



PoSL/CD/19/REP/3/1/JULY 2014

**FIRST REPORT OF THE COMMITTEE ON PRIVILEGES & ETHICS**

**ON**

**THE CONTENTS OF A RADIO PROGRAMME ON 98.1 RELATING TO  
PARLIAMENT WHICH INVOLVED  
HON. UMARU PARAN TARAWALLY ON 21<sup>ST</sup> APRIL, 2014.**

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Ansumana Jaia Kaikai", is written over a horizontal line of small dots.

**HON. ANSUMANA JAIA KAIKAI  
CHAIRMAN, COMMITTEE ON PRIVILEGES & ETHICS**

## **1. INTRODUCTION**

Mr. Speaker, Honourable Members, on Tuesday 6<sup>th</sup> June, 2014, the Majority Leader, stood on Standing Order (S.O.) 23 and said that he was perturbed by the contents of radio interview on F.M. 98.1 involving Hon. Umaru Paran Tarawally of Constituency 69, Bo district, on which he needed clarification because the interview seemed to undermine the image of the Parliamentary Leadership, the integrity of Parliament and a breach of Parliamentary privilege. The recording of Hon, Umaru Paran Tarawally interview, recovered from Radio F.M.98.1, was replayed in the Chamber of Parliament for all to hear. The Speaker of Parliament, pursuant to subsection 2 of Section 99 of the 1991 Constitution of Sierra Leone, referred the matter to the Parliamentary Committee of Privileges to investigate and to "report its findings to Parliament not later than thirty days of the matter being so referred."

## **1. ESTABLISHMENT, FUNCTIONS AND POWERS OF THE COMMITTEE OF PRIVILEGES**

**93 (1)** ' At the beginning of each session of Parliament, but in any case not later than twenty-one days thereafter, there shall be appointed from among its members the following Standing Committees, that is to say-

- (a) The Legislative Committee
- (b) The Finance Committee
- (c) The Committee on Appointments and the Public Service;
- (f) The Committee of Privileges
- (d) .....

Functions of the Committee of Privileges: (S. O. 70 11 b & b)

- (b) "It shall be the duty of the Committee to oversee and uphold the privileges, laws and customs of the House as well as the responsibilities of Members of Parliament and standards of Parliamentary conduct.....

- (b) "The Committee shall also investigate and report on prima facie cases of contempt and breach of Parliamentary privilege committed to it by the House."

**Section 93 (6)** For the purpose of effectively performing its functions, each of the Committees shall have all such powers, rights and privileges as are vested in the High court at a trial in respect of:

- a. Enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
- b. Compelling the production of documents; and
- c. The issue of a commission or request to examine witnesses abroad."

The Committee of Privileges is one of the Standing Committees of Parliament established under Section 93 subsection (11) of the 1991 Constitution of Sierra Leone.

## **2. MEMBERS OF THE COMMITTEE**

Membership of the Committee comprised:

- i. Hon. Ansumana Jaia Kaikai- Chairman
- ii. Hon. James N.D. Alie- Deputy Chairman
- iii. Hon. Mustapha Braima
- iv. Hon. Mima Yema Mimi Sobba-Stephens
- v. Hon. Thomas Solomon Segepoh
- vi. Hon. Moiwa Momoh
- vii. Hon. Patrick Lahai Kargbo
- viii. Hon. Salieu Osman Sesay
- ix. Hon. Ibrahim Nox Sankoh
- x. Hon. Leonard S. Fofanah
- xi. Hon. Songowa Bundu

- xii. Hon. Albert Deen Kamara
- xiii. Hon. Dr. Aiah Dabundeh
- xiv. Hon. Lahai Marrah
- xv. Hon. Sulaiman Muluku Sisay
- xvi. Hon. P.C. Alex M.J.J Kainpumu

#### **4. PROCEDURE**

Mr. Speaker, Honourable Members, the Committee, in its first sitting, requested to be furnished with the original Krio version audio tape recording of Hon. Umaru Paran Tarawally's interview on Radio F.M.98.1, and a transcript of the translation of the interview and all other documents pertaining thereto. Subsequent meetings were held to listen to the audio recording and transcripts of the English translation distributed to Members for corrections where necessary. The Committee summoned Hon. Umaru Paran Tarawally on two occasions to respond to the Charges of breach of Parliamentary Privileges contrary to Section 97 (a) of the 1991 Constitution which states:

**"The responsibilities of Members of Parliament shall include the following-**

- (a) All Members of Parliament shall maintain the dignity and image of Parliament both during the sittings in Parliament as well as in their acts and activities outside Parliament".**

#### **5. BRIEF BACKGROUND TO HON. UMARU PARAN TARAWALLY INTERVIEW**

In April, 2014, the Law School saga, which had been brewing for some time, came into the public domain with very serious allegations of internal collusion and corruption in the management of final examinations and students' grades. The issue was one of national concern particularly to Parliament and the Judiciary, the Chief Justice being the Chair on the Council on Legal Education.

Pressed by public concerns, Parliament wrote to the Hon. Chief Justice, who is the Chair of the Council on Legal Education, inviting her in that capacity to clarify issues of the unfolding saga and to help chart the way forward. The meeting was held in Committee Room One, where the Attorney General and Minister of Justice, himself a Member of the Council on Legal Education, represented the Chief Justice. It was after the meeting that Hon. Umaru Paran Tarawally of Constituency 69, Bo district, expressed his views in an interview on Radio F.M. 98.1, on the 21<sup>st</sup> April, 2014. The interview was given in Krio.

**6 TRANSCRIPT OF THE TRANSLATED VERSION OF HON. UMARU PARAN TARAWALLY'S INTERVIEW ON RADIO F.M. 98.1, ON "GOOD MORNING SALON" PROGRAMME AIRED ON THE 21<sup>ST</sup> APRIL, 2014**

**KADIJA:** 66 graduates from the Law School have been asked to return their certificates back as there were some malpractices during the last examinations. The Hon. Member from Constituency 69, Bo District: Hon. Paran Tarawally has this to say to Kadija Bangura as he said he was not happy with the way Parliament handled the issue of the Law School.

**PARAN:** before making my views known on what the Attorney-General explained to them in Committee Room 1, he was sort of disappointed because if the Lady Chief Justice was invited in her capacity as Chairman of the Legal Council I think she should have availed herself but unfortunately, she did not and the AG took upon himself because I was not convinced that she sent him.

**KADIJA:** but the Leader made it clear that according to the Constitution, Parliament has no right to invite the Chief Justice and the AG made it clear that he was sent by her being also a member of the Legal Council.

**PARAN:** that is not correct though he is my boss; and I would not say he was telling lies or misinforming us but I was doubtful whether he read the Constitution well because as far as I am concerned, I don't think whether there is anyone whatsoever in Sierra Leone Parliament doesn't have the authority to invite from the President right down to the least person; anybody so far who has any matter having to deal with public interest can be invited by Parliament to answer to certain questions.

**KADIJA:** So you want to challenge the Leader that what he was saying is not part of the Constitution?

**PARAN:** That's what I am saying like any other country including Britain which is our Colonial Master from whom we took over from in terms of colonialism do invite the Lord Chief Chancellor who is the highest judicial authority in Britain to Parliament to answer to pertinent state issues; and the issue of the law students – the lawyers who have been called to the bar and now they want to find ways and means craftily to debar them is a state issue which will touch on issues of state concern so she should have been the fittest person to answer to the call of Parliament. So if any other person is giving excuses on her behalf or coming to represent the chief Justice does not hold or augur well.

**KADIJA:** According to the AG, even before the night of the ceremony and in giving those students their certificates and wigs, it was noted that there were some malpractices but that a committee would be set up to look into the issue and if found wanting would withdraw their certificates so if such has happened, it should not come as a surprise to them.

**PARAN:** This is the most surprising news I have ever heard since the start of the year telling intellectuals beforehand that they've sensed some malpractices though they will receive their certificates but the issue would have to be investigated and if they are proven guilty their certificates and licenses would be withheld - this is the most unfortunate event I have ever come across; that should not happen as this country is practicing true democracy, we have the rule of law; how can people sit to an examination and there and then sensed some kind of malpractice without stopping such an examination to continue without first investigating to see those who will be qualified to be called to the bar so I think it's manipulation.

**KADIJA:** The position of those students is that they should take the examination back

**PARAN:** That's what the AG said and I will take position with him but it's better for the Legal Council to come out with a clearly defined position and upto now, I am not inclined with such a position. I am an MP from the SLPP But I am distasted about so many things that are happening in Parliament, we are the peoples' representatives but it's very unfortunate that that quality representation to be provided for the people is not there and this is not the first it has been happening. I came to Parliament to uphold and defend the rights of the people.

**KADIJA:** So you want to tell us that Parliament is not doing its functions

**PARAN:** I cannot say that because I am not inclined in saying that I am only saying that I'm disappointed in some of the things that are happening in Parliament and I think there is some amount of regrets why I chose to come to Parliament

**KADIJA:** But other listeners may want to say its because you are in the Opposition to say you are not satisfied with certain things that are happening are not right

**PARAN:** I am not talking from the point as a Member of the Opposition I am talking as a Member of Parliament, and not an APC led-Parliament if even it was SLPP, there would have been need for to improve on their representation because whatever it is, the Parliament is the Peoples Representative and if you say you are going to represent them there should be some kind of quality representation issues around compromises, issues around fair; issues around intimidation for me should be thrown in the dustbin.

**KADIJA:** let's come back to the issue of the lawyers if the Legal Council still insist that they should sit the examinations again would that be a genuine something?

**PARAN:** Let's forget about the examination because first and foremost, there is gross injustice because if you have called someone to the bar knowing fully well that such an individual have displayed some amount of malpractice, why was steps not taken to have salvaged the situation instead of bringing out some form of insinuations. To me, the judiciary also has some problems - these students are just victims of circumstance I believe they are being punished for something else which is not correct.

**KADIJA:** What does this mean to the nation?

**PARAN:** It means two things to the nation, firstly, externally it has given us a negative reputé at International level; the Sierra Law School was one of the most acclaimed in the sub-region but now we are saying there are some malpractices, that there are lawyers who have graduated and are not supposed to be lawyers; that lawyers would graduate but will withdraw their certificates later so in the eyes of the international community, we are not producing credible lawyers and there is no way we can synchronize such a situation we have found ourselves and secondly, do you know domestically, how many people have suffered for just withdrawing licenses from 56 people? We have suffered 56 people at least because in Sierra Leone each and every family is at least on average of four (4) times clients, times relatives of those clients we have suffered so many people this is not correct; we are not in a country wherein we push and pull people, we are blowing hot and cold which is not correct.

**KADIJA:** What kind of impression will you give to the people as to the way Parliament is handling the issue?

**PARAN:** I am not happy about the way Parliament is handling the issue and over and above all, I am more distasted because some MPs talked to you and decided to be anonymous which is very saddened so if you say you are representing the people then you hide your identity when talking to the Press which I think no one would intimidate you, who brought you to Parliament for that. As for me, I will not allow anyone to take my mind from what I focused on because the truth should be said

**KADIJA:** Lastly, what will be your message to the Legal Council if they can rethink of any other decision to see how best the issue could be settled between these 56 lawyers, not forgetting that there were other set of 15 who made petitions

**PARAN:** If I were the Legal Council as Hon. Paran Tarawally who is so proud and dignified, all of us should have resigned because they have made the mistake on their part and they doing disservice to the nation they should not be doing that as a legal Service Commission, you shouldn't be doing this these are our brothers and our sisters they have gone through so many rigorous exercises just to get their papers because it is you who have certified them based on the recommendation of the board there and then you also should have gone through effectively to have proven that so the Council has been negligent in their duties and have not also performed their task to have come up with those instances; being a Legal Service Commission, you are the ones who approve those that are qualified and call to the bar so how can they approve of 56 lawyers to be called to the bar and all of a sudden you debar them; is not correct so I call on all of you to resign as you are doing disservice to this nation.

## **7. DELIBERATION**

Mr. Speaker, Hon. Members, Hon. Umaru Paran Tarawally, in his responses to the charge levied against him i. e. Section 97 (a) of the 1991 Constitution, admitted with remorse that he had violated Section 97 (a) of the 1991 Constitution by the way and manner he had expressed his feelings on public radio and tendered an unreserved apology to Members and the Leadership of Parliament. He added that he will repeat his apology in the Well of the House.



## **8. RECOMMENDATIONS**

After lengthy discussion in closed session, the Committee unanimously agreed to recommend that:

- i. Hon. Umaru Paran Tarawally be allowed to make his promised apology to the Members and Leadership of Parliament and,
- ii. For Parliament to temper justice with mercy.

Mr. Speaker, Honourable Members, the First Report of the Committee on Privileges & Ethics is the unanimous view of the Committee. I therefore move that the First Report of the Committee on Privileges & Ethics be adopted by the House and that the recommendations contained therein be approved.

**SUBMITTED BY:**  


Hon. Alhaji Ansumana Jaia Kaikai

Chairman