Even though he has not started his debate, I think he spoke very well on this Bill.

Mr Speaker, the Honourable Member was requesting that we include other stakeholders, but I believe even before this Bill got here they might have done that. I am not sure we need to delay the process of this Act. I am sure the Attorney General will inform us as to whether they have already done the needful.

Mr Speaker, I want to support my colleague on the other side regarding what he said about the detention of some prisoners. If you go to some of the prisons today, you will find out that **30%** of the prisoners are bike riders and drivers who are there for minor offences; expired licenses, faulty brakes, park light, headlight, and lack of fire extinguishers. Why are we going to continue detaining people for those petty crimes? If you go to Europe for example, when the Police arrest you for such crimes, instead of sending you to prison, they will give you ticket to go and pay.

We are all aware that our correctional centres are congested, and I want to agree with my colleague that the money the Government is spending in taking care of those prisoners with minor offences can be used to do other things.

Honestly, we have not started the debate yet but I just want to say thank you to the Acting Chief Justice and the Minister for piloting this Bill. We are now beginning to see or copy civilizations around the world, if only we can genuinely ratify this Bill without taking political spectacle into consideration, thank you very much.

THE SPEAKER: Yes, Honourable, Mohamed Bangura.

HON. MOHAMED BANGURA: Mr Speaker, Honourable Members, I want at this point to commend the Acting Chief Justice and the AG for a thorough job in putting this document together for us to debate or scrutinize.

Mr Speaker, Honourable Members, this is a very important document, and we have to look at it keenly because this is the only opportunity we have to repeal the Criminal Procedure Act. Let us therefore use this opportunity to look at the document page by

page because there are lots of good things that we need to fine-tune for us to have a good law.

Mr Speaker, Honourable Members, let us realise that the people are crying out there because of injustice; they are calling on the Judiciary to do justice to their cases. So if we are today in this Well to look at this document, let us take our time to go page by page, devoid of political lens and treat this document as Sierra Leoneans, and as our own document, I thank you, Mr Speaker.

THE SPEAKER: Yes, Honourable Lebbie.

HON. NENEH LEBBIE: Mr Speaker, I was going to wait until this Bill is committed to the Legislative Committee but however, let me just add some few words before it goes to the Legislative Committee for proper scrutiny.

In that regard Mr Speaker, I want to add my voice to commend the AG for a very good job done in the interest of Sierra Leoneans. From all indications, this Bill is not a controversial one because colleagues from both ends spoke well about this Particular Bill. We are going to be nationalistic in this case and see that whatever we do we do in the interest of Sierra Leone.

But Mr Speaker, before I take my seat, I just want to call the attention of both the AG and the Chairman of the Legislative Committee to some violations taking place in prison against the women. The rights of some women in prison are seriously violated, and as we go about criminalizing some of these issues, let us try to reduce some of these violations again women who are in prison. As part of the Human Rights Committee, we have gone to places and witnessed cases where women are being violated in prisons, and that should not happen at all.

It is right for women to go through the judicial process but that does not mean they should be abused by some Officers. I do not want to go into details about a very serious incident that happened few years back in Bo.

I however want to commend you all because I know justice is going to be served on this particular document, and I know this will stand the test of time for Sierra Leoneans.

We heard the AG talking about refining our very old laws to match the current trend of affairs.

Today, we hear about Kush, but many years ago, we did not have what is called Kush. Also, as the years go by, we see or witness more crimes in our societies. So, as the Legislative Committee goes through this particular document, let it be properly vetted so we can decongest the prisons of prisoners with very minor crimes.

Once more, I thank the AG and his team for a job well done, thank you so much, Mr Speaker

THE SPEAKER: Honourable, Aaron Koroma.

HON. AARON ARUNA KOROMA: Thank you very much, Mr Speaker.

Mr Speaker, Honourable Members, I want to join colleague Members of Parliament in expressing very good sentiment about this Bill. Like it has been mentioned, this Bill should be free of politics because justice is a necessity for all of us; something we all yearn for.

So therefore, having a Bill that is geared towards reducing the rigors that our people face when they seek justices is something that should be welcoming for all of us as MPs. And I think we have to do the necessary things to ensure that this Bill gets the speedy approval it deserves.

Like I said, we are happy that we have this Bill in front of us today. This Bill has been in the corridors of this Well since the Fourth Parliament; I remember the then Attorney General, Joseph Fitzgerald Kamara also brought this Bill but it never reached the stage it has now reached. So on that note, I want to commend the Minister for ensuring that we have this Bill here today.

Mr Speaker, Honourable Members, indeed it is a Bill that we have to look into critically because there are so many progressive provisions in this Bill. We also realize that there are a lot of areas where discretions were reduced from the Judges because before now, so much discretion was given to Judges to even grant bail. But with this Bill, we have

seen that some amount of reduction of the discretion of the Judges has been put in place.

Mr Speaker, when the Attorney General was making his presentation during the pre-ledge and also before this House, he made mention of the issues regarding the removal of the trial by Juror. To me, I think that one should be a non-starter because some time this year, he knows very well that there was a case between Justice Fisher and the State, and the Government lost that case, and the case was meant to try the efficacy of section 23[1] of the Constitution.

Section 23[1] clearly indicates fair trial for Sierra Leoneans, and specifically, the issue of the trial by Juror was put to test, and all the Judges agreed that, that one should be a non-starter; it has to be there, it is for good course, especially for cases that have to do with murder and the like.

Therefore Mr Speaker, I think we can make amend in order to reduce the procedures because before now, as per the 1965 CPA Act, the Jurors have to be ten in number. Even in a situation where one of the Jurors dies, or has been acquitted or discharged because of ill health or whatever reasons, both the Prosecutor and the Defendant have to agree for the case to continue. If at all they do not agree, they have to empanel the Jurors again and the case will commence afresh. So, there are a whole lot of difficulties there.

Mr Speaker, Honourable Members, the Minister has made proposals in this new Bill, which to me, are relatively progressive. He has proposed reducing the number of Jurors to eight instead of ten. That is to say, if both the Prosecutor and the Defendant agree, they can carry on to pass a valid judgment. So, I believe we should not attempt to expunge the trial by juror because it is important and it is therefore a good course.

Mind you, today you are in power, but tomorrow you could be out. This is not about politics; if we want to protect our citizens, if we want to have a Bill that is progressive, or a Bill that will resonate with the views of Sierra Leoneans, I think we must ensure that we maintain the clause as proposed in the Bill. I am hopeful that by the time we

get to the Committee and other stages of the Bill, we would have done justice to the Bill. I will make a presentation of the ruling of the Supreme Court which has the power to interpret the Constitution.

Mr Speaker, thank God you are a seasoned Lawyer, and of course we are proud that you are a solid product of the Fourth Parliament, and you know the powers of the Supreme Court; the sole power to interpret our Constitution. The court has interpreted section 23[1]; as to whether there should be trial by Judge alone or trial by Juror.

The Ministry of Justice lost that case, and they must not use Parliament to have a shortcut, thank you very much.

THE SPEAKER: Yes, Honourable Leader.

HON. SAA EMERSON LAMINA: Mr Speaker, Honourable Members, I should, and I must doff my hat to the Attorney General and the Chief Justice for bringing a law before this House that is almost, if not more than 58 years. When I look across both aisle, I begin to think how many of us are 58 years; only a few in this Well.

Mr Speaker, for a law of 58 years to be repealed and replaced is commendable because it is a laudable stance. This 58 years law embedded in **8** Parts and **244** Clauses is important for the Judiciary. In as much as I will not all together cry stinking fish of this 58 years law, I wish at Committee Stage we would bring on board progressive issues. Mr Speaker, Honourable Members, when I looked at the old Law, I noticed several advantages in the 1965 Criminal Procedure Act [CPA]; I realized that the establishment of a clear procedure has stood the test of time. For 58 years or so, the Act also has in it the '*presumption of innocence*' for whosoever must have committed a crime; it gives that person the leeway to be presumed innocent and allowed to stand trials. I also realized the guardians of the law enforcement agency; it has helped the police over the years to stand out. The Act also provided protection of right for the victims or the perpetrators. I further realized the provision of appeal in the Act.

So, it is a very fine law but it is now dying. I would refer to it as obsolete, moribund, outdated, and also contains several lacunas. When I watched the Act, I see outdated provisions that cannot stand the test of time for the US, the UK and even West Africa countries. How can a man who commits rape be rightly prosecuted and penalized when we do not have the forensic or the DNA tools to prove the offence? I doubt whether we have the tools at our Rainbow Center or in the Courts.

Mr AG, do we have tools to prove that a person was raped? Do we have kits that prove correct DNA result? Outdated provisions and lack of tools to stand the test of time are all what make this Act obsolete. There is also limited protection of victims in this Act, and because of that, victims could be scared to come before the Court with matters that have to do with criminality.

And I also saw lengthy and complex procedure in this Act. The procedure is so lengthy that somebody may get fed-up in pursuing a matter. Also, for a small crime committed, an able bodied man may lose all potential in the prison; a person that was supposed to make farm to push the Operation Feed Salone initiative will spend all his energy and time in the jail yard for minor or baseless crimes.

Mr Speaker, Honourable Members, I also see that there is inadequate provision for vulnerable groups; women, men and physically challenged in the old Act which this new one is about to address. And there is also lack of modern investigative techniques from the enforcers of the law. How many Police Officers who carry those criminal matters in Court are Computer or IT literates? That is why I intend to recommend to the House at Committee Stage for us to look at critical things by the time the Leader of Government Business evokes **S.O 51 [1]**.

For the Committee to have a clear view of this Act, I would recommend that we look at the following critical things:

1. Modernization of the provision to stand the test of time within ECOWAS countries as well as beyond ECOWAS countries.

2. Enhance protection for victims; let the vulnerable be protected. Rape is a criminal matter and the victims must be protected. Let us put in place mechanisms in place to restore the confidence of rape victims. It is true that we cannot compensate rape with rape, but let us see how we can protect the victim and witnesses so that they cannot be haunted. We must also think about compensation because someone would be scared to come forward with a criminal case if that person is not well compensated.

3. I will also recommend to colleague Honourable Members of Parliament to streamline procedures. The Committee has a lot to play to in order to streamline procedures for the Lower Court, Magistrate, High Court and even Superior Court. In other words, the courts must know where each of their powers begin and stop. We must also think of how to include the variable groups among the Jurors. Women and other vulnerable groups must be represented in the Jurors so that they too would have their say in the Judiciary.

4. We must consider the integration of modern investigative techniques. Mr Attorney General [AG], please modernize our courts. Our courts should not be old, obsolete, moribund or outdated. And above all, ensure training and capacity building for Magistrates. How frequent are they trained? Training could serve as a huge motivation; send people abroad for trainings. Promotions and good salaries could be a fine motivation for them to do their jobs. If you talk to most of the Judges or Magistrates regarding motivation, some will tell you they do not even have access to pure water or good roads, neither promotion.

Therefore Mr AG and Chief Justice [CJ], please take note that our Magistrates in the lower courts have stayed for too long in one place without promotion. Put things in place to motivate them; build their capacity and provide travelling opportunities for them.

To crown it all, I believe that Sierra Leone is about to have a new Criminal Procedure Act, 2024 that will do good for all, thank you very much for giving me the platform to debate.

THE SPEAKER: Yes, Honourable.

HON. ALICE KONYA SANDY: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I want to start by commending the Justice Sector; I mean the CJ and the AG for putting this all important document together.

Today, we are all gathered here to debate this new Bill. It is therefore very important that we all be reminded that the Criminal Procedure Act [CPA] is crucial for our legal system. This is so because the CPA sets out the rules and procedures that handle our criminal matters. Therefore, the need for amendment or total repeal of the old CPA Act cannot be over emphasized. Mr Speaker, imagine, an Act that has been in existence for 59 years.

Mr Speaker, Honourable Members, this new CPA Bill brings about a lot of new areas that are very important for our justice system. Imagine, in the world of technology today, this new Bill seeks to introduce the admissibility of electronic evidence, and even ensure that hearings can be done through electronic means.

Mr Speaker, Honourable Members, this new Bill also seeks to address the protection of witnesses, and also introduces a system of community service as a means of punishment, particularly for crimes which term of imprisonment do not exceed 5 years. This is a clear testament that as a country, and as a legal system, we are set to move along with international best practices of other countries.

However, I hope that there are certain issues that can also be addressed in this new Bill. For example, issues regarding bail regulation and the powers of the police to detain. We are all aware that most times the police detain people even without having a probable cause. I therefore hope that such issues will be considered as we go through the Committee Stage.

Overall Mr Speaker, this Bill is a progressive Bill. It is therefore important that we embrace and welcome it in the House, and as we get to the Committee Stage, I hope

as Members we can all carefully scrutinize the Bill and ensure its speedy endorsement, thank you.

THE SPEAKER: Yes, after the Honourable Member, we round up.

HON. TAMBA SIMEON JOHNNY: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I also want to join my colleagues Honourable Members to thank the Acting Chief Justices for piloting this Bill.

Mr Speaker, Honourable members, I just want to make some few observations concerning certain statements that were made. As MPs, I do not want us to preempt what is in this Bill. I have heard colleagues referring to Traffic Offences as minor offences, which in my view, I disagree.

Mr Speaker, Honourable Members, anything that threatens the life of an individual must not be referred to as minor. For example, few days ago at Sembrehun 17, somebody drove an unregistered vehicle and ran into a stationary vehicle that claimed the lives of 17 Sierra Leoneans. Imagine if that man was arrested before that incident and taken to prison for driving an unregistered vehicle, and Human Rights personnel visited him, all he would have said is that 'I was brought here and locked up for 2 or 3 years because I drove an unregistered vehicle', forgetting to know that driving that vehicle would have cost the lives of many Sierra Leoneans.

Mr Speaker, Honourable Members, even with the existence of these laws in our books, imagine the amount of lives being lost to accident every year. Driving a vehicle without a Park light might appear to be minor offence but can lead to an accident and loss of lives and property. So to me, referring to traffic offence as a minor offence, I think, is not in place because the number of prominent Sierra Leoneans we have lost is more than several causes of death.

So, as we go about debating the Bill, let us not preempt it until we get into the nitty-gritty of the Bill. Let us debate it with no sentiment, and stop referring to offences that have the tendency to cost lives of Sierra Leoneans as minor offences, thank you.

THE SPEAKER: Honorable Quintin, I would give you two minutes.

HON. QUINTIN SALIA KONNEH: Thank you very much, Mr Speaker for giving me this opportunity. I will try to be brief as you have said.

Mr Speaker, Honourable Members, to start with, I must confess that this is one of the best Bills I have ever seen, and that is because the people that led the drafting of this particular document are people that I respect so much. So, I believe this House must not waste time to enact this particular document, even though some of my colleagues are insinuating something different.

THE SPEAKER: Hold on, Honorable Quintin, are you in the Law School? *[Laughter]* anyway proceed. So choose your words...

HON. QUINTIN SALIA KONNEH: I will choose my words, Sir. Mr Speaker, Honorable Members, as I said, this is one of the best Bills I have ever received, and that is because the people who drafted it are people who are actually focused and up to the task. The only concern I have is for us to expedite the approval of this particular Bill, thank you very much, Mr Speaker.

THE SPEAKER: Honourable Daniel Koroma, *[Undertones]* hold on, Leader. I am seeing a lady there; do you want to say something? Okay, please do.

HON. MARIAMA BANGURA: Thank you Mr Speaker for the opportunity. Honestly, I am pleased to see a Bill of this nature before this House. I want to say thank you to the Acting CJ and the AG for what I would refer to as a step in the right direction. Honestly, the Judiciary has been one of the greatest problems of this nation, and the CPA is not an exception.

SPEAKER: Honorable Member, be careful with your words

HON. MARIAMA BANGURA: I am protected in this House Sir.

THE SPEAKER: Yes, I know you are protected, but as a branch of Government, we should be complimenting another branch; not bringing them down. We cannot think like

the ordinary people there; we should think above those people. So please, choose your words. Okay, proceed.

HON. MARIAMA BANGURA: Thank you and I am grateful.

Mr Speaker, Honourable Members, like I said, this Bill is a step in the right direction, and we are happy to work on it. My own concern is really not about the Bill, but the interpretation and implementation of the Law. As Sierra Leoneans, we need to think Sierra Leone.

Honestly, learned people know their ways in interpreting these laws, all in the name of giving justice to where justice is due. So I pray that all of us, especially the learned people will go through this document and interpret it well so that justice is given where it is due.

Mr Speaker, just like what one of my senior MPs was saying, all offences are serious, depending on the interpretation. We all have conscience, and if a matter is before you, you will know what kind of punishment or penalty that case deserves. But if you choose to rule over a major case as minor and a minor as major, then that is where the problem lies.

So Mr Speaker, Honourable Members, as Members of this House, let us go through this document and present to this House and the Country, a better Legislature that will benefit the general good, I thank you so much *[Applauses]*

THE SPEAKER: Thank you very much, Honourable Member.

Let me toe the line with Honourable Members who have clearly said that no offence is minor. If you commit an infraction of the law, you cannot refer to such infraction as minor. But let me state this position; it is not as people are trying to state that somebody is in prison for ten [10] years or for five [5] years for minor offences. No Judge or Magistrate in his or her right sense would send somebody to prison for two or three years for what we called '*Minor Offence*'. If you ask any prisoner, and that

prisoner tends to tell you, 'oh, I am here because I stole or because I took Le2000, or because somebody gave me 250', go behind that explanation. That prisoner might not be telling you the truth; look at the real circumstances.

So the Judiciary is not going to imprison people unnecessarily. Some of these offences, you see them from the face value as minor, but the way they are committed might be very serious- at least for our own security. Of course as Members of Parliament, as politicians, if the Judiciary is not there to incarcerate some of these people, we would not be walking freely in the streets. So please, let us help the judiciary to remove some of these people from the streets instead of criticizing them. Thank you very Much, Honourable Members. Yes, Leader of the Opposition.

HON. DANIEL B. KOROMA: Thank you very much, Mr Minister and Mr Speaker for giving me this opportunity. Today is my day because, for the past two Parliaments; the 4th and the 5th Parliament, I served as Chairman of the Legislative Committee. I first served as Deputy for three years, and then as Chairman for three years. So, I served six years in total. And in all of those years, I have had four versions of the Criminal Procedure Bill, but unfortunately, none of those versions saw the light of day. I therefore want to really commend the Power House behind this Bill, who is no lesser a person but our Acting Chief Justice.

During those years the Acting Chief Justice was serving in the capacity as a consultant but now he is the head of the institution. So through your good office, Mr Acting Chief Justice, I want to say thank you for a job well done. As stated earlier, today you are fulfilled.

I also want to commend the Attorney General and Minister of Justice for his role in all of this. I must say that this Bill has gone through three Parliaments; this is the third Parliament as far as I know, and the fourth Attorney General [AG]. I believe this Parliament, the present AG and the Chief Justice will be the last to take this Bill through. Also, the Director of Public Prosecution [DPP] and this Speaker will be the last to ensure this Bill is passed into law.

Mr Speaker, Honourable Members, as previous speakers rightly said, this Bill is not related to politics in any way or form; this Bill is a Human Rights Bill. I am not a Doctor but based on my estimation, I can best refer to this Bill as the blood vessels of the nation. Every part of the human body needs a supply of blood through these vessels. We all know the causes of High Blood Pressure; if any of these vessels erupts, you know what that means; you will suffer stroke.

So if this Bill is not treated right, the nation will suffer stroke; and that cannot happen under our watch. Mr Speaker, I am sure you would not allow that to happen under your watch. So therefore, I see this Bill so important that when we discussed with you and the Leader of Government Business, there was no doubt that this Bill ought to be committed to the Legislature Committee for proper scrutiny and due diligence. I want to assure you that having served under various Legislative Committee Chairmen, and also served as Chairman, the Chairman we have now can be described as one of the best Chairmen of the Legislative Committee. In fact, if I have my way in terms of awarding symbols, this Chairman position will be a no go area because the current holder is very effective and efficient. I similarly want to assure the Attorney General [AG] that he is in safer hands, and that his document will go through due intelligence. I also want to encourage colleague Honourable Members not to be lazy about this Bill. Unlike other Bills, this Bill needs Inter-Committee participation. Human Right Committee, you are most welcome to this Committal proceeding. Once we go through **S.0 51** today, and then a date is announced now or later, I would encourage Human Rights Committee to be part of that proceeding. I also encourage all Members of the Internal Affairs Committee to participate in this committal proceeding. Let us be Sierra Leoneans, do not wait to say '*if I was present it would have been different*'. Try to be present so it would be different for a better course at all cost. On the part of the public, I also encourage members of the Civil Society Organizations, especially members of the Bar Association to please present to us their written position.

Mr Speaker, let me inform the Attorney General that the virus that caused this unnecessary delay in passing this Bill is the too many ideas from outside that led to the

Bill being stocked. But this time, we welcome written positions because we want to make the Act better. Mr Minister, we would assure you this time round that this Bill will pass. The Leader of Government Business always says there can be no perfect law, and human behaviors cannot be anticipated in the next 3, 4, 5 years. As it is now, we believe it is far much better than the 1965 version. So, we encourage written presentations to be given or served on the Legislative Committee. Your points will be considered and I have started receiving some already, but we prefer hard copies as well. We would ensure we share the presentations with any MP that is interested and wants to participate in making this Bill better. Just make the request through the Chairman, and we will give you the copies of those presentations for your inputs.

Mr Speaker, Honorable Members, we do not need to comment on this Bill much because the day will come when we shall sit and read line by line, page by page. However, I cannot conclude without commenting on one of the issues that has to do with fate of the Preliminary Investigative [PI] System; the PI system is almost gone. Prior to this time, when we talked about grave offences for which Magistrate cannot grant bail, those matters must go through the Magistrate. Some of those matters used to take 3 or 4 years before the investigation is complete; and that was not even considered as trial. The Magistrate in his good senses would determine whether to commit the matter or to discharge it. If after 3 years the matter is committed, then the trials would start proper. That Judge also may have the power to grant or refuse bail based on the circumstances of the case. But this time, as the Chairman of the Legislative Committee rightly said, it has been reduced, and the conclusion within that time frame is a must. So I encourage all of us to be part of this process in order to avoid our nation suffering from the stroke of justice delivery. So for the details of the Bill we would all meet at Committee Room 1.

So I want to agree and commend all previous speakers for their support. And for the Honorable Member from Kailahun, I assure you that this Bill will be expedited, but at the same time, we need to give due diligence to this Bill. It would be my greatest joy if this Bill is passed into law this session; before July. I encourage all of us to be hard

working and ensure that the Bill is passed into law before the end of this session. Otherwise, if it enters another session, other rules will be applied and there will be further delay- you and I know that very well.

So on that note Mr Speaker, I want to thank the Attorney General for a job well done and I want to encourage our colleagues that this is not a political Bill, and let us give it our utmost support, especially by way of participation to ensure that the Bill before us, which is now a public document is made better by the time it is passed into law, thank you very much.

THE SPEAKER: Yes, the Leader of Government Business

HON. MATHEW S. NYUMA: Mr Speaker, Honorable colleagues, I want to thank you all for your various contributions to this wonderful Bill. We have said that in the interest of progressive laws and progressive parliament, we are looking at the law, using the words of my Acting Leader of the Opposition, 'as a life blood of the Criminal Procedures'.

Mr Speaker, Honorable Members, permit me to take the long walk on the Bill. I would start with some points, and end quietly at certain point, considering Clause 225 which has to do with the suspended sentence or deferment.

Mr Speaker, Honorable Colleagues, let me hasten to make few corrections. This Bill, as a proposed instrument in front of us, needs massive education. I am going to start the education now, and when doing my recitals, I would make references to clauses that are very necessary for us to understand.

I want to join my colleagues to say thanks to the AG and his team, including the CJ who have been the consultant for the passage of this particular Bill. Thank you very much to you all and we hope that we all appreciate the result at the end of the day.

Mr Speaker, Honourable Members, we want to pass this bipartisan law for the interest of our state. This Bill has to deal with our civil liberty, and therefore we need massive

education on it; there is no way we are going to shift from that point. So, even after its enactment Mr Speaker, we need massive education for every sector, right across; be it the Judiciary, the Police or any other entity, including us the Parliamentarians need to understand what we have enacted.

Mr Speaker, Honorable Colleagues, the Bill is divided into 8 Parts, but first of all, there are references you made in the Bill that we need to draw attention to for an amendment for the sake of a progressive state. You made reference to the Lassoing Law of 1916 in this particular Bill which we must review. We also need to review the Court Act in order to be in conformity with the CPA so that the Judiciary can be better placed to make Judgment.

I would continue to say as I said in the Fifth Parliament, that, in as much as you are making crime punishable, we cannot make the law very expensive; but we can make it accessible. If you make the law very expensive, only the rich people will get justice. What about the poor people?

First and foremost, let us look at '*Protection of the Law*'. My colleague mentioned 23 [1], I do not know whether he was actually referring to the interpretation. Honourable Aaron Koroma from Mile 91, Tonkolili, a man I have respect for made reference to 23[1]. Section 23[1] has to do with the protection of the law and I have no argument with that. I can really not state clearly what he was talking about the interpretation of that section. But let me refer to Clause **139**; the Bill did not remove Jurors from the process.

Mr Speaker, permit me to read Clause **139**; the mode of trial, you would notice that we still have provision for the recruitment of Jurors. Clause **139** [1], Page 77 of the Bill states; '*a person charged with Criminal Offense at the High Court shall be tried by the Court with a jury consisting of ten people*'.

Mr Speaker, Honourable Members, if you go to Clause **155**, you would see the provision made for the recruitment of Jurors. It also made mention of how many Jurors

we need to have. I just want to make this correction before I come to other clauses. Clause **155** is talking about the recruitment of Jurors. In fact between 18 to 70 years is the recruitment age, and there is more to it in selecting the Jurors. In fact the Jurors can be charged and tried by a Judge if they misbehave. For example, if you do not come to Court, enough notice is given to you, and that is also expressly stated in the Bill.

If it comes to the recruitment of the Jurors, the quorum has to be 10. In a case of death or mental illness of any of the Jurors during the trial, the quorum can be brought down to eight members. If for any reason the number goes below eight, the trials can be adjourned and additional persons can be recruited. All of these criteria are stated in this Bill. So in essence, the issue here is not about the removal of Jurors, it is talking about strengthening the Judiciary process. Firstly, trial by a single Judge and Assessors, and trial by Jurors, depending on the case, and it has to be with the consent of the defendant, but we can come to that later.

Mr Speaker, let me go into the Bill proper now. For my colleague who talked about minor offenses, if you go to Clause 82 in the Bill, you have Felony; cases that you can be sentenced for more than one year imprisonment, and you have Miss Domino cases that have to do with minor charges. So the case by case basis must be expressly stated. So these are some of the things that we need to understand; there is no minor incident. So the decisions of the Judges or the Magistrates are discretionary, depending on the case in front of them. So the issues that have to do with Miss Domino and Felony must be treated by law in accordance with what we have. And when those cases come before the Judges or the Magistrates, they will be dealt with according to the law or this Act.

Mr Speaker, Honorable Colleagues, as I said this has to do with our civil liberty. People tend to confront Police and pretend to understand the law. If you do not understand the law, you just do not understand it. You have to respect the law. People in positions

of trust are charged with the responsibility to dispense justice or implement the policies that have to do with criminal act, you therefore have to allow them to do so.

Mr Speaker, let me draw your attention to Clause 3, Page 5. First, when you go through the provision that in this enactment, after we have passed this one into law, it has to do with some many things that we need to know and we must not touch. For instance, the mode of arrest; '*a person arrested shall not be subjected to more restraints than is necessary to prevent his escape*'.

This is purely for the police; there should be no malice if you want to arrest someone. If you want to restrain a person and you handcuff him, you do not need to do more than that because you hate that person or because he belongs to Party **A** or **B**. That is really uncalled for. So we need to understand Clause 5, sub-Clause [3].

The second point I would also like to draw the attention of my colleagues to is that of Clause 12. People are fond of obstructing the Police when doing their job, and after that they will call Politicians to intervene. If you do so, know that it is against the direct spirit of this Bill.

Clause 12[a] says, '*...offences carrying a sentence of life imprisonment, or economic and environmental offenses must be charged within 10 days from the date of arrest*'. The reason we are mentioning this is because people most times refuse to grant bail because of this. We know the job is a discretionary job, but you are guided by the law. So 12[a] expressly states that even if the detention is for economic reasons, the accused must not exceed 10 days before he or she is charged to Court. If after the 10 days maximum detention the person is not arraigned before the Court, the role of the police officer is to discharge that person from the Cell. Offenses that have nothing to do with life imprisonment, economic or environmental reasons come under Clause 12[b]; other offenses which detention must not exceed 72 hours. So we need to understand some of these things.

Just as it is stated that police officers should not go overboard in restraining a person, so also it is stated that the police should not exceed the detention period for the matter to be charged to court.

Mr Speaker, Honorable Colleagues our as civilians we have right5 to our civil liberty. According to Clause 14, if a Police Officer conducting an arrest is having a confrontation with an alleged person, as a responsible citizen, you can assist the police by making the arrest. So Clause 14 clearly states that civilians can aid the police in arresting an accused and hand him or her over to the police so that proper proceedings can take place in the court.

Mr Speaker, Honorable Colleagues, we need to say this for the people to hear. Mr Speaker, **SO 2**, '*most times wae police arrest people, di people den dae call we en say den don do this against me o, ar wan mek you elp me*'. These are all ways of trying to prevent the police from doing their job, and it is very unfortunate on the side of us the politicians. Therefore Clause 15 is saying, if this law is enacted, nobody should obstruct police officers in doing their job. We have situations where you can see politicians directly interfering into the execution of the functions of police officers. Let us leave the police officers to carry out their jobs and use the law system to defend whosoever you want to defend. But going against the law is against the spirit of this Bill.

Mr Speaker, I am a Justice of the Peace [JP] [*Undertone*] no, no, even if I am in position. Mr Speaker, with your leave, let me read Clause 19. I am a JP, and if I have a Colleague in the House, both of us [two JPs] can sit by law and make one Magistrate, and we can even issue warrant of arrest.

THE SPEAKER: Honorable Emerson Lamina, I think you are JP, right?

HON. MATHEW S. NYUMA: Yes, so two of us can constitute as Magistrate in the court, and we can issue a warrant of arrest for Honourable Silikie, for example [*laughter*] Mr Speaker, that is the reason I asked you to please bear with me to make a long walk into the Bill. Mr Speaker, Honourable Members, people have reduced the

powers of JP to just stamping of documents for affidavits or other things. When I took up as JP, somebody just came one day to me and say, **S.O 2**, '*bo you don make you stamp? Ar get one document wae are want mek you stamp for me*'. That should not be the case; we have to go beyond that. That is why I said I am going to read the provisions. In fact, references are made to JPs in this Bill in various sections.

Permit me to read Clause 19 [2] which says, '*a magistrate or two Justices of Peace can issue a Summon or warrant under subsection [1] upon receipt of the information laid or a complaint made*'.

Clause 19 [1] states that '*a Court may proceed either by summon to a defendant, or 19 [1b], warrant for the arrest of the defendant in the first instance according to the nature and circumstance of the case*'.

Mr Speaker, we need to understand why I am making reference to this. I will not bore you in going over all the Clauses that talk about JPs; we have Clause 26[1] which also gives power to the JPs regarding the issuance of a Warrant of Arrest.

Suspension of S.O 5[2]

HON. MATHEW S. NYUMA: Mr Speaker, even though we have such powers given to us JPs as stakeholders, we need to execute our responsibility responsibly. People cannot just get up and say, **S.O 2**, '*go to one JP mek e sign you document*'- it should not be like that. That is why I said we need massive education on these matters, particularly Clauses 19 and 26.

Mr Speaker, I want to say this in this Chamber maybe you can make a ruling one day, or you can use your platform to educate people. Mr Speaker, the Office of the Attorney General [AG] is a very powerful office; he is the Principal Adviser to any government, and that' is why the holder of the Office does not come to Parliament for approval. But something is happening within the sector of the Office of the Attorney General that confuses me a lot; I always wonder why there is a Permanent Secretary in that office? In this Bill, there is Clause 45 which has to do with the abandonment of cases; '*the*

nolly-proseque'. It is the right of the Attorney General to enter any Court to ask for that power given to him by law; that a case must be abandoned, using the provision of 'Nolly-proseque'.

We all know that the Principal Assistant to the Attorney General is the Solicitor General [SG], and in the same provision in the Constitutions, you have the Director of Public Prosecution [DPP] who is currently here with us. These are three people that are very powerful in the sector of the Attorney General. The only Court that the AG and the SG cannot enter by the Constitutional provision is a Local Court.

Mr Speaker, if you check sections 64, 65 and 66 of the Constitution, they give you details of the powers of the AG, the SG and the DPP. So I wonder why we always have a Permanent Secretary again in that sector; what is the Permanent Secretary doing within that sector? These three sets of people have been given enormous powers that they can use within themselves through consultations and assistance to prosecute matters. These are professionals you cannot subject them to ridicule.

So in this provision, Clause 45 has given the powers to the AG to enter the Court and ask for a case to be abandon with immediate effect; 'Nolly-proseque'. So you do not want to undermine the powers of AG by having a Permanent Secretary, Solicitor General and also the DPP- it is a misnomer. You need to look at that one.

Mr Speaker, nobody is above the law, and the law has to do with our civil liberty. The issue of aiding and abetting is a serious crime. So let me draw the attention of my colleague because we the politicians are fond of doing that, and we are not above the law.

Let me take you to Clause 50 [2b]; under joinder of charges and defendant. Mr Speaker, the following person shall be charged and tried together:

...[b]. Persons accused of an offence and persons accused of aiding and abating or being an accessory to, or, of attempting to commit such offence or participating in the commission of such offence.

So we should be very careful what we are doing. That is why I said we tend to know but we do not know anything. I would like to borrow the words of a lady who was making reference to this Bill that this is a changing time in our judiciary system. I earlier said we cannot make the law expensive; we can make it accessible so that the people can understand what we are doing and know about the rule of law. The law must cater for even the poor because our people in the country are poor. That is why when we come to the issue of jurors, we can see what we are going to talk about that. So in this case, if you aid and abet, or you obstruct the Police when trying to carry out an arrest, you have committed an offence.

Mr Speaker, Honorable Members, during his debate, Honourable Daniel Koroma said this is a new phenomenon. The Honorable was explicit in telling us that this is a new phenomenon. I think Honourable Daniel Koroma is overwhelmed today because he has been anticipating this moment.

Mr Speaker, Honourable Members, this is a new model, we are now asking for compensations in instances where complaints are made out of malice, vexation or other sinister reasons. Mr Speaker, with your leave, let me reference Clause 53; the cost of complaint, under the rubric '*Compensation and Cost*'.

Clause 53 states that, '*where it appears to the court that a charge is malicious, frivolous and vexatious, the court may order the complainant to pay all or any specific part of expenses of the prosecution or of the defense, but such shall not exceed the maximum fine that the court is empowered to impose*'.

That is just one; there are many other areas, but as Honorable Daniel Koroma said, we will have to scrutinize the Bill Clause by Clause, Page by Page to make it better. Mr Speaker, the document also looks at the issue of insanity and sound mind. We often refer to insane people on the street as, **S.O** 2 'Dis na krase man, if you go near ram e kill you na buff. It is no longer like that in this Act. There is a provision in both the previous and this Act regarding what to do with lunatics when they commit crime. And in fact, this Bill is saying, even when someone is insane and he commits an offence,

that person is considered normal during prosecution. The issue of insanity may only come in after a thorough medical examination is done, and the report provided to the Court proves that indeed the person is insane. Even at that, prosecution may continue, and such people are referred to as 'Criminal Lunatic'. They can be confined and inspected to see what the Minister in charge of that entity can determine what to do. So, it is not because someone is a lunatic on the street, so he can just commit any offence. Even Lunatics can be charged to court; considering them to be sane at the time the offence was committed. If that happens, **S.O 2, U nor go go na court en form craze**'. That is why a person is considered to be sound minded by the time he commits an offence until proven otherwise medically. There is a provision for that, and you can check Clause 68 which talks about defense of insanity.

Mr Speaker, Honorable Colleagues, admission to bail is a very serious issue that we need to treat with some serious amount of respect. As I said earlier, sitting as a Judge is a discretionary job. Mr Speaker, you know very well that even if someone is denied bail, the Judge can come in to grant individual bail. So if you say you are not going to grant me bail in your own court, I can apply to any Judge, and with fairness to me, that Judge can grant me bail. So, take into consideration the way the system of bail is being misused, if this Bill is passed into law, it will address most of the anomalies we are facing in Court.

Mr Speaker, permit me just to read Section 76[1a] because of time. 76 [1a] says, '*where a person is charged with an offence of murder or treason, shall not be admitted to bail except by a Judge.*

Section 76 [3] of that same provision says, '*a Judge may, if he thinks fit, admit a person to bail, although the court before whom the charge is pending has taught it not to do so.*' So is just to emphasize what I said earlier that this is a progressive law. We do not need to allow someone to muscle us because he has a discretionary job to do by not granting or refusing bail to a person. This law is saying that I have the right to apply to another Judge to grant my client bail.

Mr Speaker, there is another issue I want to draw your attention to; that has to do with the process arraigning someone in, and the effect of pleading guilty or not guilty in court. That is why I said we need to have a massive education on that because most accused or the defendants how to enter a plea of guilty or not guilty. Clause 134 talks about arraign in court; to be convicted and to be acquitted.

Mister Speaker, it is very necessary for our people to understand how to plead guilty or not guilty. People use to tell accused persons to admit to a crime by saying, **S.O 2**, '*bo jus say guilty*', and they will admit guilt. It should not be like that; they need to understand why they should admit guilty or not guilty. So I want to encourage them to see how best we can educate our people on that matter. As a defense council, you should be able to tell your client that, '*gentleman, look, this particular proceedings, you should plead not guilty*'. So that is why I am asking for massive education around those issues.

Mr Speaker, Honorable Colleagues, I need clarification from you on Section 72 because I am finding it difficult to understand Section 71 to 79 [2] which has to do with pregnant person regarding murder. I want you in your reply to make clarification on that, Sir. Mr Speaker, I may read this one because it has something to do with women; indicating that we also have to give space for women in the criminal proceedings. I am also concerned about that provision because I have tried to contextualize it but I have still not been able to understand it. But let me read from 79 [1]; '*where a person is charged with murder, he may, if the evidence so warrant be acquitted of murder and convicted of manslaughter, although he was not charged with that offense*'.

Mr Speaker, you are a practicing lawyer, you know that your case is as good as your evidence. I can be charged with Murder offence and people may be quick to say, **S.O 2**, '*O yes, e don kill, na murderer.*' But the fact remains, these people are not in any position to ordinarily determine whether it is indeed a Murder case. So 79 [1] is saying, even where a matter can be assumed to be a murder case, it can be turned to manslaughter depending on the circumstances. That is often the time when some

people will say, **S.O 2**, 'Di Judge don take bribe.' But there are instances when we refer to a case as a murder but it is actually manslaughter. So your case is as good as your evidence.

Mr Speaker, 79 [2] for which I said I require your clarification says; '*where upon a trial of a woman for a murder of a child, being a child under the age of 12 months, and where there is no jury, the court is of the opinion that the time that she by any willful act or omission caused its death, but that at the time of the act or omission, the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, she may be convicted of infanticide*'.

Mr Speaker, when it comes to the issue of women in this regard, I can really not give the explanation because I am not like you; you are a lawyer. I therefore encourage you to give us explanation during your reaction.

Mr Speaker, there is a very compelling Clause which is very interesting to all of us, and the CJ made mention of it. In certain circumstance you may have your spouse, or cohabiting with someone, and some people may tend to bring your spouse to court as a compelling witness for a crime which that spouse may not be aware of. Most times women are the ones that are affected by this law. How can I be held responsible for a crime committed by my wife or husband? So it is a good one; if I have to come to court, it has to be with my consent at the request by an application of a defendant. Even though the spouse or the cohabiting partner is a reliable witness for that case either because he or she has some documents or proofs to show, you cannot force that individual to come before the court by this law, if enacted. So this provision is saying it is now done by application, or when the defense pleases to do so. However, this provision is not applicable in all cases; for cases of sexual offences for instance, it is compelling for the witness to come and testify. In fact that is the reason I am asking the AG to clarify the reference he made to the Sexual Offences Act of 2012, but I am aware that we made an amendment in 2019. So we need to correct that reference

date. In that amendment, we talked about Aggravated Sexual Harassment and Life Imprisonment; it was fully exhausted. So AG, you need to correct that reference you made by changing the year to 2019. Also, you made reference regarding indictment to the ACC Act of 2012. You need to also make reference to the recent Act.

Mr Speaker, Honourable Members, let me just read one or two paragraphs dealing with the invitation of a spouse or a cohabiting partner to give witness in certain cases. So I refer to clauses 88 and 92.

We do not need to go over it in totality; we have the ladies in the House so let them read the whole provision, and when we come to looking at the Bill clause by clause, we would address it. But I am just saying that even AG, during a privilege meeting did say that you cannot just compel someone to appear before the court because he or she is cohabiting with the accused. So Mr Speaker, we need to look into that.

My colleague on the other side from Kenema did talk about the modern trial system; using ICT as was indicated by Honourable Emerson Saa Lamina from Kono. Mr Speaker, the use of ICT is very important now in dealing with cases. As a Lawyer, if you are presenting a case and you have no evidence other than camera evidence, Clause 92 of the law gives you the power of admissibility through ICT. So Mr Speaker, I want to draw the attention of my colleagues to read that provision; Clause 92.

THE SPEAKER: Mr Leader, can you give me five minutes?

[THE HOUSE STOOD AT 11:00AM AND RESUMED AT 11:10AM]

THE SPEAKER: Mr Leader, proceed

HON. MATHEW S. NYUMA: Thank you very much, Mr Speaker. Mr Speaker, before you stood the House down, I was talking about Clause 92; admissibility of evidence based on electronic means. Mr Speaker, permit me to read Clause 92 which my Honourable colleague from Kenema made reference to; 'the Admissibility of evidence on Tape, Video Recording or Film'. Clause 92 [1] reads; '*in a criminal proceeding where*

a tape of video recording or any other material, whether produced or recorded mechanically, electronically, digitally, manually or otherwise is relevant to an issue in dispute, it shall be open to either party to replay such tape, video or other form of electronics recording or other material to the court, and same shall be received in evidence'.

So Mr Speaker, Honorable Members I really want to commend the AG for this innovation. This is very helpful because we are in the 21st century and this really has to do with the person's rights. As I said earlier, my case is as good as my evidence. So if you allow me to produce some of this evidence in electronics form, these are things you can hardly deny. In fact we are seeing videos moving around regarding the coup attempt, I do not know if those videos are acceptable in court for the ongoing trial. AG, is it admissible in court? So you can make an order on that, right?

So you are expressly stating that we should enact it. So Mr Speaker, the AG is saying that the court has now made an order to film people so that they cannot easily deny involvement when you are filmed in action. You can reject statement coming from individuals by saying that they might have been schooled or given bribe to make the statement. On the other hand, what you see on videos or evidence attached to electronics can hardly be dismissed.

Mr Speaker, Honourable Members, I have problem with people who fail to go to court just to punish the accused persons. Some people do that because they have influence, and they may just give frivolous excuses to, for example, the Magistrate whilst the accused is held in detention without granting him or her bail. That is why I said the Judges and Magistrates have discretionary decisions to make. They must therefore ensure that they serve their consciences and with the realization that they are serving God. If a prosecutor cannot come to court, and with no valid reason, the Magistrate can grant bail to the individual because nonappearance is also a way of punishing the accused persons. So we have to look at the delays in court due to excuses that are not strong. Clause 95 is also making mention of similar issue.

Mr Speaker, Honourable Colleagues, when a magistrate sits on a case, he is now given a time frame on which he can operate for committal of proceedings. Clause 112 states that 28 days is given, and within the 28 days, you are also given 14 days for evidence to be submitted for hearing. In a case where you have to serve the defendant, you are also giving 14 days within the same for 28 days. This is novelty, but you are giving an additional time [7 days] if you encounter some problems during the proceeding. But within 28 days, you must start the case in the court. As I said, some of these things are stated in Clause 112. So Clause 112 made reference to the period for the committal of a matter in court for trials; within 28 days.

Mr Speaker, there is another very interesting novelty that I want you to permit me to read just a portion of Clause 114; *making statement*. Most times when Trials are going on, that is the time you realize some flaws in the process. People start to get it wrong from the very first day of making statement at the Police Station. That is why we need massive education and let people understand that they can write their statements for themselves and submit it to the officer responsible, it is acceptable. There are some people when they go to the police station to make statement, after the police officer might have taken the statement, they would request to read their statement. That is why I said that the law has to do with civil liberty. But in a situation wherein you are an illiterate, you cannot write or read, Clause 114 made provision for that categorized also. If you are an illiterate, you can have somebody to confirm that your statement was captured correctly, read it to you in a language that you understand, and if you are a blind or deaf person, you can have someone who can assist you to read your statement in a Language which you can understand and that person can serve as a witness of your statement.

Mr Speaker, with your leave let me read the portion that has to do with blind persons in Clause 114, Page 65 [b] and it reads; '*in a case of a blind literate person, this statement consisting of blah, blah, blah, pages..., signed by me, was made by me in the language and was read over to me in a language which I admit to be true to the best of my knowledge and belief, and I made it known that if tendered in evidence, I shall be liable*

to prosecution if I have wishfully stated in anything which I know to be false or not believe to be false'.

The above quote is for the blind literate person. And for those without limbs, deaf or dumb, it states that; '*...the statement consisting of page or pages signed by me was made by me in a sign language which I read and admit to be true to the best of my knowledge and belief, and I made it knowing that if tendered in evidence, I shall be liable in prosecution if I have willfully stated anything which I know to be false or do not believe to be true'.*

Mr Speaker, if you go to Page 67, the last Paragraph under [H], they said; '*this will be followed by the date, then the statement, and the person's thumbprint or other mark, and the signature of the person who witnessed the affixing of the thumbprint or other Mark'*.

Mr Speaker, these are some of the things that we need to deal with in terms of talking about statement. Mr Speaker, it is very important for us to take note of Clauses 112 and 114 for the good of our people. The reason why I am making emphasis is because in Gbo-ka-ka Jama and Gbolama, the Visually Impaired School was opened in 1973 around RTI and I have interfaced with them for several years. I also have other physically challenged persons in those two sections. So that is the reason I am passionate about this issue. Mr Speaker, that is why emphasis must be made on this provision, and as Honourable Daniel Koroma said, we are going to look at this Bill clause by clause to make sure we modify the language for better understanding. I have read these provisions because I am dealing with the physically challenged and I care about their health and wellbeing.

Mr Speaker, Honourable Members, let me throw some light on the issue of Jurors. As a progressive state, economically the issue of Jurors is not viable. Most countries are not using Jurors because it is not easy to deal with them. As you said, we should not politicize the selection of jurors and the business of criminal proceedings. We are looking at how proceedings are done in court in this modern time. If proceedings are

not properly done in the interest of the people of Sierra Leone, there will always be accusations that the country is corrupt. The selection of Jurors in the first place is very expensive because when you select jurors, you have to be responsible for them. In America, for example, about 50 Jurors were empaneled but when the defendant came they condemned all of them, and they are still looking for jurors to start the case. Justice delayed is justice denied; if you select the jury you have to be responsible for them. Today if you go back to cases, you may find out that 25 years ago somebody may have been convicted for murder and has spent something like 20 years without verdict. If people who are still going after those cases can now come with actual evidence to counter the conviction, then that case can be overturned. That is why I said your case is as good as your evidence.

Mr Speaker, you are a practicing lawyer and you know the consequences of such situation. In some countries people can ask for compensation in situations where sentences have been overturned, but in Sierra Leone no compensation is given. With all their advancement in technology, if developed countries are not getting it right, we should not afford to incarcerate our people because of lack of evidence.

Mr Speaker, they have not refused to talk about the single trial of judges with the assessors. In the single judge trial case you have the right to appeal; the judges have three assessors who are not lawyers but they are expert in court to advice, but their decision is not final.

Economically, it is really good for us to examine the jury system because of the poverty mentality of our people in our society. If the Jurors make their statement, you have nothing to talk about it and you cannot have a second look at it. You may have the power to charge the Jurors if they violate certain rules, for instance, lack of attendance in court. But issues that have to do with issuing judgment, if the Jurors do not have a quorum, the matter has to be adjourned and that can be really time consuming. Cases that are supposed to last for few weeks or months may last for a year or more because

of fulfilling the process of constituting the Jurors. Economically you have to upkeep them for as long as the case is going last.

Mr Speaker, the other issue I would like the Minister to throw more light on is the issue of the trial of children. He is referencing Cap 44, Clause 215 but we do not have Cap 44 with us now. But when we come to Committee Stage, they will provide us with Cap 44 in the substantive law because the trial of a child is very important to us. Mr Minister, I may ask in the name God that you try to expand on the issue dealing with the trial of a child. We need to have better understanding because these are our children, especially under the age of 17. I have dealt with a case where a young man was refused bail because the Magistrate was not coming to court. Thanks to the DPP, he knows about that, and I am a victim of this one. We need to understand what we do, and we need to understand how we administer the law. Administering the Law is a discretionary job but we are frustrated with the attitude of certain individuals. A child may have committed an offence and did not even know the magnitude of the crime but get incarcerated because a certain individual influences the Magistrate and says, **S.O 2**, '*Bo keep am dae fos!*'

Mr Minister, I am not trying to drag you, if you cannot give us an explicit explanation on how we deal with children at under Cap 44, we can build up on it at the Committee Stage.

Mr Speaker, I listened to my colleague, Honourable Sandy from Kenema who made reference to the issue of Suspended Sentence in Part 8. In my opening remarks, I said in passing that we are now going to look at these sentences in order to decongest our prisons. There are minor offences that do not require jail term especially case where the sentence is below two years. So would make reference to Clause 217 which talks about Suspended Sentences for minor offences.

Mr Speaker, even though some people may say there are no minor offences, but I think issues like minor traffic offences and neighborhood quarrels can be addressed through Suspended Sentences because their jail terms are below two years. With Suspended

Sentences we can decongest our Cells and also teach us some moral lessons. Mr Speaker, permit me to read Clause 217, it says; '*where a court passes a sentence of imprisonment for an offence for which the term of imprisonment does not exceed two years, the court may order that the sentence be suspended, and that it shall not take effect from the date of that order unless within one year of the order, the offender commits another offence punishable with imprisonment*'.

Mr Speaker, Honourable Members, you can further look at the modes of Suspended Sentences because I do not want to go over everything; I just want to draw the attention of the House to Clause 217. Mr Speaker, Clause 218 on the other hand talks about Deferment, and Clause 219 has to do with deferment that has to do with certain charges.

Mr Speaker, somebody made mention of a very interesting Clause which has to do with Community Punishment; Clause 223. Mr Speaker, in the community punishment provision, it is stated that one cannot exceed 60 days, and there must be somebody supervising you by order of the court. When it comes to Community Punishment as proposed in the Bill, there are modalities to follow.

Mr Speaker, permit me to read clause 223 [1&2] for the edification of Members. '*Where a person is convicted of an offence for which the term of imprisonment does not exceed five years, the court by or before which he is convicted may make a community punishment order requiring him to perform unpaid work, including working on youth projects, old people's homes, correctional and state farms, cleaning public places, such as house of parliament, hospitals, beaches and painting of public buildings and road signs in such manner and for such period as the court may think fit*'.

Mr Speaker, do not forget we are very conscious about Human Rights abuses, so there will be a special order as to how to deal with them. That is the reason under the provision there is a time frame and orders given regarding how to deal with them; they cannot just go to the community and you start to abuse them because they are doing Community Service as punishment.

Clause 223 [2] on the other hand says; '*the number of days which person may be required to work under a community punishment order shall be specified in the order, and shall in the aggregate not exceeding 60 days*'.

So Mr Speaker, they are very mindful that in as much as they are serving punishment, they should not go beyond the limit, taking into consideration the human right issues. Community Service is practiced even in abroad, we have celebrities who are doing Community Service. As for Suspended Sentences, those are common in Spain, in Italy; Ronaldo was given Suspended Sentence. Oh, yes. During that period, they will be looking at your behavior to know how you comport yourself.

Mr Speaker, Honorable Colleagues, there is also an aspect of community obligation under Clause 224. Permit me also to read Clause 224 [a], the side note; Obligation under Community Punishment Order, '*a community punishment order made under section 223 shall state that the convicted person shall*:

[A] be under the supervision and the direction of the officer or authority responsible for the supervision of the Community Punishment Order'.

When you read that particular provision, you would see all of these ones.

Clause 225 talks about Payments/ Charges in lieu of punishment. Mr Speaker, there are certain convictions for common traffic offenses like using the wrong route or making a U-turn. If someone is taken to court and convicted with all proofs, you can be sentenced to a jail term or pay a fine of certain amount. These are all mechanisms put in place to help decongest our Correctional Centers.

So Mr Speaker, let me at this end say that we are really not interested in taking discretionary actions when this law is enacted. We are appealing to the Magistrates and the Judges to use their discretion well so that our people do not suffer injustice. In as much as we do not want to make crime lucrative, we similarly do not want to make justice expensive. If we do, the poor people will never get justice.

So Mr Speaker, all of what we are doing is to make justice accessible for every Sierra Leoneans. On that note, I want to say thank you very much, Mr Speaker and Honourable Colleagues for listening to me. I have taken a long walk, and I want to have rest, May the Lord bless us all.

THE SPEAKER: Leader of Government Business, that was a long walk indeed. Thank you very much, Leader of Government Business. Yes, to you, Mr Minister.

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE [*Mohamed Lamin Tarawally Esq*]: Mr Speaker, Honourable Members, with the greatest humility and respect, I want to say thank you to Honorable Members for the time that they have spent.

Mr Speaker, Honourable Members, just by what has been demonstrated this morning, apart from the consultations that we have had before, now it shows that, yes, Honorable Members have spent time in reading this particular Bill. I have no doubt in whatever they do, or what they intend to do, but this particular one just shows that they are committed to it, and I doff my hat to the House for that.

Mr Speaker, just to answer to some questions raised by Honorable Members, I am of the utmost view that this Bill will have to go to Committee Stage, where you would have more opportunity to sit and discuss line by line, clause by clause, and we have further better understanding, not only for us the pilots, not for the lawmakers, but for the country as a whole. Mr Speaker, some questions or concerns were raised about some women being abused in Correctional Centers. That I will not gainsay, even though we do not have any proof to show to that. But I know for a fact that whenever incidents of that comes up to our attention, immediate actions are taken, and we are not going to rest, nor would we sit by and allow this to happen because an incarcerated person has a right. So the person's rights continue up to the last breath of that individual. Being incarcerated does not wipe you out of your basic fundamental rights. So we would continue to act and monitor the situation as it happens. And that is why, with this new Bill, should it come to law, it makes provision for further aggressive steps

against predators [*I would refer to them as predators*], preying on a defenseless people whilst in incarceration.

Mr Speaker, for the modernization of the court, if you walk along the main Siaka Stevens Street, you would see that the Judiciary has done a lot, but modernization does not stop there. We would continue to augment the lifestyle of the judiciary and provide the basics to accelerate justice for every individual in this country. Mr Speaker, an Honourable Member made reference to the fact that not everybody is a computer literate. And modernization does not only mean computers or providing computers; it goes beyond that. Our thinking normally is that when a person says to modernize, the first thing we think is about upgrading or providing Computers, Laptops, IPad or so, but it goes beyond that.

Now I would say Mr Speaker, apart from the Bill, that within the Judiciary Website, you can log in and see your cases; see assignment of cases before various judges. You can log in and read judgment immediately they are delivered because they are posted online and you can ask questions. And I know that again, up to this period, we have been trying to work the system around where lawyers would file all papers online, and your date for hearing are also slated online. So we are working on it, and it is going to be a continuous drive process; we are not stopping or relent in doing that.

Mr Speaker, for the bail conditions, unlike the 1965 Act, with this Bill now, we intend to be more aggressive in bail for any suspect, accused persons or the like. Already there is a bail regulation that is out there, but it will only take proper and actual effect if this Bill becomes lawful by your making. So once this Bill becomes law, the bail regulation kicks in, and then there will be no question of me dictating the terms and conditions of bail, because already there are regulations going alongside with this Bill.

Mr Speaker, Honourable Members, a particular reference was made to the question of trial by Judge and the Jury. And I doff my hat to the Majority Leader in speaking to that as it is already in this Bill. Mr Speaker, Honorable Members reference was made again by the Honorable Leader of the House with regards Clause 95 of this Bill before this

House. In answer to the question of trial by Judge or Jury, I would say the reason why we are proposing that we do away with the Jury system is that we want to be forthright with the people of Sierra Leone. That is why it is in this Bill, and I have brought it before you for your attention, subject to the argument that I will put forward with regards that. One important argument put forward is the question of delay. But Mr Speaker, before the delay there was a death penalty. Apart from the Constitution that says '*no individual has the right to take any person's life, save the state*', the 1965 Act, makes provision for the death penalty. And even with that, when somebody is charged with Treason, Murder and other serious offenses that carry the death penalty, before that individual could face the Guillotine, he or she must be tried by his or her peers; the ordinary man out there, not only by the law. The fact is done by the Jury because they want to ensure that once someone is convicted for murder, treason, burglary or sacrilege, before that person's life could be determined by the state, that person must have gotten the opportunity to be assessed by his or her peers.

But Mr Speaker, Honorable Members, the key thing here is that the 2022 Abolition of Death Penalty Act which was done by this House takes away the death penalty and the law is strict. Any punishment that warrants death at the end, the person must be tried by a Judge and Jury. This very House in 2022 abolished the death penalty; there is no longer death as one of final part of a crime, even when a person is convicted, be it treason, for murder, for burglar, for sacrilege or any other serious offences that warrant death at the end.

THE SPEAKER: Hold on, Mr Minister let me rub it in. You see if you do not understand the jury system, then all what you try to submit relating to this particular system; '*oh, we need the jurors for matters of justice*'. But I can tell you, as a lawyer that has practiced, that the Jury system is responsible for what we call injustice when it comes to the judicial system. You have some people incarcerated, and the Jurors in the first place fail to turn up, and they are just there at Pa Demba Road. Sometimes even when they show up for a particular day and people are granted bail, they fail to show up, and you have murder cases, treason cases, etc. that are in these courts forever. They have

been there for over 10 years, 15 years because if all the Jurors do not meet, the court cannot proceed. So if you are talking about the Jury System in theory, then you would say it is a perfect system. But if you subject this particular system to practice, then you would realize it is the cause of injustice, the very injustice we are ranting about. So as far as I know, I am not an advocate for the Jury System because the Jury System is the cause for injustice. So, but I would not say, as a matter of fact, that, no, let us abolish it, let us not talk about it. But when you go to the Committee Stage, Committee Members, please find a way around; find a nice point between the Jury System and Trial by Judge. Find a nice system that we can put together. So many countries tested it before and they abandoned it. If you go to Germany, India, or you go to Singapore, these places abandoned the Jury System because it does not work. In theory it is good, but it does not work. It is just not practical for it to work, because as far as I know, if somebody brings a case against me, I want that case concluded as soon as possible. So if I am to serve my term, let me go and serve my term and walk away. But people are there forever because the jurors just refused to meet and proceed with these cases. My pinch of salt, please continue.

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE *[Mohamed Lamin Tarawally Esq]*

[Mohamed Lamin Tarawally Esq]: Thank you, Sir. Mr Speaker, again, even with the current position wherein the law says that you go by a trial by Judge and Jury with Murder, the 1965 Criminal Procedure Act also makes provision that if the punishment that the individual is standing trial for does not warrant death at the end, the 1965 Act gives the Attorney General the power, as of right, as of course, to make an application before the Judge to go by a Judge alone, even with murder, currently as it is. Maybe that was one of the reasons that an Honourable Member made reference to about the Supreme Court. That is a right as of course; an application can be made just by filing the papers that we want to preside by Judge alone, because the end point is, there is no longer death penalty. Why should we keep 12 members as Jurors, forced to sequel them, for which we do not have the facility. When you sequel an individual, you provide everything for that person for the period of time. And let us assume that we have 12 members as a

Jury, the trial is ongoing as what the Honorable speaker alluded to, one person falls ill. Again, all of us might have heard that, Mr Speaker with your leave if I could reference S.0 2, '*case dae delay na court becuse the judge dem nor dae go*'. The people would not know that a Juror was absent. The Prosecution will be there, the Defense will be there, the Judge is there, Witnesses are available, but if a Juror is absent, we would have to adjourn no matter what.

And should you insist to arrest a Juror, which is a right again by the court, then the rest will start to chicken out; they will refuse to cooperate. Subsequently, if your matter is ongoing, say for instance the Prosecution has closed, the Defense commences and mid-way through the defense a Juror, as per bad fate dies, we start all over again, and then the accused will be there in detention as long as the matter is ongoing. It is not about witch hunting any individual, or not about trying to target any person. It is because we want to be progressive, as this Honorable House has been doing right through piloting and enacting progressive laws. That is the reason; otherwise we could have removed that and come before this House just with a Bill with no Jury system. But at Committee Stage, we would be prepared to delve more into it and provide further explanation.

Mr Speaker, a question was raised about the Clauses 79 [1] and 79 [2] regarding Alternative Convictions and a Sentence of Infanticide respectively. Mr Speaker, the Judge or the court has the right or the duty to listen to cases where an evidence has been adduced before the court, and at the time of writing his judgment, the Judge alone, in his wisdom thinks that the evidence adduced so far does not warrant to the charge that the individual was brought for, the Judge can give an alternative to that. For example, someone can be charged for Murder, but if the Judge sees that the evidence adduced so far does not amount to Murder, or the evidence does not convince him to convict and sentence the individual for Murder, the Court can reduce the charge to Manslaughter, even if the person was charged with Murder alone- the Judge has the right to do that. So that is the position Clause 79[1] is reaffirming, and making it smoother and sweeter. For Clause 79[2], if for example a pregnant woman is generally charged for Murder but again the Judge realizes it at the time of conviction, after he

has assessed the entire evidence before him that this person cannot come in for Murder, the woman can be convicted of infanticide.

Mr Speaker, Honourable Members, with your leave let me just call your attention to 79[2] which says;

'where upon trial of a woman for the murder of a child being under the age of 12 months, the Jury, and where there is no Jury, the court is of the opinion that at the time she by any willful act of omission caused its death, but at the time of the act or omission, the balance of her mind was disturbed by reason of not her having fully recovered from the effect of giving birth to the child, or by reason of the effect of lactation consequent upon the birth of the child , she may be convicted of infanticide'.

Mr Speaker, the law gives the conditions, which is to mean generally that at the time the person was charged, the first perception was that the person did the act deliberately; the person had the intention to murder the baby within 12 months. But subsequently, evidences were adduced before the court and the court thinks that no, the person did not have the intention to commit murder. If the evidence does not amount to murder, the court on its own can convict for and sentence with infanticide. That does not take away the right of the court from punishing the individual. So that is what 79[2] is speaking about; alternative sentences wherein the court has the power at the time to do that.

Mr Speaker, Honourable Members, so far based on the right of the child, reference was made to Cap 45 and I would further add to Cap 45, the Child's Right Act. We know in Sierra Leone that the age of a child is below 18, and you cannot try a child even if that child commits an offense of murder. There is an instance now that I am privy to, wherein a person committed an offense of murder, and the person was charged with murder and convicted. But the difficulty is that the person cannot be sentenced as an adult. The person is in Approved School with a warrant that sentencing of that person is at the behest of His Excellency of the President. So, until His Excellency decides otherwise, the person has been convicted. So there are ways. That is why Cap 45 and

the Child's Right Act are there as safeguards. In addition, what this Bill is speaking to is that in an event a child below 18 commits an offense, all be it an adult offence, *[Murder or something else serious]* that child cannot go to an adult incarceration center or correctional center or something else serious. Cap 45 and the Child's Right Act give you the safeguard on how to treat the person if convicted, and where the person should be placed.

Mr Speaker, Honourable Members, except otherwise, these are the issues raised for which I think I have tried my best to provide some explanations for, subject to any other question from the Speaker or Members. I thank you, Honorable Members

On that note Mr Speaker, Honourable Members, I move that the Bill entitle; the Criminal Procedure Act, 2024, being an Act to amend the Criminal Procedure Act of 1965 be read the Second Time

[QUESTION PROPOSED, PUT AND AGREED TO]

[The Bill Entitled; the Criminal Procedure Act, 2024, being an Act to repeal and replace the Criminal Procedure Act, 1965; to provide for new procedures relating to summary retrials, Committal Proceedings, Trial on Indictments, Alternative Sentences and to provide for other related matters has been read the second time.]

HON. BASHIRU SILIKIE: Mr Speaker, Honourable Members, I stand on **S.O 51** to commit the Bill to the Legislative Committee.

THE SPEAKER: Any Seconder?

HON. DANIEL B. KOROMA: I so second, Mr Speaker

[QUESTION PROPOSED, PUT AND AGREED TO]

*[Pursuant to **S.O 51[1]**, the Bill the Bill entitled; the Criminal Procedure Act, 2024 has been committed to the Legislative Committee for further Scrutiny.]*

THE SPEAKER: Thank you very much, AG, you may leave

ANNOUNCEMENT

THE SPEAKER: Leaders on both side of the aisle; Leaders of the Government Bench and Leaders of the Opposition, we are expected to have a meeting at 2pm today with the Minister of Basic Education. Please make sure you are in attendance at the Speaker's Conference Room. Honourable Veronica Kadie Sesay and Honourable Nenneh Lebbie, please ensure that you are in attendance, thank you very much.

ADJOURNMENT

The House rose at 11:50am and adjourned to Tuesday the 23rd April, 2024 at 10am