



## SIERRA LEONE GOVERNMENT

### IMMEDIATE RELEASE APC'S ASSAULT ON THE INDEPENDENCE OF THE JUDICIARY

**FREETOWN, Sierra Leone, 4<sup>th</sup> July, 2023:** The Judiciary of Sierra Leone's attention has been drawn, with keen interest, to an unsubstantiated and discourteous press statement dated 3<sup>rd</sup> July, 2023, issued by the main opposition All Peoples Congress (APC) Party aimed at intimidating the Judiciary and *ipso facto* interfere with the Judiciary's independence as provided for in Section 120 (3) of the Constitution of Sierra Leone, Act No. 6 of 1991. This cynical attempt by the APC leadership to remotely dictate to the Judiciary and to politicize its operations is stoutly resisted and should be roundly condemned by right thinking people, as it is a feeble attempt to undermine democracy and the Rule of Law.

Firstly, the Judiciary wishes to inform the general public that there is no political case for trial or judgement in any of our Courts emanating from the 2018 multi-tier elections in the country.

After the 2018 general elections that was keenly contested between the then ruling APC presidential candidate and the main opposition Sierra Leone People's Party (SLPP) presidential candidate, three (3) registered political parties filed election petitions nationwide. The High Court adjudicated and determined thirty-one (31) of those election cases.

#### Number of Cases Filed by Political Parties And Judges Assigned

No	Judges	Total	APC filed	SLPP filed	NGC filed
1	Justice A.M.M Stevens	12	02	10	0
2	Justice K. Kamanda	09	01	08	0
3	Justice I.M Koroma	10	00	05	05
	<b>Total</b>	<b>31</b>	<b>03</b>	<b>23</b>	<b>05</b>

#### Judgements Delivered and Number of Cases Won by Political Parties

No	Judges	Total	Judgment Delivered	APC Won	SLPP Won	NGC	Rerun
1	Justice A.M.M Stevens	12	12	06	06	0	0
2	Justice K. Kamanda	09	09	02	06	0	01
3	Justice I.M Koroma	10	10	10	00	0	0
	<b>Total</b>	<b>31</b>	<b>31</b>	<b>18</b>	<b>12</b>	<b>0</b>	<b>01</b>



The above tables indicate that thirty-one (31) cases were filed by three political parties – APC, SLPP and NGC. APC filed three (3) and won 18, SLPP filed twenty-three (23) and won Twelve (12) and NGC filed five (05) and didn't win any. The re-run election at Goderich was later won by APC.

All the ten (10) election petition cases that APC won in the North against the SLPP and the NGC were appealed against and accordingly, the Court of Appeal, upheld the High Court decisions in favour of the APC by majority decision.

Similarly, APC appealed against the ten (10) cases won by the SLPP in Freetown. Those cases were later abandoned by the Appellants, the APC.

#### **Cases Abandoned At The High Court Registries in Bo and Kenema**

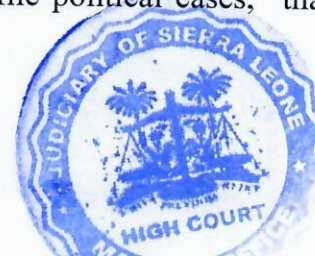
<b>No</b>	<b>Locations</b>	<b>Total</b>	<b>APC filed</b>	<b>SLPP filed</b>	<b>NGC filed</b>
1	Bo	13	12	01	00
2	Kenema	09	09	00	00
	<b>Total</b>	<b>22</b>	<b>21</b>	<b>01</b>	<b>00</b>

In the APC's deceitful press statement, they claimed to have filed thirty-three (33) petitions. The Judiciary wishes to further affirm that they were not election petition cases because the filing processes were never completed for them to be assigned to a judge for adjudication and final determination and incidentally these cases all came up at the time of the erstwhile Chief Justice Abdulai Hamid Charm appointed by President Dr. Ernest Bai Koroma.

The APC also claimed that the current Chief Justice delayed to assign the APC petition by Dr. Samura Kamara and Dr. Sylvia Blyden regarding the 2018 presidential election. This statement is not only false and misleading but also a campaign of calumny to impugn the reputation of the current Honourable Chief Justice. The truth is, he was not the Chief Justice at the time the petitions were filed. The Chief Justice was His Lordship Justice Abdulai Hamid Charm who was appointed by President Dr. Ernest Bai Koroma. When the current Chief Justice was appointed in December, 2018 by President Dr. Julius Maada Bio, the APC didn't make any attempt to prosecute the presidential petitions in accordance with the Rules of Court until it became apparent that they were using their case as a 'talkshop,' claiming that it has not been heard as a way of blaming the Judiciary and the Hon. Chief Justice.

The current Hon. Chief Justice, His Lordship Justice Desmond Babatunde Edwards was the one who re-opened the case in December, 2020 and gave directions for the case to begin in February, 2021. In April, 2021 the case was resoundingly brought to conclusion within three (3) weeks after conclusion of hearings, which was commended by both local and international partners including one of the petitioners (Dr. Sylvia Blyden).

Other vexatious claims are those APC referred to as "high profile political cases," that were not assigned. The cases were simply abandoned.



In Paragraph 7, the APC stated that their National Secretary General- Lansana Dumbuya Esq filed a case against the Electoral Commission (ECSL) and the Electoral Commissioner seeking to produce “the disaggregated voter register” and yet the matter has not been assigned. This is also a bogus claim, as the matter as per the Rules of Court could not have been assigned before the general elections when it was not yet ripe for assignment. The matter has since been assigned by the Hon, Chief Justice and will be heard by the High Court on the 5<sup>th</sup> July 2023.

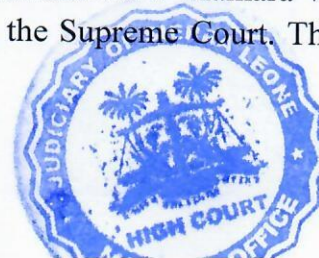
In Paragraph 8, the APC claimed that Mr. Patrick John and the PMDC filed an application on “the qualification of Mohamed Konneh” as Chief Electoral Commissioner but “it was never assigned.” This demonstrates the celebrated dishonesty peddled by the APC leadership to incite the public against the Judiciary. The said matter had long been assigned and will come up on Thursday, 6<sup>th</sup> July, 2023 – the date as per the Application it should be heard 21 days after service of the Originating Notice of Motion. In fact, action of APC commenting on action that is ‘*sub judice*’ is simply contemptuous.

With respect to the matter involving Alhaji Kemoh Sesay, contrary to the APC press statement, that the matter was not assigned, the matter was heard and determined by the High Court on the 11 September 2022.

Finally, as stated in their press statement, “the Chief Justice only assigns cases involving the APC to “special judges” that are in cahoots with him to deliver “captured judgments.” Such thought is not only fictitious but an affront on the integrity of the justice system in the country. The APC has nursed such venom because all attempts to influence and remotely dictate to the Judiciary to assign cases to their recommended or preferred Judges has been met with stiff resistance.

His Lordship the Chief Justice, Hon. Justice Desmond Babatunde Edwards reaffirms his unwavering commitment to provide the enabling environment for all players involved in the electioneering process without prejudice, which is why he assigned twenty-six (26) judges across the country to preside over cases at the Elections Offences and Petitions Court to do so impartially and expeditiously.

Sadly, the APC didn’t commend the Judiciary on the recent case brought by Paul Kamara and Rev. Alimamay Coleson Turay against their 2023 Presidential Candidate, Dr. Samura M.W Kamara to prevent him from contesting the elections. The APC did not castigate the Judiciary, when it was as a result of a judicial decision, the party was able to proceed to the Makeni convention, which ushered in democracy in their party for the first time. The APC was at pains to commend the Judiciary when Dr. Samura M.W Kamara won his case after his candidature was challenged by the SLPP in the Supreme Court. The APC



also did not commend the Judiciary when Dr. Samura M.W Kamara was allowed to travel to UK to proceed with his political campaign against his bail conditions in the ongoing corruption allegation case brought against him by the Anti-Corruption Commission. The APC did not castigate the Judiciary when it was magnanimous to overlook the disobedience of Dr Samura Kamara to attend the locus in quo visit in New York in breach of the court order which required him to do so. The APC did not commend the Judiciary after winning a case against Haja Aminata Conteh for their party office at No. 27 Pultney Street in Freetown. The matter was appealed and judgment was sustained again in APC's favour.

Contrary to the APC statement that they lack confidence in the Judiciary, the Judiciary is comfortable in the knowledge that the general public has confidence in its work as demonstrated by the high number of cases instituted in the courts by the general public. In the Judiciary, the Judges' Master is the Law and we will stick by same.

We encourage the general public to continually trust the Judiciary as an independent arm of Government and to dismiss the APC press statement. Notwithstanding the APC press statement, the Judiciary has been rated with admiration on international indexes including the World Justice Project Report because of the unprecedented reforms and an increased access to justice, and will continue to dispense justice impartially without fear of favour.

**For more information, contact the Judiciary communications on +23276617548 or visit our website on [www.judiciary.gov.sl](http://www.judiciary.gov.sl) or visit all our social media platforms.**

