

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

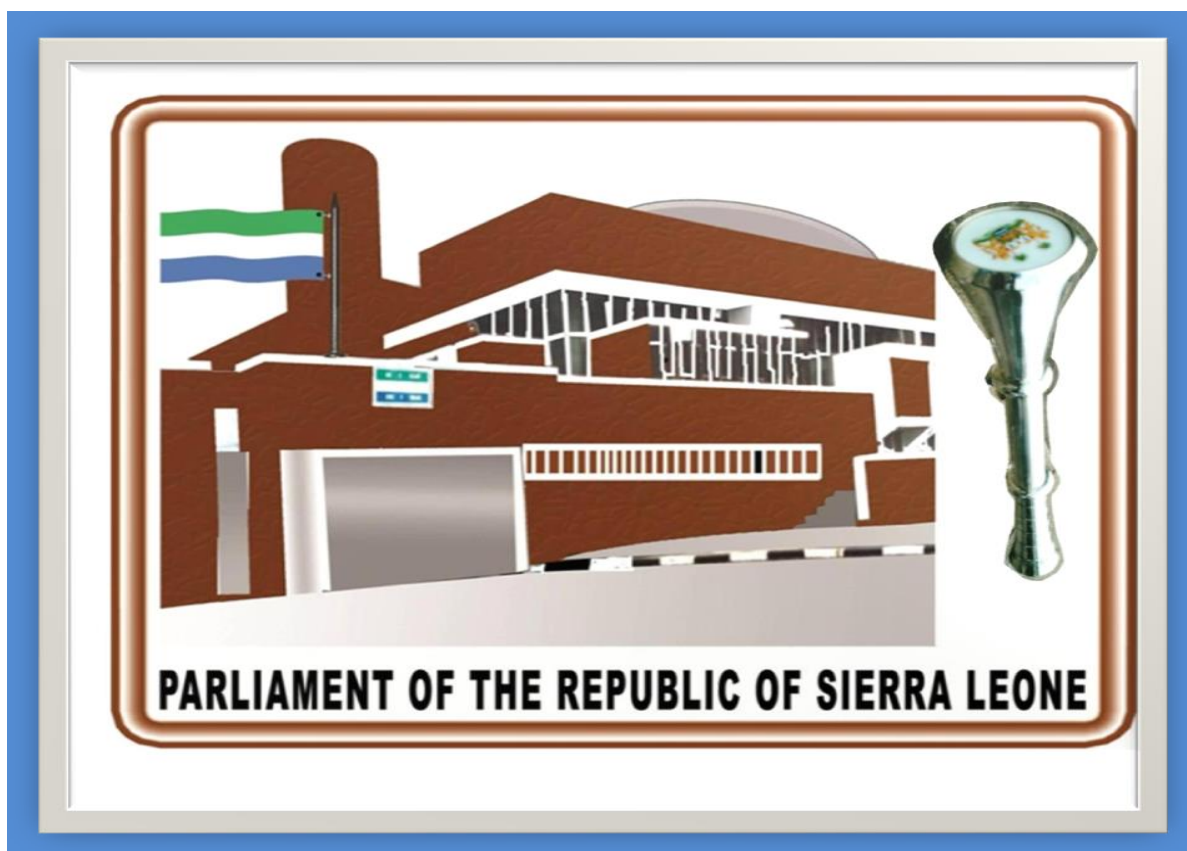
[HANSARD]

OFFICIAL HANSARD REPORT

THIRD SESSION –FIRST MEETING

THURSDAY, 16TH JULY, 2020

SESSION – 2020/2021



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

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First Meeting of the Third Session of the Fifth Parliament
of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House
Held Thursday, 16th July, 2020.

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THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

THIRD SESSION – FIRST MEETING OF THE FIFTH PARLIAMENT OF THE SECOND REPUBLIC

Thursday, 16th July, 2020.

I. PRAYERS

[The Table Clerk, Mrs Bintu Weston, Read the Prayers]

[The House met at 10:35 a.m. in Parliament Building, Tower Hill, Freetown]

[The Speaker, Hon. Dr. Chernor Abass Bundu in the Chair]

The House was called to Order

Suspension of S. O. 5[2]

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Let me take this opportunity to say that this is a new Session that we are starting; maybe it is appropriate that I remind Honourable Members about their obligations to this House. I thought starting late has become a thing of the past, frankly I hope this is the last time that I would feel compelled to remind Honourable Members about your obligations to attend sittings promptly and I will be observing throughout the remainder of this Session the performance of each and every Member of Parliament. I would also in that vein like to implore the Whips by ensuring that their members are in good attendance. Yes, Honourable I.B Kargbo maybe you would like to buttress the situation.

HON. IBRAHIM B. KARGBO: Mr Speaker, I accept your observation and of course it is our responsibilities as Members of Parliament to be very certain that we come to the House when it is useful and necessary and we on this side will continue to plead with our membership to ensure that we attend Parliamentary sittings on time. We also would give instructions to the two Whips to ensure that they remind our membership on this side about our commitments and obligations to the House itself. Perhaps Mr Speaker, what we should do now is to look at the rules one more time because after the arrival of the Corona virus, the impression was given that we maintain social and physical distance, it was no longer necessary for us to be here at the same time and since it was not very clear as to who should come and who should not come, this is also partly responsible for the lethargy that is creeping into the House *[Applause]*. So, I would suggest that we agree with you that Parliament must always comes first.

THE SPEAKER: It is very clear that some Members want to use that as a shield behind which they want to hide their lethargy.

HON. OSMAN W. JALLOH: Mr Speaker, with your permission Sir, let me say something.

THE SPEAKER: Not in defence.

HON. OSMAN W. JALLOH Not in my defence, no Sir.

THE SPEAKER: To buttress what?

HON. OSMAN W. JALLOH: To buttress what my colleague Honourable on the other side of the aisle has just said Mr Speaker.

THE SPEAKER: Very well.

HON. OSMAN W. JALLOH: Considering the fact that we are going through a very difficult time during this Covid-19 period, most of the Members of Parliament [MPs] here representing their constituencies are from the interior and I can assure you sir most of them are sympathising with their brothers and sisters in the interior. The notice for the Sitting came too late Mr Speaker; so today, if you do not see much attendance, I am not defending them and I agree with you Mr Speaker, yes, the attendance must be punctual but we also must be mindful that most of the Honourable Members are from the interior and they must stay with their people in the communities in order to sympathise with them Mr Speaker. However, we will obey you Sir, no problem we will obey but please be mindful if you do not see the House as full as it used to be, please Sir be understandable enough to know that some of these Honourable Members are in their constituencies attending to their people. I thank you Sir.

THE SPEAKER: It is a fact that one of the fundamental responsibilities of an MP is to represent his constituents in this House, but carrying out that sacred duty does not mean that you should compromise your other obligations. You should recognise that there are competing demands on your time and therefore you should try to prioritise, you should know when to come to Parliament and when it is time to come to Parliament. So, please let us not begin to use Covid-19 as an excuse. Yes, Honourable Hassan Sesay.

HON. HASSAN A. SESAY: Thank you Mr Speaker. My colleague from Goderich just used the Covid-19 situation as an excuse for the lethargy of Members of the House who are in the interior. I do not know whether Members of Parliament who only help by doing sensitisation and providing needed materials to help their communities to curb

the Covid-19 disease can be used as an excuse for Parliamentary attendance. Unfortunately, my colleague who just spoke on the issue has his Constituency in Freetown and that colleague if I may say is one of the most irregular Members. So, I do not know for some of us that have our constituencies in the provinces yet can attend Parliament and a colleague who resides in Goderich where he has his Constituency cannot attend can use the disease as an excuse. So, let us do not endorse what Mr Speaker was saying that people want to use the Covid-19 situation as an excuse for dodging Parliamentary attendance. The Whips here, my colleague on the other side, my opposite number is coming from Pujehun but he is always in the House; my colleague from Kenema, the Deputy Whip on the other side, my junior is also coming from Kenema but we are all always here. Let the Honourable Osman W. Jalloh please find another excuse which we might accept but this one is not tenable Sir. Thank you very much.

THE SPEAKER: I thank the Honourable Member for his observation and comments. Just to debunk further, the submission made by the Honourable Osman W. Jalloh, May I ask the Honourable Members who are representing the Western Area to please rise and be recognised. How many of you?

HON. MATHEW S. NYUMA [*Leader of Government Business*]: Mr Speaker Point of Order!

THE SPEAKER: Can a head count be done please? I want a head count to be done please.

HON. MATHEW S. NYUMA: Before that, Honourable Members please sit down.

HON. CHERNOR R.M. BAH [*Leader of the Opposition*]: Mr Leader, do I take my seat.

HON. MATHEW S. NYUMA: Yes, all of you sit.

HON. CHERNOR R.M. BAH: Thank you.

HON. MATHEW S. NYUMA: Mr Speaker, we said this Session is a different Session and we said we must move by procedures in the House and we are governed by our Bible, the Quran and the Standing Orders [S.Os]. Not only you on the other side but on this side too, you should respect the regulations and procedures governing this House. Honourable Member, if you want to stand to speak especially when the Speaker is speaking, you should use **S.O. 41** and you have to stand on the appropriate S.O. We did it for our colleague on the other side, we asked him to sit down because he did not stand on the appropriate S.O. you cannot do it here for me to accept it. So, Mr Speaker, I just want to make that correction that you cannot just stand because you want to stand and put your microphone on to speak; there is procedure and you should use the appropriate procedure, I want to be fair to the House. I thank you.

HON. CHERNOR R.M BAH: Mr Speaker, on that note, I suggest that you ignore the head count and we make progress.

HON. MATHEW S. NYUMA: Mr Speaker, I also join my Opposition Leader on the other side in order for us to abandon the head count please. Let us progress now that already have the quorum.

THE SPEAKER: And the Leader of the Opposition will assure this House that this is the last time that this kind of conduct would be allowed.

HON. CHERNOR R.M. BAH: Mr Speaker, we would consult with our Whips and we will revert back to you. But you will agree with me that today is the first time, so we hope it would be the last as well. Thank you very much Sir.

THE SPEAKER: Chief Whip on the governing side, you have the Floor.

HON. DICKSON M. ROGERS: Yes, Mr Speaker. I agree with the previous speakers and I would want to submit that from today henceforth, we would make sure that Members of Parliament attend Parliamentary sittings on time. But one clarification I want to make because my colleague from Western Area in his remarks indicted the leadership by saying the notice for the Sitting today came in very late. Let me clarify that point Mr Speaker, we were supposed to sit on Tuesday and when the Sitting was

postponed, immediately we sent out notice that the Sitting for Tuesday has been postponed to today. So, for him to say that the Sitting was impromptu, is not correct. Probably, he does not go to our whatSapp forum; I want to encourage him to be visiting the whatsapp forum regularly. I thank you very much.

HON. OSMAN W. JALLOH: On that note Mr Speaker, I tender my apology.

THE SPEAKER: Actually I was not going to entertain you any further. There are 27 Members representing the Western Area both Urban and Rural and if we were to do a head count, I am sure your membership would be below 50% of that.

HON. MATHEW S. NYUMA: Mr Speaker, I want to amend the Order Paper. The Deputy Speaker is not around due to circumstances beyond his control. So, under item III, **"LAYING OF PAPERS"**, **"(i)"** will now be **"THE DEPUTY CHIEF WHIP"** who is a Member of the Public Accounts Committee [PAC] to do the laying of Paper instead of the Chairman. That is the amendment.

THE SPEAKER: Is there not a Deputy Chairman of PAC?

HON. MATHEW S. NYUMA: No, he is not in. I have done that already, he is not around.

THE SPEAKER: Very well.

HON. MATHEW S. NYUMA: Thank you.

THE SPEAKER: Shall we proceed then?

II. CORRECTION OF VOTES AND PROCEEDINGS FOR PARLIAMENTARY SITTING HELD ON MONDAY, 6TH JULY, 2020.

THE SPEAKER: Honourable Members, we shall skip pages 1 through to 4 bearing the names of Members of Parliament and we would start consideration of the Votes and Proceedings from page 5. Is there any amendments or observations? I see none. Page 6? Page 7? The last page, Page 8? Can someone please move for the adoption of the record of Votes and Proceedings for the Parliamentary Sitting held on Monday, 6th July, 2020?

HON. ISHMAIL S. SANDY: I so move Mr Speaker.

THE SPEAKER: Any Seconder?

HON. JOSEPHINE MAKIEU: I so second Mr Speaker.

[Question Proposed, Put and Agreed To]

*[Record of Votes and Proceedings for the Parliamentary Sitting held on
Monday, 6th July, 2020 has been adopted as presented]*

III. LAYING OF PAPERS

[i] DEPUTY CHIEF WHIP – MEMBER OF THE PUBLIC ACCOUNTS COMMITTEE

HON. ALUSINE KANNEH: Thank you Mr Speaker. Mr Speaker, I beg to lay on the Table the following document:

AUDIT SERVICE SIERRA LEONE, PERFORMANCE AUDIT REPORT ON THE
MANAGEMENT OF GOVERNMENT VEHICLES, MINISTRY OF TRANSPORT AND AVIATION
AND SIERRA LEONE ROAD SAFETY AUTHORITY

[ii] THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

MR SOLOMON JAMIRU ESQ *[Deputy Minister of Foreign Affairs and
International Cooperation]:* Mr Speaker, Honourable Members, I seek your leave to
lay on the Table of this Honourable House the following papers:

[i] AGREEMENT ON CULTURAL AND ARTISTIC COOPERATION BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE AND THE GOVERNMENT OF
THE STATE OF KUWAIT, DATED 17TH NOVEMBER, 2019.

[ii] AGREEMENT ON COOPERATION IN THE FIELD OF TECHNICAL EDUCATION AND
PROFESSIONAL TRAINING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF
SIERRA LEONE AND THE GOVERNMENT OF THE STATE OF KUWAIT, DATED
17TH NOVEMBER, 2019.

- [iii] AGREEMENT ON ESTABLISHING JOINT COMMISSION FOR COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE AND THE GOVERNMENT OF THE STATE OF KUWAIT

IV. BILL

THE PUBLIC ORDER [AMENDMENT] ACT, 2020

Being an Act to amend the Public Order Act 1965 Act No.46 of 1965, by repealing Part V which deals with defamatory and seditious libel and to provide for other related matters

INTRODUCTION AND FIRST READING

THE MINISTER OF INFORMATION AND COMMUNICATIONS

HON. MATHEW S. NYUMA: Mr Minister, you may sit please. Mr Speaker, for us to properly examine the Bill, we had a pre-legislative hearing. So, I rise on ***S.O 70[7]*** to ask the Legislative Committee Chairman to give us the report.

THE SPEAKER: Very well.

HON. MATHEW S. NYUMA: Thank you.

HON. HINDOLO M. GEVAO [*Chairman Legislative Committee*]: Mr Speaker, Honourable Members, I rise on ***S.O 70[7]*** to confirm to this Honourable House that in line with ***S.O 70[7]*** a pre-legislative hearing was conducted on the instrument about to be laid before the House and all necessary documents that were supposed to be provided for Honourable Members to examine critically before such a Bill is laid were provided by the Minister of Information and Communications and other key stakeholders whose responsibility was to bring forth those documents and we are certified pursuant to Section ***S.O 70[7]*** that such a Bill is ripe for same to be laid before the House.

Mr Speaker, Honourable Members, if you want I can read **Section [70]7**. I think Members are a little confused. Section **70[7b]** reads: **[b] "it shall be the duty of the Committee to scrutinize Bills committed to it after Second Reading passage or, as the case may be, to assess, prior to the inception of passage their appropriateness for introduction in the House; to examine constitutional and statutory instruments laid on the Table of the House pursuant to Section 70[7] of the Constitution; and to oversee the Judiciary"**.

Mr Speaker, Honourable Members, the exercise that I am now performing fall under the said sentence: **"to examine their appropriateness for introduction in the House"**. So, we are ascertaining at this stage that the Instrument about to be laid before the House is appropriate for same to be laid we need not bring a report at this stage. Thank you Mr Speaker.

HON. CHERNOR R.M. BAH: Mr Speaker, can we get the Minister to introduce the Bill?

THE SPEAKER: I think Honourable Members, let us be clear what that provision tells the House. There are two segments to it, there is a segment dealing with reference to the pre-legislative hearing in order to assess the appropriateness for introduction of a Bill to the House, and the second part of that S.O deals with the reference back to the Legislative Committee after the second reading. So it is the first that we are dealing with according to what I understood from the Chairman of the Legislative Committee.

HON. HINDOLO M. GEVAO: As always Mr Speaker, you are so correct Sir.

THE SPEAKER: Very well then. Mr Minister you may proceed.

MR MOHAMED RAHMAN SWARRAY *[Minister of Information and Communications]*: Mr Speaker, Honourable Members, I move that the Bill entitled: The Public Order Amendment ACT 2020, be read the first time.

[Question Proposed, Put and Agreed To]

[The Bill entitled The Public Order Amendment Act, 2020 has been read the first time]

SECOND READING

MR MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, I move that the Bill entitled: The Public Order Amendment Act 2020, be read the second time.

Mr Speaker, Honourable Members, colleagues from SLAJ, we have brought this Bill today for reading so that we can address a historical quagmire that this Country has found herself in. Fifty-five years on and have continued to maintain the Criminal Libel Law in our Law books, by retaining this Provision it puts us in violation of twelve other International legislations. We believe it is time that we join other progressive nations of the world to change it. You could also recall that it is part of His Excellency's very entrenched commitment to this Nation to ensure that once voted in as President of the Republic of Sierra Leone he would ensure that the Criminal Libel Law is repealed. These steps we are taking and our presence here today is a testimony to that commitment.

Mr Speaker, Honourable Members, I also wish to note that because of the presence of the Criminal Libel Law provisions in our law books the media in Sierra Leone has not been able to attract much needed investment into the sector because both public and private sectors investors are scared to invest resources in the media for fear that with this debacle sword hanging over the shoulders or the heads of our media practitioners, they might wake up one morning and all their investment is fizzled because along the supply chain, right from the Editor, publisher, readership and everybody who gets anything to do with an article being seditious or libellous could go to jail. So we are committed to decriminalising the practice of Journalism.

Mr Speaker, Honourable Members, furthermore, I wish to note that this Profession has not been able to attract the best and the most brilliant minds except for those who dare because for the most part you find out because there is the absence of investment in the Sector, people are not for the most part paid salaries and nobody wants to gamble into a career that does not guaranty you remunerations. We believe when we repeal, we would be able to attract the much needed investment into the Sector, we would be able to pay salaries to our media practitioners and that will be the beginning of singing

the dirge for attack, defend and collect Journalism for which many of us have fallen prey in this House.

Mr Speaker, Honourable Members, we also wish to ensure that we repeal the Criminal Libel Law so that our country could join other progressive and civilised nations of the world to unshackle the Media. Liberia next door did it in 2017, if I am right; and Ghana did it in 2001. So, we are one of those countries that are still maintaining this in our law books and we have made great strides in many areas. Once we do this as a Country, we would have our rating on the Global Press Freedom Index improved and a whole lot of things Covid come along with that.

Mr Speaker, Honourable Members, in this vein, I would like to graciously ask this House to consider this repeal among several other things. I know there have been concerns about giving freedoms without responsibilities. I wish to allay the fears of this House that there are enough safe guards even in existing legislations to ensure that journalists do not get unprofessional, they do not get reckless. There is a Civil Defamation Law, there is also the Bankruptcy provision and probably in the same breath there is the reviewed Independent Media Commission Code. So, all of these would ensure that journalists do not run amok simply because we have repealed. We note that it takes a million years to build a solid reputation and we know how over the years media practitioners have crashed the hard won reputations of very serious Sierra Leoneans; we are mindful of this and that is why we have taken bold steps to enact the new Legislation which we will be enacting. So, I would like you to consider repealing Part V of the 1965 Public Order Act for these and many more reasons that I may explain during Question and Answer [Q&A]. Thank you *[Applause]*.

Mr Speaker, Honourable Members, I move that the Bill entitled: The Public Order Amendment Act 2020, be read the second time.

THE SPEAKER: I thank the Honourable Minister, but before I put the Question, I would want to invite both the Leader of Government Business and the Leader of Opposition to come forward. Honourable Members, please pay attention indeed the

Minister of Information and Communications has reminded this House, this Sitting represents a historic occasion. I would put the Question.

[Question Proposed]

HON. HINDOLO M. GEVAO: Mr Speaker, Honourable Members, today is indeed a historic day for Sierra Leone. We as Members of Parliament, if I am not wrong 60% of us are about to take a decision on a Legislation that is older than us. The Criminal Libel Law found its way in our law books in the year 1961, six years before the birth of the SLAJ. In 1971, SLAJ was born by one of our brothers called Sam Metzger who was called the doyen of the Profession of Journalism. The moment this Association was born, Sam Metzger wasted no time to start pushing for the repeal of the Criminal Libel Law. So, if we are to count from the year 1971 to date, if I am not mistaking we are talking about 50 years thereafter people have been fighting for the repeal of this law. One would be tempted to ask a question why has it taken so long that this law has not been repealed. There are indeed pros and cons to the repeal of this law. In the 70s, it would have seemed impossible to repeal such a law but trends have moved on, the way society was in the 70s and the way society is in this century, 2020 is quite different. Today, we can now freely talk about freedom of speech, freedom of movement, the rights of the human being is being considered so highly; it was not like that in the 70s. Even those of us in this House, the way politics was in those days and the way it is today are two different things. So, we are privileged to be in this House to be given the opportunity to sit and decide on a legislation that precedes the age of most of us but that will have to impact the growth of our society and get our counterparts in other jurisdictions admire us so much if we are to come to the agreement that we get this particular law out of our law books.

Mr Speaker, Honourable Members, as we debate this law, I know every Sierra Leonean is listening and waiting to know the outcome of this exercise because every Sierra Leonean has the right and every Sierra Leonean has the right to protect his/her rights. My right stops where the right of the other citizen starts. Nobody would like for his right to be infringed on, nobody would want his hard earned reputation to be damaged and

at the same time, no professional wants to practice his or her profession in fear. We lawyers practice our Profession without fear or favour so I am sure would the journalists want to practice their Profession. They would want to practice their Profession without having any sword hanging over their heads, all the reason why since the birth of SLAJ, from Sam Metzger down to the current President have fighting for the repeal of this Law. And the fight against the Criminal Libel Law as Sierra Leoneans actually got to its apex under the Presidency of Master Umaru Fofana. I can still remember when he approached the Supreme Court to declare such as a bad law. After so much hand bending and twisting as people would say it took some time within the walls of the Law Court, a ruling was finally delivered and Mr Umaru Fofana did not get what he wanted but by way of protest he said, he was not going to cut off his hair until such a law was taken out of our law books. If I am to look around, I am sure I would see Master Umaru Fofana; the last time we were in Committee Room No.1, he had cut his hair because he believes in this House, he is poised that this generation will look at the ramification of us having this law in our law books and the image it creates in the eyes of other people out of Sierra Leone and we are having this law out of our law books. The last time it came to this House, we being the representatives of the people, the Leader of Government Business then, who is now the Economic Community of West African States [ECOWA] Speaker wasted no time to say yes, we are not against the repeal of this law, what we want is safeguards and as a result of that we want the IMC to be able to do some work in such a way that Sierra Leoneans will go to bed and comfortably say the next morning nobody is going to assassinate their characters. I am sure so much work was put into that and very soon we will also see what was put into that and how much safeguards are in that legislation. As I stand here as Chairman of the Legislative Committee, I think our duty is to make sure we make laws and we make good laws. Our duty is to make sure other institutions that have the responsibility to reform laws work assiduously so that very old laws in our Law Book are been reformed so much so that we get new laws that meet the current trend of events of society. The Public Order Act which was introduced in our Law Book in the year 1965, I can refer to as a very old law. The circumstances that prompted the introduction of that law then, I

would say comfortably that most of those circumstances do not exist today, and as a result I can safely crave the indulgence of colleagues Members of Parliament to approach this Bill with such positive perspective bearing in mind that if it is repealed it would do all of us good particularly so when we have all said we can strengthen safeguards in the IMC Act to protect the rights of Sierra Leoneans.

Mr Speaker, Honourable Members, it has been the promise of every Flag bearer candidate before going into elections to lure the IMC into believing that when they win elections, this Bill will be repealed. I am sure in my generation, the Late former President Ahmad Tejan Kabba made that promise; I know for sure that His Excellency the Ex-President Dr Ernest Bai Koroma made it part of his manifesto; I know for sure that His Excellency Retired Brigadier Julius Maada Bio made a fervent promise that if he were to win the Presidency, he would repeal this Law. In politics, to say is one thing and to do what you said is not the same. It takes a man with a lion heart who himself has built his reputation over the years, who as far as my generation is concern has been the one most affected as far as character assassination is concern in politics to come up and say *[Applause]* yes I made a manifesto promise, it was not a promise to enable you elect me into office.

Mr Speaker, Honourable Members, when an undertone is made, it should not be meant for the hearing of everyone; I am on my legs please do not disturb *[Undertone]*. It is different to make a promise in a manifesto and to deliver on that promise. As I said, I would re-reiterate it again and I would buttress that fact that His Excellency in his manifesto made a promise to the people of Sierra Leone that: ***"if you were to vote me into office, I will endeavour and see that the Criminal Libel Law is repealed"***. Even though, He is one such Sierra Leonean whose character had been assassinated wrongly by the Forth Estate the most, he has decided to actually keep to his Manifesto promise and under his Presidency, this Bill has moved several layers, went to Cabinet and has been drafted and for the first time in 50 years is before this House of Parliament today at a stage of Second Reading. This in itself is a huge success in our democracy that no matter how sensitive an issue is, if you believe in it, and you make a

promise in your Manifesto; you do not lure the people wrongfully to do misrepresentation, you should follow your promise. As we have the Minister of Information and Communications here today representing the Government which made a promise, follow upon it and has brought this Bill before us today. If we repeal it, everybody's character remains to be protected. One thing I want to say here, the journalists are moving or are pushing for this Bill to be repealed but they are not pushing for this Bill to be repealed because they want it to benefit them and them alone. Even the President of the Sierra Leone Association of Journalists [SLAJ] can have his character assassinated because in nowadays Journalism, you really do not need to be a certified journalist for you to go on social media to publish something that is damning to the character of other Sierra Leonean. So, they want it because we all as Sierra Leoneans believe our society must move and must move to another level that will benefit the Nation.

Mr Speaker, Honourable Members, as I take my seat, I would want to end on the note of admonition; I know the Profession itself, the Forth Estate would have put in place so many regulatory measures. I am sure they now have Disciplinary Committee; they have the IMC all geared towards preventing the wrongful assassination of people's character. When I was doing a research I realised that like in America they do not have such law.

THE SPEAKER: Does the Forth Estate have or they proposed to have?

HON. HINDOLO M. GEVAO: Come again Mr Speaker.

THE SPEAKER: Do they have? You said it so emphatically; do they have now or they proposed to have?

HON. HINDOLO M. GEVAO: They proposed to have.

THE SPEAKER: Thank you.

HON. HINDOLO M. GEVAO: You are welcome Mr Speaker. I always drink from your well of wisdom. Mr Speaker, in America for example they do not have a Criminal Libel Law; what they have is, the very Profession of Journalism has mechanisms to clamp down on bad Journalism. There, the Profession of Journalism can regulate itself in such

a way that if you have nothing doing in it you would not practice it. Is a Profession that they have to be jealous with their claws and is an enviable Profession. For some of us who are in the Legal practice, admire those colleagues of ours who became journalist first before they became lawyers; anytime they take the podium you would always see some distinction in the way they present their issues. So, it is a Profession that some of us hold to the highest esteem, is not something that one should be part of just for coating i.e. where you go you meet somebody he/she gives you Fifty Thousand Leones for you to go and damage the character of another person for your own bottomless pocket.

Mr Speaker, Honourable Members, I would end on this note that if you do not have the requisite qualification, you do not have a fortitude; you do not have the requisite integrity please do not attempt to darken the Profession of Journalism because integrity is something that people work on from the day of birth to the day of death and it can be destroyed in a day without that person having the opportunity to recover it the way it was damaged. I therefore urge all of my Colleagues on this occasion in this Sitting to debate without personal interest and to have this Bill repealed after it would have gone through the necessary stages in this House. I thank you very much *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his contribution. To the Debate, indeed to underscore the point that has been made that today is a momentous day, I notice we have in our midst the crème de la crème of the Media. When you talk about the Media in this Country, Honourable Ibrahim B. Kargbo will you please take your seat I feel intimidated somehow *[Applause]*, because the moment I started speaking I would have expected him to do the obvious. You want to rise too? Take your seat I have not even started my statement yet. As I said, I think we should recognise and there is a reason why they are all here, the crème de la crème of the Media in this Country. Men and women of great repute are with us. Naturally, we must observe that their interest is at stake that is why they are with us today, and we want to do justice to their interest. Similarly, it behoves this House to do justice to the public interest. So, here you have got to balance the two. How we do it lies in our hands from this day hence forward, is no longer in the hands of the Executive; is now in the hands of the

Legislature *[Applause]*. So, we have to be very censorious and very careful as to how we proceed in discharging this onerous responsibility. We have the Deputy Minister of Information in our midst who is also a lady of no mean repute in the field of Journalism Madam Mamadi Gobeh Kamara; we have the Director General of the Sierra Leone Broadcasting Corporation [SLBC] Joseph Egbenda Kapuwa Esq, and thanks for giving us a live coverage today; we have somebody I think who can easily pass as the doyen of the Media in this Country Mr George S khoryama Chairman of the IMC. I also in that connection must recognise Mr Ahmed Sahid Nasralla who is the current President of SLAJ *[Applause]*; a former SLAJ President is also in our midst Mr Kelvin Lewis *[Applause]*; we have a Commissioner of the IMC and a very prominent member also of SLAJ Commissioner Dr Francis Sowa, in fact he is such an indelible part of our architecture that he does not need any mentioning now; and lastly, we have Commissioner Mustapha Sesay a member of the IMC *[Applause]*. So, the IMC has descended upon this House in huge numbers today for reasons that we very well understand. I am sure many more will follow very shortly. I think it is most appropriate at this time that I recognise the former President of SLAJ to take the Floor *[Applause]*.

HON. IBRAHIM B. KARGBO: Thank you very much, Mr Speaker. I appreciate your effort this morning Mr Speaker when you mentioned the names of some of our very important members of SLAJ. May I state that it would be a great error on my part if I did not recognise important journalists such as Daisy Bona who played a very major role in Journalism of this Country; the late Francis frank kposowah *[Applause]* who later became a Member of Parliament and who was President of the SLAJ; Christo Johnson I do not know whether he is here, Christo Johnson also played a major role in developing Journalism in Sierra Leone. When we talk about the founding of SLAJ, you cannot complete the statement without mentioning Christo Johnson; that is what history is all about. But of course some of them are late and Mr Speaker has mentioned some of them.

Mr Speaker, Honourable Members, the 1965 Public Order Act became historic simply because it sent very important people to jail, and I remembered my great friend Sam

Holist was sent to jail because according to the Government in power at the time he had bridged the 1965 Public Order Act, it was around that same time that the 30 days Clause was introduced in Sierra Leone. In other words, if you are absent from Parliament, is deemed that you have lost your seat in Parliament. Some of our members in the House including Janneh, S.A T Koroma and others lost their seats temporarily because the Government at the time said that they have violated the 1965 Public Order Act, but the important thing at that time Mr Speaker was that some of us who wrote Articles and those who made statements here warned the Government at the time that they were breeding a very dangerous example and that example will not breed good children in the future. So, when Charles Margai won his election for the first time, the Government that came later used the 1965 Public Order Act and the 30 days Clause to get him out of Parliament and he cried foul and the people said it was your father who introduced it. So, when you bring your bad law, the end is that you get a bad result.

Mr Speaker, Honourable Members, the 1965 Public Order Act should be explained in a little bit more detail. We are more interested as journalists in Part V of the Public Order Act, for us to suggest that we remove the entire Public Order Act will amount to anarchy and chaos. So, we are merely stating that the very important Part V should be looked into very closely. This Part V has created a quite a number of problems, people have been sent to jail, people have lost their jobs because of Part V of the 1965 Public Order Act. After the war, when it became necessary for us to look at the Country in a wholesome manner once more, and when President Kabbah invited some of us Stakeholders meeting, among the things we told him was that we should look at the 1965 Public Order Act but more particularly the Part V of it and he agreed because he was a lawyer and he understood the implications and this was how we started working towards it. But he came with a suggestion that why should we not look at the regulatory component of your Profession gentlemen before we move on to this 1965 Public Order Act? We agreed with him and then we started looking forward to the setting up of the IMC. Our thinking at the time of pursuing it was that the IMC would be the beginning of a Regulatory Authority for Journalists in this Country as we all agreed

at the time that after ten years of IMC, we would have put in place Motion, a Motion that would make the IMC self-regulatory to allow the Journalists themselves to run their own affairs; but that has not happened up to this time but we hope that new generation of Journalists would begin to work towards self-regulation. Mr Speaker, in the United Kingdom where you studied, you know that self-regulation is very, very important. Although, some Journalists would not touch this part of the world with a ten-foot pole, the important thing Mr Speaker is that, we believe now we should begin to modernise our old Governance System and modernising the Governance System would also include modernising the Journalistic System in the Country, to us it is very important. We have a certain component of development in this Country that should look at what we call **"Good Governance Legislation"**, among them would be: Journalism - what kind of Journalism do we want to practice in this Country? Modernize Journalism in this Country. The Minister has already made the point that some countries have started working towards or have concluded working towards removing this very dangerous Legislation, but what are we doing as a Government? Are we also committed to it? We know that Ghana has succeeded in going through the process, South African is also through it and we know that other countries have gone through it but what are we doing now Mr Speaker? Without wasting time we believed that the whole business of modernising the governance structure of the State would also depend on the kind of Journalism we have. Our Journalism in this Country should not be tied up with too many rules that will make it impossible for people to practice Journalism. We know the great owner of one of the Printing Houses in Freetown, I would not mention his name here, the family lost their Printing House because of the 1965 Public Order Act; they have lost it, then the wife was sent to jail, the Journalist that sold the Newspaper was also imprisoned and the fact of the matter is that the family collapsed, they ran bankrupt and today the place has been converted into a Funeral Home; from a Printing House of developing Journalism to a Funeral Home. These are all the implications; that is the kind of thing that happened when the 1965 Public Order Act was introduced in this Country. As I said Mr Speaker, we are going to emphasise on the Part V of it all, to us it is important. And we want our young journalists to understand that what we are

doing today is a great sacrifice. I have tried this many times and I came across brick walls because some people were afraid when I was a Journalist. Even people in the SLPP were afraid; people in my own Party people said be careful and people in other Political parties said be careful.

Mr Minister, I would warn you that if anything goes wrong with this Legislation and it gets out of hands, you are in trouble. A lot of people would say you did not inform us. So this is why we must give you support so that you do not lost your job. If we do not give you support to go through this whole process of removing the Part V of the Act in order to allow the journalists to write what they want to write and the researchers to write their research work, then of course we would have sent you to a den of lions.

THE SPEAKER: He is not the only one who would be in trouble; this Parliament too would be in trouble.

HON. IBRAHIM B. KARGBO: Mr Speaker, you would also be in trouble.

THE SPEAKER: Good! So let us recognise that.

HON. IBRAHIM B. KARGBO: Well that is it. So, this is why I said it is a great sacrifice if you understood me well Mr Speaker. Now, we are moving fast and forging ahead. The Government of today believes that they must remove the 1965 Public Order Act, they want to remove Part V of it all. According to the Minister, they want it to be made very clear that when their President speaks, it is carried out and they call it in their own way ***"Talk and Do"***, we do not believe in that yet. So Mr Speaker, the regulations that would determine the operations of a Media without Part V of the 1965 Public Order Act will have to be determined later but we believe like the Minister himself said that the IMC would have been structured in such a manner to make it possible for us to put the necessary safeguards that are so necessary in a thing like this. So, Mr Speaker, I have seen days to come and days gone by and we have also recognised the role played by very important journalists in this country, we also want to agree with you those of us from this side and I am sure those on the other side that this is the time for us to modernize the Administration of this Country and one way by which we can modernize

it is to make sure that the Journalism component of the State is modernized as well, to us it is very important.

Mr Speaker, Honourable Members, a good number of people would have admired this effort today to make sure that we improve on the Administration of this Country and the Journalism component of the State. There are still journalists here who have been imprisoned, I would be remiss if I do not mention people like Paul Kamara but also importantly, I should also mentioned the role played by Julius Spencer in our efforts to come to this day apart from the role he played when we were putting together the IMC; he also played a major role in advising President Kabbah at the time. The need for us to modernize the Journalistic component of the State and the President did agree with him. So to us, we cannot debate the bill today without mentioning people who had played a major role; those at the SLBC played a major role as well.

Mr Speaker, Honourable Members, when we came to power as a Party, and we coming to power very soon *[Applause]*, we discovered that there are certain governance structures of the State that must be handled. We thought about Access to Information, we had to introduce Access to Information because you cannot talk about modernising the governance structures of the State without accessing information Act and we decided that we should bring Access to Information *[Applause]*. Today, we have access to information, we have right to information and that is the beginning point of this whole process here. How did we come to that? I was seated with President Carter in Atlanta, Georgia; and I hope most of you will have that opportunity one day. We were discussing the 1965 Public Order Act and he said Ibrahim, don't you think you should look at Access to Information, freedom to information as the first step Shears Moses was with me and we agreed when we came here we started working on it . In the end, we came to this Parliament and passed the Access to Information Bill and made it into an Act, now it is a law, it is part and parcel of the administration of the State; is that not so? You are benefitting from our largess, benefitting from our sense of industry. This is what we have been doing all this time.

Mr Speaker, Honourable Members, today, as we move towards one more step; we see ourselves as part and parcel of this whole process *[Applause]*. We would not stop it; we would look at my younger brother the Minister and give him support *[Applause]*. I had assured him when we were in Dubai that I would give him support when he said he was going to work towards this and I said okay we would give him support because mark you, if you did not get our support, you would not get there and today, we are giving you our support *[Applause]*, we are also giving the Government of President Julius Maada Bio our support. I made the point last time that we are a honest Party *[Applause]* to say that which is good is good, that which is bad is bad; but this happens to be one of the good things that we cannot shy away from and this is why we would continue to support it, even if we go to one more stage we would support it.

Mr Speaker, Honourable Members, we do not have much against this Bill but some people want to tie it down to the IMC and that cannot be done. These are two separate components – the IMC Bill which is going to be an Act [the revised] should be seen as a component separate from the Part V of the 1965 Public Order Act. If we are to merge the two, then we would have worked for nothing over the years. These are two separate components; but when we administer the new IMC Act, we should administer it in such a way as to be certain that those people who are knowledgeable in the Profession of Journalism are involved. I have looked at the Act itself but I am not going to debate it now, it is going to come later. I have looked at the Bill but the important thing is that, the 1965 Public Order Act created true vindictive legislation in 1965 because they wanted to shut down the **"Wi Yone Newspaper"**, they wanted to shut down Sam Holist and they wanted to imprison Kamara Taylor. When you put all of those things together have today resulted to the fact that we must go back to the drawing board and start afresh and this is why we are all here today *[Applause]*. We were not part of the destructive methods that created the 1965 Public Order Act, but we are going to be part of the recreation of a good governance structure *[Applause]* to develop the State *[Applause]*. We are going to win as a people; we are winning as a people because we are doing the right thing. Everybody is shouting in this Country

what are we doing about the development of this Country; we would develop this Country, if we come with the proper legislation and this is a proper legislation. From our own side, it is not even controversial; it is the right thing to do. We started it, we developed it, we handed it over and today it is going to work. We are going to support the Government and we are going to support the Minister.

Mr Speaker, Honourable Members, we will come later to another point but now, the history of Journalism, the development of Journalism and the need for us to be one united people is here to be with us and we on this part will continue to support this whole process. Mr Minister, we would support you. Thank you Mr Speaker, thank you very much *[Applause]*.

THE SPEAKER: I want to thank the Honourable Member for his very eloquent contribution to the debate. Before I call on my next speaker, I would like to take the opportunity to recognise a few more very eminent Media practitioners: Ansu Lansana Esq, Commissioner of the IMC is with us; Kalil Kallon Ag. Executive Secretary IMC *[Applause]*; Order! Order! Some people came late and still want to dominate the undertone side of the House. Another Commissioner of the IMC, Madam Melinda Davis is here with us *[Applause]*. I cannot but really register my appreciation for the eloquence of the last speaker Honourable I. B. Kargbo, especially the historical account that he has given to us and more especially, the tribute that he has paid to very eminent Journalists this Country has produced in the past. Some of them are of blessed Memory, may their souls continue to rest in perfect peace. But I am afraid to say that his eloquence almost lost some of its shine when he attempted to disconnect and this is really my concern when he attempted to disconnect the repeal of Part V of the Public Order Act from the amendment that is so necessary for the IMC Act. The two are interrelated and they cannot be disconnected. This House bears a very sacred responsibility to ensure that what we do is a very carefully balancing of the interest of the Public on the one hand and the interest of the Profession of Journalism on the other, you cannot just focus on one without the other. In fact, let me now give notice that we have started the Debate with the amendment to the Public Order Act but we

shall end with the Public Order Act amendment. The first thing that we will see through would be the IMC Act, to ensure that proper and adequate safeguards are put in place before we do the repeal, this Legislature bears a very sacred responsibility in that regard.

HON. IBRAHIM B. KARGBO: Mr Speaker, thank you very much for the observation. May I say that we have nothing against separating the two as one united component but at the same time, we simply want for historical purposes that we have been fighting this 1965 Public Order Act for years and then the IMC came later; but of course, they are both two good governance legislations.

THE SPEAKER: Very good, thank you.

HON. DICKSON M. ROGERS: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, like it has been said by other colleagues, today this House is about to make history. Today, this House is ready to make sure that Sierra Leone takes its position in civilised communities. But when we are debating professional Bills, when professionals speak, you are left with little or no alternative but to support. When I listened to our big brother Honourable Alhaji I.B. Kargbo speaks on this Bill, I said to myself yes it is about time that this Parliament starts thinking beyond Party lines, and one thing he said is that they are ready to support this Bill, they are ready to support the Minister and that they are ready to support the Government in order to make sure that this Bill passes through this House; Honourable I.B Kargbo I doff my hat to you (Applause).

Mr Speaker, Honourable Members, we on this side are not only looking at this Bill as our Bill or as Government Bill, but we are looking at this Bill as a Sierra Leonean Bill; we are looking at this Bill as a cross party purpose Bill. That is the reason why we are calling on colleagues on the other side, be it the National Grand Coalition [NGC], Coalition for Change [C4C] etc. etc. to make sure that we repeal part V of this Act. Like the Honourable I.B. Kargbo said, this is a fight they have started long ago. Three years ago in the last Session I can remember, I was driving down to Model and the former President of SLAJ Kelvin Lewis stopped me and said Honourable we want to bring this

Bill for repeal, how can you help? I said Mr President the Party in Governance which is the All People's Congress [APC] at that time are always ready to repeal part V of the Act, and today Mr Kelvin Lewis and Mr Umaru Fofana, I can tell you that this Bill is noncontroversial. Therefore, you will have the support from the APC, SLPP, NGC, C4C and the Paramount Chiefs.

Mr Speaker, Honourable Members, I believe the Minister has listened to some of our concerns. Some of us including Mr Speaker are fortunate to have some form of education in the UK. There is a module call **"Perception"** and it is a very big module. I brought that because when people's reputations are damaged, that thing we call **"perception"** is very, very difficult to wash away because by the time you want to react to the public or even the International Community would have had their own mind set. When we were very small boys coming up, we used to come to Parliament to listen to Honourable Members like Dr Abass Chernor Bundu, Honourable I.B. Kargbo, Abdulai O. Conteh and Salia Jusu Sheriff. When those people took the podium I once said to myself I want to be Member of Parliament. That was the reason why there was a time when I did give a contribution I said to myself, Dr Abass Chernor Bundu, I am fortunate to serve under you as Speaker because you are one of the few people that I admired. Today in this country we do not have role models; we do not have people that we can call our role models, we do not have people that we can admire. In those days, we used to admire people, we used to say those people are our own role models and when we grew up we wanted to be like them. We used to have the likes of **Kawego Cogo Stevens**, when such a Journalist passed around in those days we used to admire him so much but where is the ethics of the journalists in this Country today? How many people would want to grow up to become a Journalist? I can remember few months ago when Isha Sesay of the Cable News Network [CNN] was in this Country, people were clamouring to see her because of what? Because of the reputation she has built.

Suspension of S.O 5(2)

HON. DICKSON M. ROGERS: Mr Speaker, Honourable Members, we want people to start thinking of becoming a journalist after the repeal of this important Part of the

Seditious Libel Act. We also want the Department of Mass Communication at Fourah Bay College to start competing with other Departments. We want the likes of I.B. Kargbo, Mr Khoryoma start emerging in Journalism. Mr Speaker, I wholeheartedly support when you said we have to look at the IMC Act because they are interrelated. We cannot talk about repealing Part V of this Public Order Act without having very serious IMC Laws to ensure that it serves as Checks and Balance.

Mr Speaker, Honourable Members, as I said, I am not going to be long; I want to encourage SLAJ to start thinking of a mechanism to crack down reckless Journalism. People have built their reputations for so long that, people should not use the repeal of this Act as an advantage to tarnish their characters. I want to give an advice to SLAJ for them to encourage journalists to stop copying whatsapp messages because some of the articles we read in some of those newspapers, when you ask they would say we copied this from whatsapp forums. So, please whatsapp forums are not forums that journalists can take information from to put in their newspapers. We do not want people to hold this House responsible tomorrow; we are doing this in good fate. We want to make sure that Members of this Parliament not only this Government to be proud to say yes after over 50 or 60 years, I was part of the Parliament that repealed Part V of the Public Order Act.

Mr Speaker, Honourable Members, before I take my seat, I want to call on my colleagues and I am happy that when the Deputy Leader of the Opposition speaks he speak for the entire APC Party. I am sure our own Leader will speak on our side but I want to assure this House that we on this side are in support of the repeal of part V of this Act and I also believe our colleagues on the other side and even our big brother the NGC Leader and also the C4C Leader are in support of this. So, I thank you very much Mr Speaker.

THE SPEAKER: I thank the Honourable Member for his contribution.

HON. SHIAKA M. SAMA: Thank you very much Mr Speaker. Whilst I listened to my brother from Pujehun when he mentioned Political Parties in Parliament that support the repeal of this Act, he did not mention the Independent MPs.

HON. DICKSON M. ROGERS: Mr Speaker, I am sorry about that.

HON. SHIAKA M. SAMA: Mr Speaker, Honourable Members, I would want to state here that we as Independent MPs, we are fully behind the repeal of this Law. I have to travel from Pujehun to Freetown last night because journalists in Pujehun appealed to us as MPs from Pujehun District to support the repeal of this Law. I made a promise that I will support the repeal and I am glad that I am here to perform a duty. I believe we are not doing the journalists a favour by supporting the repeal of this law; it is our responsibility as elected public officers to seek the interest of our people. When I listened to Honourable I.B. Kargbo, then I also looked at the current Minister of Information, these are two people belonging to two different generations. This Law is older than me and I am sure it is also older than most other MPs here. I am glad to be part of this history making event and for so long I have read newspaper articles, I have listened to journalists clamouring for the repeal of this Act, I would like to take this opportunity to commend the Minister and His Excellency the President for doing what other Presidents have failed to do. One way we can bring change is to work our talk. Again, I want to thank the Minister and His Excellency the President for doing what other Presidents before him have failed to do. Like somebody from the Opposition said, the law was made in 1965 under Sir Albert Margai and at that time the Opposition then condemned and opposed the Bill. They thought it was a sledgehammer to suppress the right to freedom of speech. I am happy that what journalists for over 50 years have advocated for is coming to past today Mr Speaker. I have always said that to bring the change the Sierra Leonean people desire, we must have the courage to do those things that are in our power to change. So, it is good that today as a united force we are going to act together to do the right thing. But there is one thing we must emphasize here, if the journalists have advocated for the repeal of this Law, they must take the responsibility of protecting the rights of the ordinary Sierra Leoneans. It is public knowledge that innocent citizens have suffered a lot from journalists that are paid to write articles about people that are not guilty of the offences they are accused of; some of us have suffered a lot. Sometimes my supporters will ask me to take this matter to

court. I tell them, I do not have the time and money to go to court. So, if you have asked for the repeal of this Law, the journalists must take the opportunity to ensure that they promote professionalism in the act of Journalism because it is believed that previous governments have used this Law as a sledgehammer to suppress their Political opponents. So, I must commend His Excellency President Julius Maada Bio because it takes courage to do such a thing and I want to commend him for taking that courage to do this. Now, if you look at our Party slogans, if we are to follow what we say in our Party's slogans; when I say we, I am referring to us MPs, I am an Independent Member *[Undertone]*. Now if you look at what we mentioned in our Party slogans, we have no business being backward. We must work our talk, the President made an Election promise to repeal this Law and I am happy that he has done so. I would like to encourage him to do more. Beside the journalists, there are some other professional bodies that are clamouring for change, it is good that a very responsible Government should listen to its citizens and that is exactly what the President has done and we commend Him for this.

Mr Speaker, Honourable Members, before I take my seat, I would want to appeal to the journalists, now you have got what you have fought for over 50 years, I am sure you know although you would not admit it here that there are some of your men that are not fit to be Journalists. When Honourable I.B. Kargbo cited an example of how a family suffered, how a family lost their property and how a Journalist went to jail; I also want to remind him about so many innocent people that have gone to their early graves because of the false things that journalists wrote about them and false statements made against them by journalists. There are people who are now languishing in prison because they were tried based on false statement published by our journalists. So, if you are given your rights, you also have the duty to serve the Sierra Leonean people. Majority of the Sierra Leoneans cannot take you to court for abusing their rights, only few Sierra Leoneans who are less than 10% who have the money and the time to hire a Lawyer to defend their rights in court. There are lot of Sierra Leoneans if you write any evil thing about them, there is nothing they can do about that. So, for those Sierra

Leoneans who do not have the capacity to take legal action when their rights are being abused by statements published about them, it is for those Sierra Leoneans that you must take your responsibility to ensure that you protect those rights because right goes with duties. So, I am very happy that we are making history today and if you look at all the election Manifestos, most Political Parties do not even do 10% of what they promised to do. The President is on the right track and we would like to encourage him to do more. I want to use this opportunity to appeal to my colleague MPs for us to support the Minister and the Government in the repeal of this Law. I thank you very much Mr Speaker.

THE SPEAKER: I thank the Honourable Independent Member for his contribution.

HON. CATHERINE Z. TARAWALLY: Thank you very much Mr Speaker. Mr Speaker, I want to take this opportunity to welcome colleagues in this House and I want to assure them that we have better journalists in this Well the likes of Honourable I.B Kargbo. Being a Journalist for all my life, I am so pleased and I want to follow your footsteps in using the words: ***"it is a momentous day"*** indeed for us to repeal this obnoxious Law that has destroyed lives of serious and unique journalists in Sierra Leone.

Mr Speaker, Honourable Members, I have been a Journalist all through my life and it is the Profession that I cherished so much. I will go back to that field after my political life time because I like and I love the pen. Today, to actualise the freedom of the pen is a momentous day. It is not just for the journalists, but it is for people that are very good writers. We have free writers in Sierra Leone; we have people that can write very well for the freedom of others in Sierra Leone. So, for us to stand here today I feel very successful. I feel like somebody that has achieved her dream and it is a dream come true. Being part of this Session, being part of this process for us to repeal this bad Law that has been in existence in this Nation for 55 years, makes me feel honoured.

Mr Speaker, Honourable Members, I want to say thank you and I want to doff my hat for the present and past Presidents of SLAJ because as a SLAJ member during the Presidency of the Honourable I.B. Kargbo, SLAJ was very unique. I have been a SLAJ member for a very long time, so I know what it means to be a SLAJ member and I

know the importance of repealing this obnoxious Act of 1965 especially the Part V. Mr Speaker, in our Temne language our people say **"omorneh mi ayum morbetteh tashi doryulah mortem-tem"** [*S.O quoted*]. Translation: **"free poo bette pas taite gentry"** [*S.O 2 quoted*]. The translation of what I have just said in Krio is: **"freedom in poverty is better than tight and closed riches"**. What it means, for me to have what we call a free pen means freedom for Sierra Leone; not just freedom for SLAJ; not just freedom for the Minister of Information and Communications and not just freedom for us as Legislatures, but it is freedom for all Sierra Leoneans as well.

Mr Speaker, Honourable Members, it has been a long day, a long day for Sierra Leoneans. We started it during the former President Dr Ahmed Tejan Kabba era when I was an active SLAJ member and a broadcaster at that time. It is a unique day for us to repeal this Act even though, we are on the verge again to have another Act to regulate the activities of journalists, but repealing this Act makes this House unique and I want to assure you of the commitment of my SLAJ members that we would try to put modalities in place to see that our members do the needful for Sierra Leoneans. Repealing this Act means freedom for our people and for that reason, we in SLAJ want to encourage all Sierra Leoneans especially as representatives of Sierra Leoneans to join in ensuring that we repeal this Law without any prejudices.

Mr Speaker, Honourable Members, during the era of Dr Ahmed Tejan Kabba of blessed memory, we fought a very good fight and in that fight we had what we call the IMC Act and a Body was there to regulate the movement and activities of journalists in this Country. Following that, during the tenure of the former President Dr Earnest Bai Koroma, we had what we call the Access to Information Act which gives access to people especially journalists and writers to do their profession. And today finally, we have what we call the freedom of the pen. I am pleased, we are honoured as SLAJ. So, for that reason I want to say a very big thank you to the Minister of Information and Communications, to the former Ministers because they started it all because there is a saying that states: **"a journey of a thousand mile starts with a step"** and the step has started long before and today we are finally there. We are there because we are

serious, firm and we know what we are fighting for. Yes, we know what has passed because of the 1965 Public Order Act especially Part V. But we do not want to dig holes and we do not want to go back to memory lane. We are here to assure you that our people in the broadcasting sector, in the writing sector, in the filming sector and we in the newsletter sector would make Sierra Leone a happy nation because we will control our people. We will ensure that the pen continues to be unique and to be a pen through which everybody will be happy. Colleagues please join me as we repeal this obnoxious Law and thank you Mr Speaker *[Applause]*.

THE SPEAKER: I thank the Honourable lady for her contribution. It is past mid-day, we have another Bill to consider and there seems to be unanimity across the aisle.

HON. KANDEH K. YUMKELLA [DR]: Mr Speaker, I stand on ***S.O 34***. Maybe if colleagues agree because we have the other Bill to discuss which has more elements, we have the Leaders wrap up phase one, we take a break and then we come back for phase two.

HON. ABDUL KARGBO: Some of us will not contribute in the debate of the IMC Act, but this is very important.

THE SPEAKER: Consult amongst yourselves.

HON. MATHEW S. NYUMA: Mr Speaker, may I observe Sir?

THE SPEAKER: I have to reduce the number.

HON. MATHEW S. NYUMA: Mr Speaker, I think we are on the same page on the Bill.

THE SPEAKER: On?

HON. MATHEW S. NYUMA: On this repeal Bill.

THE SPEAKER: we are.

HON. MATHEW S. NYUMA: So use your discretion to take one or two speakers because we have another Bill coming. The Leadership there is trying to talk to their members; I would talk to my colleagues too.

THE SPEAKER: Okay, I am going to limit your contributions to five minutes each. I will only recognise Members who are properly seated. Honourable Abdul Kargbo you will start, I must give an opportunity to Honourable Mohamed Bangura because he has been a Minister of Information and Communications before and he will be next and followed by Honourable Panda. Okay, let me list them down: Honourable Abdul Kargbo, Honourable Abdul Karim Kamara [AKK], Honourable Panda and Honourable Mohamed Bangura. The name Sheikh conjures certain memories that I get very scared of, I remember asking Honourable I.B Kargbo if he saw that coming [*Laughter*]. Honourable Jalloh and Honourable Lahai Marah, you will have your own opportunity when we consider the IMC Act.

HON. LAHAI MARAH: Mr Speaker, this Bill is very important to me.

THE SPEAKER: How? You are not a Journalist and you come from the extremity of the Country. There are no journalists in Falaba District.

HON. ABDUL KARGBO: Thank you Mr Speaker. Mr Speaker, Honourable Members, I want to add my voice to the many voices here to say unhesitatingly that I support the repeal of the Seditious Libel Law because it criminalises Libel. This Law exists in autocratic states, for quite a while a good number of decent nations have repealed this Law. So, it is but fitting that Sierra Leone join the queue to repeal this very Law.

Mr Speaker, Honourable Members, I want to say this Law should not exist in a democratic State like ours when people who express themselves always have the fear that they will be imprisoned.

Mr Speaker, Honourable Members, when Honourable Gevao stated that this Law is not applicable in America what came to mind is the Liberalism done by John Locke. John Locke said that we should not restrict anybody from expressing him/herself. He further said, you should not restrain the full expression of thought and ideas. But he said something and I quote: ***"Let the truth and falsity compete in an open market place of ideas, the truth will always triumph over falsity"***. He was saying you should not prevent anybody from expressing his or her opinion. Allow the people to say

what they want to say and the truth would triumph. But again, this is the notion that gave birth to first amendment in the USA. In the first amendment in the USA, it is sacrosanct as it states that: **"Congress shall make no law restricting freedom of individual or of the Press"**. So, meaning, it is as a result of that America decided to pass a law for Freedom of Press and Freedom of Expression. However, we should be very careful, careful in the sense that a doctrine was developed by Oliver Holmes Wendell Holmes and it was called **"The clear and present danger"**. Oliver Wendell Holmes was trying to limit the Freedom of Expression; for instance, if we are seated in this Well like this and somebody shouts fire! Fire! Fire! And in an attempt to save ourselves, some people damaged themselves, whosoever said fire should be reprimanded regardless of the fact that, he/she has Freedom of Expression. That is why we have always said, Freedom of Expression has a corresponding damage it may cause and we should be very careful of that damage. We have what we call **"punitive damage"** i.e. when you ask somebody to pay for a damage he/she may have caused to the integrity or personality of somebody in a bid of preventing the person not to do it again. And we have what we call **"compensatory damage"** i.e. if my uncle sells cake and a Journalist writes that my uncle's cake has poison and a lot of people refuse buying that cake, the journalist must be ready to face the damage he may have caused my uncle. So, in as much as we want journalists to breath, we should also bear in mind that we should equally protect the integrity, personality and the hard earned character of certain individuals in our society [Applause]. I am happy that we are moving now from incriminating Seditious Libel to making it a civil crime and one thing about civil crimes, nobody would be imprisoned for it instead you would be fined. And in an attempt somebody fails to pay the fine, it tantamount to contempt of Court which is also a criminal offence. Even when we consider it to be civil, there are three elements that should constitute Libel and that is what I want us to know very clearly. Firstly, it has to do with **"Publication"**; when once somebody is charged for libellous act, that very act must have been published. There is also a difference between Libel and Slander. Slander for instance, you would say something about somebody but when the person does not have clear evidence or it is not published, is Slander but not Libel.

Another element of Libel is "**Identification**". We have what they call in law "**Libel Per Se**" and they have "**Libel Per Quod**". "**Libel Per Se**" is when a name is clearly stated when the crime is committed.

THE SPEAKER: And with that?

HON. ABDUL KARGBO: I am rounding up Mr Speaker. "**Libel Per Se**": like you said Honourable Abdul Kargbo is a liar or Honourable Abdul Kargbo is a thief; that means my name is stated clearly in your statement. "**Libel Per Quod**", is when by implication you state my name.

THE SPEAKER: And with that?

HON. ABDUL KARGBO: I am rounding up Mr Speaker; there are only two sentences left. Like for example, when we were in Committee Room one, you said the Chairman of the Committee on Youths was in a meeting and he received bribe to pass a law in that meeting. You did not call my name but everybody in this House knows that Honourable Abdul Kargbo is the Chairman of the Committee on Youths, so you are liable to be reprimanded.

Mr Speaker, Honourable Members, let me state this very clearly that, even the Constitution frowns at Members of Parliament not when we commit any other crime but when we commit a crime called defamation of character. We should ensure that in our debate or discussions, we protect also the integrity and character of politicians, the integrity and character of members of the public so that nobody uses this freedom to impede on somebody else's right.

Mr Speaker, Honourable Members, as I take my seat, I know that history will remember this Parliament for repealing such a law. I thank you *[Applause]*.

THE SPEAKER: For the first time, I am not going to thank the Honourable Member because he trespassed into the time of the next speaker. Before I call on the next speaker, I would stand down for five minutes.

[The House stood down at 12:35 p.m. and resumed at 12:40 p.m.]

THE SPEAKER: Honourable Members, take your seats please. I would ask the clerks to be punctilious with the time limit; five minutes, not a second more.

HON. ABDUL K. KAMARA: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, indeed today is a historic day in the Media landscape of Sierra Leone. I remembered in 2006, I ventured myself in that path and I remembered fully well then at Standard Times how journalists were rooted out of office and sent to Criminal Investigations Department [CID] and I know it was a dangerous path to go. And history would forgive the people who brought such a draconian law into this landscape; but as young MPs today, having the opportunity to repeal it, we must do so with caution. The reputations of Sierra Leoneans are in the hands of the media people. Today, it is like we are handing over the very integrity, reputations we have made over the years in the hands of the Media.

Mr Speaker, Honourable Members, when I followed the IMC regulations and the IMC Bill, I wondered and asked myself, why are we in the rush? Because some of the things we tend to address are already addressed in the IMC Bill. For example, we are moving Media houses to becoming companies and by all legal statutes it means, if a media house publish an article, the writer of that article or the vendor stands not accused of libel because it as a company, we would rather take the company to court. However, we still hold the view that we should also have individuals running these media outlets, and then there comes the need to remove the Seditious Libel Law in its entirety.

Mr Speaker, Honourable Members, we are afraid. Let us put it straight, we have two fears. Firstly, many Honourable Members even though they know this is a risky thing to do but they are afraid of the journalists who are here today and therefore, they would say oh! Let us pass it quickly. The second fear is, some Honourable Members would say, for the scoring of political goal, let us do it expeditiously. I would say, that is not bad but again, are we also not afraid? What remedies the Minister has taken? Let him allay the fears of the public that this Law we are about to pass today will not hunt reputable people in this society including himself. So, what we are saying critically is, what remedies have been put in place? Today, you are a Journalist and tomorrow you

can be a Minister, a Member of Parliament as some of us are now. Mr Minister, let the security, the ordinary Sierra Leoneans and the Clergies be taken very importantly because we have seen publications in this Country even when we are trying to leave it now as a civil crime in which we have to go to court, we know Media Houses in Sierra Leone that are almost politicised; for instance, in a situation wherein one Media House is in the ambit of a certain Government and it blackmails an individual, where would that individual go to? As we know the state of the Judiciary in Sierra Leone, one needs not to tell you Mr Minister. Today, as a Government Minister, you are protected but remember if the right thing is not done by this generation of politicians, if the right thing is not done by this generation of MPs, we are going to pay with our lives and our reputations. We have seen people taken their lives because of blackmailing. There are certain blackmails you and your family cannot stand, what are the remedies? We are here today, we want to join voices with SLAJ as some of them are our bosses but we want to ask, are the remedies made enough to protect us?

Mr Speaker, Honourable Members, I hear people say today is the end. I would say no, it started way back. I can remember Presidents were asking what is the alternative and there were certain alternatives forwarded to a certain Head of State, he told them no, this one is dangerous than even the one you want us to repeal. Are the remedies we are putting in place now enough to salvage the situation? Are we doing it because we want to gain political goals? Because I know if I cannot take you to court, I would leave my case to God and for some people, they would not, they would consult their village people. Thank you very much Mr Speaker *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his contribution and more especially for respecting the time limit.

HON. SAMUEL G. PANDA: Mr Speaker, Honourable Members of Parliament, I am joining this debate purely on a simple cautionary advise that you have given this Parliament. There are good and bad laws, this is not just for the Media institutions. Laws are meant for a Nation and we are here as Honourable Members of Parliament making laws for the entire Nation. The responsibility of journalists is not only to their

Media companies but to the Nation itself. So, repealing this law, we have to be cautious; in repealing this law, it is only going to be effective if we have a sort of energised Judicial System. The Police and the Judicial System have to be effective in this Nation for any laws to be passed and be respected. It is easier to say this is a bad law and that is a good law but yet, giving journalists the freedom to say, they must have thought that okay this Libel Law was detrimental to their operations but they have their responsibility; the responsibility as journalists to print, write or say the truth and not to doctor things because you think it is advantageous to you. This is not about Political Party issue. I remember times when I was young, you would hear careless talks and there were laws. You could be imprisoned for careless talk in just expressing your opinion.

Mr Speaker, Honourable Members, Honourable I.B. Kargbo was saying during elections time, people were kidnapped and kept for the 30 days period so that they could lose their seats in Parliament. These are all things that would not have happened in a Nation in which we call ourselves democrats. The onus is on all of us, journalists and citizens, this Nation belongs to all of us and we can go back and try to understand what it is for us.

Mr Speaker, Honourable Members, in my jungle, I have a mantra and it is simple: ***"respect en wan wod na in go mek thing betteh for wi all"*** [S.O 2]. Meaning, respect and unity of purpose. All what we do here if we do not have respect for each other, then it goes nowhere. Even the law itself needs to be respected. This is not about SLPP, APC and C4C this is about the nation of Sierra Leone. So, I am only cautioning this but yet, we are given the opportunity to debate it now. I thank you for giving me this opportunity thus far, I thank you Sir [Applause].

THE SPEAKER: I thank the Honourable Member for his contribution and for respecting the time limit. Next on my list is, Honourable Mohamed Bangura.

HON. MOHAMED BANGURA: Mr Speaker, Honourable Members, I am going to be brief because speaker after speaker have already delved into this issue. So, I am going to narrow my contribution and wait for the IMC Bill.

THE SPEAKER: Well in that case, take your seat.

HON. MOHAMED BANGURA: Mr Speaker, Honourable Members, today is a historic day we all know it; today is a memorable day for this Well to witness again the repeal of this Law. We in the APC, do not have any problem with this Bill because some fifty years plus ago, we have suffered under this law; some fifty years ago, this law was brought into this Well by the SLPP then Government. So today, if the SLPP Government comes here again and put this Bill in front of this Well, we have no problem with that as it is theirs, as the saying goes: *"U wae put u put, na u pul u pul"* [S.O 2quoted]. So, the only thing we have to do is to support this Bill wholeheartedly. This Bill has been a bad law for so long, Members of the fourth-estate have been stifled. I am jealous of the Minister of Information and Communications today not for the wrong reasons.

THE SPEAKER: Speak to the Honourable Member; he was Minister of Information that was an opportunity he missed.

HON. MOHAMED BANGURA: Mr Speaker, I am jealous of the Minister who is here this morning with this Bill. We are saying congratulations to you Mr Minister. Congratulations to His Excellency the President, Julius Maada Bio for bringing this Bill to this House and I want to take this opportunity to congratulate myself as a former Minister of Information and Communications under the APC [Applause] because, I piloted this Bill, I started it up to the door steps of Cabinet, up to the door steps of Parliament and the Media here can attest to that. So this morning, we are going to celebrate with members of the Fourth-Estate, we are going to celebrate with the Minister, we are going to celebrate with the President for removing this bad law; for removing this SLPP law [Applause]. Mr Speaker, I thank you very much and I rest my case. I will wait for the IMC Bill [Applause].

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order!

THE SPEAKER: Yes.

HON. DICKSON M. ROGERS: For the records, there is no Law like SLPP Law, it is just for the records. My brother, I support you.

THE SPEAKER: One thing though, his congratulations are quite in place. I understand he tried himself at one time when he was a Minister, but he did not succeed. So today, you are part and parcel of an arrangement that is going to see the repeal of this law.

HON. OSMAN W. JALLOH: Mr Speaker, Honourable Members, first of all, I want to take this opportunity to thank all of us here right across the aisle for making an historic day today in repealing part V of this Act. Over the years, I think what has been disturbing us in this Country is the issue of Political blame. We do not want to waste time in blaming past and present governments. The fact remains, the issues of the Media has been a stumbling block in our Country for years in promoting democracy. Now that all of us, political parties right across have come to our senses in recognising that the Media plays a pivotal role in promoting democracy, that is what should be important. It is not about Political blame of past governments and present government but the fact remains that at least our Government under the Leadership of President Julius Maada Bio has thought it wise enough to approve this Bill so that we can repeal it in this House. Whether the past Government did it or not is irrelevant. For us as a Government, we have taken the bull by the horn to challenge the situation in promoting this issue *[Applause]*.

Mr Speaker, Honourable Members, my only concern and advice to the Media here; you know, we can sit in this House of Legislation and pass all kinds of laws and give the media whatever rights they want which they have been fighting for, for years but in doing that, the Media must also be advised and aware that you still cannot scandal your fellow Sierra Leoneans unnecessarily just to promote your agenda for whatever Political Party you support. I know my Government will come with rules and regulations from the IMC that would guide the Media in the exercise of Freedom of Expression in their Media activities. I am also advising my Government in doing that we must not suppress the Media. We politicians have to be in partnership with the Media and we must be aware of that. All over the world if you listen to CNN, BBC, the Media must work with the Government of the day in promoting Democracy. I want to say one thing, we Sierra Leoneans must remember one thing, Democracy is our last option; we do not have any

other option. We have tried all forms of governments it has never worked for us; Democracy must not be seen to divide us but must be seen to bring us together as brothers and sisters irrespective of whatever region you come from. I am a Northerner, my wife is a Southerner but that is irrelevant, Democracy must unite us together. If Democracy fails Sierra Leone, we are doomed for failure that I must emphasise here Mr Speaker and Honourable Members of Parliament. So, as we try to repeal part V of this Act today, I want to thank all of us for being brave enough. One thing I am so pleased about today, I have not seen any speaker across the aisles that is against repealing part V of this Act which is very important. That shows us that our Democracy is growing. Our interest must be our Democracy rather than our Political parties, I must emphasise this.

Mr Speaker, Honourable Members, because of time, I do not want to say much. I thank you very much and I want to urge my colleagues Members of Parliament to please put politics aside and look at this Bill and this Act in a way that will benefit our Nation. I thank you very much Mr Speaker.

THE SPEAKER: I thank the Honourable Member for his contribution. I have received no notice from either C4C or NGC. So, we would wind up the debate.

HON. BASHIRU SILIKIE: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, today is a history-making day in this Parliament and in this Republic. We have the Public Order Act Part V before us for repeal. Few days ago, when I was winding up on this side, I gave our commitment as a leadership in tandem with what the President has told us. I told everybody here that we are committed to repealing Part V of 1965 Public Order Act and today, what I promised this Parliament is coming to reality. When we were campaigning during the 2018 elections, we promised the people of this Republic that if they give us the Leadership of this Republic, we were going to repeal the Part V]of 1965 Public Order Act. I want to thank His Excellency the President for honouring that promise and the President of this Republic is bound by conscience and by morals that was why when he was giving his Manifesto messages he promised the Media, and today he has delivered. *[Applause]*

Mr Speaker, Honourable Members, elections in and out, candidates have promised the Media that they will repeal and no President in the recent Democracy has challenged or has done what he has promised. Thank you His Excellency the President, you have shown the willingness and you have shown the leadership. You are the most bashed President in this Republic, but you still love the Media. You have given them their freedom but with this freedom of the Media, we expect you to carry it along with responsibility. Please do not disappoint His Excellency the President, it is a challenging task and a lot of people do not want this thing to happen. He has challenged all of us even when he is under pressure from the Media, even when he has been bashed at the highest in this Nation, he is still under pressure but he has said he should give you that freedom because that was part of his Manifesto messages. The President is a talk and do President *[Applause]*. So I want to thank His Excellency the President, I want to thank the Minister of Information and Communications; of course, it was not easy for you to convince Cabinet, for you to convince your colleagues to say we should repeal part V of this Bill. When my colleague, the Honourable Mohamed Bangura was seated in that Chair as Minister, he attempted to repeal part V of this Bill but he did not even convince his colleagues in the Cabinet and there was no political Will *[Applause]*. Of course in 1965, SLPP we were in governance but you inherited governance from us, we expected you to have changed those bad laws. I said in this Well few days ago that, the President I know is not a Politician but a Statesman. We are not going to do quick things for us to win elections in the next election. What we are doing, we are going to solve the problems of this Country and in solving those problems, it is not just about election winning messages, it is not just about development for winning elections and after winning elections, the next day all of the development disappears (Laughter).

Mr Speaker, Honourable Members, at the end of the day, we have given you the media people your freedom and in giving you that freedom, please carry it along with responsibility. We do not want a situation where everybody would say Mr President we told you not to repeal part V of this Bill. We want every Sierra Leonean to be proud of what is happening today, we want every Sierra Leonean to appreciate what this

Parliament is doing today. The Media, please, the President has challenged you, he has brought the repeal to us; we are very confident that this Parliament as you have heard from the Opposition and we on the Ruling side are always with the President. The Opposition is in this with us, we are pleading with you to carry out your responsibilities professionally. You are the Fourth Estate; we depend on you, do your work without fear or favour but do it responsibly.

Mr Speaker, Honourable Members, with these short contribution, I implore all of us Honourable Members to repeal this draconian Law so that serious minded business people can invest in the Media. I thank you.

THE SPEAKER: Thank you for your contribution Honourable Member. I really wanted to go straight to the Leader of the Opposition and the Leader of Government Business, but I know the two Leaders there want to speak, is it an afterthought [*Undertone*]? But then you never indicated it.

HON. DR KANDEH K. YUMKELLA: Mr Speaker, I stood up a few times but we knew that Leaders will be given an opportunity at the end of such an important debate and we had planned that we will take the Floor Sir.

THE SPEAKER: Take the Floor now.

HON. DR KANDEH K. YUMKELLA: Thank you very much Honourable Speaker. Mr Speaker, Honourable Members, I speak on behalf of the NGC to lend our support to the repeal of part V of this Act. We believe in the Freedom of Expression, we support Press Freedom and so we commend the Honourable Minister and the Government for bringing the repeal of this Act to this House; we commend our elder brother, Honourable I.B. Kargbo for presenting the genesis of this Act but also for giving real testimony of how this Act has been abused by various governments and to prevent future abuse. Therefore, we support the repeal of this Act. However, we join the other colleagues who have also mentioned the risk of reputational damage. Some of us have been in Government before, we have been Ministers before; we have seen articles written that had nothing to do with the reality of what was going on; we have had our

characters assassinated and people do it deliberately because they know you would not go to court. I was a Minister when somebody wrote about an interview that never took place. It was question and answer on my behalf but they had never contacted me. We have seen articles written and at the end the journalist would say: **"could not reach him for comments"**. I can give some very recent examples. Five years ago, when I came here, there was a headline that I brought mercenaries to Sierra Leone and the person went scot-free. We have seen a lot of abuse and so we are of the opinion that there has to be safeguards. The people that are targeted are typically prominent citizens of this society. It makes the Newspaper sell, some people use it for blackmail and some people use it just to keep you quiet. Politicians are the victims and in fact we are the father. People enjoy in writing about politicians and at the end they would say he cannot do anything. When I was a Minister, people came to my office and said: **"Pa na dis information we get ooh leh wi tok"** [S.O 2 quoted] and I refused, of course I paid the price, they wrote what they wrote, they came back to do rebuttal, and of course the Justice System was didn't protect us either. So, indeed we join you Mr Speaker in talking about safeguards. When we come to that part of the debate, we want to know what role the IMC and the courts would play to safeguard citizen. Reputations are hard to build. Some of us have spent 30, 40 years doing the right thing to build our reputations and so we need to know what the safeguards will be to protect us and whether in fact self-regulations will work.

Mr Speaker, Honourable Members,, the other comment I will make is, it is always the right time to do the right thing. We want to commend previous Ministers of Information and Communications, the likes of Honourable I.B. Kargbo, Mohamed Bangura, Julius Spencer and others who made efforts and to say to Honourable Rado Swarray thank you for bringing this to fruition and for the Government showing the will to say yes we will do the right thing; there again we commend the Government for doing that but it is consistent with what we always say development takes time, reforms take time and all of you and your predecessors have made the efforts and the former Presidents of SLAJ have been consistent in driving this. So, it is the right time to do the right thing.

Mr Speaker, Honourable Members, the last comment we would make is, Honourable Bash talked about the Manifesto pledges, he talked about **"Talk and Do"**. There are other pledges in that Manifesto that many of us made in our Manifestos but more explicitly in the SLPP Manifesto. One of them indeed is the **"Two SIM"** issue; I believe we should pursue that as well. As we are opening up our Democracy for scrutiny by the Media, we should also ensure inclusiveness, we should address **"Two SIM"** issue; we should address 30% quota for women in Parliament and public offices; we should also ensure that we make Democracy a little bit easier for others. For example, instead of requiring that people resign one year before they leave their jobs, we reduce that to 6 or 3 months so that we get more professionals coming into politics. So, my comments therefore to the Government are for us to please pick up some other aspects of the Manifesto pledges of His Excellency the President and to work with you to also ensure that our Democracy is not only transparent but it is also inclusive. Thank you very much *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his contribution. Honourable Lamina, you have the Floor.

HON. EMERSON S. LAMINA: Thank you very much Honourable Speaker. Mr Speaker, Honourable Members, we on the side of the C4C do not consider this Bill to be controversial and therefore, we waste no time but to support for its ratifications. We have seen post war Flag bearer candidates and Presidents who made promises to repeal this particular Section of the infamous Part V of this Public Order Act and did not come to pass. I want to take this singular honour to congratulate the present President who made that promise during his campaign and it came to pass *[Applause]*. Because it is not a controversial Bill, I must pay tribute to past Presidents of SLAJ including Honourable I.B. Kargbo, Umaru Fofana, Kelvin Lewis, Frank Kposowa of blessed memory and Ahmed Sahid Nasralla who actually punched and pushed; some even demonstrated that this particular Bill must be passed in their time, but it never came to pass.

Mr Speaker, Honourable Members, repealing this Act will definitely make Sierra Leone be bereaved; bereaved of character assassination, bereaved of charging somebody of Seditious Libel Law for the past 55 years. Mr Speaker, in as much as we would ratify or about to ratify this particular Bill, it also cannot be gainsaid that we expect journalism and journalists to be tact, intelligent and prompt in taking decisions and fairness in their articles and also Radio Stations journalists.

Mr Speaker, Honourable Members, at the end of it all, it was also the intention of we the C4C I must state it, if you look right through our Manifesto, it was our intention that we repeal and even a dream of our erstwhile Flag bearer candidate Chief Sam Sumana to repeal this particular Section. And therefore, all in all, what we would do, we appeal to journalists, the administration of SLAJ to encourage radio journalists and editors to be more matured even as they attend to their civil responsibilities.

Mr Speaker, Honourable Members, in conclusion, I must congratulate the present Minister of Information and Communications who convinced and lobbied his colleagues Cabinet ministers. Today, the law has seen the light of day. Your name will be in the Hansard of Sierra Leone Parliament. I thank you very much *[Applause]*.

THE SPEAKER: I thank the Honourable Member and Leader of C4C in Parliament. Now, the Leader of the Opposition, you have the Floor.

HON. CHERNOR R.M. BAH: Thank you very much, Mr speaker. I would join others before me in commending the Minister for achieving this day, Mr Minister well down. Mr Speaker, I carefully listened to all those before me more so the last two Leaders who spoke. They commended former presidents of SLAJ, but I did not hear them commend former President of this Republic *[Applause]*. The NGC did but the C4C did not. As I commend the Minister seated here and his Deputy together with their team because I know is not a one man's job and they being together as a group all these while. Mr Speaker, as you know, a child is not hatched and born in a day, its takes time. That is why we are here today, and that is why we are commending past Presidents of SLAJ the likes of Umaru Fofana, Honourable I.B. Kargbo and Kelvin Lewis. They would have loved as he said for it to had happened during their days but unfortunately, God willing,

the young man Ahmed Sahid Nasralla will be taking credit but that is life. That is why I want to thank the late President Tejan Kabba for the effort he made in bringing the IMC to fruition. We are now looking forward to repealing and bringing a more modern IMC Law today because he did one in 2000 or 2002. Former President Koroma again, we want to thank him for the Access to Information Law. It was a huge challenge *[Applause]*, it was something those before him refused to introduce to this House. Fortunately, my brother who is now the Minister himself has been a freelance Journalist. So, basically, this has been the process. Today again, we would thank His Excellency President Julius Maada Bio for making it a reality of venturing into this Well *[Applause]*, we would say thank you to him. We must acknowledge the process of Development and Continuity. I had the Leader of the NGC even though today somebody said he is the elder brother, but I am happy that he is still comfortable to be the **"Gbessay"** *[Laughter]*.

Mr Speaker, Honourable Members, today, we have the Policy that was taken to Cabinet, I am sure the Minister knows this document very well. It was done in 2016 *[Applause]* that was when the baby was hatched, that was when the baby was conceived then today the President has confirmed that if I promise this, I would do it.

Mr Speaker, Honourable Members, I would join my colleague again from the NGC in saying that we should revisit the **"Two SIM"** issue and make it a reality *[Applause]*. I would join him, we have to go in line with modern legislations and our laws should not be onerous *[Applause]*. I am not afraid of competition. Mr Speaker, I am sure you heard me loud and clear that I am not afraid of competition and on that note, I support the Leader of the NGC who called for us to revisit the **"Two SIM"** issue *[Applause]*. And I believed in His Excellency the President, you know the President that just left former President Koroma was not a Talk and Do President, he did not talk he just did *[Applause]*; he was not a talker, he was a doer, this one is talking and doing. So, He was in the United Kingdom [UK] quite recently before the COVID-19 struck and He spoke on the **"Two SIM"** issue and he promised that it is left with Parliament. Well, for us in Parliament I am sure we are ready *[Applause]*. It was in the UK I remembered

that, but in any case Mr Speaker let me come back. No, I was just responding to the Talk and Do issue Mr Speaker.

THE SPEAKER: But you were straying too far.

HON. CHERNOR RM. BAH: Former President Ernest Bai Koroma is a doer; he is not a Talk and Do. Now, President Bio has spoken and He will do.

THE SPEAKER: But you were straying too far.

HON. CHERNOR RM. BAH: Thank you very much Mr Speaker for bringing me back online. Mr Speaker, Honourable Members, I would join others before me in supporting the passage of this amendment, to Part V of the Public Order Act of 1965 *[Applause]*. And Mr Minister again, I want to thank you and your team together with those that have been accompanying you from SLAJ, but I am sure Umaru Fofana my brother had a haircut before the repeal by this Parliament today.

THE SPEAKER: Is he here by the way?

HON. CHERNOR R.M. BAH: I have not seen him Mr Speaker; he is running away from me.

THE SPEAKER: His name has been mentioned so many times but he is conspicuously absent.

THE SPEAKER: Order! Order! I will have to caution certain Members of Parliament.

HON. CHERNOR R.M. BAH: Mr Speaker, Honourable Members, we would support the Minister on this Bill and the next one that will be introduced later. And we want to assure you Mr Minister, we have said on this side that whatever good that comes to this House we would support and we will continue to support but whatever is not good or we believed is not good on our side, we would not say they should not support but we on this side will not support. This one is good and we would support it. I thank you very much *[Applause]*.

THE SPEAKER: I thank the Honourable Leader of the Opposition. Honourable Leader of Government Business, you have the Floor.

HON. MATHEW S. NUMYA: Thank you Mr Speaker, thanks to my colleague Leader of the Opposition for your closing remarks, thanks Honourable Yumkella of the NGC, thank you Honourable Emerson Saa Lamina of the C4C; thanks to our own President of SLAJ in this Parliament and Chairman of ACP Honourable I.B. Kargbo and thank you all *[Applause]*.

Mr Speaker, Honourable Members, I take the queue from my predecessor the ECOWAS Honourable Sidie Tunis. He started the presentation of this Bill *[Applause]*. When I came, because of the Bo Declaration being sang praised by the Honourable Yumkella all the time by saying we have to live by the Bo Declaration, we have to work the Bo Declaration, with all fairness; to me, I think we have to live and work by the Bo Declaration. So, when I came I talked to the Honourable Opposition Leader, I said what are we going to do about this Bill taking into consideration our Standing Orders? He said and let me quote him directly: ***"Honourable Nyuma, if u kam wit da Bill dae bak wi dae troway am oo, go look u Standing Orders"*** *[S.O 2]*. And I also wanted to satisfy my colleague on the other side being mindful of the fact that in this family thing, integrity matters and we need to live by what we do and what we say and what we have on paper; what I did, I stood here with the leave of Mr Speaker on ***S.O 59[2]*** and withdrew the Bill. But I was lambasted, vilified and innuendos and aspersions were showered upon me for doing the right thing and consulting my colleagues in this House *[Applause]*. Mr Speaker, I did it because you have the experience and you have served in so many places and I did it in the good spirit of holding this House together *[Applause]*. Let us work with our consciences and God. As I said the last time in one of my contributions, I am a Catholic Christian and a Knight too.

THE SPEAKER: I think for the edification of the Public, I would definitely want to ask that you read the wording of ***S.O 59[2]*** because none of us in this House can pretend not to have heard, seen or read some of the unsavoury comments that were made against the Leader of the Government Business. When he withdrew the Bill, he withdrew it based on the provisions in our Standing Orders. So, I would give him leave

to read **S.O 59[2]** very clearly so that the public out there would understand why that action was taken.

HON. MATHEW S. NYUMA: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I read **S.O 59[2] "WITHDRAWAL OF BILLS: If an interval of three months elapses after any reading of a Bill, without further action being taken on it, the Bill shall be deemed to be withdrawn unless the House otherwise resolves"**. Mr Speaker, that is what is written in the Standing Orders and that was what I did in consultation with Leaders of this House. Mr Speaker, when they invited me to go and get a TV discussion at the AYV Television Station coming from my Constituency, I said I will participate through the normal voice call, but they were forcing me to use Zoom app and I said I cannot do so. They were saying on that program: **"Da man nor get Zoom app sef na e phone"** [S.O 2]. They were mocking me, I heard it but I decided to forgive them. I said I am not going to react, they wanted to set me up with the Minister. I said I do not need to do a radio discussion program or TV discussion program. What I needed was to satisfy my conscience and serve humanity and serve this Nation. What I did was in the good spirit of this House and I withdrew the Bill based on the provisions we have in the Standing Orders [Applause]. Today, I want to thank the Honourable Chernor R.M. Bah because he said to me: **"Honourable Nyuma, u don do di rite tin, u bin tok to mi ah dae go na radio and relax"**. Because I did it in the interest of all of us, he also decided to do what he did. I also called the current President of SLAJ he said to me, I am committed. I do not play with emotions of people, I call things by their names and what is very right is what I would do. I do not fake people because posterity has to judge me and I am a very young man. Mr Speaker, that has passed, I do not have time for that; what I have time for is the business we have here today.

Mr Speaker, Honourable Members, I am now going to speak to the Bill, but let me just say thanks to the previous administration because they started the process [Applause] of where we are today, but the initial start of this whole process was started by the late former President Kabba and he also initiated the whole process of us having the IMC.

So, I say thanks to Honourable Mohamed Bangura, Honourable I.B. Kargbo, past presidents of SLAJ and all of us.

Mr Speaker, Honourable Members, we need to pay attention to institutions we have in our country to address situations and we need to take the recommendations very seriously proffered by those institutions and one such institution we created is the Truth and Reconciliation Commission [TRC]; I will come to that, let me first read to you this book I have that was mentioned by the Leader of the Opposition ***"Track Policy Proposer on the repeal of Part V of the Public Order Act of 1965"***. They had a workshop on 27th September, 2016 to do the repeal. At least they started something. As I said, Government is continuity on a very good platform i.e. what is good is what we would continue, we would not continue with what is not good. For instance, we do not continue with the act of Corruption because corruption is not good *[Applause]*. I now want to read something very interesting from Section 78 and 79 of the TRC Report because I want all of us to see that we are in this Business together including all institutions. So, that takes me to the words: ***"so let us build institutions and let us create institutions and support them, build them with the necessary documents, polices and laws"***. That is why we are here today, it is not just by rhetoric and praise singing but we are doing it in a true sense of humanity and service to our Nation. How do we support them? Through the rule of law, we give them proper working document that has been passed in this Honourable House and that is what we are doing. We started this process in 2004 after the last Government came and said let us continue with this process. We are looking at the TRC report, I want to pay fairness to the then Government because we are all in this business together. In Section 78, this School of Thought finds moral justification in the TRC Report of 2004 which states and Mr Speaker with your leave, ***"The Commission recommends that Criminal sanctions in the spear of expression should be avoided. The civil Law which permits the issue of injunction restraining the publication, defamatory materials and actions for damages arising from defamatory publication is sufficient to protect individuals from unfounded allegations"***. In Section 79

again, ***"the Commission recommends that the Laws creating the offences of Seditious and Criminal Libel should be repealed. Conducts that aimed at inciting violence or lawless conduct is dealt with elsewhere in the Criminal laws of Sierra Leone"***. Mr Speaker, I want to repeat this, it is very important and I implore all of us to go and read the TRC Report today which the last administration of our colleagues on the other side of the House took on board. Mr Speaker, with your leave, I repeat myself; ***"the Commission recommends that the Laws creating the offences of Seditious and Criminal Libel should be repealed. Conducts aimed at inciting violence or lawless conduct is dealt with elsewhere in the Criminal laws of Sierra Leone. Until the Laws are repealed, the Commission recommends a moratorium on all existing or pending prosecutions for Sedition and Criminal Libel, these recommendations are imperative"***. With all fairness to them, what have we done in that light before this time? That is the question we should ask ourselves. We do not need to play blame games. What we need to do is to think of how we should take this Nation forward and that is why we are here. When we took over Office, we said, let us change the narrative and this is exactly what we were talking about the New Direction. Thanks to His Excellency the President for taking us to this stage today. We are to serve the ordinary man, build institutions and support them. We would take good things from the previous administration and forge ahead with them for the interest of the common man of this Nation that is why we are here today and that is what we intend to do head long.

Mr Speaker, Honourable Members, when we were in the Committee Room NO.1, you told me when I went to you that: ***"wuna tek time do watin wuna dae do"*** [S.O 2], ***"you are representing the people of this nation and you are the people's representatives"***. I heard people saying, we have called for safeguards, that means we want to make ourselves dictators in this House. We did not call for safeguards, what my predecessor echoed was that the people are calling for safeguards so we should come with the IMC Act [Applause] those were the exact words. So, when we went to the Pre-Legislative hearing which was an educative hearing, I made the correction by

saying to Mr Minister that we did not call for safeguards, the people called for safeguards and therefore, we just re-echoed what the people called for and that is what we are doing. We did it with no malice; we just wanted to represent our people.

Mr Speaker Honourable Members, politicians in this nation are too respected; they do not respect us, they bastardise us all around the place but our faiths and prayers will save us all the time and that will take us to heaven *[Applause]*. Even for what we are doing today, they would be busy lambasting us by saying: **"na buku money dem want"** *[S.O 2]*. They are not paying us, since we sat today we are still here and we are still talking. We are serving the people, so if you want to quote us, do it directly. Even though, we are not respected by people but people voted us. When they request from us little help and we do not have the means to do it, they would start blasting, bastardising and vilifying us *[Applause]*.

Mr Speaker, Honourable Members, we are not creating a platform to play political game; we are creating a platform today to make history. What is the history? The history is not to go and throw stones, abuse and destroy people's characters or tarnish your image. The history we are making here today is to practice descent Journalism, and a descent way of holding the Media to account. That is what we are doing today and we are not encouraging reckless Journalism. We will soon come to the IMC Bill in which it is clearly enshrined about how we deal with those things and why do we need to train our journalists, It is there. That is the reason I told you, we are not going to treat them separately, we are going to treat them simultaneously until we finish the business we are here for today. Mr Minister, give us the time and the latitude for us to deal with this matter very seriously. I even told you that when we reach the Committee stage, we are going to have the Committee of the whole House again to look at it simultaneously. So we are rest assured all of us as Honourable Members that this is the time for us to change the narrative, to be part of this history and not to destroy the history but to maintain history till the time we will say good bye to this world.

Mr Speaker, Honourable Members, I read Part V of the Public Order Act NO. 46 of 1965 in the Pre-Legislative hearing and I want to read it again because is good for us to

know, and I want to advise all of you Members of the Fourth Estate that, you are part of us in this business which we are going to continue till next week; therefore, you should avoid premature publications as *S.O 75* states. This Bill is with us, give us the chance to do what we want to do even though, you do not respect us. Allow us to pay justice to this Bill in order to scrutinise it properly *[Applause]*.

Mr Minister and Members of the Fourth Estate, quote me on this one verbatim. I got this one before the Pre-legislative hearing specifically from the Director of the Legislative Committee and on which we agreed. I read: ***"The purpose of the Public Order Act NO. 46 of 1965 in its entirety was not necessarily to muzzle Journalists or curtail Press Freedom as people mostly perceived it to be. There are many other issues that this Act consolidates and tries to address"***, let me highlight some of them from the Act we have; under the Part V of the Defamatory and Seditious Libel which I think Members may have as it was distributed at the Committee stage. It is just the highlight of the paragraph, what they wanted to express i.e. the spirit at that time, the intent of the Bill at that time when not enacted. The Act which has been manifested by so many people, why are we repealing it? And in Part V, why do we need to highlight some of these things? Paragraph 26: ***"knowing publishing a false defamatory libel"***, paragraph 27: ***"defamatory Libel"***, paragraph 28: ***"Plea of truth"***, paragraph 29: ***"publication absolutely privilege"***, ***"Cases in publication is conditionally privilege"***, paragraph 30: ***"Prosecution of innocent sellers"***, paragraph 31: ***"publication of false news"*** paragraph 33: ***"offences"***, Section 34: ***"legal proceedings"*** Section 35: ***"evidence"***, Section 36: ***"Governor-General may prohibit publication of newspaper in certain circumstances"*** and Section 37: ***"Interpretation"*** that is the last one. We are highlighting some of these things because we want the public to know why we are doing the repeal. In the area talking about Governor-General, we do not have them now. Talking about the ways they have treated people by using this obnoxious law to arrest people arbitrarily without any proper investigation; let us not abuse power; let us work with power. Example ***"lawlessness, loitering, trade disputes and protection***

of public and private properties etc. etc but judging from the kind of coverage the issues of "libel" and "seditious libel" attract the Sierra Leone public is push into believing that the Act deals with nothing else but these two issues". It is only Part V that we are dealing with, let us take note we do not want people to go out there because we are dealing with most of our constituents who cannot understand these things. *"Nor go yanda u go tok say wi done go tek all the law dem toray, we nor protect dem"* [S.O 2]. People will use that against us, so that is the reason I am reading this provision Mr Speaker. It is only Part V of the Act that deals with Libel Sedition and this is the Part that the Government has pledged to repeal, and this is what is before Parliament; true or false Honourable Members [Applause]? Mr Speaker, Honourable Members, that is what we want to repeal, let us not work with malice in repealing this particular Bill. We have had all the explanations from various Honourable Members. We have our Paramount chiefs with us who have constituencies in which the constituents are also suffering from some of these things. Let us allow people to practice freely, this is a free democracy, this is a free world we are living in; let us allow the people to express their liberties. If you do not have skeleton in your cupboard do not be afraid to do the right thing; it is only when you have skeleton in your cupboard you would be afraid to do the right thing.

Mr Speaker, Honourable Members, I thank you very much for debating this bill. Let us be together in uniformity in passing this Bill, the praise and the history is for all of us, is not for an individual. But let me remind you, we are not doing this for one set of people, we are doing this in the interest of Sierra Leoneans, is not for the benefit of SLAJ alone, is for the interest of those we represent here who are the Sierra Leoneans. Is just that members of the Fourth Estate are pushing hard, they are the whistle blowers of this because they are most times working with it but is for all of us.

Mr Minister, thank you very much for bringing this Bill for us. Sierra Leoneans, our similarities are far greater than our differences, political divide does not mean we are enemies, is just because we are thinking from different sides of the aisle but we are all under the same roof. We are all under the same roof discussing the business of Sierra

Leone. So, let us focus our attention to Sierra Leone and let us believe in our manifesto. This is not time for politics but this is the time for governance, Let us produce better things for our people and this is not time for us to make political gains.

Mr Minister, thank you very much. Mr Speaker, I salute you for your magnanimity in bringing us together to discuss this Bill. Thank you very much, and I hope we will continue in that light. This is another administration for all of us; be it the NGC, C4C, SLPP and APC let us look for one thing and that is Sierra Leone and let us make certain part of our system good. Thank you very much SLAJ, thanks to all members of the Fourth Estate, I salute you for blowing the whistle. Thank you; may the Lord bless us all *[Applause]*.

THE SPEAKER: I thank the Honourable Member. All Honourable Members please take your seats, nobody is allowed to escape, we still have another important Bill to consider before we rise today. Mr Minister, I am sure with all that you have heard, you simply have to say a simple thank you to the Members. So, let me give you the opportunity before you move your Motion.

MR MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, today, we stand on the threshold of making history together. After today, I am sure we will all have the historic opportunity at some point before long to officially announce the obituary of the 1965 Public Order Act in these words: ***"The death is announced of the Public Order Act of 1965. The death occurred following a brief attack of Maadafobia. It is survived by the Civil Liberty's Law, the bankruptcy Act, the revised and recapitulated IMC Act and the revamped SLAG disciplinary code"***.

HON. MATHEW S. NYUMA: Point of Order Mr Speaker! Mr Minister, we do not mean to obstruct you but we just want you to do small amendment to say: ***"Part V"***, just say Part V and then you go over the whole obituary announcement.

MR MOHAMED RAHMAN SWARRAY: So, together I am sure it will not be long before we all do this obituary announcement in respect of the formal passing of Part V of the 1965 Public Order Act thus: ***"The death is announced of Part V of the***

Public Order Act of 1965, the death occurred following a brief attack of Maadafobia. It is survived by the Civil Liberty's Law, the Bankruptcy Act, the revived IMC Act and the revamped SLAG disciplinary code".

Mr Speaker, Honourable Members, I like to pay glory tributes to all of you speakers before me who have realized and recognized the obnoxious draconian nature of Part V of the Public Order Act and who have so unanimously supported this repeal. We could not be more grateful than that. I have advised myself before coming to the Well that I would stay apolitical but let me say the statement of fact, we all know His Excellency President Julius Maada Bio who had an avowed commitment and determination to repeal the Criminal Libel Law even though He has been the most libelled Politician, he has been the most viciously attacked Politician, he has been maligned with even the kitchen zinc thrown at him but still he believes the Media has an important role to play in National development and has therefore demonstrated boldness, courage, audacity and commitment to repeal what is before this House today. I have been asked to cut it very short not to make a long speech. So, it happens that I have the historic opportunity to lead the repeal process, the President says so. This is a 55 years old Legislation which like somebody mentioned is far older than me, we are not age mates but great history is made by bold people and one of the biggest supporters I have in this repeal process is His Excellency the President Himself who in spite of all of the distraction has kept me on the ball, I would like to acknowledge and appreciate that. It is strange you may all imagine that the repeal is being led and pushed by a ruling and incumbent administration; for the most part I have listened to all speakers keenly, it is the ruling and incumbent administrations that never want the repeal to go away because they want to use it to gang the Media, they would want to use it to run around people with critical dissenting views but His Excellency is genuinely, honestly and sincerely interested and committed to midwifing our democracy so that they can continue to grow in lips and bounce [Applause].

Mr Speaker, Honourable Members, today, as we all sit here to make this very historic decision, history will look kindly on all of you and my predecessors in the Ministry of

Information and Communications who played their own little parts to get us to where we are today. History will look very kindly upon all of you because I know this is coming amidst a lot of apprehensions, a lot of reservations, but I dear say some of the best decisions we have taken in the interest of our Country have been taken in similar context. Just to take you a little back to memory lane, during the civil war years when His Excellency the late former President Alhaji Ahmad Tejan Kabba wanted to sign the Lome' Peace Accord, the whole Country was apprehensive; there were lots of reservations expressed on roof tops saying: no power sharing, no discussions with the Revolutionary United Front [RUF] but he insisted that was the right and proper thing to do. Leadership comes with flamboyance. In the end, Lome' Peace Accord was signed and that was the basis of the enduring peace we enjoy today. So, in spite of our apprehensions, I know Journalism will be better, will be more professional and will be more enduring after the repeal process and when the new IMC Bill comes into place. I say this is the quote I like very much from one academic Frantz Fanon, a lot of you might be familiar with that in his ***"Wretched of the Earth": "every generation out of relative obscurity has a task to perform"*** it behoves all of us in this room to do the repeal process and to usher in a new dawn to unshackle the Media and like the President always aspires to push in the frontiers of freedom, civil liberties farther and farther.

Mr Speaker, Honourable Members, there were concerns about whether SLAJ has a Disciplinary Committee. I dear say yes, there is a Disciplinary Committee which has been reconstituted and is brought on board. Eminent Sierra Leoneans not just practitioners, some of them former practitioners of the golden age of Journalism are on that panel and other respected Members of Civil Society who also care about their hard won reputations. All of this is geared towards eventual self-regulation in the medium to long term but again depending on how they use this freedom, I have heard guarantees. So, many have raised issues about the replacement, of course I have been in the fore front of not seeing the replacement because His Excellency did say he would repeal Part V of the 1965 Public Order Act but we believe that freedom without limitations is

susceptible to abuse so as a result, we have put in place a robust and very progressive IMC Legislation. Liberia did repeal without a replacement of Legislation, Liberia has not gone in flames; Ghana did and today the media landscape has changed forever and ever, Amen. So, this is going to come as a complement to other institutions currently in place to ensure that citizens have unfettered and unhindered rights and access to information. We have the right to access of Information Commission; concerns have also been raised about the Mass communications playing a role. Remember His Excellency made quite a couple of commitments to sanitize the Media. Apart from the repealing of Part V of the 1965 Public Order Act, he did commit to give subventions to SLAJ and we have done it every inch of the way; he did promise, we are currently working with them to secure an ideal space to construct a SLAJ Plaza and once that is done we are going to jump on to capacity building. We need a lot of these as the days go by, particularly in the post repeal era. We are currently in discussions with the British High Commission through their development arm Department for International Development [DFID] which is funding the BBC Media Action that would work with the Media to capacitate them. I cannot shy away from this, the Media, there is lot that needs to be done which is why when we come to the IMC; we will talk about our position as Government and to which the SLAJ has agreed that people who hold the high and the mighty, people who censoriously report another people to quote the right Honourable Speaker, people who hold other arms of Government to account must themselves be accountable somehow. So, that is why we are bringing the qualification requirements that at least such an important gate keeping role to become an Editor of a Newspaper or a Radio Station Manager, you should be reasonably educated to be able to discern what you put out there so that you do not become a purveyor of breakdown of law and order amongst other things.

Mr Speaker, Honourable Members, I am very hearted by Honourable Catherine Tarawally's very effusive support for the repeal process and an unfettered Media. That is in fact one of the reasons why we do not have many women daring into Journalism

or Media practice. But when this debacle sword is removed, I am sure I can guarantee you, you will see a lot more women, a lot more ladies entering the Media landscape.

Mr Speaker, Honourable Members, we are concern; somebody mentioned poison and all of that. The IMC Advertisement Committee has been revamped and recalibrated. So, one of the things I spoke to them in the recent meeting was, how could you have an advert to condoms on radio? So that is something else. There is an alcohol brand in the market currently they call it **"papa drink, mama happy"** with very explicit features. So, we are looking at all of these things because we really believe the IMC should be rebooted.

Mr Speaker, Honourable Members, there has been concerns about safeguards. Just in the interest of time, this is something I have decided to leave when we come to discuss the other Paper but just for the sake of greater clarity, we have taken that on board. We know citizens take a million years to build a reputation, it is a cradle to the grave kind of endeavour; we would not sit by to see one faceless media practitioner erase and tumble that all of a sudden by their singular act. So, we have taken into consideration concerns for safeguards. So, apart from the existence of the age old civil liberties legislations, there is also the Bankruptcy Act. It is all too familiar we say journalists are broke, they are poor and even if you take them to court; you obtain a guilty verdict against them, they cannot pay but there is good news here; if they cannot pay and they do not have assets, their properties could be confiscated by the court and after that, they are declared bankrupt, they can be declared bankrupt as men of straw and they would be prevented from practicing regulated professions. For example, they cannot be called Members of Parliament, they cannot practice as journalists again and they cannot become lawyers. So, this is quite a serious safeguard, nobody wants that to befall them except people in the very terminal days of their lives in their career otherwise, no normal person would want that to happen to them.

Mr Speaker, Honourable Members, there is also like I have mentioned the IMC which we will be discussing later so I would not zero in on that very much but concerns have been expressed about people who played their parts before this day, we will recognize

them. It is our desire to get a very big ceremony when His Excellency President Julius Maada Bio will be signing this document off. So, the media, those of you who are playing a role; of course Honourable Ibrahim Ben Kargbo, Mr Kelvin Lewis, Ahmed Sahid Nasralla [Demonk] and Mr Umaru Fofana the names are too many to recall. This will be the most befitting tribute to give to those people who had been in the Fourth Estate, who came, who saw and who fought but could not succeed in ensuring the repeal. This would be the most befitting tribute to pay to them. I am sure as they listen to me here standing before you Members of Parliament today; they would all be turning in their graves in pride that is the best way we can send them home.

Mr Speaker, Honourable Members, finally; SLAJ, the IMC and members of public who came here this morning because of the public interest aspect of this repeal process, I am grateful and thankful and for this Parliament for being so progressive for standing up at a material moment like this to be counted amongst other progressive Law makers in the world. On that note, I thank you and I look forward to the official obituary announcement of Part V of the Public Order Act of 1965. God bless you, thank you *[Applause]*.

Mr Speaker, Honourable Members, on that note, I move that the Bill entitled: The Public Order Amendment Act 2020 be read the second time.

THE SPEAKER: I thank the Honourable Minister.

[Question Proposed, Put and Agreed To]

[The Bill entitled: The Public Order Amendment Act 2020, being an Act to amend the Public Order Act 1965 Act No. 46 of 1965, by repealing Part V which deals with defamatory and seditious libel and to provide for other related matters has been read the second time].

THE SPEAKER: Honourable Members, with your votes, this House has sounded the salutary and the historic requiem in Part V of the Public Order Act 1965 and we will now commit the Bill.

HON. MATHEW S. NYUMA: Mr Speaker, Honourable Members, we have listened to all of your debates. You said we want to put the IMC Bill and the repeal of the 1965 Public Order Act together to have the final obituary announcement. So, I rise on **S.O 51[1&3]** to commit this Bill to the Legislative Committee.

Mr Speaker, I want to make an amendment. It should not only be the Legislative Committee, I want to add the Information Committee also. But I will encourage those who are interested to join them, even SLAJ and all other parties that are interested can join them. So, we would do the invitation but we are committing it to the Legislative Committee through **S.O. 51[1&3]**.

HON. CHERNOR R.M. BAH: Mr Speaker, I so second.

[Question Proposed Put and Agreed To]

[In accordance with the Standing Orders 51[1&3], the Bill has been committed to the Legislative Committee for further scrutiny]

THE SPEAKER: I do not want to take the risk of taking a short Adjournment, I know we are all hungry not just Honourable Kandeh Yumkella.

HON. CHERNOR R.M. BAH: Mr Speaker, with your permission, let us do the First Reading and then come back for the Second Reading. For the Minister, we have to give him comfort. So, let us allow him to do the First Reading then we can go for the break because he has been here for a long time let us give him that comfort please.

THE SPEAKER: On the understanding that the numbers that I see across the aisle would be the same numbers that I will see when we return. I want that commitment from the two leaders.

HON. CHERNOR R.M. BAH: Since you are here, our commitment will not supersede that of yours. You should give us the commitment Mr Speaker; we are all under your auspices. What I would say is that, you have cautioned all of us this morning and as Members of Parliament, I am sure we would do what is right by ensuring that we come back when you adjourn; we are supposed to do that.

THE SPEAKER: Leader of Government Business?

HON. MATTHEW NYUMA: Same Mr Speaker.

THE SPEAKER: Thank you! So, let us move on then.

[ii] THE INDEPENDENT MEDIA COMMISSION ACT 2020

INTRODUCTION AND FIRST READING

THE MINISTER OF INFORMATION AND COMMUNICATIONS

MR MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, I move that the Bill entitled: The Independent Media Commission Act, 2020 be read for the first time.

THE SPEAKER: Thank you!

[Question Proposed, Put and Agreed To]

[The Bill entitled: the Independent Media Commission Act 2020 has been read the first time].

THE SPEAKER: May I now invite both of you please.

THE SPEAKER: Honourable Members, we shall now take a short Adjournment, the House will break at 3:00 p.m. but let me sound this warning once again. The records are here to show Members that were here up to this point of adjournment, when we resume at 3:00 p.m. there will be a roll call if necessary. If there is any absentee that Member will be recorded as absent when we resume at 3:00 p.m.

[The House stood down at 2:30 p.m. and resumed at 3:00 p.m]

THE SPEAKER: Clerks, I need a quiet roll call, I want to know those that are absent.

HON. KANDEH K. YUMKELLA [DR]: A quick Point of Order Mr Speaker!

THE SPEAKER: What is your Point of Order?

HON. KANDEH K. YUMKELLA [DR]: Is not on the roll call Sir.

THE SPEAKER: What?

HON. KANDEH K. YUMKELLA [DR]: Is not on the roll call, I wanted to bring something to your attention.

THE SPEAKER: Cite the Order for me.

HON. KANDEH K. YUMKELLA: S.O 34 Sir.

THE SPEAKER: Yes.

HON. KANDEH K. YUMKELLA: Please I want to emphasis again that Covid-19 still exists; I see a lot of people without Masks around the building and Parliament is an incubator.

THE SPEAKER: I endorse your statement 110% because of people of my age.

SECOND READING

MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, I move that the Bill entitled: The Independent Media Commission Act, 2020 be read the second time.

Mr Speaker, Honourable Members, we have heard Clarion calls from the population; citizens generally that they support the repeal of Part V of the 1965 Criminal Libel Law but they are also apprehensive of the state of play in the absence of necessary safeguards. In heeding to that Clarion call, we at Ministry of Information and Communications have worked relentlessly over the period with multi stakeholder groups including SLAJ, IMC, the Media Reform Coordinating Group, Civil Societies and development partners to put together what we believed would answer those concerns by Members of the public and indeed by both the Legislative and all the arms of Government as a matter of fact. So in this Bill, the overriding objective is to ensure that we are able to provide an enabling opportunity for professional Journalism to thrive and for us to expand the frontiers of freedom so that the media practices are not shackled, the media practices in an atmosphere that would make it thrive and prosper, this is the overriding objective of the IMC Bill, 2020. But there are key issues that might interest Members of the House here. Firstly, we have said since this is a very important profession that holds the high and the mighty to account, that holds even Members of

the Executive, Legislation and Judiciary to public scrutiny; we believe that there has to be basic entering requirement to become gate keepers of this Profession. For example, one of the key provisions to have listed *[Interrupted]*

THE SPEAKER: Honourable Minister, just hold on for a second. We are the Law makers; we therefore must set the example for those outside this House to follow. All Members who are not wearing their face masks please do so now! If you do not have one, then take leave of us. Go ahead Mr Minister.

MR MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, like I noted, so we have insisted that there has to be educational requirements for people to become gate keepers in media practice. For example, we insist if you want to become an Editor of a Newspaper, you should have a University Degree. There were initials who hear about it between us and SLAJ, but we have reached a consensus that you should have a University degree from any University in either Mass Communication or a related discipline and also five years of experience to become a newspaper Editor.

THE SPEAKER: Any University?

MR MOHAMED RAHMAN SWARRAY: A Recognized University is the operative word.

THE SPEAKER: Good!

MR MOHAMED RAHMAN SWARRAY: We also note that to become a radio station Manager, you should have either met the first qualification like I earlier noted or you have a diploma plus ten year experience. So, that is to take care of the educational requirement. We believe this is very important because they play such an important gate keeping role that they should have the mental ability to be able to censoriously and scrutinously determine what is good for public consumption without causing any public dissatisfaction. So, that is part of the things we have agreed with SLAJ. Even though the disagreement, we were slightly not together when it comes to whether putting it in the main document or having it in the regulations but the important point is there is a meeting of the mind, we agreed that this has to continue so that we get men

of the right calibre editing our newspapers or become radio station managers across the Country. So, that is the educational requirement.

Mr Speaker, Honourable Members, there are also issues bordering on the public interest. We believed, the current IMC as it is, is weak and most part has been challenged either in High Court or other courts when they levy fines and others. As it is right now, you have a whole lot of them who have been fined, those who have not paid fines and there is very little the IMC can do about it, we have a long list of that. So, we are proposing in the new Law which is a product of joint consultations with all the stakeholders, that going forward the IMC should have an opportunity to close down media outlets which fail to comply after two warnings to either do a retraction, to pay fines or take necessary action or sometimes media outlet could even be closed for licences withdrawn if they fail to adhere to public interest on grounds of the public interest. So, the debate has been what is the public interest? It has been variously defined. We have a situation now in the midst of covid-19, we have said public gatherings are not in the public interest, so that is one set situation. If we have national emergencies, things bordering on national security, those ones constitute the national interest. We have agreed on that or I do not know what the House makes of it but that is something that came up for very serious debate and we have been able to reach those understandings. Anything that will cause civil strike, could put a knife on the things that hold this country together and could set up flames, constitute the public interest. Those issues on those grounds, newspapers and media houses could be shut down or licenses withdrawn in the public interest.

Mr Speaker, Honourable Members, there are issues around office spaces. We know as it is right now, many media outlets operate from back parks in the streets of Freetown around the Country. They do not have any identified offices anywhere. So, more often than not, you do not even know who are the faces behind the publications, who go on to write all kinds of seditious and libellous things about people. So, we are saying you must have an identified office space. Probably, we want to add with lease guarantees with the landlord and all of that. So we are able to know where you are and there is

already a requirement that on your mask head you must clearly have all your details; address, telephone numbers, proprietor or editor all of those things; so that is something we will enforce.

Mr Speaker, Honourable Members, I know everybody in Sierra Leone is concerned about yellow Journalism. Mr A says, look you pay the right price; somebody goes to do a very scurrilous writing for you to tarnish another person's hard won reputation; we are very cognisant of that. So, we say one of the incentives for that is because journalists for the most part are not paid, many are brought into the profession and they just give them an ID card and say to them: ***"go ye into the world and fend for yourself"***, we think that is not right. They resort to blackmail, to attack, to defame and to collect and do yellow journalism. So, we are saying; it now becomes imperative under the new IMC Law that anybody who practices as a Journalist must be on regular monthly salary. And last time I checked when the Finance Minister, Mr Jacob Jusu Saffa presented the Finance Bill here which was approved, the new minimum wage is **LE600TH** and I am aware also that there are Labour Law provisions which make provision for better conditions Clause. So, we are making that as a requirement so that at the end of the day, anybody who practices as a Media Practitioner at least has something to take home to their families. That is the best way young practitioners can plan their lives to make contributions to national development. Because if you really leave home and your wife and kids do not have something to eat, any opportunity you meet along the way becomes a golden opportunity; you will milk it. Without any disrespect for even those who have been in practice for the longest time- Honourable IB Kargbo here is blessed, I mean he still has a job; a very enviable job. But I know many who belong to the Veteran Journalists Union [VEJU], who are still coasting because in their days before now, they never worked for salary, there are no Social Security provisions for them; no pension and nothing. So you fend for a living when you are active; at the time you should be resting you are still a coaster. So, we believe this salary requirement will ensure that we produce the right calibre of journalists who will now go on to have a secured retirement that would benefit them and their families.

Mr Speaker, Honourable Members, we are also talking about registration. There were a lot of concerns when we published the first one. Let me make this clear just for the benefit of all of us. There was an initial misrepresentation that SLAJ was not consulted, we have been together in it from the start. From the moment we started talking about the IMC Bill, we coordinated, we collaborated with Civil Society and all affiliate groups. So, what you see before us is supposed to be a joint product of our endeavours. There have been a few alterations here and there and we would advise Parliament accordingly. But this is what we have; it is their view that the current re-registration process is cumbersome. We have no objections, we have had a meeting of the minds, we can do the necessary modifications to ensure that it does not become a double army on them; the same process is repeated all over again.

Mr Speaker, Honourable Members, there has also been issues around Gender Sensitivity. Many have said, in the current Act we note ***"The Chairman"***, well we even forget that there was once a Chairperson a lady. Probably in one of the most productive eras- there was Chairperson of the IMC who was a lady. So, that has been brought to our notice.

Mr Speaker, Honourable Members, there is also the issue around Audit. The journalists say they run private entities, so there should not be a registration requirement advising them to open their books for audit by the IMC. The IMC on their part is arguing that well for reasons of process audit which is why they want it. So these are the key issues in the IMC Bill.

Mr Speaker, Honourable Members, of course fines have been increased. Before now there were even **LE500TH** fine. We have gone beyond that; we have fines as much as **LE5Mln**, **LE30Mln** and more. So that means we have listened to the concerns of members of the public and now that we would not be going any moment out of our way to make faceless journalists national celebrities because what we do under the Criminal Libel, once you arrest them, even if the man cannot write a straight love letter, they become an instant rock stars, they become an instant celebrities- faceless as they

may be. So we now say, go for their pockets and they would yield and become good citizens thereafter.

Mr Speaker, Honourable Members, there is also the issue of not just paying salaries but also paying Social Security Benefit like I noted. You know under the provisions of the National Social Security and Insurance [NASSIT] Act No.20, 2002, it is mandatory for all employers to pay Social Security of **10%** on behalf of their employees and at the same time deduct **5%** from their gross earnings. We believe that this is supposed to really be the Media Practitioners Bill; it would leave them better off and not worst off like other Bills have done to other categories of people before.

Mr Speaker, Honourable Members, finally, I would like to talk about the fact that we want this Bill, once it is agreed here; we would make sure that everybody who is somebody in the Media and members of the public are adequately aware of the provisions, I have to give this to the IMC. Once we started the engagement process, they went across the country; they have been engaging practitioners all over the country to explain to them the possible alternative recourse available to them in the event of the repeal of Part V of the 1965 Public Order Act. So, all Media Practitioners across the Country are aware of this and we have also been speaking to citizens to understand that all is not lost. We are not giving a blank cheque to journalists to become reckless, to become unprofessional or to become irresponsible. There are a couple of measures; very stringent ones that we could hold their fingers to the fire with.

Mr Speaker, Honourable Members, colleagues all, I thank you all. I am open as I guaranteed you before to any further questions on this matter. Thank you very much *[Applause]*. On that note, I move that the Bill entitled the Independent Media Commission Act, 2020 be read the second time.

[Question Proposed]

THE SPEAKER: After the Chairman of the Legislative Committee, I want us to follow the following ground rules: preference will be given to those Members who were unable to catch my eye this morning because I know there are quite a good number of you but

brevity being the soul of wit, I advised myself to pretend I did not observe some of you; but now you would be able to catch my eye so you will have the preference. For those who have had one bite this morning, you would find it a little bit difficult to have a second bite this afternoon.

HON. HINDOLO M. GEVAO: Mr Speaker, Honourable Members, we have before us as a House the Independent Media Commission Bill 2020. I want to start this debate by commending this Honourable House for thinking Sierra Leone repealing the Part V of the Public Order Act hastily on the first day it was laid before this Parliament and using wisdom; the wisdom of the Leader then Honourable Sidie M. Tunis in asking that the Bill be read for the first time and asked that the IMC takes a proper look at their Act to see whether amendments could be made to that Act and proper safeguards could be inserted in that amendment for the safety of the public. That has led to this Bill today and by the time we finish this Bill, it is going to do each and every Sierra Leonean good including the very institution that is behind the repeal and the passing of the amendment. We have held extensive discussions on this Bill at the stage of Pre-Legislative hearing and we gave great attention to it. I shall not debate too long on it as it shall or might go through certain other stages before it shall eventually be passed.

Mr Speaker, Honourable Members, I look at the ideas in the Bill itself and I consider it very good. The ideas are very brilliant; it is left with us now to dot the I's and cross the T's, which I am sure we will do at Committee Stage. I have looked in the Bill and I will pinpoint just few areas.

Mr Speaker, Honourable Members, at the commencement of the Bill, IMC itself is declared to be a Body Corporate with the right to sue and be sued. We might want to think about all other institutions that they will be regulating as to whether they would have same capacity as the Institution that is regulating them. That is, those institutions that they would be regulating be the legal or juristic persons with the right to sue and be sued. In that case, citizens, I am sure will be in the position to consider actions against any such Institution that crosses the line.

Mr Speaker, Honourable Members, I also took a brief look at Section 24 of the Bill. Section 24 of the Bill talks about License, the IMC Bill now recommends that they have the right to actually issue License after application and due vetting, and suspend this License or refuse those applications. Also in the Bill, they have now given themselves the right to suspend License when they know somebody has crossed the line. And also in the Bill now, they have given themselves the power to refuse somebody a License at a time of reapplication for renewal. All of these are very good. They have also mentioned the right of an appeal; that if you apply for a License and that License is not so granted or you apply for a renewal and your renewal is refused, you have the right to appeal to the Court of Appeal within thirty days and the Court of Appeal has the right to consider your claim within thirty days.

Mr Speaker, Honourable Members, some of the things that they did not actually look at are areas like; if IMC suspends somebody's License and the person is not being able to operate for a period of thirty days or one month or two months and the Appeals Court rules in favour of that person, what compensation would be given to that person whose Institution was closed as a result of the action of the IMC? Because in Law, is like the Law of Gravity; whatever goes up must come down. If IMC has the right to close and the person has the right to appeal, that person also has the right to compensation. This House might want to have a look at that.

Mr Speaker, Honourable Members, I also noticed that the IMC created offences under Section 24[5] but did not attach any punishment to it. They are saying that statutory regulations will be drafted later. I am sure that this House might actually want to complete the offence that if you do this, this amount of years or fines would be levied on you. I am sure what is before us is a mere proposal; we have the right at Committee Stage to rewrite everything again and make sure we give the public or the populace a very good Bill and a complete Act.

Mr Speaker, Honourable Members, I may want to briefly comment on the word "**Sedition**". Sedition, to my mind, looking at the Dictionary is somebody making a statement or a speech that has the propensity of having the public rise up against its

authority in this situation the President, in Monarchy, the Queen. It is so stated and that is glaringly captured under Part V and we are actually repealing Part V. In that one, when you really look at "**Sedition**", the magnitude of recklessness is so high because recklessness is taking an unjustifiable risk; to say I am going to make this statement and get the entire Sierra Leonean populace to rise up against the President. That action will affect each and every person, the Journalists, the Lawyers, the Engineers, Parliament and even the people in the villages. So, we might want to have a look at that properly because it is not only about publishing Newspapers or the like. Now we have Social Media, somebody [*a Sierra Leonean*] might want to sit in Australia to incite the Sierra Leonean public against the Government of Sierra Leone; I mean Government today, Government tomorrow and Government forever. So we would want to have a look at Sedition within an ambit of the law to see how best we can capture it in the IMC Bill if this Honourable House thinks that one actually makes sense because as Members of Parliament, we know it is normally not easy for laws to be reformed, taking to the Law Officers and deliberated, taken to Cabinet and brought before the House. So, when we have the opportunity to deal with a piece of Legislation, it is good that we do justice to it in such a way that whatever loose end there would have been is captured and dealt with for the good of the Sierra Leonean public.

Mr Speaker, Honourable Members, we have dealt with it at Pre-legislative effectively and I do not intend to bore the entire House. I looked at the idea as pretty good but there is so much work to be done on it; that is my perception. On that note Mr Speaker, I want to say thanks to you for giving me the opportunity to start this debate.

THE SPEAKER: I thank the Chairman of the Legislative Committee for pointing out some of the lacunas, loopholes and gaps. There are quite a good number of loopholes, now it is our property, we can do whatever we like with it. We can refine it, we can change it, we can modernise it not only for this Century but for the future as well. Yes, I recognise the Honourable Member from Falaba.

HON. LAHAI MARAH: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I want to say thanks to the Minister of Information and Communications for

the two important documents that we have discussed here today or we are about to discuss. We are about to pass or to discuss a Bill that will soon become a Law if this House agrees. But Mr Speaker, when we are making laws, let us make laws that are free from individuals using those laws to their own advantage. We have just discussed the Seditious Libel Act. I could remembered on the 9th May 2020 when I made a post in the Sierra Leone Parliamentary forum and that post was forwarded by a Member of Parliament. I was invited to the CID and when I was presented the charges against me, it was Seditious Libel and Defamatory Character, and to a certain point that it can lead to treason; yeah! Those were the charges brought against me then. I am not a Journalist, I am a politician and a Member of Parliament and my job is to talk, and sometimes to hold the government accountable. I should not be limited that I should only talk in Parliament and should not talk outside Parliament and I should not talk in Parliamentary Whatsapp forum. So, Mr Speaker, for some of us *[Interrupted]*

THE SPEAKER: Honourable Lahai Marah, let me refer you to the Votes and Proceedings that we adopted this morning. That document foreshadows the prospect of this Parliament considering and passing a Cyber Crime Act, 2020. So, maybe, the point you are about to make more appropriately belongs to that particular piece of Legislation than to this one.

HON. LAHAI MARAH: Thank you very much Mr Speaker. Mr Speaker, I just highlighted my charges then. The Charge that was brought against me by the Police was Seditious Libel and Defamatory Character, and that we have discussed this morning. So to some of us that have tested the negativity of that particular Law, I would say today is a freedom day. Mr Speaker, I spent two nights in the custody of the Police. The first day, I was in open custody, and then I was called again by the CID that I should not be in open custody but should be in closed custody and I was sent down to the closed custody. At that time Mr Speaker, we had nearly one hundred people being captured from Lunsar and also Tombo; so we were all together in that Cell. I suffered, Mr Speaker! I went through a lot just because of what they called Seditious Libel and Defamatory Character; and that term is so broad, is so big! So repealing that particular

aspect today, some of you might not know how I do feel. Thinking of other people who went through the same; like Paul Kamara as my dad [*Hon. IB Kargbo*] was naming them today.

THE SPEAKER: It is a rebirth for you!

HON. LAHAI MARAH: Mr Speaker indeed! Sometimes you will never recognise those bad laws until you have bad leaders. Mr Speaker, I have been in Parliament since 2012; we never had the kind of pressure in repealing that particular aspect of the Law as it is now. My Honourable Minister was boasting this morning [*Interrupted*]

HON. SEDIE M. TUNIS: Mr Speaker, Point of Order! Mr Speaker, I just want the Honourable Member to understand that the repeal of this Law did not come as a result of public pressure; it came as a commitment from His Excellency the President, Dr Julius Maada Bio, thank you [*Applause*].

HON. LAHAI MARAH: Thank you very much my Honourable Speaker of the ECOWAS Parliament, you are right. The Bill was here before and we know what happened in this Parliament; how it was thrown back. I would not go into details; I would stop there because you are my Leader. But as I said earlier, you will never know that there are bad laws until you have bad leaders [*Applause*]. I want to say thanks to SLAJ for the continuous pressure, especially this time around. Let me be sincere here, the pressure mounted by SLAJ in repealing this particular Act has never happened before. This is because they knew that things are happening that are wrong, is because they knew that they are using that particular aspect of the Law in the wrong way. Imagine a sitting Member of Parliament [*Interrupted*]

HON. SIDIE M. TUNIS: Mr Speaker, Point of Order again! Mr Speaker, in fact, the Leader of Government Business is here so I would now leave it with the Leader. The Leader is here but in any case, I just want the Honourable Member to understand that the pressure that he is talking about from SLAJ, references had always been made to statements of His Excellency the President; not outside of that, thank you.

HON. LAHAI MARAH: Mr Speaker, honestly, there are bad laws. Not only that Criminal Libel Law, we have many others that need to be repealed but my take is; I have listened to the Minister keenly. The Minister is talking about unserious Journalism; using certain words against our Journalists. I want to say when we are doing laws let us do it with utmost sincerity and good fate, that is very important. We cannot say we are repealing that particular aspect of the Law and we are hiding under another Umbrella to squeeze it in another direction, is wrong *[Applause]*! Let us give the Media absolute freedom, let me repeat that one, let us give the Media absolute freedom. Let us give our Media brothers and sisters the absolute freedom to operate. We do not need to squeeze it in another way. Yes, we have seen in this particular Bill that they are going to do the codes and so on. Again, when you are doing the Codes for the IMC which is a Political Institution and which is not yet absolutely independent, I know what I am saying *[Interrupted]*

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order. I stand on **S.O 34** Sir! Point of Order Sir! Please Honourable Member check your reading properly, I would refer you if you do not mind. They are not doing the Media Codes of Ethics alone; they are going to do it in collaboration with SLAJ. Read it properly and I will read it if you do not mind. So, is not like because you have the IMC there. Let me read, if you do not mind Mr Speaker, Section 12.

HON. LAHAI MARAH: Yes Section 12[g]! I have read it.

HON. MATHEW S. NYUMA: No, well read it again! Read it, do not circumvent it please.

HON. LAHAI MARAH: Okay thank you so much, allow me. I am on my knees my Leader.

HON. MATHEW S. NYUMA: Point of Order! They have given me the Floor; can you please sit let me speak? I have been given the Floor to speak by the Speaker.

HON. LAHAI MARAH: I will give you the Floor as a Leader.

HON. MATHEW S. NYUMA: I have raised a Point of Order against you.

HON. LAHAI MARAH: I said I will give him the Floor as a Leader! Well do not compel me to sit down! Go and read the Standing Orders.

HON. MATHEW S. NYUMA: No problem Sir, sit down Sir, please Sir. Mr Speaker, for me I would like my colleague to speak to the Bill. The preamble was really not necessary but the Leader of the Opposition will talk to him better. Let me just read this Provision because we would want this Bill to be the people's Bill. Section 12, Clause 2[g]; ***"establish, monitor and enforce a Media Code of practice throughout Sierra Leone in consultation with the Sierra Leone Association of Journalist and other Media practitioners and Associations"***. If you read further, they will tell you why. So is not like you are going to sit down and just prepare... in fact let me tell you, every fine is going to come in a form of Statutory Instrument; if you read this Bill further. So, I just want to say is not like they are going to sit and just make the rules.

HON. LAHAI MARAH: Mr Speaker, my Leader is absolutely right; ***"in consultation"*** and we have defined ***"consultation"*** in different ways in this Parliament and in other settings. Sometimes consultation merely means informing you but it does not mean we should go by what you want and the IMC Commissioner and Chairman are being appointed by the President and so therefore they are not absolutely independent. Sometimes they are Political Party card carriers; they carry a particular Political Party Card. And so therefore, in establishing or monitoring and enforcing the Media Code of Practice, we need to look at this particular side of the Bill keenly so that we can give absolute freedom to the Media.

THE SPEAKER: Which one?

HON. LAHAI MARAH: Section 12 [g] that my Leader has just read. Mr Speaker again, talking about absolute freedom, when you read through the Bill you will see many areas where they are talking about Public Interest. My question is: What is Public Interest and what is not Public Interest? That is another catch wherein the IMC would surely come and say- in the public interest this is what we want. How do you determine the Public Interest? And the only way you can determine a Public Interest is through votes- that

is, us Members of Parliament in this House who are representing the public because the people out there voted for us and that is again very important.

Mr Speaker, if you look at part 3 and 13 *[Interrupted]*

THE SPEAKER: What Clause?

HON. LAHAI MARAH: Clause 1. Let me look at 13 [1a]; ***"a person or Institution shall not carry Radio, Television or Direct to Home Digital Satellite service Broadcasting unless that person or Institution obtains a license"***. Yes, it is very important; obtaining Licenses. But in this year of our Lord, wherein you have technology that is fast spreading; now we are talking of the 5Gs. You know some of these Laws, we need to relax them a little because imagine what should have happened to some of us if there is no Whatsapp? What should have happened to some of us if there is no Facebook? And we are reaching that direction wherein people will rather sit at home, do a Radio discussion without even linking to the main Radio Station. We are seeing them, they are coming up. You have certain forms of Whatsapp programmes wherein you can link other people, they go through your link and then you broadcast. Does that mean they need to obtain a License for that? That is very important! And we have a very young Minister that is very much au-fait with the new Technology that is fast spreading and very soon we will go to 5G. You know some of these things that we are discussing here are very important. So, let us make laws that would stand the test of time; not when a new Government comes tomorrow that we have to change it again- it is waste of resources and waste of everything.

Mr Speaker, Honourable Members, there is a Newspaper that publishes a Newsmagazine or Newsletter; they are saying unless that person or Institution is registered with the Commission. In the case of newsletters for God's sake do they have to register with IMC? It is very much important that we look at them and as I stated earlier that we need to give absolute freedom to the Media; not where we say we are giving you this freedom but we are controlling you under the table i.e. that this what we want you to do and this is what you should do.

Mr Speaker, Honourable Members, let us look again at the fine. A fine here of **LE30Mln** is too much. ***"A person or Institution who contravenes sub section that commits an offence and shall be liable to a fine not exceeding LE30Mln"***. So, we can say from **LE1Mln** to **LE30Mln**. But again we know the Law; the Law is sometimes wicked. They can go for the higher like what they did to Paolo Conteh, and say you should pay **LE30Mln**. You know, sometimes let us not determine, or let us not give or make people determine the fate. Let us guide them with strict Laws. **LE30Mln** is too much to fine Media Houses because they committed a crime. In other words, what we are doing indirectly is that we are not giving them the absolute freedom.

Mr Speaker, Honourable Members, if you go to 14 again; 14[1b], Please permit me to read the heading: ***"The Commission may suspend or cancel a License where it is satisfied that it is in the public interest to do so"***. How do you know this particular publication is against the public interest? How do you determine what a public interest is? Is that not a Political Clause there? It is an open secret that we want to give you the freedom but you should be mindful of this particular area? Mr Speaker, let us give absolute freedom to the Media for them to do what they want to do. Today, we have people overseas who are sitting there and doing Audio Calls, Video Call, Broadcast and so forth *[Interrupted]*

THE SPEAKER: Well, let me remind you that indeed I have been asked many times to bring this to your attention that this Session or this Sitting is on air both locally and internationally. So you are being carried internationally. But I am particularly intrigued by your theory of ***"Absolute Freedom"***; the absoluteness of your freedom! I think I am a candidate for your school.

HON. LAHAI MARAH: Honourable Member, you know what "absolute" is and you know what "freedom" means.

THE SPEAKER: You have emphasised it so many time.

HON. LAHAI MARAH: Mr Speaker, maybe I shall come to ***"Absolute Freedom"*** later. Mr Speaker, we have presently people sitting overseas, they are doing Video

Calls, they are sending Whatsapp Audios and so on and they are enjoying their liberties to do so because they are not within Country. We do have Radio Stations that are not broadcasting with that kind of independency within and they are losing out their credibility to do so. Presently, I do not listen to any Radio Station anymore because I know what they are carrying, I know what they do and many of them are afraid to broadcast with that kind of fairness to broadcast with that kind of authority. They do not want to do it because it is either you are politically linked or to certain extent you are being sent behind Bars. So therefore, let us create a Law that will give them that liberty to do their job without fear or without being intimidated as in this case the aspect of what we called **"Public Interest"**.

Mr Speaker, Honourable Members, in conclusion, you know since I was sent to the CID where I spent two days, I never talked on it to anyone; I never discussed it. But let me use this opportunity today first of all to thank you Mr Speaker and to also thank the Leader of Government Business, the Speaker of ECOWAS and all Members of Parliament Particularly my Leader and boss; the Chairman of Public Accounts Committee [PAC] and Deputy Speaker of this Parliament. He was my Lawyer and he told me categorically that **"Lahai, ar Sabi dis CID o, wae you don kam ya so na problem"** [S.O 2]. He did all his best; I spent two nights there together with Dr Sylvia Blyden. Sylvia Blyden was also there on Seditious Libel and Defamatory Character as well. So honestly Mr Speaker, we say thanks to everyone, thanks to SLAJ at least for creating that kind of pressure on the Minister and again we would say thank you Mr Minister for yielding to their pressure and your continuous negotiations of this with your colleagues Ministers for them to understand. The only thing I want you to do is, let us create a Bill with sincerity and honesty and let us give that Bill absolute freedom. Thank you so much [Applause].

THE SPEAKER: I thank the Honourable Member for his contribution and for his rather intriguing theory of **"Absolute Freedom"**. Honourable Tawa you have the Floor, followed by the Honourable Paramount Chief.

HON. IBRAHIM T. CONTEH: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I want to use this opportunity to lend my voices to the voice of others before me who have in diverse ways mentioned the determined Leadership, foresight, and providence of His Excellency the President, Retired Brigadier Julius Maada Bio; under whose canopy the Minister of Information and Communications Mr Mohamed Rahman Swarray operates. He has shown resilience, he has shown determination and he has demonstrated that he is a man that belongs to the family of Talk and Do.

Mr Speaker, Honourable Members, much has been said about pressure but when the Minister was presenting the Bill to us, he alluded to the synergies between the IMC and SLAJ, between the Ministry and other Agencies that were consulted before a Draft document in a Bill was presented to this House. And that synergy shows that there is a direct symbiosis between SLAJ, the Ministry and the IMC. So for me, to hear about pressure being mounted on the Ministry by SLAJ; I am sure if colleagues in this House can remember and it was said this morning by the Honourable Leader of the Opposition that at a certain time in the history of this country, a certain President of SLAJ has to keep his hair for long time waiting to be shaved pending it on the repeal of Part V of the Seditious Libel Law.

HON. CHERNOR R.M. BAH: Mr Speaker, for the records, I was not going to rise but since he deliberately tried to turn his face otherwise that is why I have to rise Mr Speaker. The statement was made by the Honourable Member from Kailahun not myself.

HON. IBRAHIM T. CONTEH: Thank you very much Mr Speaker. I am sure the Hansard has it that Umaru Fofana was mentioned.

HON. CHERNOR R.M. BAH: No! No! No! Mr Speaker, he has to withdraw.

THE SPEAKER: No! No! No! You have to accept the correction.

HON. IBRAHIM T. CONTEH: It is accepted.

HON. CHERNOR R.M. BAH: Thank you.

HON. IBRAHIM T. CONTEH: It is accepted Mr Speaker, but the records have it that Umaru Fofana was mentioned this morning not by the Leader of the Opposition.

THE SPEAKER: Okay.

HON. IBRAHIM T. CONTEH: And Umaru Fofana was mentioned at the Pre-legislative hearing and he was mentioned by the right Honourable Leader of the Opposition I think there was a misunderstanding

THE SPEAKER: And now you also mentioned his name.

HON. IBRAHIM T. CONTEH: Yes. The reasons for which he was mentioned was as a result of the fact that he could not shave because he was waiting for the repeal of this Bill; but his wish, his aspiration was never achieved so he has to shave unwillingly but today without any hair, without any shaving, the Bill is before this House. It shows a determined President that is operating without pressure.

Mr Speaker, Honourable Members, the issue of Clause [g] and Clause [12] of this Bill for which my Honourable Member from Falaba was asking for total and absolute freedom, not even Parliament operates in that totality Mr Speaker. Let me draw your attention to **S.O 70[11]** which states that: ***"Parliament has a Committee on Privileges that checks the attitude, behaviour and conduct of Members of Parliament within and outside the precincts of Parliament"***. So, I see nothing wrong for the IMC and SLAJ to have come up with a Code of Conduct and a Code of Practice to ensure that whatever we are doing to support Journalism and whatever we are doing to attract investment to a very sacred entity, an Agency that was mentioned even by the Constitution – the Fourth Estate.

Mr Speaker, Honourable Members, the Minister also made mention of the fact that between SLAJ and the IMC, there is conjecture over the issue of presenting their finances. I said it at the Pre-legislative hearing that if we are going to accept the words ***"Body Corporate"***, then we have to accept the attendant effect and the attendant attachment to ***"Body Corporate"***. If you are a Body Corporate, you must maintain an account; if you are a Body Corporate, you must be insured and if you are a Body

Corporate you should have a regulator; that regulator has to see your account and they have to ascertain that your business is a growing concern because let us not forget that this Bill is saying that the Media Houses should begin to undertake the payment of salaries, should begin to undertake the payment of Pay As You Earn [PAYE] and should begin to undertake the contribution of National Social Security and Insurance Trust [NASSIT]. And if you are doing that, the state of your account should be the only document and it is the only document that can ascertain that your expenditure, your liabilities, your revenues you generate can adequately meet your total expenditure. So for me, I see that the Bill though the conditions for renewal are almost the same with that of the conditions for new entry which for me shows some lacuna, and I am sure the Minister, the IMC and SLAJ would agree that we need to look at that because for us to have a perfect Bill, we need to have a situation wherein conditions for granting licences are different from conditions for renewal of licences. Though, like I said, if we are going to agree with the content of the wording of **"Body Corporate"**, then we will have to accept the attendant benefits that comes with a **"Body Corporate"**.

Mr Speaker, Honourable Members, I also want to look at Section 25[3] of this Bill. So for me, what I think we should do is to provide the necessary platform to ensure that we have a Bill that have enough safeguards as requested by the public to ensure that the business of Journalism is done in a state of, serene and tranquil atmosphere wherein the Journalist can practice without fear, wherein the Journalist can practice their work with the requisite incentive.

Mr Speaker, Honourable Members, what I would say in terms of the submission by the Minister regarding regulation, if you go to court, the Lawyers would tell you that what is tenable is what is in the Act. So, if we are going to agree that qualification to be a radio station Manager, qualification to be an Editor has to be a prerequisite; it has to be in the Bill because it is the Bill that can stand the test of time. Regulations, though they are Statutory Instruments, they are law by themselves but at the court, the Lawyers are here they can clarify, they can confirm. When you take it to the court, the Judges, the Magistrates would put the Act before the Regulation and they would tend to believe in

the interpretation of the Act and take what the Act says as what should be the appropriate measure. So, for me, if we are saying it is between SLAJ, IMC and the Ministry, I have agreed that those requirements for being an Editor or for you becoming a Station Manager are prerequisite then it has to be in the Bill.

Mr Speaker, Honourable Members, on that note, I want to thank the Minister; I want to thank the President of SLAJ Mr Ahmed Sahid Nasralla my former defender of Bai Bureh Hall and the former President of SLAJ Mr Kelvin Lewis, the Honourable I.B. Kargbo for their relentless determination in seeing this process to its logical conclusion; thank you very much *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his very eloquent contribution. I just want to draw the attention of Honourable Members here and the Minister as we proceed with the debate, I know that there is an attempt to give the Commission powers to make regulations; those regulations required Parliamentary approval. I just want that very clearly understood and the Provision that governs that to be is Section 170[7] of the Constitution and the Commission by itself cannot do it; it must do so through the Minister. The Honourable Paramount Chief Bai Kurr, you have the Floor.

HON. P.C. BAI KURR KANAGBARO SANKA III: Thank you Mr Speaker. I think you have taken some of the wind from my input and when I looked at this from Section 12 and Section 43. The Leader of Government Business brought in Section 12 but if you go further to look at Section 43, the Commission by Statutory Instrument after consultations with SLAJ make regulations for giving effect to this Act. I thought of it that we have to look at it and amend it and being that you brought in that right now, I would not indulge in that again. This is a very serious and critical Bill, it is very important. Sitting here, looking and listening knowing that we have to make laws that should be laws that can protect us even when we are not in power *[Applause]*. Let us not legislate because I am on the left-hand side or at the right-hand side. What is good for the nation is what should be in the law; you should not think of the law that when I am on one side, it would favour me; but when I am not on that other side, it will be

against me. So, my appeal is that, the God of the Mountain is the God of the Valley; the God of the day is the God of the night, the God of today is the God of tomorrow. We want freedom but too much discipline without freedom is tyranny, but too much freedom without discipline is anarchy [*Applause*] so that is the balance we have to do.

THE SPEAKER: Where is Lahai Marah?

HON. P.C. BAI KURR KANAGBARO SANKA III: But too much discipline without freedom is tyranny. So, as somebody who did Chemistry, you have to look at the equilibrium, the balance of how the reaction goes. Mr Speaker, so, this Bill, we have to look at the balance, the equilibrium, where are we going to put in the chemicals? Is it on the right-hand side or the left-hand side? Is it going to be balanced that the reaction goes on both sides equally?

Mr Speaker, Honourable Members, so therefore, I congratulate. I like what the Minister said today, the Bill according to him, excuse me; the Repeal Act is or was older than him and ever since the imposition of that Bill here by Sir Albert Margai, people have always asked for that Bill to go out of the laws of Sierra Leone. People will say it when they are in the Opposition but when they come to power they look at it they do not use it but they would look at it as a balance that I can use it, it is a weapon. President Tejan Kabbah said he was going to repeal it; I was here 1996, he never did. Our former President my friend and brother said it, he never repealed it. I am so lucky in Sierra Leone that President Maada Bio in fact calls me dad and Ernest Bai Koroma calls me brother and I am a real brother; he is my brother, so you see.

HON. IBRAHIM B. KARGBO: He mentioned Sir Albert as one of the Prime Ministers, it has to be corrected Mr Speaker.

HON. P.C. BAI KURR KANAGBARO SANKA III: Thank you Sir. So today, everybody here is supportive of the removal of this Bill from the laws of Sierra Leone but also we have to put a balance so that we do not create anarchy, we have to put a balance for us not to create tyranny. Well, the balance when we come to the Committee Stage, we will look at it as an Act of Parliament [*Undertone*].

Mr Speaker, Honourable Members, sometimes when I listened to pronunciations in my country, to abusive and offensive languages, I as a Paramount Chief including my colleagues who should keep the traditions, customs and culture of our country, I feel very, very disappointed that we have children, people who have no respect for authority *[Applause]*. Everybody here in this Parliament has a right Honourable Member of Parliament; when you go to Britain they do not only say the Honourable, they say: **"The Right Honourable Member"**. You carry certain respect and dignity to maintain the laws and rules of your Country. So, we have to look at things like these wherein people would have to mind their languages. I can oppose you but that does not mean I have to be abusive, I can oppose you but that does not mean I have to be aggressive to disrespect you and your family. No! We all went to schools, you are highly educated. When I was in school; we had sport Houses; in the school we have green, blue, red and yellow houses. So when we play football, I was in the green and my younger brother was in the red but he was not very aggressive *[Applause]* when we were in the field to play. I would not allow him to defeat us and we played hard ball but when we finish we take our clothes and go home. Yes, we were in the green at that time in my primary school *[Undertone]* but when I went to Boys Secondary School, I was in the blue house we argued, we disagreed in the field but when we go home; we eat the same rice, we slept on the same bed and we used the same clothes to wear. So, we are not enemies but in the field of play, he would want to win and I would want to win. It is the same thing about my brother in the yellow house but when we go home we are brothers, we laughed at each other and end it at the field. So, this is what is expected. I was in blue house in Magburaka, Ernest Koroma was in Mark-Roberts house. We played handball but after that, we were friends. So, we expect the same thing in our national politics that we should be together, promote the nation together and do what is best for the Nation *[Applause]*. This is what we as Paramount Chiefs are expected from the highly educated people of this Country who are the Politicians. So, for me, I am very thankful to the Nation that today, this Act that has existed from 1965 passed in this Parliament. Today, a younger person is lucky enough to repeal it and he has put in replacement of which we are now debating. We have to sit as a group not to look at it with the

perspective that I am in the Opposition or I am in the Government because the God of the night is going to be the God of the day. So, we have to look at what we should do to bring peace and stability in this Country.

Mr Speaker, Honourable Members, when we talk of absolute freedom, when we think of what happened in Rwanda; how people were speaking in Rwanda, the issues that came out were terrible. So, therefore, we would support the Freedom of the Press; we would want to see a responsible Press not for drop-outs in some cases because we have highly educated people, well matured people. We want to see a good reporting, a disciplined reporting, newspapers that can go out to find out the truth of the matter before they write. They should not be influenced by somebody in authority or somebody that they have a relationship with for him to write or for somebody to write an article and pass it over for them to print. It is going to affect all of us here. Every Member of Parliament would want to have a favourable presentation to the public and nobody would want to see somebody lie against an Honourable Member of Parliament. That is not good enough and it would bring down the image of this Country. We have too many newspapers. If I could remember, Washington DC had only main two newspapers the Washington Post and then the Star. Those were the only newspapers at the time. In New York, the most famous newspaper is the New York Times; the others are two, three or four but here, we have too many. But it is good they are practicing, they will become mature and become responsible this is why all of us as Members of Parliament including all the Political Parties, the SLAJ should come together.

Mr Speaker, Honourable Members, I do not know, I am sure of course SLAJ has a Code of Ethics. If they want us to do a very good job, to work with them to bring in a good document, a good Bill that we will pass here as an Act of Parliament for the President to sign, I am sure they should pass those Code of Ethics that control themselves. When we talk of too much freedom, even the Medical Association has rules i.e. Code of Conduct, Code of Ethics that controls them how they do their jobs. So, I am appealing to all Members of Parliament for us to go together and sit with the Legislative

Committee on both sides and try to bring in a Bill that will really be acceptable by both sides of this Parliament because this is a very useful document and it is going to be very critical. We do not want the Opposition to be afraid of something being placed in there that they would feel threatened and we do not want to put something that will make the Government non-governable and non-functional. So, I am sure that the balance is going to be there. I hope the Chairman of the Legislative Committee will invite very key people like the experienced people there, we have two former Ministers and other responsible Lawyers so that the Bill will pass here unanimously without anybody being afraid of which side he or she belongs in this Well. So, I am expecting the leaders of the various Political parties to put up a team that will work with the Legislative Committee so that when they come here, it will be very easy for us to accept it and it will not give fear to anybody.

Mr Speaker, Honourable Members, this is my own intervention that, too much of freedom without discipline is anarchy but much discipline without freedom is tyranny and if you are tyrannical today, maybe, who knows tomorrow you may be the victim. So, that is my conclusion. Mr Speaker, I thank you for giving me the Floor *[Applause]*.

THE SPEAKER: I thank the Honourable Paramount Chief for those wise words and great words of wisdom. Now frankly, I have to wrap up this debate and bring it to a close. We will have an opportunity in the Legislative Committee to do justice to the debate. So, I am only going to recognise one more speaker and I want to change the tempo and I.B. Kargbo is *[Laughter]*. I give the Floor to the Honourable Abubakarr Fofanah of Constituency 107 *[Applause]*.

HON. ABUBAKARR FOFANAH: Thank you Mr Speaker.

THE SPEAKER: But please, please, if you begin to fly higher than what to comprehend, I would have to cut you short.

HON. ABUBAKARR FOFANAH: What I will do today is to do justice to this nation and to prove to this House that I am a responsible Member of Parliament who seek the interest of the people of Sierra Leone and so Mr Speaker may I allay your fears that, I

will speak just and with sincerity and to the goodwill of the Nation as well. These Bills, both the IMC Bill and that of the 1965 Public Order Act; to me, conclusively, I would use an Economics word: "***a marginal rate of technical substitution***" [Applause].

HON. MATHEW S. NYUMA: Honourable Member, Point of Order.

HON. ABUBAKARR FOFANAH: I have just started Mr Leader [Laughter].

HON. MATHEW S. NYUMA: Just wait! Just wait!

HON. ABUBAKARR FOFANAH: Okay [Laughing].

HON. MATHEW S. NYUMA: Mr Speaker, we have been yearning to get lectures from our colleague, this is an opportunity for us to listen today.

THE SPEAKER: Do not glorify that.

HON. MATHEW S. NYUMA: Mr Speaker, it is the economic jargons we are looking for in this business. So, we want to get interpretation as he goes along *please* give him some time Mr Speaker.

THE SPEAKER: Did anyone come with a Dictionary [Laughter]?

HON. MATHEW S. NYUMA: The Oxford will explain to us better

THE SPEAKER: No! No! Cambridge or Oxford, they will not match [Laughter]. Go ahead.

HON. ABUBAKARR FOFANAH: Thank you.

THE SPEAKER: Go ahead. I will recommend neither Cambridge nor Oxford, yours is a special Dictionary [Laughter].

HON. ABUBAKARR FOFANAH: Let me gratify the Leader of Government Business in this House for at least given me the opportunity and at least talking to the Speaker. Having stood for quite some time now, the Speaker ceases to recognise me because he thinks I will come up with words beyond the Oxford Dictionary. But I am not even up to that because I am a growing academic just a small boy. However, I said when I juxtaposed both the IMC Act and that of the 1965 Public Order Act, I see both as a

marginal rate of technical substitution and I am sure my brother from the other side knows what I mean by a marginal rate of technical substitution because it is coming from Maximization; is it not? Alright! What do I mean by this? The Regulations set forth in the IMC Bill is to do good and to favour the path of we the Politicians hiding in the gloves, bringing forth regulation that are almost equal to the Criminal Libel Law *[Applause]*. I do not want to tell you that I am in the Legal School, nor. Yes, I am in the Legal School for three years now and I know what I am saying here. The Regulations set forth which the Media practitioners have been criticising to say Section 25[1] of Act No. 6 of 1991 Constitution has indeed reduced their freedom, has tampered with their freedom but I also want to talk to the Media Houses firstly before proceeding with my debate because what is criminal, is when they defame somebody's character and so if you know you are practicing good Journalism you ought not to fear the law, you ought not. They have been writing all over the place, writing articles saying: **"We must repeal Criminal Libel Law"**. Why are you afraid of Criminal Libel Law when you know you want to do justice to this Nation? The media in the West like the United States of America is used to promote the goodwill of America, is used to promote the ideals of America. Democracy is a new civilization, I know. Governance has moved away from Capitalism, Socialism to what we call Democracy. Yes, Democracy goes with civilization, and how far are we civilized? How far are we civilized? I have been privileged to teach Media and Gender in the School of Journalism for about three to four years, I have been asking some Journalists to name me one media theory and they cannot. I support the Minister to say they must be grounded; they must be trained and qualified. At least the NCTVA has a programme for Journalism in Diploma. Some of these boys you give then recording set around should be trained. So, many a time in my Constituency, some Journalists do not want to confront me, they normally say Abubakarr Fofanah is a hard stone. I asked them, are you trained and where? Are you a holder or a Clerk Kangaroo Journalist? So you ought to have some professional orientation, but it is true to say Sir Albert Margai in his blessed wisdom decided to enact this Law because we as citizens of Sierra Leone do not even love Sierra Leone. The Western Media, they diversify their media publications, some are on education. They bring in new materials educating the

public some on Economics. In Sierra Leone, you have good things to write about like Agriculture and Geography. Everything we have, you journalists need to promote the ideals; you need to attract investors. But you know what journalists do, is to go after Politicians days after nights. That is what you do, that is what exactly you do *[Applause]* and some of us who are so responsible we are not afraid of the Media, I am not afraid of the Media because I count and check my steps and what I do. These are the sincere things we are talking about here. So, if you want us Members of Parliament to repeal the Criminal Libel Law then we must go with suggestions from the Minister. It does not mean only the owner of the publication but even the boys you give to go around should be well trained.

Mr Speaker, Honourable Members, on the Political side, I know today the SLPP is scoring the penalty kick because it has been once promised in their Manifesto and His Excellency the President, Retired Brigadier Julius Maada Bio is serious about it because he wants to fulfil his commitments to this Nation *[Talk and Do]*. It is also important to state in this debate that indeed his ancestors his predecessors brought this draconian law to this House *[Applause]*, so if they take it out again no problem. Thanks for the interest of the public, we now know that it comes from the other side and is going to the other side. Mr Speaker, please be calm, I feel intimidated by your eyes *[Laughter]* and I want to give my best but if ***"papa dea wach pikin wit some yai na ose, to God ah get for take time aw ah dea tok"*** *[S.O 2]*.

THE SPEAKER: I was watching with admiration *[Laughter]*.

HON. ABUBAKARR FOFANAH: Mr Minister, I want to thank you very much. After a very long journey and with all your predecessors, you have reason to ask the question why have they failed to repeal and enact a new Bill and how are you so lucky to repeal and to enact a new Law? But let us go back to history because for me it was the best moment of the late President Tejan Kabba whom I consider to be the most democratic President in Sierra Leone to would have repealed this Bill but he did not with his wisdom. With his democratic knowledge that he brought from the Western world, He came from UN just as we have our ***"Gbessay"*** with us here but he did not. In his

wisdom he knew very well that Sierra Leoneans, we are so not honest in dealing with the affairs of our state and that the journalists of this Country have lots of good things to portray but rather they still come after the Speaker. I remember, I saw a publication against the Speaker but again if we send it to the Civil Law how effective is the Judiciary because I am sceptical about the Judiciary been efficient. Civil cases in courts have been there for over five, six years. Having damaged my character just a minute and we go to court for three or four years, the journalists are now comfortable as long as they are not behind Bars they will now go to court they know that the Judiciary is lackadaisical. Yes, Mr Speaker you would agree with me, go to the courts you will found cases there that have taken over decades without judgement. If the journalists are so sincere, I refer them to a case of Christopher Mills vs. Mail Newspaper in 1991. The Supreme Court rules and I quote: ***"It was decided that a Press House cannot be convicted of Libel for publication made in the interest of the public"***. So, why are you jittery of Criminal Libel Law? This is a precedent set, your lawyers will agree to this precedent but you are rushing to repeal Criminal Libel Law because the President has said to you he wants to score a mark, let the SLPP score the mark.

THE SPEAKER: Honourable Lahai Marah, you have missed a lot but is good you have come, is never too late.

HON. ABUBAKARR FOFANAH: I hope we would do just to this Nation and I hope you would report sincerely. For me, I am interested in the fact that if Media practitioners, the media houses report the good things about Sierra Leone; tell the world that we have minerals; tell the world that Agriculture is striving well; go to the places and make video documentary rather than running after politicians *[Applause]*. You have diversity in this Profession, to be a Journalist is to have diversified sources of knowledge but all you do is to be saying: ***"da honourable na so e do, da minister na so e do"*** *[S.O 2]*. You have diversity of issues; promote Sierra Leone with the Media. We have been learning from the Media; some of us in our academic researches we go through the Media, when we want to find sources of knowledge we go into the internet but it is disheartening that you find no writers in Sierra Leone. You do not help

us seek knowledge, all what you talk about is politics and you think politics holds the fabric of your enjoyment and your entertainment. You blame politicians for you poverty, it is wrong *[Applause]*; no! It is not politicians, we are just the vehicle for development and we are all actors. It is our actions and inactions that justify the relevance of what we are as Sierra Leoneans. This is not a laughing matter, let me tell you how they damage Sierra Leone in the Social Media, they damage Sierra Leone in the Social Media by typing of all sorts of negative things such as political unrest and the like. This deters investors who might be thinking of coming to invest in Sierra Leone. So, when we are suffering from economic depression they now blame politicians, they themselves are causing it all. So, please when you write, write well about Sierra Leone. If the President is not performing, find a way to put it in euphemism. In English language euphemism means, you present something in a soft manner.

Mr Speaker, Honourable Members, I have heard Journalists attacking the personalities of state men with fabrication and with impunity; you need not. As society moves to what I call mechanical solidarity to organic solidarity, from homogeneity to heterogeneity and from traditionalism to modernization; we will hold you accountable if you do not train and teach your boys. They are used to saying, yes sir I am a journalist, talk. Talk what? I am speaking for the Nation with no hesitation because most of the Members of Parliament [MPs] that have been contributing, they tend to fear journalists, on what notion? No it is the leverage of MPs to either adopt this Bill or not. All the other Presidents who were so wise did not repeal this Bill for the fear that they would tarnish the characters of politicians, this is sincere. The name of Umaru Fofana being mentioned, I ask myself, does he want to be a politician? Because he is not the only BBC Media reporter in Africa whose name is worth mentioning in the House of Representation, whose name is only worth mentioning in the House of law making; no! No! If it is because of his role no problem but we are speaking for a diversity in Media publications rather than political topics, that is my point here *[Applause]*. I want to see articles on Agriculture, environmental problems, social diversity and economic difficulties. You can help us advertise Sierra Leone because we know we are rich in

resources but when we ask you, you distract investors by writing a lot of negativities about the President or Mr Speaker and so the investors feel discouraged. In the principle of Economics, one way we can attract investment is through political stability which we have to encourage. In my Constituency, there is no distinction between APC and SLPP, I do not encourage that because when once I encourage that I am creating a very big divide, I would not be able to lead. So, we are creating that level platform. The SLPP District Chairlady used to go to me and we share knowledge and resources. Even in this Parliament, this is what we need to do. I commend the present Leader of Government Business; he is a responsible Leader *[Applause]*.

Mr Speaker, Honourable Members, because I do not want to steal into your time, I have prepared for the repeal of the Public Order Act before this time but this is just a switch over so that this day would not miss me. So, Mr Speaker, continue giving me time, I would not quote theories now but I would live you with a Hadith. As a Sheikh I dare not sit without a Hadith and is a Hadith kurrsi, one of the most important Hadiths of the Holy Prophet Mohammad [SAW] and that addresses leaders; that firstly the Leader must fear the Supreme Being who created all of us and no man is going to live in this earth forever. So, whatever we do now like Chief Bai Kurr did say, let us fear Allah alone in our dealings and the Prophet said and I quote: ***"Each and every one of you is a leader and must account for his stewardship"***. So, accountability as a democratic good governance principle does not only limit to the people we represent but does reflect to the Almighty Allah; He said ***"raa iya wa masoola"***. Mr Speaker, we have come to Thee and shall be accountable. Myself as an MP, I have to be accountable. Thank God, I am not given Constituency Development Fund anymore *[Laughter]*, so the bridges and roads that I made are out of my small amount of money, but in any case even in the course of dealing with people we must be just. And with these, I thank you and I want to tell Journalists that we will look at you closely, God bless you all.

THE SPEAKER: Honourable Members, I promised that I was going to change the tempo and I think you would all agree with me that I succeeded in changing the tempo

and even the journalists in our midst appreciated the change of tempo *[Laughter]*. Okay, let us wind up; it is getting close to 5:00 p.m.

HON. KANDEH K. YUMKELLA [DR]: Mr Speaker, thank you very much. We do not have a lot to say this afternoon because we expect that all of these will go back to the Legislative Committee if I am right Honourable Leader of Government Business. All what our colleagues have said, I am sure the Chairman of that Committee has taken note. We also know that we have a copy of letter from SLAJ where they have given specific areas where they wanted some work done. I suppose from the concern Sheikh has raised, SLAJ understands that the concern Parliament has is the reputation of citizens not to be destroyed. We have seen character assassination; some of us call character assassination as reputational terrorism. You attack the individual, you destroy their reputations; they cannot react, they do not have the means to and the Judiciary does not work; where you can go and seek redress? So, because of that, yes there must be safeguards and the IMC is important.

Mr Speaker, Honourable Members, one of the key issues we have in the NGC is the independence of the IMC. If the IMC is not independent, if I am to go back to what Chief Bai Kurr said, you gave them a lot of powers; those powers would be used to again suppress Freedom of Speech. So, the Legislative Committee, as you look at these amendments; to what extent can we also ensure an effective independent IMC that is not a political instrument to restrict the very freedom of the Media and Press that we want to institute. I am all for professionalism, so I fully agree with the Minister's concern and what Honourable Abubakarr Fofanah [Sheikh] has also said professionalism matters, we cannot sacrifice professionalism at all. How do we ensure that the degree qualification that has been prescribed can help? Those are all issues that I am sure we will debate in the Legislative Committee but it is important.

Mr Speaker, Honourable Members, also I see some sense in why there is push for corporatization; making corporate entities of media houses. But again, we do not want to stop sole proprietorship either. So, Honourable Chief Bai Kurr's point is important. We want to give a lot of freedom but we also want responsibility and an instrument, a

framework that will ensure discipline and professionalism in the practice. So, we need to look at the composition of the IMC itself. If I give you an analogy from Energy, we are struggling now a number of African countries to help the Energy regulators not to stifle investment in Energy market. Some of them still do not understand what their role is and how they are supposed to create market and not to suppress market. So, here it is the same with IMC. We give credit to Julius Spencer and President Kabba at that time for creating the IMC but if we are going to vest so much powers in them, we better check carefully about their own composition and their own professionalism as well.

Mr Speaker, Honourable Members, my last comment would be, it needs to be emphasised that we are not just trying to protect the reputation of the politicians, it is the citizens. There are ordinary citizens, professionals and others who also care about their reputations and therefore we are asking our journalists as we give freedom to you, please be mindful that when you injure an individual's reputation, sometimes it is not the individual alone; it is the whole family and the whole clan because they represent certain Communities. So, we implore you that we are happy we are going to send this back to the Legislative Committee. It is complex to find the swift spot, the optimal balance between Freedom and Responsibility. When my colleague mentioned "**Absolute Freedom**", I had to Google it because for me it was a challenge philosophically. Can there be "**Absolute Freedom**"? And I have been goggling now and checking; philosophically, there is no "**Absolute Freedom**". Even we in Parliament we are regulated as Honourable Tawa said by our Committee of Privileges; in communities, we are regulated by the norms of those communities and there rules within which we should perform. I was debating here with Honourable Lahai Marah, say let us check absolutism it does not exist in freedom. So, it is not that I was disagreeing with what you said, for me it was just an exciting concept that you can get absolute freedom. I do not believe in absolute freedom, I believe in relative freedom; that is also guarded by values, norms and the rules of the game. The rules of the game have to ensure that you do not prejudice the right and privileges of the citizens.

Mr Minister, again, thank you for taking this bold initiative. These are the kinds of debates we look forward to in our House of Parliament where we create institutions that would out lead Government. This is not about the SLPP Government today and it is good Honourable I.B Kargbo at a start of this shows the history that has gone over two decades in bringing this here today and we assure you that we will take it serious. We want the journalists to know that, yes part of our responsibility here as representatives of the people is to protect their rights as well. And so, freedom will be given but will demand responsibility and we will set up a framework that we would ensure we protect our citizens. I thank you very much *[Applause]*.

THE SPEAKER: I Thank the Honourable Member for his contribution. I now give the Floor to Honourable Emerson Lamina.

HON. EMERSON S. LAMINA: Mr Speaker, Honourable Members, the C4C holds a belief that the Media is the fundamental human right of all citizens and by extension Freedom of Expression.

Mr Speaker, Honourable Members, we hope to see that **S.O 51** is evoked on this particular Bill thereby we would have the chance to scrutinise this particular Bill very, very well. In any case Mr Speaker, we must commend the Minister for pioneering this particular Bill that will be soon passed into law. But having meticulously watched at the very Bill, two things came to mind that are very, very glaring.

Mr Speaker, Honourable Members, Part II Section 3[2] is a particular part to watch at and Part IV Section 40[1] is also another Part to watch at. It is my belief and I hold this belief that a leverage should been given to the Press to practice very, very well but I also become scared that qualification call Degree or Diploma to be prescribed as criteria to be Radio Station Manager or Editor of newspapers I begin to wonder and say wow! What about somebody that has actually acquired 15 years or 20 years but a strong Sixth Former who does not possess Diploma or Degree yet is capable and can perform very well? When I juxtaposed that particular Section to Section 75[d] of the Sierra Leone's 1991 Constitution, I clearly see the qualification of an MP. What does it take to become an MP? It says: let me speak English well, let me comprehend it well and write

it well I can be an MP. So, prescribing Diploma or Degree as criteria for Radio Station managers or Newspaper editors, I hope you would look at that with a second eye.

Mr Speaker, Honourable Members, I also see a glaring Clause from this very Bill in Part V Section 41[b]. It is also clear that a Commissioner of the IMC should be somebody that has an outstanding knowledge of 10 years or have practiced Media Profession for 10 years or alternatively a Lawyer or a Judge. I begin to also wonder why we cannot leave journalists to do their own business. It is very, very impossible for a Journalist to lead a Council in the Judiciary and if it is not possible at all for a Journalist to lead a Council in the Judiciary, why can't we leave journalists to do their own business as long as they are qualified and can perform *[Applause]*. These two things, I see that it should be thoroughly looked at. When we reach Committee Stage, by the time **S.O 51[1]** is evoked, it will be thoroughly looked at for a rethink. Overall, I see editors of newspapers and Radio Station managers performing well for the past two years. They have been behaving responsibly. My only worry is the Cyber Law which we are urgently looking for. By the time we also have devices that will actually decode originators of cancerous messages, and then we would be thinking of having a safe haven in Sierra Leone. I recalled my colleague in the ACP-EU Parliament in our last Sitting, Honourable I.B. Kargbo contributed so well in Cyber laws. That is the worry that is currently eating up the Nation.

Mr Speaker, Honourable Members, I consider the relationship between the Media and we the politicians as till death do us part. In a synopsis, I must commend the Honourable Minister Mohamed Rahman Swarray for this brilliant and bold step in bringing to death the many threats that have been hanging over the Media atmosphere. I thank you very much, Mr Speaker.

THE SPEAKER: I thank the Honourable Member and leader for C4C in Parliament. I give the Floor to the Leader of the Opposition.

HON. CHENOR R.M. BAH: Thank you very much Mr Speaker. Mr Speaker, I am just looking for Honourable Gevao but I do not know if he is around. I pleaded with him to stay around. Mr Speaker, I want to join the queue in continuing to thank the Minister

and his team and by extension the IMC, SLAJ and others that have participated in the process of getting us to where we are today as far as the IMC Bill is concern. This amendment is but timely considering the document we discussed this morning. But Mr Speaker, I was just asking for the Chairman for the Legislative Committee because there are so many areas in this Bill that need to be corrected but that is why we are here. Unlike what an MP said during the pre-legislative hearing, we will not send it back to you to take to Cabinet; we would not put you through that task. We will assist you in cleaning it up to ensure that whatever we take out will be for the benefit of all of us.

Mr Speaker, Honourable Members, there are many areas so it would be difficult for me to start pointing them out but thankfully, I am a Member of the Committee as well. So, I will have an opportunity to participate but before proceeding beyond that point, I would also want to encourage the Minister of Information and Communications, SLAJ and others that are interested in this document. When I say the Minister, I mean you or your Deputy or whoever you will designate to be present during the hearings of the Pre- Legislative hearing. We would not want to take action or make decisions that would also not be guided because I have read this document twice, it was very much difficult for me to understand the distinction between licensing and registration until I identified the distinction between the print and the electronics distinguishing it from that of digital media and I am sure most of us here would still be confused but you would see a clear distinction between the licensing and registration. So, these are the things we would want to know.

Mr Speaker, Honourable Members, just by a way of reference because I would not be going into the detail, Section 24[5] talks about a person contravening [1] **"committing an offence and is liable etc. etc."** But when you go to 24[1], I wonder where the offence is coming from. These are the things we will be looking into and we would have to be cautious and patient. So, when you come please do not be mad with us. As MPs, most times we are difficult. There are times when we do not understand and at that point in time we are more difficult. When we understand we are difficult, but when we

do not we are more difficult. So, you would be patient with us, we would be asking questions and we would be looking forward to answers that would be convincing us.

Mr Speaker, Honourable Members, lot has been said about qualification; even the last speaker the Leader for C4C spoke about that but we were told during committee meetings hearing quote on quote that: ***"there might be some Members of Parliament who own radio stations"***. Whether it is true I do not know but I will encourage colleagues who own media outlets be it Print or Electronics to disclose at this point while we are legislating. Those who have interest must disclose, if you fail to and later we find out, if they had participated effectively it would affect our work. It is very important for us to take note. Disclose your interest, if you own a radio station when we are talking about radio and television please step aside. If you own a Newspaper or a financial contributor to a Newspaper disclose but if we find out later it may not be good. Mr speaker, like I said there are many things here to talk about but it is better to deal with them when we go for the Committee meetings. Who should be an Editor and when do you disclose your account or which account do you disclose because the Minister was very frank enough to tell us during the pre-legislative hearing as well as the Chairman of the IMC that they have been consulting and those consultations have led to many, many advanced changes in the Bill that we have now. So, I am sure that by the time we meet, there would be better things also to conclude. It is when you talk you have better conclusion. So, that is why we will be looking forward to seeing them whilst we deliberate; not to direct us, not to dictate on what we do but to assist us with the expert knowledge that we will need. As the Speaker said, the document is ours, we will not abuse it; we will not be excessive but we want to make sure that whatever we do is also guided. we do not want to make laws that does not serve the purpose.

Mr Speaker, Honourable Members, before I sit down, I do not want to be like those who talked paragraph by paragraph or line by line. When we come to that stage what is the definition of ***"Public Interest"*** or somebody talked about the ***"initial licencing or registration and renewal"***. They cannot be the same but these are things we will discuss and get fine details coming out of this document. So, for now, I just want to

encourage colleagues those of you with expertise to join the Legislative Committee but more so Mr Minister, you are a very busy man. If you know you will not be coming but you have ideas share them with your Deputy and your colleagues, they should be joining us same with SLAJ and those who will be of use to us. Thank you very much, Mr Speaker *[Applause]*.

THE SPEAKER: Thank you Honourable Leader of the Opposition. Leader of Government Business, you have the Floor.

HON. MATHEW S. NYUMA: Mr Speaker, Honourable Members, thank you very much. Honourable Leader of the Opposition thank you for your concluding statement, it is very interesting about where we have to ask members who have interest to disclose their intent. It is not really in the Parent Act but for the sake of decency, we want to start implementing it but because it is in the proposer form we encourage members for the sake of integrity of the Bill, let them step aside. Do not participate in the Bill, it is clearly stated in the Bill. In fact, in the Anti-Corruption Act it is stated that you do not participate in the process of an enactment of a Bill or a procurement process if you do have interest in it. So, in as much we are going to the Legislative Committee and you have a Radio Station or you are sponsoring a Radio Station, Newspaper, for us not to have a backlash from the public or the journalist because they know them you can sit but you do not contribute. You do not come in, if you have an opinion share it with your colleagues. So, that is a decent way of doing things. I think we need to be the brightest example to the public.

Mr Speaker, Honourable Members, as you said we do not have perfect law, there is really no perfect law but what we are doing; the Leader of the Opposition just said let us all come together. In fact, let us start inviting people. If we come together during the pre-legislative meeting we will cross the Ts and dot the Is, because we want to see a Bill that reflects the interest of the people, a Bill that gives the face of this particular repeal of the 1965 Public Order Act and the IMC Act that we are about to enact. So, it is good that if you are interested you come to the Legislative Committee meeting and have your say. We had a lot of petitions from the Ministry of Information and

Communications, from SLAJ other media houses when we got the Bill; they expressed their concerns and those we are not going to throw away, we are going to take them to the legislative Meeting where we will look at Clause after Clause to try to amend them. They did not do it out of malice; they shared their concerns with us and be rest assured that we are going to follow them. Those that we need we will discuss them, those that we do not need we will even deliberate on them as a point of argument and like what the Honourable Leader of the Opposition said, he would like us to have two pre-legislative meetings one at the Committee Stage and the Committee of the whole House. So, I move 1 and 2 for 51 to realise that when we come here it is going to be protracted because we want to see the participation of members and do it Clause by Clause not only the report so we want to do justices to these Bills.

Mr Speaker, Honourable Members, Lahai Marah is my friend and he is my brother. Out of exuberance, I do not know where he was coming from but if you check Chapter 3 Section 15[2] of the Constitution of 1991, you will realise that there is nothing like **"Absolute Freedom"**. Honourable Yumkella, you were right. There is no absolute freedom. When you are enjoying your freedom you think of the other person. Freedom are always guided, you have to check your freedom. So, there is nothing like absolute freedom, that one is very clear in the Constitution. I would not like to read the portion of that but it is very clear in Section 15 Part III of the Constitution.

Mr Speaker, Honourable Members, I heard about **"Public Interest"**. Even when you read about freedom in the Constitution they are talking about **"Public Interest"**. My Honourable Leader of the Opposition, even in the Constitution in Section 15, I am talking about Expressive Freedom of another person which talks about **"Public Interest"**. So, at this time I would want us to try and define what do we mean by **"Public Interest"**. As I said we cannot have a perfect law but it is good for us to give definition in the Plenary about what do we mean by **"Public Interest"** because it is mentioned in the Bill several times, it is in the text. So, in the Constitution the freedom also is talking about **"Public Interest"**. So, we need to understand what is the meaning of this **"Public Interest"** because SLAJ and other media houses raised it up.

Mr Speaker, Honourable Members, the Honourable Abubakarr Fofanah on the other side raised a very important point which this Bill seeks to address and Mr Minister thank you for putting in that Provision. Mr Speaker, I will go directly to that particular portion of the Bill in Section 11 which has to do with the capacity building of our journalists. Sometimes we always say: **"bo na reckless Journalism"** [S.O 2] but what have you contributed to that Profession? We leave them to the media houses to use them and misuse them and at the end we blame them. When they follow us the politicians we need to guide them to make necessary legislations. So, we have to protect and help them out like what we are doing now, is one way we can help members of the Fourth Estate. But what we the politicians have done to protect journalists? This is one thing we have done by repealing the Seditious Libel Law and to see how best we can protect them within the IMC. The IMC is their baby; you cannot hide from that one. If you go to the genesis of the IMC they pleaded for it and Honourable Ibrahim Ben Kargbo mentioned it in his opening remarks.

Mr Speaker, Honourable Members, I want to read Section 11[e] which has to do with the object, functions and powers of the Commission: **"Promote communication and media research and development of Human Resources for the advancement of media industry throughout Sierra Leone"**. First, we are trying to place qualification. It is good to put qualifications but it is also good to capacitate them Mr Speaker. We have said if you want to be an Editor of newspapers or a Station Manager, you have to acquire 1st Degree or related qualifications but some of them; they are very poor they do not have anything. Some of them are struggling to pass through the School of Journalism therefore they practise bad journalism before going to Universities, they hang on these politicians but what have we done in using their own baby the IMC to capacitate them? So it is now enshrined in this particular Bill and if you go to Clause II of 19[1cii] that talked about capacity building; **"promoting research"** that falls under the Policy Committee because they are going to have a Policy Committee in the IMC. But you see, what is very important Mr Minister is the enforcement and implementation of Acts that we do pass here, so something is lacking along the line. We

have beautiful laws in Sierra Leone Mr Minister but we do not have the enforcement quality to carry on some of these things. That is why I am making references to this point and SLAJ you need to bring the IMC on board, put them on their toes for this Provision to be carried. If you look at this Provision, it is still talking about capacity building. **"Promoting training and professionalism"** this one is different, the first one is talking about the Media Houses and this one is talking about the Profession itself i.e. the individual that is practising this particular Profession; **"Promoting research training and professionalism in the Media Industry throughout Sierra Leone"**. He has thought about it, bringing it right across the spectrum in Sierra Leone; it is very important. It is not always about SLAJ Members to be collecting dues but you ensure that you capacitate them, ensure you do the right thing, use the available laws and use the available resources you have. They are always saying: **"IMC nor get moni"**. I do not believe that, we do the Appropriation here, we do everything here and they have the items in order. If you look at the back of the Appropriation Act, you would see them stated in order. For me, it is because all of us are not using the enforcement or the implementation instruments, we have just being a little bit lackadaisical to say it is left with the IMC. It should not be like that; he who feels it, knows it. SLAJ, you are in this business.

Mr Speaker, Honourable Members, let me take you to the Appointment of the Chairman because it is very necessary. So for me it is my personal view that this is their baby, let us allow them to operate and give them the latitude to have their say. In the Board, there are going to be two members who are to be Legal Professionals acting as advisers to the Board. So, why again do we have to think of the Chairman to be Legal a person?

Mr Speaker, Honourable Members, talking about the independence of the Commission, when we come to that we will address that but for me I believe, the status quo will remain the same. We will look at that and in consultation with the President; we will iron out that one. Some of these things we do not need to dilute them, the Judiciary should remain the way they are; we keep them in their own bay. This is all what we can give to journalists; we call them members of the Fourth Estate. For me, let us give

them that and that is not a proposal, it is my own personal take on that particular Clause.

Mr Speaker, Honourable Members, my colleagues are saying that there is the intention to muzzle them. If there is a cancellation for example about renewal or if you want to apply you have not been given the chance to apply, it is very clear in the Bill; you will seek redress in the Court of Appeal. So, you will have to seek an appeal; it is just a principle of dispensing justice. Even when you are refused, you have a Solicitor to be with you. If you get a refusal for renewal of a license, you would be heard in public with your Solicitor. So, if you have your Solicitor with you, you will challenge the decision of the IMC; you will go and sit and we will explain. All of these things are given to us so that we can understand why we need to give space to the journalists to operate. So, it is not like the be all and the end all of everything. If you refused to obey that is why we have the enforcement aspect. It is very good for us to follow the enforcement of rules. If you fail to obey the IMC, they will bring in the Police to enforce their order. So, let us use the right structures to challenge IMC. You can go to the Court but do not say I am going to challenge when you know you are not going to give chance for the institution to operate. Do not take the laws into your own hands because according to this Bill now, they are going to use the Police. A Police Officer with the rank of Superintendent/Inspector will be used to enforce the law and we cannot allow you to just operate like the way you feel you have to obey the necessary laws as it is also enshrined in the Bill.

Mr Speaker, Honourable Members, I have problem with Part IV. If you check the duration of renewal of license given by the IMC for radio stations, televisions and newspapers is talking about one year. But there should be conformity as I said with the existing law. Mr Minister you have to take this one on board, it is very critical. When they give you licence to operate for a Radio Station, you now go to National Telecommunication Commission [NATCOM] to get a Spectrum license and that Spectrum licence is telling you that if you do not operate for two years, they would cancel the license and that one is enshrined in Section 31 of the NATCOM Act and we

cannot do things like that. So, if you want to support IMC and NATCOM which are institutions created by Acts of Parliament, there must be homogeneity in these laws. The IMC Act is talking about 1 year and the NATCOM Act is talking about different year; I think it is sickening [*Applause*] and it is unacceptable and that one was a grave mistake. So, I will be talking to you Mr Minister personally, I will be looking at that. Honourable Leader of the Opposition I will talk to you, we will look at that personally. We will bring the NATCOM Act and do the amendments that is why we are here; that is our power, it is in the Constitution. So we cannot have laws talking about variance issues. Consistency in the laws is very important.

Mr Speaker, Honourable Members, I do not want to overstretch the media code of practice. I do not want to go over it but believe you me for the fear of God and Man, you need to work with SLAJ and the IMC or other bodies even if you want to involve Members of the Legislative Committee. We have the Honourable Daniel Koroma and Honourable Gevao just invites them. You know why? Because these regulations are going to be in front of Parliament, they are going to bring them through Statutory Instrument Mr Minister and we are going to look at them. So, if you call all players on board because for now it is just within SLAJ and IMC but for me it gives it a broader scope. You just have the draft, so share it with Members of Parliament and the Committee because you are going to bring it in the form of Statutory Instrument which the Minister will lay here. If we are not satisfied with it, what we will do is to put Motion on it and debate it after which we throw it away. But we do not like to see that and we do not want to muzzle what is going on. We do not want people to misinterpret what we are doing here. So, we would like you and all other parties just like what the Honourable Leader of the Opposition said, we are encouraging you all to participate for us to have a proper Bill to be enacted. Your law would be better based on what we do in the legislative Committee sitting.

Mr Speaker, Honourable Members, it is good for us to talk about the Regulations of enforcement and also Section 43 that gives force to this Act when we pass it into law. Please make sure you follow that one and please make sure that we are on the same

page with whatever we discuss here. When you go to the IMC to make the regulations, do not say we want this to be here.

Mr Minister, I want to encourage you, you have started this process, this is a history moment; we are all going to make history but let us finish the battle; let us have a proper history. When we do the history, let them judge us by what we have done. So, that is why I am encouraging all of us to do the right thing. For example Mr Speaker, the last time I was with you during the time of ensuring the composition of the Commission, we saw SLAJ giving space to other players and I said, to have a broader scope, I did not see representation of Civil Society organisations. Therefore, let us think of bringing them on board. There are some who are professionals in the media practice think about it; at this stage it is about lobbying everybody in the House. We want to have a broader spectrum in this business. We started with the repeal, we have discussed very well, this is a safeguard to be very honest; people are calling for it and we are going to do a checkmate on this. We are going to treat this one with utmost seriousness, we are politicians but we are very careful politicians. The Honourable Fofanah [Sheikh] said, people do not respect us, people do not care about us, people used to bastardise us and people write bad things about us but that does not mean we are not going to do our job. Mr Speaker, the President and all of us are victims but that cannot stop us. The fear of accident cannot stop us from driving our vehicles. We are going to continue to drive this vehicle for the interest of our nation and for the interest of our destination.

Mr Speaker, Honourable Members, I want to thank you all. Thank you very much for your presentations and contributions towards the Bill. I think this is the spirit of having us together as Sierra Leoneans. We are not talking about colours here, when we make laws as I said in the pre-legislative meeting and as I have always said, it is not for a set of people, we are making laws for Sierra Leone. We are not making laws to disadvantage certain sectors; we are making laws for the good of all. The Honourable Bai Kurr said not because you are in the driving seat today you would make laws that soothe you, think about it that tomorrow you will be out of the driving seat even if it is

going to be for Fifty years you will one day be out of the driving seat. So, let us be careful with what we do. In this business of enactment of the IMC Bill and the repeal of the 1965 Public Order Act, I want to say a big thank you to the Minister; he has been very forceful about this, he has been very passionate about what we do in this House. It is not only about Members of the Fourth Estate, this is a Government Bill; we are trying to push it because we see the interest of it. It is about the Manifesto of all Political Parties as it is enshrined in the Manifesto of the APC, SLPP, NGC and the C4C. It is only because we are now in the driving seat, we have shown commitment and we have shown holiness. So, this is a holy alliance of all of us to do the repeal and have the IMC to review the Act in order to have a better Act so that we all can work in the interest of Sierra Leone. I thank you all and thank you very much, may the Lord bless us all *[Applause]*.

THE SPEAKER: Thank you Leader of Government Business. Mr Minister, you have the Floor.

MOHAMED RAHMAN SWARRAY: Mr Speaker, Honourable Members, thank you so very much for the very sustained interest you have demonstrated in discussing the two Instruments before you today, God bless you. Just to put things in context, yes there has been enormous pressure, I have come under enormous and very, very, very sustained pressure *[Applause]* but guess what? This pressure has come mainly from His Excellency the President Retired Brigadier Julius Maada Bio *[Applause]*.

I have not known the rest since he pronounced that he will repeal the Criminal Libel Law and make the future of Journalism better. I have come under very, very, very sustained pressure. I have as a result of that, also ensured that I have carried SLAJ and all of the team along. I find them very willing accomplices, you have seen Kelvin Lewis, he has been a true beacon of leadership; he wants the very best for his Association and I would be very pleased to see this repeal happen in his life time. You know, they have struggled for it so very much in times past but this time, they find us willing, ready and quite ready to work the work and with all of your support together we shall make this happen.

Mr Speaker, Honourable Members, there has been issues about media ownership. Yes, in the law, we did indicate Corporatization. Concerns are being expressed, like I said since we have published the draft Bill, we have had a lot of further discussions and conversations with SLAJ and on many of the initial contentious issues, we have had a consensus, we have had a meeting of the mind. For example, in terms of media ownership and all, we proposed we would retain both the Corporate Body and Sole Proprietorship. We live in a Country where most of our businesses are Sole Proprietorship except if we want to wood-wink ourselves. Around the world in the United Kingdom [UK] for example, there is the body-shop. The body-shop was started by Anita Roderick. Anita Roderick was a Sole Proprietor she just wanted to fend something for herself and her kids and ended blossoming into a multi-million dollar business existing in over fifty countries around the world. So, nobody is underestimating the power of Sole Proprietorship we can have it alongside. So, if there are issues of contention, there is a consensus on it moving forward.

Mr Speaker, Honourable Members, the last time I checked as per the registration, we have over a 150 registered newspapers in Sierra Leone, and about 150 registered Community Radio Stations; you have in excess of 200 Newspapers registered and in excess of 25 TV and other stations whether digital or whichever. So, this is a fertile ground for thriving media ecology but the point here is with these laws, we can only make Journalism better. Let me share a quick insight with you. Couple of years ago, Nigeria had a Bank Governor called Lamidu Salisu not quite sure of what the right name is. When he took over as Central Bank Governor in Nigeria, banks were failing regularly, almost on a daily basis Nigeria banks were failing so he looked at the law he increased capitalization requirements and put in place other stringent measures. Today, that is why you have very resilient Nigeria banks turning-over huge profits to their Shareholders and what have you; this is my vision for the Sierra Leone Media. I want Honourable I.B. Kargbo and many other Sierra Leoneans to invest in the Media at the end of the year you go to a Shareholders' meeting and you go home or to your bank all the way smiling but its only bold steps like these that is going to lead to that.

Mr Speaker, Honourable Members, there are also concerns about the tortious due judicial process if we want to go Civil. Well in the proposed Bill; we have also indicated that when the IMC Disciplinary Committee sits, they sit with the Status of a High Court if this House so pleases so that the tortious manoeuvrings in the ordinary court of the land will be truncated and people will not suffer forever. Well, that is within your competence [*Undertone*], the Bill knows that they have a Status of a High Court when they sit at Disciplinary Committee. Well yes, so people have mentioned rules of procedure, rules of this and the real issue is we have indicated that during the period if somebody appeals the decision of Disciplinary Committee, until there is a ruling by the Appeal Court, the Disciplinary Committee decision stands. So, that is something we would probably have to look at.

Mr Speaker, Honourable Members, this is quite grey, we have never talked about it, ***"Compensation for Unjustified Closures"***. That will probably be something that the legislative Committee could go more strictly into.

Mr Speaker, Honourable Members, there have been concerns about the independence or otherwise of the IMC. I would like to guarantee with my honour that when it comes to choosing the IMC officials and they are here, SLAJ nominated all of the people including the Chairman himself they nominated persons and amongst their nominees, we choose somebody to lead the Commission. Professional Associations also said the Sierra Leone Institute of Engineers and others. So, the IMC is definitely a very independent group, we would do our very best to ensure that they are independent. But your concerns are justified, bad leaders might want to do over-reaching but we have not done and we do not intend to do that at all.

Mr Speaker, Honourable Members, again, there are very legitimate concerns about social media recklessness. A lot of issues on Social Media i.e. Social Media is a double-edged sword, I would not trash it. We have had situations when Social Media has come to our rescue. When we had the mudslide for example; Social Media was readily at hand to support relief and recovery efforts. For many people, the first news broke on Social Media as a matter of fact. So, it has been useful in many ways. But you would

also find that it can be really, really unpunctuated reckless it has been that for the most part. Some people sit in the comfort of their homes abroad and threaten the peace, stability and tranquillity of this Nation. This is not what Sierra Leone wants and we do not deserve that.

Like the very gran eloquent, flamboyant and mesmerising Honourable Sheik said, we all should be in the business of packaging and marketing Sierra Leone so that the Country is able to reposition herself to attract her fair share of foreign direct investment; that is what we should all do whether on Social Media or a mainstream media [*Applause*]. But I have good news in the offering, as part of Conference Diplomacy, last year while travelling abroad; I was able to caught the Council of Europe. The Council of Europe has supported many countries around West Africa to develop their Cyber Security Legislations and to build capacity for both the Police and the Judiciary to be able to deal with issues of electronic evidence and other issues. I am pleased to note that with their support, we have been able to put a Cyber Security Bill which is currently here, I just want this done and I will still meet Parliament again to do that to pass this through, again that is very important. Honourable I.B. was former Minister of Information and Communications during that period, African Leaders acceded to what we call the **"Malabo Accord"** Sierra Leone is yet to domesticate that. So, I will be coming with that or the Minister of Foreign Affairs would be coming with both the Malabo Accord and the other Accord so that we can accede to the Budapest Convention. Once these things are done, we would get a lot of support to train our Judiciary in areas of Electronic Evidence here. We can get mutual legal assistance when it comes to dealing with citizens of Sierra Leone who sits abroad and threaten the peace, stability and security of our Country. Issues around Child Pornography, issues around thinking with electronic evidence and all of those things, computer systems, incitement and other things would be dealt with under the Cyber Security Legislation and I am sure, all well-meaning Sierra Leoneans look forward to that Bill coming here. It is done, it is already here but I just have to get a priority list so that when we come once done and dealt

with, we come to the Cyber Security commitment, the journalists will be with us to give us all the necessary publicity.

Mr Speaker, Honourable Members, concerns were raised about the fines in the proposed Legislation being too high. I remembered something my friend and a brother Umaru Fofana said during pre-legislative hearings, he warned us by saying: ***"Chiefs should never be angry when they make laws"***. So, **LE30Mln** is not asking for an arm and a leg. In Liberia, I have seen fines for reckless Journalism to the tune of **\$1.5Mln**, I have seen that Journalists being fined and I am sure SLAJ here knows that. No, it is not Liberian dollars, I am talking of US Dollars, I know about money very well [Undertone]. We do not want to go down that cliff but we will simply want like the Honourable Chief Bai Kurr said, to maintain a delicate balance between freedom and irresponsibility in this case. So yes, there has been cause for the Media Code of Conduct to be brought here, that would be brought here as Statutory Instrument laid here for twenty-one days and we can have that. I am all for that, we are already working on that.

Mr Speaker, Honourable Members, I also note my friend the rousing MP who spoke from the Opposition side Honourable Fofanah [Sheik] calling for a diversified Media I could not agree more with him. I am sure that is the ultimate aspiration, SLAJ and the Sierra Leone Media Fraternity as they grow old and as we support them in various capacity building and opportunities they also aspire to be one of the very best. After all, that would just be a return to glory. This Country at some point in our history was the maker for Journalism in West Africa. Our Journalists here were trail-blazers in more ways than one and they talked Journalism and inspired the practice in many other West Africa countries across the world. So the ultimate aspiration is we go back to those glory days.

Mr Speaker, Honourable Members, somebody has mentioned and this is something SLAJ and I have had quite some brush over, I am not going to shift this position. Somebody was it the Leader of Government Business or somebody asked: some people might have practiced for 15 years or 20 years who are quite bright but they do not have

the qualification. So my business would be, if you practice for all these years you did not see the value in enhancing yourself in doing continuous professional development, then that is quite a serious problem we should be concerned about. So, we would say and I would insist for the records that we have to give people reasons to aspire. If you join a profession where you want to thrive and reach your fullest potentials, you should be able to do the necessary investment. Courses might be expensive but you are lucky it is happening in an era where you have a Government that believes in human capacity development, you have a Government that has made clear commitments to support capacity building of the Media. So, take advantage of this and let us walk this long walk together. It is a journey to excellence, to competitive media landscape in our Country. Let us not miss this opportunity; it comes once in a life time.

Mr Speaker, Honourable Members, it has kept revisiting, this has kept popping up; I might not be very competent to talk about it now but let me say this because I sit in Cabinet. People have asked questions say; how could Parliament be legislating for example that people should have qualifications to become Editors or Station Managers when in the Constitution it only stipulates that to become a Member of Parliament you only have to be able to read and write? But my typical response which I wish to re-echo here is that Sierra Leoneans have a dim view of dark qualification and that is why during the Constitutional Review Committee recommendations, there was a clear recommendation on that. President Bio's Government has promised, has already asked the Attorney-General to read that document and advise on next steps. So, you never know. So, that is something that might be revisited. So, let us leave that, I would not go beyond that but that is what it is. No, I would not go there, that is above my pay grade Honourable Member *[Undertone]*.

Mr Speaker, Honourable Members, the Honourable Nyuma who is the Leader of Government Business on the discrepancy between the provisions in the IMC Act and the NATCOM Act. Luckily, I superintend both the Institutions and more luckily, if grammar can allow me, the NATCOM Act itself is under review. So, if there is a need to reconcile

that discrepancy, there could be no better time to do that than now even though, there is a rationale for what it is but that is something we can talk about another day.

Mr Speaker, Honourable Members, there is a clear concern that there is no Civil Society representation on the board. I wish to say there is because I have very intimate knowledge on this Bill. There is Provision for the Inter-religious Council to be represented here, that is a Civil Society group *stricto sensu*. So, the Bill provides for a representative of the Inter-religious Council and so that is taken on board.

Mr Speaker, Honourable Members, there are other issues here that the Bill clearly speaks to but like you have all said, we still have another opportunity to talk about it at the Committee Stage with the Ministry of Information and Communications, IMC, SLAJ and all Affiliates together with the Media Reform Coordinating Group. We will send our reconciled position to the House so that we do not appear as if we are working at cross purposes because on most of the issues, we have reached a consensus there is a clear meeting of the minds. We have said for example, regarding the Chairmanship or Chairpersonship of the Commission, yes SLAJ did say if we allow a lawyer or a High Court somebody to become Chairperson of the IMC that will be too much foraging into their territory. So, we agreed since this is a right regulation Body, we said we can leave the lawyers out of this so it becomes an exclusively SLAJ thing. I understand, they are jealously guarding their Institution. This is where after long years of practice many journalists look forward to be appointed to lead the IMC. So, if you make that competitive again and say Lawyers and Judges can become Commissioners of the IMC, it would be making it difficult for them. So, I am with them on this. many of the other issues have been well spoken to I need not go over them but to assure this House that under President Bio's Leadership, there will be no attempt, no inclination and no appetite whatsoever to control the IMC. All we seek to do is to ensure that we broaden the frontiers of freedom, responsible and professional media practices so that we all can rest with both eyes closed that nobody would mess with our hard earned reputations. I am heartened by the fact that, even though the brightest of the Angels fell, there are still bright Angels. You still have very bright journalists, you have professional

journalists that should serve as a beacon of hope as we deliberate the IMC Bill and do the repeal I thank you all very much.

Mr Speaker, Honourable Members, I move that the Bill entitled: the Independent Media Commission Act 2020, be read for the second time.

[Question Proposed, Put and Agreed To]

[The Bill entitled: the Independent Media Commission Act 2020, being an Act to provide for the continuation of the Independent Media Commission, to provide for the Registration and Regulation of Mass Media Institutions in Sierra Leone, Licensing of persons and Institutions engaged in Radio, Television or Direct Home, Digital Satellite Service Broadcasting and the Registration of Persons and Institutions engaged in the publication of Newspapers, Magazines and Newsletters in Sierra Leone and to provide for other related matters has been read the second time]

HON. MATHEW S. NYUMA: Mr Speaker, Honourable Members, I stand on **S.O 51[1&3]** to move the Bill to the Legislative Committee for further scrutiny.

THE SPEAKER: Any Seconder?

HON. CHERNOR R.M. BAH: Mr Speaker, I second the Motion.

THE SPEAKER: Honourable Members, you have a Motion before you.

[Question Put and Agreed To]

[In accordance with Section 51[i] of the Standing Orders, the Bill has been committed to the Legislative Committee for further scrutiny]

THE SPEAKER: Honourable Members, I want to thank the Minister and all of us for sitting through the whole day to examine and scrutinise the two Bills that we have just committed to the Legislative Committee. In doing so, we have tried to carry the public along with us. I think if there is one occasion when we should be talking about the public interest, this one is an exemplary one. We have carried the Debate live not just for our own domestic audience but for the international audience as well and we want to express our thanks and appreciation to the Media Houses that have enabled us to do

so but more especially to the SLBC. We know in the process they have somehow overlooked their contractual obligations just to ensure that the public interest in this particular instance is enhanced through the live coverage so that the public would be able to follow the Debate today.

Honourable Members, we want to implore the contractors whose contracts have not been fulfilled through broadcasting advertisements and so on and so forth to please forebear and show understanding because the overarching interest here was the public interest that the public should be with us as we debated these two important historical documents. I want to thank all of you for your co-operation and for debating so well today.

HON. MATHEW S. NYUMA: Mr Speaker, Honourable Members, first I thank you once more. I would encourage Members to join the briefing tomorrow of the Pre-Legislative Meeting. You will contact the Director, we will send out notice so that people can join and have the briefing tomorrow; I want you to start looking at these Bills tomorrow. It is deliberate, I am going to read them, Leader of the Opposition we have omitted a lot of things and new things are coming in. Yes, this is very important.

INTERNAL NOTICE PAPER

I. LAYING OF PAPERS

THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

BE IT RESOLVED:

THAT THIS HONOURABLE HOUSE RATIFY THE FOLLOWING AGREEMENTS WHICH WAS LAID ON THE TABLE OF THE HOUSE ON TUESDAY 17TH MARCH, 2020:

[Ai] AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA ON THE EXEMPTION OF VISA REQUIREMENT FOR THE WHOLE HOUSE OF DIPLOMATIC AND SERVICE PASSPORTS;

- [ii] GENERAL COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA AND THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE;
- [iii] GENERAL COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE, AND THE GOVERNMENT OF THE REPUBLIC OF UGANDA FOR THE ESTABLISHMENT OF PERMANENT COMMISSION FOR OPERATION;
- [iv] MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION OF THE REPUBLIC OF SIERRA LEONE ON POLITICAL CONSULTATIONS;
- [v] MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE AND THE GOVERNMENT OF THE REPUBLIC OF UGANDA ON POLITICAL CONSULTATIONS;

For this Bill, I am going to announce. There is going to be a proposed date for pre-legislative hearing on Tuesday 21st July at 10: 00 a.m. in Committee Room 1.

II. Bill

- i. The Consumer Protection Act 2020

INTRODUCTION AND FIRST READING

THE MINISTER OF TRADE AND INDUSTRY

- ii. THE CYBER ACT 2020

INTRODUCTION AND FIRST READING

THE MINISTER OF INFORMATION AND COMMUNICATIONS

Thank you very much for your attention.

HON. ALUSINE KANNEH: Mr Speaker, there is a report to be referred to the Public Accounts Committee [PAC] that I want to move a Motion on.

THE SPEAKER: Okay, let me allow you first.

HON. ALUSINE KANNEH: Thank you. Mr Speaker, Honourable Members, I hereby move that a Performance Audit Report on the Management of Government vehicles at the Ministry of Transport and Aviation on the Sierra Leone Road Safety Authority tabled today 16th July 2020 and the Audit Service Sierra Leone Performance Audit Report on the management of Passports and Travelling documents Sierra Leone Immigration Department, May 2020 tabled in this House on the 2nd July 2020, be referred to the PAC for investigation of a report tabled for a debate. Thank you.

THE SPEAKER: Which reports are those?

HON. ALUSINE KANNEH: The are from the Ministry of Transport and Aviation and the Immigration Department. Thank you.

THE SPEAKER: Any Secunder?

HON. JOSEPHINE MAKIEU: I second the Motion Mr Speaker.

[Question Proposed, Put and Agreed To]

I would like to invite the Leader of Government Business and the Leader of the Opposition to a meeting with me tomorrow. That invitation is against the backdrop of the provisions of Section 93 of the Constitution.

ANNOUNCEMENTS

THE SPEAKER: Honourable Members, to say is been a long day is an understatement. Once again, I thank all of you for your cooperation and understanding.

ADJOURNMENT

[The House rose at 6:00 p.m. and was adjourned to Thursday 23rd July, 2020 at 10:00 a.m. prompt]

