REPORT ON DISTRICT LEVEL CONSULTATIONS

Submitted by Team 3
Constitutional Review Committee
8/19/2015
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CHAPTER ONE

Legal Technical Associate’s Report

Team 3: Koinadugu, Tonkolili and Kambia Districts;

Submitted by: Allieu Vandi Koroma - Legal and Technical Associate

Team Members

1. Ibrahim Sesay - State Policy and Human Rights
2. Alhaji Ben Kamara - Research
3. Morlai Conteh - Information, Education and Communication
4. Francis Keili - Judiciary
5. John Oponjo Benjamin - Natural Resources
6. Augusta James-Teima - Executive
7. Osman Koroma - Local Government
8. Olushogu A. David - Legislature

Introduction

The Constitutional Review Committee (CRC) held provincial-wide consultations from the 4th to the 14th May, 2015. The purpose of the consultations was to, among other things; engender debates around critical issues in the various thematic areas in the current Constitution of Sierra Leone thereby giving an opportunity to stakeholders present to make relevant inputs by way of suggestions and or recommendations.

The CRC established four teams each comprising of members of the various sub-committees including a Legal and Technical Associate (LTA). Each of the teams was mandated to cover at
least three districts. Team 3 was responsible to have held consultations in Koinadugu, Tonkolili and Kambia Districts in the Northern Region of Sierra Leone.

The Team left Freetown for Kabala, the district headquarter town of Koinadugu, via Makeni, on the 4th May, 2015 and arrived on the same day. The Team then had consultations on the 5th and 6th May; and travelled on the 7th to Magburaka, the district headquarter town of Tonkolili. In Magburaka, the Team held consultations on the 8th and 9th May. The Team was supposed to have travelled to Kambia on the 10th May, but that schedule did not materialize. The Team was told that there were logistical challenges in terms of accommodation and it was therefore suggested that the Team was to be based in Makeni and that they were to be travelling to Kambia and back each day they had consultations. The consultations in Kambia were, however, held on the 11th and 12th May, 2015.

**Koinadugu District**

**Introduction**

In Koinadugu District, the meeting started at 11:00pm with the observation of both Muslim and Christian prayers. It was followed by self-introduction of members of the CRC.

The District Officer, Alfred Lahai, was introduced as chairman of the occasion. He started by stressing the importance of the process as it related to everybody in the country irrespective of status, ethnicity, political persuasion, region, religion, sex, colour etc. He gave an overview of the entire process in terms of submissions received by the CRC and also looking at the Constitution of other jurisdictions so that a viable document would be produced at the end of the process. He urged all present to give their maximum input into making a better constitution, citing the Burundi case as an example and its ramifications. He thanked all, especially the Paramount Chiefs, for presenting themselves.

The District Council Chairman, Sheku S. Kamara, started by thanking members of the CRC and the government for going to engage them as that was the first time such a process was happening. He urged that the process should be reproduced at the chiefdom level so that the people down there can also actively participate in the process. He too welcomed all present especially the Paramount Chiefs and wished them all fruitful deliberations.
A representative of the Council of Chiefs in Koinadugu District, Chief Jalloh, started by apologizing for not being in his usual outfit as a Paramount Chief. He went on to appreciate the process as that was the first time that such a process was taking place; as previous constitutions were done by a few elite and some politicians who sat in Freetown and wrote what represented their interests. He also urged the CRC to replicate the process at the chiefdom level in order to benefit all and sundry.

The CRC representative, Francis Langumba Keili, gave an overview of the entire process of the CRC. He told stakeholders present that Team 3 would be going to Tonkolili and Kambia after the Koinadugu meeting. He informed them that the 1991 Constitution was enacted barely three months before the outbreak of the rebel war; and was suspended barely one year after its enactment. And that for the 24 years that the Constitution had been enacted, it had only been tested for about 12 years mainly as a result of the rebel war and coups and counter coups. And that Article 10 of the Lome Peace Agreement recommended the review of the Constitution.

He said that the Constitution was being reviewed using the Peter Tucker’s Committee recommendations. According to him, the President, Ernest Bai Koroma, launched the CRC on the 30th July, 2013 and it was during that process that an 80-member Committee was inaugurated and that it was comprised of people from all walks of life including civil society, government institutions, political parties, women’s groups, youth groups, the physically challenged etc. He further informed them about the mandate of the Committee which he said was to engender debates around themes in the Constitution and get inputs from the public.

Following which, members of the CRC gave an overview of their respective sub-committees. The various presentations were followed by questions, comments, suggestions and recommendations from the participants. The participants, having heard the various presentations covering different thematic areas from CRC sub-committee members, were better prepared to engage in the various groups that they were subsequently divided into groups. The CRC members in the various groups served as moderators or facilitators of the discussions that followed. The participants, however, appointed a chairman and secretary to record their contributions regarding the specific theme(s) they were discussing. Although there were eight sub-committee members in the groups, only six groups were formed as Research and Information, Education and Communication did not form groups.
The group discussions engendered several debates among members of the various groups. The LTA was, however, called upon to clarify every critical legal issue(s) that members wanted to be clear about. After the discussions, participants were provided with flip charts on which they recorded their conclusions or suggestions or recommendations. They were also instructed to nominate from amongst themselves somebody to do the presentation on behalf of the group to the plenary.

All the groups made presentations to the plenary putting forward their recommendations. Members of the relevant group were first given the opportunity to make further inputs before other participants were entertained.

Sub-committee members in Koinadugu
Cross-section of participants in Koinadugu
Recommendations

Executive

- The President should be the guardian of the Constitution;
- Accept Peter Tucker’s recommendations of referendum to alter an entrench clause of the Constitution with an international agreement;
- Accept the current arrangement as to how ministers are appointed;
- Accept the independence/separation of powers;
- That the term limit of the President should remain 5 years of 2 terms;
- Qualification of the President should remain a citizen but a naturalized citizen should not;
- Reject the idea of dual citizenship to be eligible to become President of Sierra Leone;
- That a Presidential candidate should have resided in the country for at least 5 years to be eligible to contest;
- Age of qualification for President should be increased to 45 years;
- Candidates for presidential elections should be elected or presented or nominated by political parties;
- The President should pay tax;
- The PPRC Act should be amended to ensure that political parties keep proper records of their membership and other records;
- Accept run-off in the current Constitution;
- Maintain the universal adult suffrage to elect the President;
- The Constitution should fix a date for election preferably during the dry season;
- The Chief Electoral Commissioner should declare the winner of an election;
- The President-elect should take over immediately after the election result is announced;
- The Constitution to place a seal as regards the total number of ministers and deputy ministers appointed by the President;
- Support the view of regional-balance in the formation of cabinet;
- Disagrees with the provision of restraining people who have contested and lost as Members of Parliament (MPs) to be appointed as ministers;
- Disagrees with the Attorney-General and Minister of Justice fusion and suggests separation of it;
➤ Impeachment of President to be done in secret

Executive sub-committee group work

Executive presentation
Judiciary

- President should not be appointing judges any longer;
- Judges should be appointed by an independent body free from any political interference;
- Judges should not be going to Parliament for approval after being appointed;
- The age of retirement should be increased from 65 years to 75 years;
- The local courts should deal with the Local Courts Act and not with Chiefdom bye-laws;
- The Public Order Act should be revisited with a view of changing or amending or even repealing it;
- The local courts should be made completely independent, free from interference;
- The Attorney-General should remain but there should be no Minister of Justice;
- The independent body that appoints adjudicators (judges, magistrates, court chairmen, clerks etc.) should be responsible for dismissing them;
- The fines imposed by judges, magistrates, court clerks etc. should be deposited in the consolidated fund;
- Encourage the establishment of circuit courts in the districts;
- Revisit the fines in the local courts

Judiciary sub-committee group work
Judiciary presentation
Legislature

- The age of voting should remain 18;
- The age of contesting for Parliament should be 25 years;
- Use both numbers and names to identify constituencies;
- Period to divide constituencies should be 5 years;
- The conduct of bye-election to be reduced from 6 months to 4 months;
- Parliament should make rules to ensure the neutrality of electoral commissioners;
- President should not be a Member of Parliament in light of separation of powers;
- Paramount Chiefs (PCs) should not be members of Parliament;
- The Constitution should not state the number of years to debar somebody from contesting an election;
- MPs should be liable to impeachment;
- Election appeal should be heard in one month;
- MPs should be given the right to choose the Speaker of the House of Parliament;
- A Speaker should not be a judge or qualified to be a judge;
- A Speaker should not resign his seat in Parliament;
- Speakers should be elected by two-thirds majority in Parliament;
- Speakers who are not MPs should subscribe to the oath in the Third Schedule of the Constitution;
- MPs should be prevented from cross-carpeting;
- No reserved seats for female/women and disability;
- No seats for PCs in Parliament;
- Life of Parliament should remain 5 years
- If an MP is convicted of a criminal offence, he should lose his seat;
- Naturalization to be reduced from 25 years to 10 years to be eligible to contest for election
Legislative sub-committee group work

Legislative presentation
Local Government

- Retirement age to be increased to 65 years;
- The system of government specifying local councils should be included in the Constitution;
- The functions of HRMO, Public Service Commission and Civil Service Commission perform overlapping function and should be clear in the Constitution;
- Local government and decentralization should be a chapter in the Constitution.

Local government sub-committee group work
Local government presentation

Natural Resources

- Equal right to own land, whether male or female – inherit and dispose of land;
- Certain areas should be reserved for cattle grazing and another for farming;
- Land and the administration of our natural resources should be decentralized;
- Government should impose tax on all commercial land, that is, land that is used for commercial purposes;
- Foreign investors should not have 100% right in dealing with our natural resources including land;
- The conservation of the environment should be the duty of the State and also the responsibility of the citizens;
- Government should make reserves for areas for potential for tourism for instance;
Natural resources sub-committee group work

Natural resources presentation
State Policy and Human Rights

- Impose the law without discrimination;
- Provide legal aid for every citizen;
- Transparency and accountability to all at all times;
- Delete “based on merit” that government should provide social protection net;
- Delete “having due regard to resources”;
- Delete “as and when practicable”;
- Delete “government must strive” and replace it with “ensure”;
- Add “quality” after “compulsory”;
- Reform or change the curriculum in schools;
- A new chapter about citizenship;
- Health and education to justiciable
- Government to introduce Human Rights Act;
- The right to health, education, social protection to be included in the human rights chapter; the age of criminal liability to be 18 years;
- 30% to be reserved for women;
- The freedom of the media should guaranteed by the Constitution;
- The President must/shall consult Parliament before passing a State of Emergency
- Right to life, torture should be guaranteed by the Constitution
State policy sub-committee group work

State policy presentation
CHAPTER TWO

Tonkolili District

Introduction

The meeting started around 10am in the Tonkolili District with the observation of prayers – both Muslim and Christian. The Chairman of the occasion was the District Officer of Tonkolili, Mr. Fatorma. He asked the CRC members to introduce themselves before he made a brief statement. He implored all present to take the process very seriously as the document itself they were about to review was an important document.

The acting Chairman of the Tonkolili District Council also urged all present to actively participate in the process and to think Sierra Leone instead of as individuals or politicians. He said that the document had to be looked at as a national document and that it should not be skewed in favour of the aspirations of whosoever, whether as an individual or politician. He also encouraged the CRC members to take into consideration the deliberations and urged that their recommendations should be reflected in the final document.

Paramount Chief, Bai Sontoba of Gbonkolenkeh, on behalf of all the Paramount Chiefs in the district, pleaded with all the participants to have Sierra Leone in mind when deliberating on the Constitution. He encouraged all present to actually own the process.

Francis Langumba Keili, on behalf of the CRC gave an overview of the entire process and urged all to contribute actively. Presentations were done by various members of the team representing different sub-committees. After which, participants were divided into groups to discuss the different thematic areas in the Constitution. During these discussions, team members took participants in their various groups through the questionnaires and other issues arising.
Recommendations

Executive

- That the Presidential system of government be maintained. However, that appointments should be made by an independent body and the appointment is endorsed by the President;
- That the Presidential term should be limited to 2 terms of 5 years each;
- That both parents should be citizens of Sierra Leone in order to be qualified to be President;
- That dual citizenship should not be encouraged;
That a Presidential candidate should have lived in Sierra Leone for a minimum period of 5 years to be eligible to contest;
That a Presidential candidate should be at least 40 years;
That an independent candidate should not be provided for in the Constitution;
That the President should pay tax;
That the Constitution should provide for political parties to make primary elections. However, that not all registered members should be allowed to vote;
That the National Electoral Commission should organize such election – intra-party elections for the sake of transparency and that the PPRC should monitor those elections;
That 55% should remain as provided for in the Constitution to become a President;
That fixed dates for elections should be provided for in the Constitution as it will help the different interest groups to plan well;
That there should be a transition period during which aggrieved parties can petition and the petition heard before the President is sworn-in;
Even distribution of ministerial positions across districts and regions;
Separation of the offices of Attorney-General and that of Minister of Justice;
That the President has the right to appoint a Minister of Justice;
That the impeachment of the President has to be done in secret;
That in the absence of the President and Vice President, the Speaker of Parliament should be sworn-in;
That the qualification of President is that the person should be at least a graduate from a tertiary institution;
That Presidential and Parliamentary elections should be conducted simultaneously;
That in an event of a vacancy in the Office of the President, the Vice President becomes the President;
Executive sub-committee group work

Executive presentation
Judiciary

- The offices of the Attorney-General and Minister of Justice should be separated;
- The Chief Justice’s position should be made independent;
- The judiciary should be made independent;
- The appointment of judges should be done by an independent committee and not the President because if the President does, then the judiciary will not be independent;
- The arms of government should be separated completely;
- The courts should be equipped and increase the number of court personnel
- President should not be appointing judges any longer;
- Judges should be appointed by an independent body free from any political interference;
- Judges should not be going to Parliament for approval after being appointed;
- The age of retirement should be increased from 65 years to 70 years;
- The local courts should deal with the Local Courts Act and not with Chiefdom bye-laws;
- The Public Order Act should be revisited with a view of changing or amending or even repealing it;
- The local courts should be made completely independent, free from interference;
- The Attorney-General should remain;
- The independent body that appoints adjudicators (judges, magistrates, court chairmen, clerks etc.) should be responsible for dismissing them;
- The fines imposed by judges, magistrates, court clerks etc. should be deposited in the consolidated fund;
- Encourage the establishment of circuit courts in the districts;
- Revisit the fines in the local courts
Judiciary sub-committee group work

Judiciary presentation
Legislature

- Seats should be reserved for women and the disabled; one in each district;
- No seat should be reserved for chiefs;
- MPs should not be allowed to cross-over with their seats;
- Political parties should continue to exercise control by recalling MPs with PPRC overseeing the process;
- Candidates who lose elections should not be appointed ministers;
- Public servants should not be allowed to go back to their jobs after failing at an election;
- Constituents should be allowed to recall MPs;
- Electoral Commissioners found guilty of dishonesty should be removed from office without prejudice to prosecution

Legislative group work
Local Government

- Retirement age to be increased to 65 years;
- The system of government specifying local councils should be included in the Constitution;
- The functions of HRMO, Public Service Commission and Civil Service Commission perform overlapping function and should be clear in the Constitution;
- Local government and decentralization should be a chapter in the Constitution.

Local government sub-committee group work
Local government presentation

Natural Resources

- Equal right to own land, whether male or female – inherit and dispose of land;
- Certain areas should be reserved for cattle grazing and another for farming;
- Land and the administration of our natural resources should be decentralized;
- Government should impose tax on all commercial land, that is, land that is used for commercial purposes;
- Foreign investors should not have 100% right in dealing with our natural resources including land;
- The conservation of the environment should be the duty of the State and also the responsibility of the citizens;
- Government should make reserves for areas for potential for tourism for instance;
State Policy and Human Rights

- Impose the law without discrimination;
- Provide legal aid for every citizen;
- Transparency and accountability to all at all times;
- Delete “based on merit” that government should provide social protection net;
- Delete “having due regard to resources”; 
- Delete “as and when practicable”;
- Delete “government must strive” and replace it with “ensure”;
- Add “quality” after “compulsory”;
- Reform or change the curriculum in schools;
- A new chapter about citizenship;
- Health and education to justiciable
- Government to introduce Human Rights Act;
- The right to health, education, social protection to be included in the human rights chapter; the age of criminal liability to be 18 years;
- 30% to be reserved for women;
- The freedom of the media should guaranteed by the Constitution;
- The President must/shall consult Parliament before passing a State of Emergency
- Right to life, torture should be guaranteed by the Constitution
State policy sub-committee group work

State policy presentation
CHAPTER THREE

Kambia District

Introduction

The meeting began at about 11:00 am with the introduction of members of the CRC; it was followed by the introduction of the chairman of the occasion, Sheik Samuel Adikali Sankoh, Chairman of the Kambia District Council.

The Chairman started by introducing the Paramount Chiefs present at the occasion. The Chairman gave a brief welcome address and apologized for the turnout due mainly to the upsurge of the ebola in the district. He then handed over the microphone to the Chairman of the CRC, Hon. Justice Edmond Cowan to give an overview of the CRC process.

The CRC Chairman thanked the stakeholders present for leaving all their busy schedules particularly under the current ebola situation and turning up for the meeting. He informed all about the importance of the process as the constitution was the most important document in the country – the supreme law. He noted two main points: firstly, that CRC members were to meet the people all over the country and that was what the sub-committee members were doing. Secondly, that it was non-political; that is, that the people should contribute genuinely, looking at Sierra Leone and not at one’s party.

The first to speak was the sub-committee member representing the executive. She gave an overview of the executive and the relevant provisions bothering on the executive. She gave qualifications of the president, political party representation, issue of the 55% or else there will be a run-off, a fixed date for elections and the declaration of result, political party primaries to be elected as flag -bearer to be done at district level, inauguration date to be fixed, two-term presidency, powers of the president to create unlimited ministerial positions or should a ceiling be placed on it, impeachment of the president, appointment as a minister after having failed at an election, can a parliamentarian be appointed as a minister, etc.
Next was the IEC. He gave an overview of the IEC mandate, principal amongst which was to get the information to the people – information regarding the Constitution. That they had done jingles in different local languages disseminating messages about the Constitution. That most people, even the educated elites, had neither seen nor read the Constitution. So their role was to get the people as informed as possible about the provisions of the Constitution especially dealing with information, education and communication.

It was the turn of the judiciary. He started by saying that section 120 deals with the judiciary. That in Sierra Leone, only about 30% of the population had access to the formal justice system; and that the other 70% had access to the informal justice sector. However, section 120 does not deal with the local courts which deal with the greater majority of the people. How are people appointed – nothing was said about local court chairmen in terms of appointment and dismissal; age of retirement for judges, working conditions of the judges. How can the judges be independent when they were appointed by the executive, how independent were they when their salaries were determined by the legislature as they come from the consolidated fund. The legal regime were obsolete as they were steal dealing with archaic laws, eg, the Larceny Act, 1916; The Forgery Act, 1913 etc. He also highlighted the role of the Attorney-General and Minister of Justice in the administration of justice; and the need for everybody, irrespective of social status, amongst others, to have access to justice.
Recommendations

Executive

- No dual citizen should be President;
- The Presidential term should be 7 years of 2 terms;
- Age requirement for the Presidency increased to 50 years;
- That 5 years residency in Sierra Leone before one can contest a Presidential election;
- That the President should pay tax;
- That no independent candidate for election of President;
- That run-off election should be held for failing to get 55% in the first ballot of a Presidential election;
- That voting age to be increased from 18 years to 21 years;
- That no fix dates for election;
- That there should be a transition period when there is election dispute;
- That there should be equal representative and not regional balance;
- That no 2 region combine should have more than 60% of cabinet members;
- That a loser in a parliamentary election can be appointed as minister or deputy minister;
- That separation of the offices of Attorney-General and that of Minister of Justice;
- That the impeachment proceedings to be held in private;
- That Speakers to be sworn-in in the absence of President or Vice President

Judiciary

- That judges should not be subject to parliamentary approval;
- That the tenure of judges should be increased to 75 years;
- That appointments and promotions of judges to be done by the Judicial and Legal Service Commission;
- That the office of the Minister of Justice should be removed;
- That the office of the Attorney-General should remain;
- President should not be appointing judges any longer;
Judges should be appointed by an independent body free from any political interference;
Judges should not be going to Parliament for approval after being appointed;
The age of retirement should be increased from 65 years to 75 years;
The local courts should deal with the Local Courts Act and not with Chiefdom bye-laws;
The Public Order Act should be revisited with a view of changing or amending or even repealing it;
The local courts should be made completely independent, free from interference;
The Attorney-General should remain but there should be no Minister of Justice;
The independent body that appoints adjudicators (judges, magistrates, court chairmen, clerks etc.) should be responsible for dismissing them;
The fines imposed by judges, magistrates, court clerks etc. should be deposited in the consolidated fund;
Encourage the establishment of circuit courts in the districts;
Revisit the fines in the local courts

Legislature

The age of voting should remain 18;
The age of contesting for Parliament should be 25 years;
Use both numbers and names to identify constituencies;
Period to divide constituencies should be 5 years;
The conduct of bye-election to be reduced from 6 months to 4 months;
Parliament should make rules to ensure the neutrality of electoral commissioners;
President should not be a Member of Parliament in light of separation of powers;
Paramount Chiefs (PCs) should not be members of Parliament;
The Constitution should not state the number of years to debar somebody from contesting an election;
MPs should be liable to impeachment;
Election appeal should be heard in one month;
MPs should be given the right to choose the Speaker of the House of Parliament;
A Speaker should not be a judge or qualified to be a judge;
A Speaker should not resign his seat in Parliament;
Speakers should be elected by two-thirds majority in Parliament;
Speakers who are not MPs should subscribe to the oath in the Third Schedule of the Constitution;
MPs should be prevented from cross-carpeting;
No reserved seats for female/women and disability;
No seats for PCs in Parliament;
Life of Parliament should remain 5 years
If an MP is convicted of a criminal offence, he should lose his seat;
Naturalization to be reduced from 25 years to 10 years to be eligible to contest for election

Local Government

Retirement age to be increased to 65 years;
The system of government specifying local councils should be included in the Constitution;
The functions of HRMO, Public Service Commission and Civil Service Commission perform overlapping function and should be clear in the Constitution;
Local government and decentralization should be a chapter in the Constitution

Natural Resources

Equal right to own land, whether male or female – inherit and dispose of land;
Certain areas should be reserved for cattle grazing and another for farming;
Land and the administration of our natural resources should be decentralized;
Government should impose tax on all commercial land, that is, land that is used for commercial purposes;
Foreign investors should not have 100% right in dealing with our natural resources including land;
The conservation of the environment should be the duty of the State and also the responsibility of the citizens;
Government should make reserves for areas for potential for tourism for instance;

State Policy and Human Rights

- Impose the law without discrimination;
- Provide legal aid for every citizen;
- Transparency and accountability to all at all times;
- Delete “based on merit” that government should provide social protection net;
- Delete “having due regard to resources”;
- Delete “as and when practicable”;
- Delete “government must strive” and replace it with “ensure”;
- Add “quality” after “compulsory”;
- Reform or change the curriculum in schools;
- A new chapter about citizenship;
- Health and education to justiciable
- Government to introduce Human Rights Act;
- The right to health, education, social protection to be included in the human rights chapter;
- The age of criminal liability to be 18 years;
- 30% to be reserved for women;
- The freedom of the media should guaranteed by the Constitution;
- The President must/shall consult Parliament before passing a State of Emergency
- Right to life, torture should be guaranteed by the Constitution
Conclusion

The consultations were largely successful considering the current health emergency situation in the country. People turned up amidst the precarious atmosphere and actively participated in the discussions. The majority of them understood the objectives of the exercise as was noted by their contributions towards the process. There were occasional heated moments between and among participants as some people felt strongly about certain issues whilst others were not given enough time to fully express themselves.

However, what came out clearly throughout the consultations was that the district headquarter towns were not representative of the entire districts. In other words, it would be a travesty or façade for the views expressed during the consultations to be representative of the districts as they were actually for stakeholders and not the general public. And that such consultations were to be replicated at least, at the chiefdom level, if they were to be representative of the views of people in the districts. Such an exercise would give opportunity to the ordinary men and women who were not opportuned to be present at the stakeholders’ meeting to make their own input and ultimately lending legitimacy to the entire process – what touches us all must be approved by all.
CHAPTER FOUR

LEGISLATIVE REPORT
REPORT ON THE CONSTITUTIONAL REVIEW
COMMITTEE CONSULTATIVE ENGAGEMENT IN THE DISTRICT

(KOINADUGU, TONKOLILI AND KAMBIA DISTRICT - TEAM III)

Written and Presented by:
Olushogo A. David
Representative of the Legislative Sub-Committee
Background

Sierra Leone 1991 Constitution makes provision for a democratic system of governance. The constitution coming into effect after the Presidential accent marked the end of the One Party system of governance and the ushering of a multi-democratic system of governance.

However, the constitution was suspended as a result of military coup d’état. The Truth and Reconciliation Commission (TRC), recommended to the Government of Sierra Leone a review of the constitution in order to redress issues relating to modern day politicking.

Political Parties and other Democratic Institutions inclusive Civil Society Organizations have agreed that the 1991 Constitution be reviewed and hence led to the inauguration of the Constitutional Review Committee on 30th July, 2013 by His Excellency the President of Sierra Leone, Dr. Ernest Bai Koroma.

KOINADUGU DISTRICT

The District Officer chaired the programme. In his opening remarks, he noted that the review process is not for few people but rather for every citizen in the country. He encouraged every participant to give in their best as constitutional issues are serious business.

Statements

District Council Chairman

He said, the constitution is meant for every citizen and it should be citizen’s consultative. He hoped that the engagement will not stop at the district level, but rather disseminated to chieftaincy level so as to have a wider participation of almost every citizen in the country. The Chairman informed the participants that, they should give their contribution to the Committee. He accorded the effort of Government under the leadership of H.E Dr. Ernest Bai Koroma for such strive in reviewing the 1991 constitution. He also thanked members of the CRC for such steps taken. He concluded by welcoming everyone to his district.

Representative of Paramount Chiefs – PC Jalloh

According to the Paramount Chief, the review process is meant for every Sierra Leonean and not for a particular class of people. He pledged on-behalf of the Council of Paramount Chiefs that they are in full support of the activities of the Constitutional Review Committee.
Representative of the CRC – Mr Kellie (ONS)

He gave the overview of the activities of the CRC. He noted that, the 1991 Constitution have been tested for just 12 years since it was written in 1991 because just after the constitution came into existence, there has been coups and counter-coups where the constitution have been suspended. He noted that during the negotiations for the end of the war, it was recommended that the 1991 Constitution be review. The Truth and Reconciliation Commission (TRC) report also recommended the review of the constitution.

On the 30th July 2013, the President of the Republic commissioned the members of the CRC. The committee seeks the view of all citizenry and to also have wider consultation with the people. He said at the end of the process, there will be a referendum where people will express their views by way of voting.

Presentation by participants of the Legislative Sub-Committee

1. The constitution should not provide for a uniform age of voters and contestants in Parliamentary elections
2. The four other members of the Electoral Commission should be resident in the respective regions
3. A member of the Electoral Commission can be remove from office for dishonesty He/She should be charged to court for further interpretation of what constitute dishonesty.
4. The name of the Political Parties Registration Commission should be changed to the Political Parties Registration and Regulatory Commission as the name further explains the mandate of the Commission
5. The Commissioners of the PPRC should work on a full time basis
6. Section 35(7) should be made applicable to both an association and Political Party
7. The Chair of NEC and the Administrative and Registrar General should not continue to be members of the Commission
8. The Administrator and Registrar General should be replaced by a secretary to the commission
9. The functions of the chairman of the PPRC should be define in the Act of Parliament
10. Both names and numbers should be use in the identification of constituencies
11. The delimitation of constituencies should be done every four (4) years
12. The constitution should maintain a period of four months interval before conducting bye-elections for members of Parliament in constituencies that lose theirs
13. Parliament should make rules that guarantee the neutrality of the Electoral Commissioners and they should be liable to court action for not being neutral
14. The President should not continue to be a Member of Parliament
15. Paramount Chiefs should continue to serve as Members of Parliament
16. Members of Parliament should be entitled to pensions after serving two terms
17. Sections 75(a) should read “is a citizen of Sierra Leone (otherwise than by naturalization and who does not hold dual citizenship”
18. Someone should contest elections for Member of Parliament at the age of 25 years and above
19. The voting age should not be the same for those contesting in Parliamentary Elections
20. The Constitution should not stipulate number of years for which a person found guilty of an offence be barred
21. Political Parties leaders should continue to exercise power of removing their MP’s
22. Election appeals should be judge within one month
23. A speaker of Parliament should be elected from among Parliamentarians
24. It is not relevant for a speaker to be a judge or qualified to be appointed judge of the superior court of judicature.
   Criteria should be laid down in the appointment of a speaker from amongst the Parliamentarians other than being a judge or qualify to be a judge
25. MP’s who becomes Speaker should not resign his or her seat
26. Speakers should be elected by 2/3 majority
27. Speakers who are not MP’s should subscribe to the oath in the 3rd schedule of the constitution
28. MP’s should be elected through a general election
29. The House of Parliament role is to make laws
30. MP’s should not be allow to cross the floor with their seats
31. No seat should be reserve for women and disable
32. No seat should be reserved for traditional leaders
33. The life of Parliament should be five years
34. An MP should lose his/her seat;
   a. When convicted of a criminal offense
   b. When he/she impersonate (presenting fake credentials)
   c. When he/she cross the floor
   d. As enshrined in sections 76 of the 1991 Constitution of Sierra Leone
35. First session of Parliament should be 14 days after declaration of results
36. The quorum for meetings in Parliament should be 2/3
37. Unqualified person sitting and voting in Parliament should be
   a. Banned for five years from participating in any election related activity
   b. Fined Le5,000,000

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c. Jailed for five(5) years
38. Parliament for the first time should have a Judicial Committee on appointment
39. Candidates who lose general elections should not be appointed Ministers or Deputy Ministers
40. Public servants who contest and lose general elections should not be allow to take back their jobs

PUBLIC COMMENTS

The group agreed that, after 10 years of neutralization a person can vote and be voted for instead of the 25 years as enshrined in section 75

Qualification as an MP

The person should have HTC/HND at least and must be able to read, write and speak English fluently
TONKOLILI DISTRICT

The programme was chaired by Mr. Simeon Bangura, District Officer. In his opening remarks, he welcomed all participants present. He encouraged everyone present to actively participate in the review process. He noted that, the constitution is meant for all Sierra Leonean.

Statements

**Acting Deputy Chief Administrator**

He was of the view that, the review has given the citizen of the country the opportunity to actively participate in the review process. He said, the Government of Sierra Leone has created this forum for citizen to ‘speak their heart’ and make their views heard. He pleaded with members of the CRC that the views of the people of Tonkolili be reflective in the final draft of the constitution.

**Representative of the Paramount Chief**

He started on the ending note of the previous speaker that, the CRC members should ensure that the views of the people of Tonkolili be reflective in the final draft of the constitution. He expressed sentiment that the constitution should be a Sierra Leonean Constitution and as such, views that will be enshrined in the final draft of the reviewed constitution should reflect the feelings of Sierra Leoneans.

**Representative of CRC**

Mr. Kellie (Rep. CRC) gave a brief overview of the Sierra Leone 1991 Constitution. He cited reasons for the review of the constitution quoting the Truth and Reconciliation Commission (TRC) recommendation. He noted that, the Constitution is the life of every country. He briefly explained what the CRC has done in relation to the review process and noted that the Stakeholders Consultative forum was part of the process in capturing the views of stakeholders across the country.

**Presentation of participants of the Legislative Sub-Committee**

1. The Constitution should not provide for a uniform age of voters and contestants
2. The four members of the Electoral Commission should be resident in the respective regions for quick and credible service delivery
3. A member of the Electoral Commission should be removed from office for dishonesty without prejudice to legal action
4. The name Political Parties Registration Commission should be changed to Political Parties Registration and Regulatory Commission
5. The Commissioners of the PPRC should be full timers in other to ensure commitment
6. Section 35(7) should be made applicable to both Association and Political Party
7. The Chair of NEC and the Administrative and Registrar General should not continue to be members of the Commission
8. The Administrator and Registrar General should be replaced by a Secretary to the Commission
9. The function of the Chair should be define in the Act of Parliament for clarity on both roles and power
10. Names associated with the district should be use for ease of identification
11. The division of Sierra Leone into Constituencies should remain as it is in the current 1991 Constitution
12. The period of three months be use in conducting bye-elections for members of Parliament in Constituencies that lose theirs
13. Parliament should make rules that will guarantee the neutrality of the Electoral Commissioners by ensuring that members of Political parties are consulted in the appointment of Commissioners (evidence base consultation)
14. The President should not be a Member of Parliament. Section 73(1) should be repeal and thus read; “… and shall consist of the speaker and Members of Parliament”
15. Paramount Chiefs should not be Members of Parliament in other to avoid politicizing the institution of Chiefaincy. There should be no separate House of Chiefs
16. Members of Parliament should be entitled to pensions after serving two terms
17. Section 75(a) should read “is a citizen of Sierra Leone (otherwise than by naturalization and who does not hold dual citizenship)”
18. The age for someone to be eligible to contest as a Member of Parliament is 25 years
19. Voting age should not be the same for those contesting in Parliamentary elections
20. The Constitution should stipulate between 10 – 25 years for which a person found guilty of an offence be barred
21. Political Parties leaders should continue to exercise power of removing their MPs. The PPRC should be involve as a third party to investigate the fact of the matter and ensure compliance to political parties constitution al provision
22. One month should be stipulated for election appeals
23. Speakers should not be elected from among Parliamentarians in other to ensure neutrality and fairness
24. It is relevant for a Speaker to be a judge or qualified to be appointed judge of the superior court of judicature
25. Members of Parliament cannot be a Speaker (ref. to question 23)
26. Speakers should be elected by a 2/3 majority
27. Speakers who are not MP should subscribe to the oath in the third schedule of the Constitution
28. MP’s should be elected through Universal Adult Suffrage
29. The House of Parliament should;
   a. Make laws
   b. Provide oversight over MDA’s
30. MP’s should not be allow to cross the floor with their seats
31. A certain seat should be reserve for women but such seat should be contested for (1 woman per district)
32. Seats should not be reserved for traditional leaders (ref. to question 15)
33. Five years should be the life of Parliament
34. An MP can lose his/her seat as enshrined in section 77(1)
35. The first session of Parliament should be 14 days after declaration of results
36. The quorum for meetings in Parliament should be 1/3
37. An unqualified persons sitting and voting in Parliament should be fine Le25,000,000 and serve a jail sentence of not less than 10 years
38. Parliament for the first time should have a judicial committee on appointments
39. Candidates who lose general elections should not appointed Ministers or Deputy Ministers
40. Public servant who contest and lose general elections should not be allowed to take back their jobs

PUBLIC COMMENTS

A. Constituents should have the power of re-call of their Members of Parliament
B. The Constitution should make provision that the National Electoral Commission in consultation with registered Political Parties agree on Nomination fees
C. Public servants who want to contest for any position should resign from his/her position four (4) months before election. (Review the one year period as enshrined in the constitution)
D. The constitution should make provision that a five (5) years period be given as tenure of office of the Speaker of Parliament
KAMBIA DISTRICT

The session was chaired by the District Council Chairman. In his opening courtesy, he welcome all members present more especially the Chairman of the Constitutional Review Committee, Justice Edmond Cowan. He encouraged everyone present to make the most of the opportunity given in making an input to the review of the 1991 Constitution.

Statements

Justice Edmond Cowan - Chairman Constitutional Review Committee (CRC)

In responding to the District Council Chairman, Justice Edmond Cowan thanked the people of Kambia for honoring the invitation of the CRC. He noted that, everyone should help in the fight against ebola and adhere to the rules slated by the medical experts.

He said the constitution is a very important document that governs the citizen. It is the pillar of state existence. He stated that when the final draft of the constitution is out, it will be taken to Parliament for it to be passed. According to the Chairman, the President of the Republic will only sign after the referendum is held. This will be the forum where the people will state whether they are in favor of the document passed by parliament or not. Once it is endorsed by the electorates, the President will then sign.

He said, the Committee is represented by every sector in the society; Political Parties, Civil Societies Organization, Media, Lawyers, and so on. He said, the constitution will reflect the aspirations of all Sierra Leonean.

Representative CRC

The representative of the CRC encouraged every participant present to own the constitution. He gave a brief background of the work of the CRC. He ended by stating that, the CRC is committed to having an all inclusive constitution.

Presentation of participants of the Legislative Sub-Committee

1. There should be a uniform age of voters and contestants in Parliamentary elections
2. The four (4) members of the Electoral Commission should be resident in the regional headquarter towns
3. A member of the Electoral Commission should be removed from office for dishonesty
4. The name of the Political Parties Registration Commission should be changed to the Political Parties Registration and Regulatory Commission
5. The Commissioners of the PPRC should be full time employed in other to carry out the work of the Commission effectively and make them more efficient
6. Section 35(7) should not be applicable to associations. The word “Association” be deleted from this section
7. The Chair and the Administrator and Registrar General should continue to be members of the Commission
8. The Administrator and Registrar General should not be replaced by a Secretary to the Commission
9. The functions of the Chair should be define in the Act of Parliament
10. Both names and numbers be use to identify constituencies
11. The period of time/interval the division of Sierra Leone into constituencies should be reviewed not less than five (5) years and not exceeding seven (7) as enshrined in the constitution
12. Three months should be maintain as the period before conducting bye-elections for members of Parliament in constituencies that lose theirs
13. Parliament should make rules that will guarantee the neutrality of the Electoral Commissioners. Parliament should ensure that Electoral Commissioners are not card carriers of any political party
14. The President should continue to be a Member of Parliament
15. Paramount Chiefs should not be Members of Parliament but instead let there be a council of Paramount Chiefs
16. Members of Parliament should be entitled to pensions after serving 10 years in Parliament
17. Section 75(a) should read “is a citizen of Sierra Leone (otherwise than by naturalization and who does not hold dual citizenship)
18. At the age of 21, anybody qualify can contest elections for Member of Parliament
19. The voting age should not be the same for those contesting in Parliamentary Elections
20. The constitution should stipulate number of years for which a person found guilty of an offence ne barred depending on the gravity of the crime committed
21. Political Party leaders should not continue to exercise power of removing their MP’s. Section 77(1) k in the Constitution should be deleted
22. Election appeals should be judge not more than two(2) months – (60days)
23. Speakers should be elected from among Parliamentarians
24. It is not relevant that a Speaker has to be a judge or qualified to be appointed judge of the superior court of judicature
25. An MP who becomes a Speaker should resign from his/her seat
26. Speakers should be elected by simple majority
27. Speakers who are not MP’s should subscribe to the oath in the 3rd schedule of the constitution
28. Members of Parliament should be elected through the Universal Adult Suffrage
29. The House of Parliament
   a. Make laws
b. Represent the people

c. Perform oversight

30. MP’s should not be allow to cross the floor with their seats
31. Certain number of seat should be reserve for women (1 woman per district and region)
32. Seats should not be reserve for traditional leaders
33. The period of five years should be the life of Parliament
34. An MP should lose his/her seat as enshrined in section 77(1) except section 77 (1) k which should not be applicable
35. The first session of Parliament should be 28days after holding general elections
36. The quorum for a meeting should be 2/3 majority

37. Unqualified persons sitting and voting in Parliament should;
   a. Be expelled from the party
   b. Such individual who bridge the qualification of being an MP should be fine and serve a jail sentence
38. Parliament should not have a Judicial Committee on appointments
39. Candidates who lose general elections should be appointed as Ministers or Deputy Ministers
40. Public Servant who contest and lose general elections should not be allow to take back their jobs
RADIO DISCUSSION PROGRAMME

Members of the various committee held radio discussion programmes to provide in-depth information to the general populace of the respective district regarding the role of the Constitutional Review Committee (CRC) and its members in relation to the review process.

The overall objective of the radio programme is to inform and educate the citizenry on the processes of the review and to solicit a wider support (input) from every Sierra Leonean.

Methodology

Members of the committee were divided into two groups each comprising four (4) Committee members. Two radio programmes were held in every district with the exemption of Kambia where only one was held.

KOINADUGU DISTRICT

Issues Discussed

The radio discussion programme gave members of the various committees an opportunity to explain the purpose of the visiting team to the district. It also served as a means where members explained to the public the various Terms of Reference of the respective committees.

The representative of the Legislative Sub-Committee explained to the people of Kabala through that medium, the responsibilities of the Sub-Committee. He encouraged every Sierra Leonean to commit themselves to the process as it is a ‘business’ of everyone. He quoted certain aspect of the constitution like Chapter Six, sections 75(b) and other relevant sections. He encouraged the people of Kabala to own-up the process as it is meant for all Sierra Leonean.

The radio programme was climax with a phone-In and text message session. This session clearly depicted the readiness of the people of Kabala in relation to the review process. The listeners actively participated through their text messages and phone calls.

On a whole, it was an interactive session.
TONKOLILI DISTRICT

**Issues Discussed**

Members of the Committee engaged the Sierra Leone Broadcasting Cooperation to sensitize the people of the district to actively participate in the review of the 1991 constitution.

The representative of the Legislative Sub-Committee pinpointed certain areas of the constitution that requires the popular view of the people like Chapter Six, Section 73(1); 77(m). He emphasized on the contribution of the public which is key in the review exercise.

KAMBIA DISTRICT

**Issues Discussed**

The radio programme was held at the Kolenten Community Station. Members highlighted to the people the Terms of Reference of each committee and further explain the role of each sub-committee in the review process.

The representative of the Legislative Sub-Committee shared the views of participants in the other districts. He also discussed the views of stakeholders in Kambia relating to certain areas of the constitution like citizenship, the power of re-call by constituency members, the President being a Member of Parliament and so on. The programme ended with calls and text messages from the listeners.

**RECOMMENDATION**

1. There is a need for chiefdom engagement in other to have a reasonable proportion of the population acquitted with the review process.
2. There is a need for more outreach activity so as to increase the knowledge of the citizen towards the process.
CHAPTER FIVE

STATE POLICY AND HUMAN RIGHTS REPORT

KOINADUGU DISTRICT

STATE POLICY AND HUMAN RIGHTS SUB-COMMITTEE CONSTITUTIONAL REVIEW

COMMITTEE CONSULTATIVE MEETING WITH

STAKEHOLDERS IN KOINADUGU DISTRICT ON

THE 5th and 6th MAY 2015

DAY ONE (1) OF THE CONSULTATION

Members of the various sub-committee give an over view of their mandate and critically analyzed their various sub-committee area for the participant to understand the issue surrounding their specific area of focus.

We later break up into our various groups to look at the 1991 constitution and the assessing recommendations made by Peter Tucker for propose change and basis for changes with a guide from the submission form to answer the question in it.

Over view of the sub-committee

The sub-committee is charge with the task of looking at the chapter 2 and 3 of the 1991 constitution and the Peter Tucker commission report of 2008 with a view of making recommendation for amendment or acceptance or rejection of the existing sections and making suggestion for inclusion of new additional sections.

Below are the amalgamated outcomes of the stakeholder consultation.

1. Government shall ensure to protect and promote the rule of law without discrimination
2. Provide free legal service for people who cannot afford to pay a lawyer to represent them in court
3. Government shall ensure to be accountable to the citizens at all time.
4. Government shall ensure to promote agriculture by providing state farms in the 12 district
5. Section 8(2)a Recommend to delete ‘‘ base on merit
6. The new constitution shall provide for social protection provision
**Reasoning**

Been that the 1991 constitution do not adequately address protection issue of citizens who can neither support themselves and their dependants.

7. Section 8 (3)c&d Recommend to delete “having due regard to the resources of the state”

**Reasoning**

Because it is in line with Peter Tucker recommendation

The groups also agree that it should be mandatory on Government

8. Section 8(3)f Recommend to pay more attention to people with disability

**Reasoning**

Is to accept the fact that they need special attention in employment

9. Section 9(1)c &9(2)c

Recommend deleting “as and when practicable”

**Reasoning**

Is in line with Peter Tucker recommendation, the group suggest education should be mandatory on the government to promote

10. Section (9)2 delete Strive and replace it with Ensure

11. Section 13

Recommend the whole of section 13 to be dealt with under the new citizenship chapter in the new constitution

**Reasoning**

Is in line with Peter Tucker recommendation it is there for good to have a clear definition as to who is a citizen without any racial or discriminatory provisions

The group did not conclude the entire chapter 2 because of time we further agree to discuss the last section the next day.
DAY TWO OF THE CONSULTATION

Designed to get suggestion that is more specific from the Fundamental Principle of State Policy and Human Rights regarding the new constitution.

The group first reaches to conclusion on the last section in the State Policy section 14 that group recommended deleting the section altogether, and consider the inclusion of the mandatory provision.

Reasoning

The whole group agrees that Education and Health issue should be justiciable.

Recognition and Protection of the Fundamental Human Rights and Freedom of the Individual

1. The whole group recommend that the death penalty should be abolish in it entreaty

Reasoning

Country that still have the death penalty retain in there law books that did not serve as a deterrent to high crime rate

2. Recommend for public funding for the judiciary

Reasoning

To maintain it independent

3. The right to Health, Education and Social Protection Provision for the vulnerable groups should be included in the human rights provision
4. The age for criminal liberty and other legal offences be reduce to 18 years
5. The 30% cottar for women in all sectors should be made an entrench clause in the new constitution
6. The freedom of the media should be guarantee by the new constitution
7. The president must consult parliament first before declare a state of emergency
Reasoning

Is to ensure that two third 2/3 majority of the parliamentarian vote to approve any emergency

8. The right to life, the prohibition from torture, the principle of legality in the field of criminal law should be guarantee in a state of emergency

Reasoning

They are rights that promote and protect the dignity of every individual.
DAY ONE (1) OF THE CONSULTATION

Members of the various sub-committee give an over view of their mandate and critically analyzed their various sub-committee area for the participant to understand the issue surrounding their specific area of focus.

We later break up into our various groups to look at the 1991 constitution and the assessing recommendations made by Peter Tucker for propose change and basis for changes with a guide from the submission form to answer the question in it.

Over view of the sub-committee

The sub-committee is charge with the task of looking at the chapter 2 and 3 of the 1991 constitution and the Peter Tucker commission report of 2008 with a view of making recommendation for amendment or acceptance or rejection of the existing sections and making suggestion for inclusion of new additional sections.

Additionally, the participants at the Tonkolili District constitutional review consultation made the following contributions and submissions on the CR Process

1. Section 8 (3)c&d Recommend to delete “having due regard to the resources of the state”
2. Section 9(1)c &9(2)c
   Recommend deleting “as and when practicable”
3. Section 11Recommend to have a stand-alone chapter on media freedom, and develop stronger safeguards against arbitrary arrests of journalists and the oppressive use of criminal libel charges

Reasoning

Is for the 1965 public order act to be repeal and journalist to be treated civil

4. Recommend that Civil society, inclusive of the Trade Unions, interest/ political groups etc be empowered, secured and supported in upholding the Fundamental Principles
5. Government should consult the citizens before signing any contract with foreign investors  
   **Reasoning**  
   For the people to approve the important and how it can benefit the entire populace
6. Section 13 the whole group accept Peter Tucker recommendation to have a new chapter on citizenship
7. Recommend the whole section should be deleted, Health and Education should be mandatory on the government
8. Section 16 recommend the death penalty should be abolish in its entirety and replace it with life imprisonment
9. Recommend a person who is arrest or detain must be clearly inform immediately of the reason for his/her arrest or detention at the time of arrest, and must have suspects rights to defend him/herself
10. Strong disciplinary action must be taken against any officer who unlawfully detains or falsely imprison anyone
11. Recommend every district to have a resident magistrate
12. Magistrate or judge must use strict guidelines in admitting or refusing an individual’s bail and not merely discretion to do so and that ‘’not all offences are bailable’.  
13. The group recommend in line of the requirement for detention by the police for capital offences should be reduce to five days  
   **Reasoning**  
   Is for the individual to be reinforce with protective right against unlawful, malicious, vexation and frivolous arrest and detention
14. Section 17(4) the group accept to Peter Tucker recommendation but agree that compensation should be negotiable  
15. Section 29 the group accept peter tucker recommendation, and that it should be subject to parliamentary approval.

**DAY TWO OF THE CONSULTATION**

Is set to put the point into flip chart to present is to the plenary for comment or clarification on the recommendations made by the six different sub-committee groups.

The six different sub-committee groups came back for a plenary session and each of the groups gave comprehensive feedback to the CRP.

In addition to, the process the people recommend for chiefdom level consultations as this is not exhaustive and it is not the views of all the people in Tonkolili District.
KAMBIA DISTRICT

STATE POLICY AND HUMAN RIGHTS SUB-COMMITTEE CONSTITUTIONAL REVIEW
COMMITTEE CONSULTATIVE MEETING WITH STAKEHOLDERS IN KAMBIA DISTRICT ON THE
11\textsuperscript{th} and 12\textsuperscript{th} MAY 2015

In addition to, the participant at the Kambia consultation made the following recommendations on the flip chart and fields the submission form to the constitutional review committee,

Below are the points suggest or recommend

1. Section 8 (3)c&d Recommend to delete “having due regard to the resources of the state’’

   **Reasoning**
   
   Because it is in line with peter Tucker, recommendation and it should be mandatory

2. Section 9 Recommend for government to provide free quality compulsory education at primary, junior secondary and senior secondary level

3. Section 9(1)c &9(2)c

   Recommend deleting “as and when practicable”

   **Reasoning**
   
   Let it be mandatory on any government to uphold

4. Section 14 Recommend the whole section should be deleted and that the Economic, Education and social protection for the vulnerable group be made justiciable in the new constitution

5. Land rights should be guarantee to every citizen

6. Section 16 the whole group recommend that the death penalty should be abolish and replace with life imprisonment in all cases of serious offences

7. Section( 17)4 the group accept to Peter Tucker recommendation but agree that compensation should be financial compensation

   **Reasoning**
   
   It has to be base on the gravity of the offence and the apology be done through the appropriate medium it was expose

8. Recommend for civic education to be reintroduce into the school curriculum
Reasoning

Is that civic education is a cornerstone of understanding civic duties, responsibilities and rights. It should be taught from the earliest age right through to secondary level to give all children a broad understanding.

In conclusion, the entire district stakeholders consultations was observe not to be exhaustive and majority of the participant targeted were from the local council it was recommended for chiefdom level consultations.
CHAPTER SIX

RESEARCH SUB-COMMITTEE REPORT

REPORT ON CRC STAKEHOLDER’S CONSULTATION IN KOINADUGU, TONKOLILI AND KAMBIA DISTRICT HELD ON THE 5TH-12TH MAY 2015.

BACKGROUND:

On the 30th July 2013, His Excellency the President Dr. Ernest Bai Koroma Lunched the Constitutional Review Committee which comprises members from all works of life including members from the 10 registered political parties to review the 1991 constitution in tandem with the 2008 Peter Tucker report.

Preliminary sessions started immediately after the lunching of the committee. In the process, the committee was divided into eight sub-committees but on voluntary choice of a particular sub-Committee.

Among the sub-committees created the Research sub-committee was one of them and it terms of reference is to conduct research in modern constitutionalism.

The Scope of the research sub-committee is to guide the constitutional review committee in designing the frame work of government consistent with the culture of Sierra Leone and within the meaning of modern constitutionalism.

INTRODUCTION:

On the 4th May 2015, one representative each, the Research Sub-committee which I represented, the Executive, the Judiciary, Legislative, Information Education and Communication, State Policy and Human Right, Local Government and Natural Resources and the Environment Sub Committees meet stakeholders in the districts of Koinadugu, Tonkolili and Kambia Districts in the Northern Province to conduct stake holder’s consultations in the process of reviewing the 1991 constitution in line with the 2008 Peter Tucker Report. Such stakeholders are the Paramount Chiefs, Councilors, and other tribal and traditional authorities respectively.
OBJECTIVE OF THE STAKEHOLDER’S CONSULTATION

The main objective of this stakeholder’s consultation in the province is to inform these stakeholders about the following:

1. The review process of the 1991 constitution in line with the Peter Tucker report.
2. To conduct research in Modern Constitutionalism
3. To guide the Constitutional Review Committee in designing the frame work of government consistent with the culture of Sierra Leone.

ACTIVITIES:

DAY I

On arrival representatives from the various sub-committee mentioned above held discussions on all the Radio stations in the three districts visited and the discussions was centered on each representative thematic area.

Also Brief over views was given by the district officers who also serve as chairpersons of the consultation exercise in all the three districts. Presents also in these meetings were the chairmen of the district councils in the three districts and the ONS Coordinators in the respective districts. They all emphasized on the importance of reviewing the 1991 constitution and caution the participants to contribute meaningfully as a constitution is not like ordinary documents that can be changed at frequent intervals. The told the participants that a constitution is not like that.

After their brief overviews, then members representing their respective sub-committees were then called to first do their presentation in order to give a clue to the participants on how the consultation process will look like.

The table shows the sub-committee and the member representing a particular sub-committee.

<table>
<thead>
<tr>
<th>NO</th>
<th>SUB-COMMITTEE</th>
<th>NAME OF PRESENTER</th>
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<tbody>
<tr>
<td>1</td>
<td>Executive</td>
<td>Augusta James-Teima</td>
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<tr>
<td>2</td>
<td>Judiciary</td>
<td>Mr. Francis Keili</td>
</tr>
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<td>3</td>
<td>IEC</td>
<td>Morlai Conteh</td>
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<td>4</td>
<td>Legislature</td>
<td>Olu Davids</td>
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<td>5</td>
<td>Local Government</td>
<td>Osman Kamara</td>
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<td>6</td>
<td>Natural Resources</td>
<td>J O Benjamin</td>
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<td>7</td>
<td>State Policy</td>
<td>Ibrahim Sesay</td>
</tr>
<tr>
<td>8</td>
<td>Research</td>
<td>Alhaji Ben Kamara</td>
</tr>
</tbody>
</table>
DAY II

GROUP DISCUSSIONS

In the second day, the participants were divided into six groups in accordance with the following thematic sub-committee such as the Executive, Judiciary, IEC, Legislature, Local Government Natural Resources and State Policy. The division was voluntary and based on each participant’s interest.

The table shows the number of participants, the thematic sub-committee each stake holder interested in, and the number of male and female belonging to each sub-committee in each of the three districts.

CHALLENGES

A variety of challenges were encountered by both the participants and members of the respective sub-committees. Some of the challenges are as follows:

1. Not enough time was given to the sub-committee representatives to adequately educate the participants on the review process.
2. Not all the major stake holders present in the consultation exercise the only visible stakeholders were the paramount chiefs and the councilors.
3. The consultation exercise was only base in the districts headquarter towns were in very few participants presented themselves for the exercise and there were calls from the paramount chiefs and the councilors for the consultations to go down at chiefdom levels.
4. The sitting fees for the sub-committee members were not paid and it is a course for concern.
5. The coordination was poorly done as it is only ONS District coordinators were given the tasks to do the coordination as some are not even familiar with the district that they are deployed.
6. Proxy organizations/ institutions that are not familiar with people in the districts were adequately resourced in terms of finance and other resources and the committee which was given the task by the government sidelined.
7. The per diem given to sub-committee members was very small as compared to the lodging and feeding cost in the districts visited.
RECOMMENDATIONS;

On behalf of the Research sub-committee it is recommended that:

1. The consultation process is to be reviewed in order to give adequate time to the sub-committee members so that the process be done in a proper and professional manner.
2. Some of the major stake holders like the religious leader, omens organizations in the respective districts must be informed about the review process as they should also know what the process is all about.
3. The consultation process is to be taken down at the chiefdom level as it was said by His Excellency during the lunching of the committee that the new constitution is to be people’s oriented committee and therefore everybody must involve.
4. Political parties must have been involved in the coordination exercise as they are the only institutions that have a larger representation in the entire country as the ONS Which was given the task of coordinating the process don’t even familiar with the districts that they are deployed.
5. In future development members of political parties are to be assigned with the coordination of such an activity.
6. It must have been that any exercise that is to be carried by the CRC secretariat and the UNDP must have been championed by the committee as it is the only committee given the task of reviewing the 1991 constitution in line with the Peter Tucker report
7. Since the inception of the process of reviewing the 1991 constitution, only pittance were given to the committee members as par diem while a chunk of the resources were directed to proxy organizations that have no bearing in the process and therefore the per diems and sitting fees of all the committee members are to be improved for the work to be done efficiently and effectively.
CHAPTER SEVEN

SUB-COMMITTEE PRESENTATION ON EXECUTIVE

KOINADUGU DISTRICT

President as guardian of constitution etc: Accepted by the working group. Also accept Peter Tucker’s proposed amendment for a referendum where it touches on an entrenched provision.

1. Hybrid presidential system to be retained.
2. Clear and distinct separation of powers to ensure checks and balances.
3. Current term limit to be retained.
4. Five years each term.
5. Group agrees presidential candidate must be a citizen as in the citizenship act(2006). No citizen by Naturalization should be eligible.
   ✓ Avoid racial discrimination
   ✓ Social right
   ✓ Contribute to development of a liberal democracy.
6. Group rejects dual citizenship
7. Five years residential requirement for candidate to understand the people and challenges.
8. Minimum age for president to be raised to 45 years(experience and maturity important)
9. Candidate to be nominated only by parties.
   ✓ Country assured of a team behind candidate
10. No (see Q.9 above)
11. President should pay tax to serve as a role model and chief enforcer of tax laws.
12. No, PPRC to enforce the keeping of membership data base, for which PPRC should decentralize at district level
13. No, due to lack of proper data base and high cost.
14. No, for similar reasons as in Q.13.
15. PPRC Act to include penalties for poor membership record keeping as first step. Next step for executives at all levels to be delegates.
16. Yes.
17. Universal adult suffrage.
18. No, date should be fixed in the constitution to:
   ✓ Allow for better planning.
   ✓ Date to be during dry season except during national emergency(e.g. Ebola virus diseases, war etc.) when temporary date to be fixed by parliament
19. Fixed date for presidential election.
20. Declaration of winner immediately to avoid tension building up.
21. No, to avoid creating a power vacuum that may be exploited (e.g. coup)
22. No, the constitution should place a ceiling on number of ministers and deputy ministers (avoid arbitrary variation in the size of government predictable budget provision)
23. 100% Yes, to achieve national cohesion.
24. Agree (see answer for Q.23 above)
25. Yes, in line with Q.24 above
26. We disagree, because:
    ✓ Different functions
27. No.
    ✓ President to select capable citizens
    ✓ And appoint on professional merit.
28. We disagree as separation will allow for greater clarity in roles
29. We stand for total separation in order to:
    ✓ Achieve greater efficiency
    ✓ Proper segregation of duties
    ✓ Fair display of justice
30. Yes, in line with Peter Tucker proposal.
31. No, out of respect for office.
32. Yes.
SUB-COMMITTEE PRESENTATION ON EXECUTIVE
KAMBIA DISTRICT

1. No, it is necessary for separation of powers to be clearly identified in which the three arms operates independently.
2. Yes, for checks and balances to be feasible in order to avoid fusion of powers and for the smooth running of the government to prevent the tendency of dictatorship.
3. Yes, not more than two terms but seven years as it is economically cost-effective and time encouraged to achieve the desired goal.
4. Seven years as the five years will not be enough to complete the targeted goals due to unavoidable obstructions like the Ebola outbreak has stagnated the country’s development.
5. Yes, parent should be black Negro decent in which the grand parents should be native Sierra Leonean
6. No, the president should be committed to one citizenship, for instance if he does a crime against the state he can easily run away and be protected by the other state.
7. Yes, but to come and study the system for five years by so doing he can interact with the people and identify their problems.
8. Yes, fifty (50) years for more experience, maturity and he will be reaching his retirement age.
9. Yes, because the party has its own constitution and structures and therefore dictatorship is prevented and the tendency for democracy to be emphasized.
10. No, the independent candidate will use his dictatorial strategies as there are no structures for guidance.
11. No, since his salaries are paid from the consolidated funds, it is incumbent on him to pay.
12. Yes, as all political parties have a constitution and structures, the candidate should go through a system that will qualified as a candidate.
13. Yes, for avoiding the views of few members and also to reduce time consuming and money for the views of the people to be heard.
14. No, only executive members or representatives from the various constituencies as it is cost-effective and time consuming.
15. Emphasize on secret ballot and records of the executive members should be kept and given a copy to PPRC and allowing independent body to conduct the primary elections for transparency.
16. Yes, a president should win the majority of the people and should not rely only on his strong hold, and he should visit every part of the country to win their support.
17. Through the secret ballot system and the voting age should be increased to 21 years and the 18 years is a school going age full maturity has not been reached.
18. Yes, no fixed date, just like in the constitution, because certain issues may interrupt any stipulate date and processes must be put in place as we are now in an emergency health situation that has derailed some activities such as census.
19. No, as we have just explained above.
20. No, petition to be carried out in the shortest possible time between a week or two in order to create a cohesive atmosphere of the incoming president elect.
21. Yes, but within a limited time.
22. No, sealing the president to use his prudent (wisdom) and ministers are experts.
23. Regional representation and no balance as they vary in terms of number and pop.
24. No, depends on the expertise available for cohesive governance.
25. Yes, depending on the expertise of the individual on technocrats and trust.
26. Yes, as it will create a vacuum, time consuming and money.
27. No, he\she could be an expert and can also have support of his\her people.
28. Yes, no political interference.
29. Yes, for clear separation of power and functions.
30. Yes.
31. No, there should be respect for leadership
32. Yes, no vacuum should be created.

OTHER IMPORTANT ISSUES TO BE NOTED

- The constitution should take note of gender by including he\she.
- The qualification of a president must be a person who is developmentally oriented in his\her constituency.
- In a scenario where the constitution says the president should appoint his vice-president before an election and it happens the president dies and the vice-president assumed office of the president then the vice-president’s office is vacant. For us, we want it to be entrenched in the constitution that, the president appoints his/her vice-president after the elections so that vacuum of the vice-president will not be created (Lacuna Act)
- Apart from the constitution, a cabinet minister must have attained a degree qualification from a recognized university.
- Also, the responsibilities and functions of the vice-president should be clearly stated and defined.
- The prerogative of mercy of the president should go through a committee comprises of both national and gender flavor.
1. Presidential system of government is supported
   ✓ The powers of the president to be reduced to executive arm
   ✓ There should be separation of powers for effective work to be done.
   ✓ The president to endorsed appointments made by a specialized body.

2. Yes. We support the idea of separation
   ✓ For transparency and accountability
   ✓ For effectiveness in dispensation of duties.

3. Yes-
   ✓ Stay too long in power will lead to turmoil situations
   ✓ Plot to overthrow will be the issue of discussion

4. Five years
   ✓ To prevent dictatorship type of leadership
   ✓ Others of high interest want to assume power

5. Both parents should be Sierra Leoneans.
   ✓ To avoid disqualification in the process of contesting
   ✓ To avoid embarrassment

6. No.
   ✓ Commitment will be poor and time factor will not be met
   ✓ The execution of duties will not be effective

7. Five years of residency in Sierra Leone
   ✓ To acknowledge the true picture of problems
   ✓ People will acquaint with you and know your aspirations (plans) early.

8. 40 years (AGE)
   ✓ Worldly things will not befall you in executing your duties
   ✓ In the Quran and Bible, aged people are given powers or positions of trust
   ✓ Maturity and experience counts a lot in deciding issues of a nation

9. Yes.
   ✓ Political parties have a structure to be followed
   ✓ Stages of nominations and contesting are spelt out clearly

10. No. Unlike independent candidates
    ✓ Not accountable to any political party
    ✓ He/she is independent

11. The president should pay tax.
    ✓ Shows loyalty to the country
    ✓ Ready to accept development

12. Yes.
    ✓ Records of facts are not kept
    ✓ Time consuming will cause overlapping in doing activities.

13. Yes. It should be a mandatory for primary elections
To go by the constitution of the party strictly
To know the popularity/strength of your candidature

14. No. Registered members with important executive positions.
15. N.E.C. Officers are to be called upon for their technicality in the job
   ✓ A manifesto to know your plans should be done
   ✓ P.P.R.C. to monitor the conduct of elections
   ✓ To work by the constitution
   ✓ Open up to stakeholders and records should be kept for proofs
   ✓ Should reside within the community

16. 55%
17. Universal adult suffrage by the box and the person voting should acclaimed the
   age of 18 years
18. No. We do not support fixed date, except for the following:
   ✓ Natural disasters
   ✓ Coup eruption
19. Fixed date.
   ✓ To plan and implement in a good time
   ✓ To know your working schedule at the appropriate time
20. No. Protests are to be treated fairly
   ✓ Investigation should be done for transparency
   ✓ To proof issues beyond all reasonable doubt.
   ✓ A period of two weeks before swearing in the winner into the seat of
     honour
21. Yes.
   ✓ To clear the electoral process to be free and fair election
   ✓ To maintain the integrity of the commission.
22. No.
   ✓ A sealing of cabinet and a fixed number to adhere to is suitable for
     effectiveness
23. Yes.
   ✓ A regional balance will help create awareness in training part in
     development issues.
   ✓ It will create high rate of competition in bringing projects of various kind
     and eventually national.
24. Yes. In a democratic world, the people must have their representation in making
     decision, so that development will be like of a global village(uniformity)
25. Yes: the win is general, therefore appointment in a particular place for position is
     not in place
   ✓ It is expensive
   ✓ Time consuming
27. Yes: special expertise for national development
28. No: independently, work will be done perfectly and effectively
29. Yes
   ✓ For effectiveness of work and proper management of the office
   ✓ To avoid manipulations of interest
30. Yes: the veto-right gives him power to appoint the minister of justice to further strengthen the separation of power
31. No.
   ✓ It should be done in secret
   ✓ A title of trust must not be published in a bad picture
32. Yes
   ✓ In the absence of the two, the speaker should be sworn in
   ✓ Power never allows vacuum.
CHAPTER EIGHT

SUB-COMMITTEE PRESENTATION ON JUDICIARY
KOINADUGU DISTRICT

THEME 1: APPOINTMENT AND REMOVAL OF JUDGES AND OTHER JUDICIAL OFFICERS.

1. a. The president should be responsible for the appointment of the chief justice and other judges upon the advice of the justice and legal service commission, approved by parliament.
b. The president should appoint the chief justice and other judges upon the advice of the political parties.
c. The court chairmen should be educated and elected by their various localities.
d. The local court act should be entrenched into the constitution

2. Same as above

3. The appointment of all judges of the superior court of justice should be subject to final approval of parliament

4. a. Minimum 70 years with no extra contract
    b. It should remain at 65 years and recruit other judges.

THEME 2: UNDUE DELAY IN THE ADMINISTRATION OF JUSTICE

1. a. Inadequate staff to preside over courts
    b. None compliance of witnesses
    c. Due to corrupt practices in soliciting bribes
    d. Lack of interest to disperse justice due to poor condition of service
    e. Insufficient of court infrastructure

        ➢ improvement to the condition of service
        ➢ recruitment and retention of more judicial personnel
        ➢ provision of more infrastructure for court system

2. Three months is adequate if all logistics provided

THEME 3: REVISION OF THE LEGAL SYSTEM
1a. The old laws should be reviewed

2a. Lack of logistics

b. Insufficient training for prosecutors and police personnel

c. Recruitment of high caliber of individuals and to have the requisite requirement.

d. The government of Sierra Leone should ensure sufficient provision for prisoners in custody

e. Misreporting/statement either by commission/omission.

3a. The entire local court system

b. Investigations

THEME 4: INDEPENDENCE OF JUDICIARY

1. The judiciary must be independent from the other arms of government. I.e. the executive and the legislative

2. The Attorney General and minister of justice is the political lead of the judiciary in governance and is always answerable to the government in power.

3. There should not be minister of justice because he could influence the judiciary to the political will.

THEME 5: FINANCIAL AND OTHER RESOURCE FOR THE JUDICIARY INCLUDING THE LOCAL COURTS SYSTEM

1a. No. Inadequate training and logistical constrains

b. There should be residential judge and an infrastructure with requisite resources

2. They should determine their own resources and audited by auditor general office.
SUB-COMMITTEE PRESENTATION ON JUDICIARY
KAMBIA DISTRICT

THEME 1: APPOINTMENT AND REMOVAL OF JUDGES AND OTHER JUDICIAL OFFICERS.

1. ➢ Judges to be appointed by the service commission and endorsed by the president with no parliamentary approval
   ➢ The removal of judges shall be carried out by the legal service commission with the approval of the president with no parliamentary approval.
   ➢ The current composition of the judicial service commission should be revisited to include people with reputable character.

2. ➢ No.
   ➢ The due process is carried out by the judicial service commission

3. ➢ No.
   ➢ No.

4. ➢ The tenure of judges shall be 65/75 years provided he/she is physically/mentally active.

THEME 2: UNDUE DELAY IN THE ADMINISTRATION OF JUSTICE

1. a. ➢ Insufficient number of court personnel
   ➢ Date of hearing should be 7 days to the term of service
   ➢ Poor conditions of service
   ➢ Judges overloaded with cases
   ➢ Political interference
   ➢ High cost for hiring lawyers

b. ➢ Provision of service charter
   ➢ Capacity building/training for court officers
   ➢ Provision/empowerment of para-legal
   ➢ Availability of logistics
   ➢ Provision of free lawyers at district levels.
2. All been well ¾ months. Non-compliance shall be reported to the legal service commission for a punishment which shall be determined by LSC

THEME 3: REVISION OF THE LEGAL SYSTEM

1. Some aspects of customary law should be revisited
   a. Female right to land acquisition
   b. Female right to chieftaincy
2. No.
   - Court officers have logistics and man-power constrains
   - Investigators should be provided with training and adequate logistical support to help them effectively discharge their function.
3. Local court and magistrate court
   - No resident magistrate
   - Interference of PC’s into local court activities
   - No clear definition between local court and PC’s court.

THEME 4: INDEPENDENCE OF JUDICIARY

1. It should be independent of political interference
   - Financial autonomy
   - All appointments, promotions and removals to be carried out by the legal service commission.
2. To maintain the Attorney General alone
3. There should be no minister of justice

THEME 5: FINANCIAL AND OTHER RESOURCE FOR THE JUDICIARY INCLUDING THE LOCAL COURTS SYSTEM

2. No.
   - Local court chairperson supposed to receive salary but is not forth coming
   - No logistics for local courts
   - Under staff
   - Local impose heavy fines on people
   - No logistics for magistrate
   - No high court in kambia
   - The high cost to hire the service of a lawyer.
3. Judiciary service commission should be responsible for approval of judicial fund and to be audited by auditor general.
4. All finances should be deposited into the consolidated fund account, no judge should be allowed to keep money
PUBLIC COMMENTS

- Interference into the local court administration by the district local supervisors
- Interference of political parties into the court system
- Human rights abuse by the S.L.P.
- No training for S.L.P. to effectively perform their duty
- No detention facility for juvenile.
SUB-COMMITTEE PRESENTATION ON JUDICIARY
TONKOLILI DISTRICT

THEME 1: APPOINTMENT AND REMOVAL OF JUDGES AND OTHER JUDICIAL OFFICERS

1. ✓ These appointments of officers are done by the president which is not fair because justice will be influence at any time the need arise.
   ✓ The three organs should be self-independent and have equal powers.
   ✓ An independent body should be set for the appointment/approval and removal from office. That body should have no political link.

2. Read answers of Q1.

3. ✓ No, it should not happen so.
   ✓ None of them should be subject to parliamentary approval

4. ✓ Tenure of office should be 75 years because such a position need mature and experience people
   ✓ The idea of contracting retired judges should be ignored.
   ✓ Another shade of opinion was 70 years

THEME 2: UNDUE DELAY IN THE ADMINISTRATION OF JUSTICE

1. ✓ Absenteeism of lawyers during court hearing
   ✓ Compromise by parties in a case
   ✓ Judges/court chairman compromise a case
   ✓ The small number of magistrate in the country
   ✓ Lack of good conditions of service
   ✓ Lack of logistics
   ✓ Political influence
   ✓ Lack of payment for witnesses.

Solutions

✓ Frequent court monitoring
✓ Resident magistrate/judge in each district
✓ Improve conditions of service
✓ Recruitment of more magistrate

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2. Depends on the availability of logistics

**THEME 3: REVISION OF THE LEGAL SYSTEM**

1.

- Lack of training of court personnel and lack of logistics
- Avoid using bye-laws during local court hearings
- In the administration of the local court, the local court act should be use
- Discrimination against sex.
- Public order act of 1965 should be revised

2.

- Lack of cooperation from locals
- Some files are been return from state council without advice

3.

- Local courts are not properly functioning due to lack of good condition of service

**THEME 4: INDEPENDENCE OF JUDICIARY**

1. Should be totally independent

2. Remove the minister of justice and retain the Attorney General

**THEME 5: FINANCIAL AND OTHER RESOURCE FOR THE JUDICIARY INCLUDING THE LOCAL COURTS SYSTEM**

1.

- Lack of logistics
- Low salaries
- No stipend for J.P.’s
- No structure for local courts
- Lack of personnel

2.

- The committee that is responsible to appoint/approve and remove judges
- Self-accounting
- Should be audited by auditor general

3. The appointed independent body should be responsible
4. No, give them what they want and all fees, fines and other money go to the consolidated fund.

**COMMENTS**

- Court seating of J.P.’s should rotate
- Provision for finance clerk to manage the finance of the local courts
- Revisit fines so that they could meet the current system
- Local court supervision should be mobile.
CHAPTER NINE

LOCAL GOVERNMENT REPORT AND RECOMMENDATIONS

The people have been expressing their views on what they want include, in the revised constitution taxes collection/ revenue allocation issues identified by the different district that should be collected by local councils based on the revenue generated from their localities. And they have different views from the way local taxes are collected, Tonkolili and Kambia District recommended that they don’t satisfied the way local taxes are been collected, but koinadugu recommend that they satisfied.

Legislative powers of traditional leaders must be upheld and strengthen by statue and the specific term of office to a paramount chief should be forever and entrusts local traditional leaders with judicial powers is crucial, but the chiefdom council must be maintained to neutralise the excesses of local rules. The issue of paramount chief elections the stakeholders of Tonkolili District says that they should create equal opportunity for both sexes across the regions and local council elections continue to be conducted on party basis. It’s the way political parties can test their popularity

The civil service reform the work condition of civil service be improved by capacity building of civil servant and the retirement age recommended for 65 years and civil servant should not be involve in to active party politics

RECOMMENDATION

- Local Government and decentralization should be a chapter in the reviewed constitution
- Councillors should have fulltime employment and hence salary instead of sitting fees and they should have end of term benefit and their term of office should be increased to five years
- Section chiefs and speakers should be paid salary
SUB-COMMITTEE PRESENTATION ON LOCAL GOVERNMENT
KOINADUGU DISTRICT

Q1. No
Q 2. No
Q 3. No
Q 4. No
Q 5. Yes. For development purposes in their localities.
Q 6. Every citizen 18 years and above including the president.
Q 7. Yes. Legislative power of chiefs and traditional Leaders.
Q 8. Yes
Q 9. No
Q 10. Yes.
Q 11. Yes, the chief Justice.
Q 12. Effective involvement of town chiefs, section chiefs, ward Committee members, youth leaders.
Q 13. Yes, to ensure transparency and accountability.
Q 14. Yes, for checks and balances and promoting the supervision of chiefdom Council, promoting development initiative.
Q 15. No. (16 say no) (14 say yes)
Q 16. Yes.
Q 17. Yes, they should be reformed.
Q 18. Yes. Devolution and to be given job description.
Q 19. Yes. To prevent conflict.
Q 20. Capacity building, improve condition of service, rotating senior staff and Others.
Q 21. Improve terms and service of more discipline to wards their work and to Encourage the staff in term of crisis.

Q 22. Yes.

Q 23. Increment of salaries, medical facilities and capacity building.

Q 24. Yes, 65 years recommended for retirement age.

Q25. Yes.

Q 26. No.
SUB-COMMITTEE PRESENTATION ON LOCAL GOVERNMENT

TONKOLILI DISTRICT

Q 1. No.
Q 2 Yes.
Q 3 No.
Q 4 Yes.
Q 5 Yes- Why? It is a form of revenue generation.
Q 6 Persons with 18 years and above including the president.
Q 7 No.
Q 8. Yes- but been supervised by D.O.S
Q 9 No.
Q 10. Yes.
Q 11 Yes.
Q 12. Effective involvement of town chiefs, section chiefs youth leaders, Women’s leaders ward committees and councillors.
Q 13. Yes – in order to ensure transparency and accountability
Q 14 Yes – checks and balance
Q 15 Yes - but base on the tradition of the area region.
Q 16 Yes.
Q 17 Yes –The council should be given the responsibility to hire and fire.
Q 18. The system of government providing for local council, should be Provided for in the constitution. Full implementation of the devolution Process and the provision dealing with the local council should be embedded in the constitution.
Q 19. Yes – to avoid dispute.
Q 20. Civil servant training collage should be improved, capacity building.
Specialised courses should be offered that will tailor the job market.

Q 21. Improve terms and conditions of service.
Q 22. Yes.
Q 23. Improve on the condition of service.
Q 24. Yes – increased to 65 years.
Q 25. Yes.
Q 26. No.
Q 27. Yes – a committee should be selected to be appointing and monitor Members.
Q 29. Yes – because the are geared to wards the recruitment and welfare of The human right resource, management of the country.
Q 30. Civil servant should not involve in active politics.
Q 31. Yes.
Q 32. Yes

RECOMMENDATION
1 That local government and decentralization should be a chapter in the Review constitution.
2 That, council should go on fulltime employment and hence salaries.
3 That councillors must enjoy an end of term benefit.
4 That the councillors term of office be increased to five (5) years.
SUB-COMMITTEE PRESENTATION ON LOCAL GOVERNMENT

KAMBIA DISTRICT

Q 1. No
Q 2. Yes.
Q 3. Yes
Q 4. No.
Q 5. Yes/ for the development purpose
Q 6. Eighteen years and above
Q 7. No
Q 8. Yes.
Q 9. No.
Q 10. Yes.
Q 11. Yes/ been supervised by the judiciary
Q 12. Effective involvement of town chiefs, section chiefs, ward committee

    Members, councillors, women’s leader and youth.

Q 14. Yes/ chiefdom councils and local councils should work side by side

    For the development of their locality.

Q 15. No – 16/ yes – 6.
Q 16. Yes/ it’s the only way the political parties can test there performance and

    Popularity.
Q 17. Yes/ It should be reformed because all councils cor-staff should have

    The same status as civil servants.
Q 18. By devolving all function to local councils.
Q 19. Yes/ to prevent conflict.
Q 20. Capacity building improving condition of service rotating senior
staff and others.

Q 21. By encouraging staff interims of crisis, and by given them incentive.

Q 22. Yes.

Q 23. By increasing salaries, medical facilities and capacity building.

Q 24. Sixty five years recommended for retirement age of civil servant.

Q 25. Yes.

Q 26. No.

Q 27. No.


Q 29. Yes/ they carry similar function.

Q 30. They should not involve in active politics.

Q 31. Yes/ they should have one body which is refer to as public service
Commission.

Q 32. Yes.

RECOMMENDATIONS

1. Do want local Government and decentralization to be included in the new
Review constitution?

Yes/ we want it to a chapter on its own.

2. Councillors to be paid salaries instead of sitting allowances.

3. Councillors and deputies should also be paid salaries.

4. Councillors should be compensated at every term of office and should be
Paid a pension at the end of his or her term of office.

5. Terms and condition of cor-staff be improved.
6. Committees of councils be capacitated.

7. Working conditions of paramount chiefs be improved.

8. Speakers and section chiefs be paid salary.
CHAPTER TEN

SUB-COMMITTEE PRESENTATION ON NATURAL RESOURCES

KOINADUGU DISTRICT

1. Strongly agree that management administration of environmental issues should be recognized in the constitution
14. Strongly agree that both men and women should enjoy equal rights to land before, in and out of marriage and on succession to right in land
15. Strongly agree that men and women should be given equal and inalienable right to access, own, inherit and dispose land through statutory system
17. Strongly agree that certain percentage of the national territory should be acquired and constituted into grazing reserves
20. Strongly agree that management and administration of lands should be decentralized.

KAMBIA DISTRICT

1. Strongly agree.
   ❖ To preserve life
2. Strongly agree
   ❖ For timely enforcement
3. Strongly agree
   ❖ For total community participation in land management
4. Strongly agree
5. Strongly agree
   ❖ Commissions work better
6. Strongly agree
   ❖ To avoid conflicts
7. Strongly agree
   ❖ Boundary lines drawn
8. We strongly agree
9. We agree – but the time should be less than 25 years with rent
10. We disagree
11. We strongly disagree
   ❖ 25 years lease and 10 years renewal
12. We agree – but must obey local content policy
13. Strongly agree
- It deprives others
14. Strongly agree
- Gender equality
15. Strongly agree
16. Strongly agree
17. Strongly agree
18. Strongly agree
19. Strongly agree
- Modernizing land laws
20. Strongly agree
21. Strongly agree
- To generate revenue
22. Strongly agree
23. Strongly agree
24. Strongly agree
- To minimize leakages
25. Strongly agree
26. Strongly agree
27. Strongly agree
- For guarantee
28. Strongly agree
29. Strongly agree
30. Strongly agree
31. We agree
32. Strongly agree
33. We agree
34. Strongly agree
35. Strongly agree
36. Strongly agree
37. We agree
- To privatize it
38. We disagree
- We do not have other clearing methods
39. We agree
40. We disagree
41. We agree
42. Strongly agree
43. Strongly agree
- Define the roles
44. Strongly agree
45. We disagree
46. We agree
   ❖ Can be monitored
47. Strongly agree
48. Strongly agree
   ❖ Ensure probity
49. Strongly agree
   ❖ Preservation and conservation
50. Strongly agree
   ❖ Already active in Sierra Leone and are global
51. Strongly agree
   ❖ Normal courts delay
52. Strongly agree
   ❖ Fast track enforcement
53. Strongly agree
54. Strongly agree
   ❖ To avoid ambiguities
55. Strongly agree
56. Strongly agree
57. Strongly agree
   ❖ Beneficial to posterity
58. Strongly agree
59. Disagreed
60. Strongly agree
61. Strongly agree
   ❖ Supports P.P. Partnership
62. Strongly agree
63. Strongly agree
   ❖ Give top priority
64. Strongly agree
TONKOLILI DISTRICT

1. Strongly agree
2. Agree
3. Strongly agree
4. Strongly disagree
5. Agree
6. Disagree
7. Agree
8. Disagree
9. Agree
10. Disagree
11. Disagree
12. Strongly disagree
13. Strongly disagree
14. Strongly agree
15. Strongly agree
16. Agree
17. Agree
18. Strongly agree
19. Strongly agree
20. Strongly agree
21. Strongly agree
22. Strongly disagree
23. Strongly agree
24. Strongly agree
25. Strongly agree
26. Strongly agree
27. Strongly agree
28. Strongly agree
29. Agree
30. Strongly agree
31. Agree
32. Agree
33. Neither agree nor disagree