

*Honourable Members, OAU DRIVE, TOWER HILL,  
FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

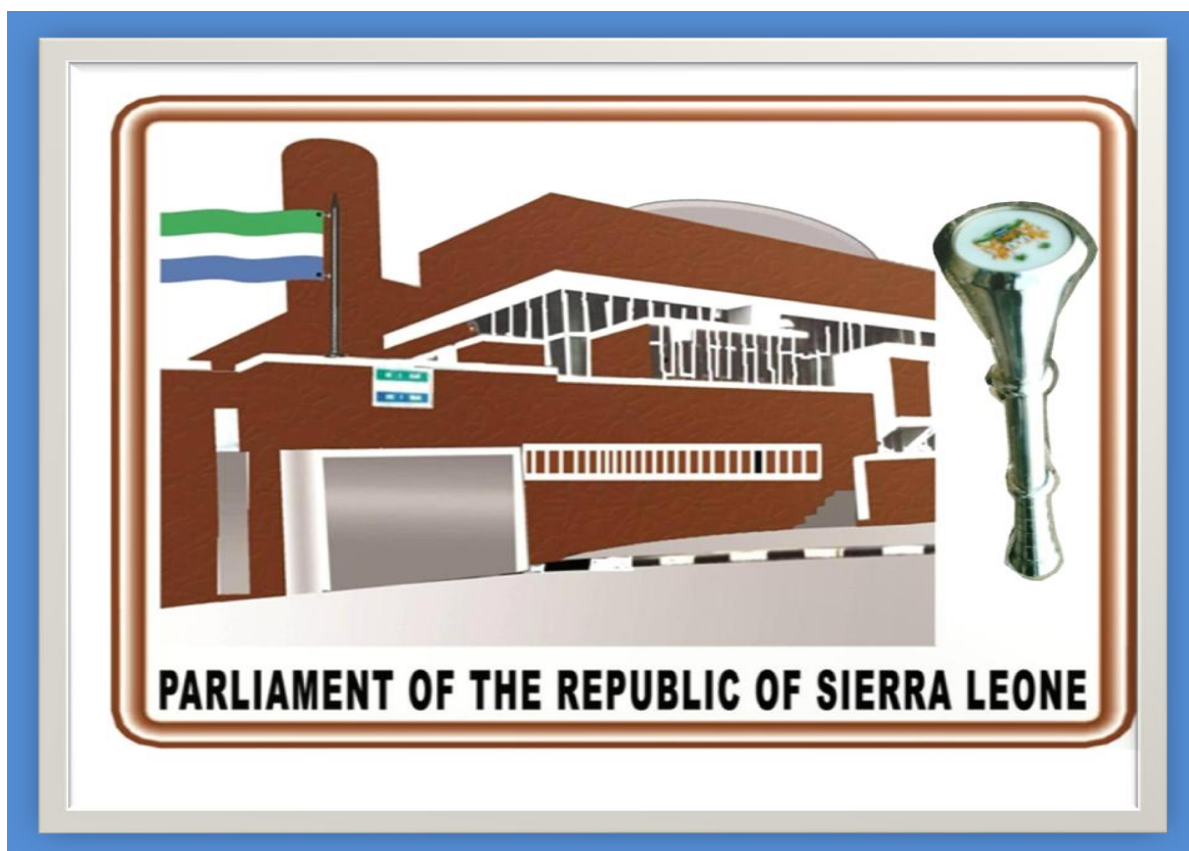
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**OFFICIAL HANSARD REPORT**

**SECOND SESSION –FIRST MEETING**

**FRIDAY, 20<sup>TH</sup> DECEMBER, 2024**

*SESSION – 2023/2024*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**VOLUME: I**

**NUMBER: 24**

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

Proceedings of the Sitting of the House  
Held Friday, 20<sup>th</sup> December, 2024

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*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

## **Official Hansard Report of the Proceedings of the House**

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

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**Friday, 20<sup>th</sup> December, 2024.**

#### **IV. PRAYERS**

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

*[The House met at 10:00 a.m. in Parliament Building, Tower Hill, Freetown]*

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

The House was called to Order

## **II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON THURSDAY 19<sup>TH</sup> DECEMBER, 2024.**

**THE SPEAKER:** Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 19<sup>th</sup> December, 2024. As usual, we shall skip Pages 1 through to 4. If a Member has any difficulty with his/her name kindly bring that to the attention of the Table Clerks for the necessary corrections to be made. We start with Page 5. Do you have any amendment on Page 5? Page 6, Page 7? Page 8? Page 9? Page 10? Page 11? Page 12? Page 13? Page 14? Page 15? Page 16? Page 17? Page 18? Page 19? Page 20? Page 21? Page 22? Page 23? If there is no correction or amendment, can someone move for the adoption of the record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 19<sup>th</sup> December, 2024 as presented?

**HON. NENNEH LEBBIE:** I so move, Mr Speaker.

**THE SPEAKER:** Any seconder?

**HON. JOSEPH WILLIAMS-LAMIN:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed to]*

*[Record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 19<sup>th</sup> December, 2024 has been adopted as presented]*

## **III. ANNOUNCEMENT BY MR SPEAKER,**

**THE SPEAKER:** I want you to proceed because we have a very long day.

**HON. BASHIRU SILIKIE:** Mr Speaker, Honourable Members, I rise to amend the Order Paper. Government Motion by Honourable Matthew S. Nyuma now becomes item IV. The Report on the Tribunal now becomes item II, and Motion of the Committee on Appointments and Public Service becomes item [I].

**THE SPEAKER:** Any seconder?

**HON. DICKSON M. ROGERS:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed to]*

*[The Motion to amend the Order Paper has been carried]*

#### **IV. PAPERS LAID**

##### **A. THE MINISTER OF INFORMATION AND CIVIC EDUCATION**

**THE MINISTER OF INFORMATION AND CIVIC EDUCATION:** Mr Speaker, Honourable Members, with your leave, I beg to lay on the Table of this Honourable House the following Paper:

The Right to Access Information Annual Report 2023

##### **C. THE MINISTER OF WORKS AND PUBLIC ASSETS**

**THE MINISTER:** Mr Speaker, Honourable Members, with your leave, I beg to lay on the Table of this Honourable House the following paper:

Concession Agreement for the Reconstruction of the Mabang-Moyamba Gbangbatoke road Project, 86 kilometres between the Government of Sierra Leone, represented by the Ministry of Works and Public Assets and Society International, Date, December 2024.

#### **V. MOTION OF THE COMMITTEE ON APPOINTMENTS AND THE PUBLIC SERVICE**

**HON. MATHEW S. NYUMA:** Mr Speaker, Honourable Members, I present to you the Second Session of the Sixth Parliament of the Second Republic of Sierra Leone, Fifth Report of the Committee on Appointments and the Public Service on Parliamentary vetting of presidential nominations, December, 2024:

##### **I. Introduction**

Mr Speaker, Honourable Members, the Committee on Appointments and the Public Service that is charged with the responsibility of vetting Presidential nominees to serve in such important offices of state, met on **Thursday 19<sup>th</sup> December 2024**, and interviewed **seven** nominees for the following appointments:

- i. Chief Justice
- ii. One Resident Minister;

- iii. One Ambassador to Dublin;
- iv. One Chairman Public Transport Authority; and
- v. Three Board Members; one for the Bank of Sierra Leone and two for the Sierra Leone Maritime Administration.

## II. Procedure

The Committee conducted its hearing within the usual framework of procedures and interviewed the nominees on issues pertaining to their backgrounds to ensure that they have the required education and proven track records in pertinent work situations for such appointments to important offices of State. Further probing questions put to the appointees covered wide ranging issues relating to declared assets, tax obligations and their visions for productive tenure. Issues of unsuitability or otherwise were also closely looked into by the Committee.

## III. Sixth Sitting of the Committee on Monday, 9th December, 2024

In tandem with the above therefore the Committee interviewed the following presidential nominees on oath:

### *[i] Honourable Justice Komba Kamanda, Proposed Chief Justice*

Honourable Justice Komba Kamanda is a household name relating to justice in Sierra Leone. He has an enviable legal academic background and wealth of experience as far as judicial practice is concerned and has won so many accolades to his credit. Honourable Justice Komba Kamanda has been through the ranks in the legal arena thus:

- ❖ Magistrate in 2005, Senior Magistrate in 2008, Acting Principal Magistrate in 2011, Coroner in 2012, Member of the Inter Sectorial Committee on Justice Delivery in 2013, Member of the Bail and Sentencing Committee in 2015, and High Court Judge in 2016 and prior this appointment, he was a Justice of the Appeal Court of Sierra Leone in accordance with section 135[3] of the 1991 Constitution.
- ❖ The Chief Justice is the head of the Judiciary and must acts as a link between the Judiciary and other arms of government. The Committee adjudged the proven legal track records and general human relations of Honourable Justice Komba Kamanda

quite suited for the assignment and hence further reaffirm the Committee's commendations in the Fifth Parliament for his approval.

- ❖ Responding to the Committee on his vision for the Judiciary, he said: "The 1991 Constitution guarantees equal rights and equal justice for every citizens of Sierra Leone, irrespective of religion, tribe or political party affiliations. As Chief Justice, I am aware of the sacred responsibilities of this office and I shall uphold the rule of law and justice without fear or favour and do pledge myself."

He concluded that his vision for the Judiciary is to expedite the revitalisation of the Court system to address delays in adjudication of cases and to facilitate access to justice across the country.

*[ii] Honourable Justice Desmond Babatunde Edwards, Proposed Ambassador, Extraordinary and Plenipotentiary, Dublin, Ireland*

Hon Justice Desmond Babatunde Edwards is a renowned legal luminary, both home and at large. His resounding growth through the ranks from 1990 when he was called to the Bar, reveals an unwavering character of progress and resilience as were noted:

- ❖ 2011-2014- High Court Judge, in charge of Civil and Criminal Matters;
- ❖ 2014-2015- Resident High Judge, Southern Province and Chairman of the Local Courts Commission;
- ❖ 2015-2016, Justice Court of Appeal, Sierra Leone [Judge fast track Commercial Courts];
- ❖ 2016 - Appointed Judge of the Residual Special Court for Sierra Leone to carry out the continuing legal obligations of the UN Special Court for Sierra Leone.
- ❖ 2018-2024 - Prior to this appointment, he served as Chief Justice and Chairman of the Council of Legal Education of the Sierra Leone Law School.

The nominee holds a Master Degree [LLM] in International Disputes resolutions from the University of London [2015] and another Master in Business Administration [2013].

On his departure to the world of diplomacy, he said" as the first ever Ambassador to the Ireland he would endeavour to step his feet on the sands of time and assures that he will explore every opportunity to harness the potentials of Ireland ranging from



education to economic opportunities through tourism and others. He concluded on a resounding note “the mission at Dublin is new and so I will use the experience of my legal profession to creditably represent my country as a beacon of hopes.”

*[iii] Ambassador Rupert Sydney Down Davies, Proposed Member, Board of Directors, Bank of Sierra Leone*

Ambassador Davies is a career civil servant and diplomat with wealth of experience in international relations, regional integration and economic diplomacy. Ambassador Davies served with diligence as the State Chief of Protocol to His Excellency, President Ahmed Tejan Kabbah [Late]. Ambassador and Deputy Permanent Representative of the Permanent Mission of the Republic of Sierra Leone to the United Nations in Charge of Political Affairs [2007-2011] and recently Sierra Leone High Commissioner to Nigeria.

As a season diplomat, he said he was going to the Board to share his long standing experience in international diplomacy to work with colleagues in helping the Central Bank performs its statutory role of favourable economic growth.

*[iv] Mr Ibrahim Jalloh, Proposed Resident Minister, Northern Region*

Mr Ibrahim Jalloh hails from the Sanda Tendaren Chieftdom in the Karene District. He has a rich profile of work experience in the private sector with discipline and quest for timely quality results. He holds a Bachelor of Arts Degree in Political Science and Public Administration from the Fourah Bay College [1990-1994].

As the focal point at the Northern region, Mr Jalloh promised to bring to the fore inclusivity and equality in addressing national agenda at all levels.

*[v] Mr Abu Koroma, Proposed Chairman, Sierra Leone Public Transport Authority.*

Mr Abu Koroma is a household name in Sierra Leone, known for his pragmatism and discipline. His loyalty to serve the people is always at the fore and do make selfless sacrifices to achieve this. Prior to this appointment, he served as the Resident Minister, Northern Province [2018-2023].

The nominee promised to revamp the Public Transport Authority, especially at a time when there are now demands on government to expand accessibility to public transportation.

*Mr Eugene Cole, Proposed Member, Board of Directors, Sierra Leone Maritime Administration*

Mr Eugene Cole is a financial management, procurement and logistics professional with a twenty year spanning experience in private sectors. He holds several certificates to his credit and worked in renowned institutions, including Erays Travel Agency, Datatel Connections Sierra Leone [2000 -2006], Africel [2006-2010] and host of others.

He promised to bring his experience for value for money and quality delivery to the Board and promised to work closely with colleagues and the Administration to accomplish the statutory interest of the Maritime Administration.

*Madam Aminata Dabo, Proposed Member, Board of Directors, Sierra Leone Maritime Administration*

Madam Amanita Dabor is a grassroots politician with notable experience on the Road Transport Corporation Board where she served as a member until this appointment. She has a spirit of teamwork and is always ready to learn whilst proffering her own advice. At the Maritime Board, she said she would be going to the Maritime Board with an open hand to embrace positive changes that would boost the image of the government.

#### IV. Recommendations

Mr Speaker, Honourable Members, the Committee adjudged the following presidential nominees to be adequately qualified for their proposed appointments and are therefore recommended to the House for approval:

[i] Honourable Justice Komba Kamanda, proposed Chief Justice;

[ii] Honourable Justice Desmond Babatunde Edwards, proposed Ambassador, Extraordinary and Plenipotentiary, Dublin, Ireland;

[iii] Ambassador Rupert Sydney Down Davies, proposed Member, Board of Directors. Bank of Sierra Leone;

[iv] Mr Ibrahim Jalloh, Proposed Resident Minister, Northern Region;

[v] Mr Abu Abdulai Koroma, Proposed Chairman, Sierra Leone Public Transport Authority;

[vi] Mr Eugene Cole, proposed Member, Board of Directors, Sierra Leone Maritime Administration; and

Madam Aminata Dabo, Proposed Member, Board of Directors, Sierra Leone Maritime Administration.

## V. Conclusion

Mr Speaker, Honourable Members, the **Fifth Report** reflects the **unanimous** view of the Committee. I therefore move that the **Fifth Report** of the Second Session of the Committee on Appointments and the Public Service be adopted by the House and that the recommendations contained therein be approved.

**Honourable, Mathew Sahr Nyuma, JP**

Chairman and Leader of Government Business

**THE SPEAKER:** Any seconder,

**HON. BASHIRU SILIKIE:** I so second, Mr Speaker.

*[Question Proposed]*

**THE SPEAKER:** Honorable Members, I know that every one of you want to say something, but since we have a very long day today, I will allow the seconder and one from either side.

**HON. BASHIRU SILIKIE:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I want to begin by thanking his Excellency the President for presenting this nominees to us for approval. I will begin with the proposed Chief Justice Komba Kamanda. During his interview yesterday, I said this is the first Chief Justice that has gone through the rank and file in the judiciary. He started as a Magistrate and rose to the rank of an Appeals Court Judge. Today, he has been nominated to serve as Chief Justice. I am sure he is the youngest to serve in that position.

Mr Speaker, Honourable Members, one thing that is clear that his Excellency has done is to continue reposing confidence in the young people of this country. Today, we have the youngest Attorney General and Minister of Justice. If the proposed Chief Justice is approved, he is going to be the youngest Chief Justice of the Republic of Sierra Leone. The two of you have been given the responsibility to deliver and sanitise the judicial system. I am sure you know the challenges of our judicial system. When you were serving as Magistrate, you wanted to change certain things within the judicial system; you wanted to make things right, but you did not get the opportunity to do so. When you became a High Court Judge, you wanted to change things for the better, but you did not get the opportunity. You also served as Appeals Court Judge still wanted to make things right, you did not get the opportunity. Today, you are at the helm of affairs and you have been given all the opportunity you wanted to make things right. If you do not make it right, it means you have failed. It also means you have failed the young people of this country and the President. You have been in that institution for long and it means you saw it all; you saw the excesses and the challenges. Please work hard, so that Sierra Leoneans continue to repose their confidence in the Judiciary.

Mr Speaker, Honorable Members, I want to talk about Mr Abu Abdulai Koroma, commonly known as Abu Abu. When Abu Abu's name was mentioned, we saw what happened from the other side. He was enthusiastically welcomed and the Honourable Member from 91 said, that is how they welcome one of their kinds. I know that when the proposed Chief Justice came to this House some few years ago, that was how he was welcomed. Today, Abu Abu is here. It means Mr Abu Abu has huge potential because the Opposition warmly welcomed him. It shows you have a very strong character. I know you are one of them and I am certain that this is how the Opposition welcomed a very strong character. You have worked with them in Opposition; you did not fear them when we were in Opposition; you challenged them at every given point. You were Resident Minister and you also challenged them. Thank you very much His Excellency the President. Mr Abu Abu is one of the longest serving Resident Ministers in the North. Mr Speaker, Abu Abu is a household name in Sierra Leone. If the SLPP is in

governance today, Abu Abu played a pivotal role in that regard. He was our Regional Chairman at a point when the Northern Region was not attractive for the SLPP. He was one of the people who laid his life for his Excellency to be where he is today. Mr Abu Abu, I want to tell you that the SLPP is proud of you. We are extremely proud of you. I just wanted to wish you well and to encourage you to continue the good work you have been doing. Please continue to deliver the North to the SLPP. We have no doubt in you, we are very confident that you will deliver. The President is very pleased with your work and that is why he has given you additional responsibility. I am sure the President and the entire SLPP will continue to empower Mr Abu Abu.

Mr Speaker, Honorable Members, I want to talk about the proposed Resident Minister who is going to succeed Mr. Abu Abu. I want you to follow the footsteps of Mr Abu Abu. We all know the goodies Mr Abu Abu has done. Mr Abu Abu is a very strong man in the North. It is only strong men that can handle those guys in the North. We do not want people who are weak and feeble. Please be very strong and courageous. I want you to make sure you deliver and bring sanity and development in the Northern Region. I want you to know that Mr Abu Abu has gone through difficult moments in the North. There was a period in this country when faeces and urine were thrown at his house just because he belongs to the SLPP. I want to wish the proposed Resident Minister well. I also wish the proposed Ambassador well in his new assignment.

Mr Speaker, Honourable Members, I will not round up if I failed to mention the Women's Leader for Constituency 81, Honourable Haja Aminata Daboh is a very strong personality in Bo. She is one of the pillars of the greatest SLPP in Bo District. She is a grassroots politician. Mr Speaker, when we were in Opposition, she was one of the strongest personalities that encouraged some of us to keep the spirit and faith in the SLPP. There was a period some members of the SLPP wanted to give up. She was extremely pivotal in reviving our strengths and faith in the SLPP. She was all over the districts, cajoling people to be steadfast. Wherever there were conferences, she would go there to encourage members of the SLPP. This woman worked day and night to see the SLPP in governance. Mr Speaker, this woman is contented because even when the

SLPP won the elections, she did not get any appointment, but she continued to be steadfast, supportive and even encouraged SLPP supporters who have not been given jobs to keep the faith. Few years down the line, His Excellency appointed her to serve as Board Member at SLRA. Again, the President has continued to bestow his confidence in her by reappointing her to serve on the SLM Board. The only thing I will tell Madam Haja Daboh is that Maritime has been extremely challenged. We hope you will work with other members of the Board to sanitise that institution. We know you are a mother, please play the motherly role and make sure the entire team works as a family.

Mr Speaker, Honourable Members, I go to Mr Eugene Cole. He was our aspirant in the Western Rural for the Chairmanship position. He tried his best, but God did not allow him to succeed. Today, however, the President has considered him to also go to the SLMA Board. As a young man, I am certain that he is going to be working with the elders on that Board. Please work as a family and make sure you deliver.

Mr Speaker, Honourable Members, the former Chief Justice is going as Ambassador. He has a wealth of experience and I want him to use the experience to bring laurels to Sierra Leone. I want to thank everybody and I hope this Parliament will speedily approve your nominations. I thank you very much.

**HON. DANIEL B. KOROMA:** Thank you very much, Mr Speaker. As earlier mentioned by the Speaker that today is a long day for us, I will make my intervention very short. I was part of the interview panel that interviewed these nominees before us. I listened to most of their presentations, even though I was asked to leave earlier than expected, I can safely say that the decision was unanimous at Committee level. It was unanimous and that unanimity is now before us for approval or disapproval.

Mr Speaker, Honourable Members, I start with the Honourable Justice Komba Kamanda, proposed Chief Justice of the Republic of Sierra Leone judiciary. I was impressed yesterday during the interview. One of the Committee members asked a simple question. He said, are you Justice Komba Kamanda? He said, Yes, I am. The MP said that was all I wanted to know. Justice Komba Kamanda is now before us and is a

household name. He is a Sierra Leonean and a very senior member of the Judiciary. If approved, he is going to be among the top leaders of our judicial system.

Mr Speaker, Honourable Members, as we proceed with the approval process, I would like to inform our proposed Chief Justice on some of the issues that are bothering Sierra Leoneans with respect to the activities of the Judiciary. In the first place, this one is completely out of hands, which is the local court system. They are all on their own, together with their paramount chiefs or local authorities. As a Member of the Fourth Parliament, I witnessed the enactment of the Local Courts Act and I must confess here that it was a long drawn out battle for the local courts to be shifted from Local Government to Judiciary. It was not an easy adventure. It was strongly resisted by the local authorities, including the Local Governments. However, based on our resilience at that time, we believed that the justice system should not be limited only to the superior courts. In fact, the inferior courts happen to interface with more Sierra Leoneans or more litigants than the superior courts.

Mr Speaker, Honourable Members, before 2011, one of the issues we debated was the long drawn out battle relating to the Local Court Chairman and qualifications of the Local Court Chairman. Some said that the Local Court Chairman must be able to read and write; another said it is not necessary; all that is necessary is for you to be vast in the local traditions and customs of the people. Of course, I was a fan of the former because as a Local Court Chairman, you must be able to read and write. This is the 21<sup>st</sup> Century. The judgement of the Local Court Chairman cannot not be written by a Local Court Clerk when the Local Court Chairman is unable to verify. You should be in a position to prove your ruling or ascertain the content of your ruling. You cannot prove it because they may have ruled in one way, and then the clerk will document it in another way. The decisions of Local Courts Chairman are subject to appeal; it can be appealed against. The question is, how can you defend yourself when you do not even know what the clerk has written. For the court fines, the nominee gave some explanations and some of his intentions to address these provisions. Local Courts Chairmen are now on their own, they impose exorbitant fines, and sometimes they hang it with the local

authorities. It is based on the instructions of the local authority that the Chairman will follow. If those instructions are born out of malice or bad faith, then justice will not be delivered. I know there is a national supervisor of the local courts seated right in Freetown. In my opinion, holder of that office, except if he has all national matters to address, otherwise that office should not be in Freetown. That office should be in the provinces, except if the individual has other national duties to perform, which requires him/her to stay in Freetown. The person has no business staying in Freetown because you cannot interface with the local courts in Freetown. The local courts are in the provinces.

Mr Speaker, Honourable Members, I want to inform the nominee that the local court system is nothing to write home about. If the proposed Chief Justice is approved, he is going to inherit a new baby of this Parliament, and that baby is the Criminal Procedure, Act, 2024. For that Act to be enacted, I must inform this House that the entire Sierra Leone justice system and all beneficiaries of the justice system need to congratulate the former Chief Justice, Honourable Justice Brown Mark. Honorable justice Brown Mark has been the brainchild behind the enactment of the Criminal Procedure Act. I have served as Chairman of the Legislative Committee for three years and as Deputy for two years. During the time I served as Chairman of this Committee, I received five versions of the Criminal Procedure Bills and none of them was enacted. Sometimes by the time we got ready to do so, an official from the Local Court or from the Attorney General would say, 'we want to amend this area or Clause, or we want to add something. We continued to wait for a very long time, but Justice Brown Mark never gave up. He insisted that he will resolve the impasse; and today, he has a legacy which no one can take from him. He is the brainchild of this Act and I say Kudus to him.

Mr Speaker, Honourable Members, the content of the Criminal Procedure Act is very good for the justice system of this country. For me, I felt unfulfilled at the end of the second term because I never intended to come back. So, I went away from Parliament unfulfilled because by the time I ended my second term, cancerous PR System was still part of our laws. I call it cancer because it is incurable. However, by divine providence,



I came back to Parliament as a third term MP. I am one of the MPs who can celebrate today because in the new Criminal Procedure Act, the PR system is nothing. There is no threat to the justice system of this country. It has a very limited time and it must be concluded within the timeframe. This is because the procedure you have to follow is a must. We can safely say the PR system is gone.

Mr Speaker, Honourable Members, my candid opinion, as a Sierra Leone, is an opinion I wish that the judiciary will be non-political. I am thinking about that because I believe that pretty soon, the constitutional amendments will be brought before this House, which includes how the Judiciary functions, manner of appointments, tenure of office, etc. I am sure during the review process, the Judiciary should be made non-political; but as it is, it has been dictated by the Constitution already. I know as humans, it is difficult to make it non-political. In the first place, the appointment of the Chief Justice is done by the political head. As a political head responsible to appoint the Chief Justice, there is always room for his/her removal. What do you expect? What will be the nature of your loyalty? You have to be loyal. Whether you agree or disagree, you have to be loyal. It is very pathetic and in practice, I am saying what I have seen. I have seen Chief Justice coming and going even before the end of their term of office. Repeatedly, Chief Justices have been asked to leave office even before the end of their term. To me, this is not correct at all.

Mr Speaker, Honourable Members, as far as I am concerned, all accountability bodies, such as the Judiciary, for instance, once you are appointed, you are supposed to be non-political. I hope you get this very well. There should be no room whatsoever for their removal. I am sure once you create room, no matter how you make it rigorous, it can be abused or misused. No matter how rigorous it is, it can be surmounted. The only exception is for political appointees who remain to be political after appointment. If you are a political appointee and you remain political even after your approval by Parliament, it is fair enough. You can be hired and fired, but as long as you are expected to be non-political after approval, there should be no room for that, otherwise it will be abused. You would agree with me that every Government would abuse it and

that would affect efficiency. I have been on both sides of the aisles. I have been over there and now I am here. This means I now have a balanced experience. When it is on your side, you think it is the best; but when it is against you, you think otherwise. I am saying that no condition is permanent and I want you to take note of that.

Mr Speaker, Honourable Members, the only reservation I have is our Jury System that has gone. The Honorable Justice Komba Kamanda, upon your approval, you will be inheriting a system totally devoid of a Jury System. You need to think about it as to how you will manage it. However, if I have my way, I will bring it back. Parliament can do it at the most appropriate time. Some of us will ensure that we have our Jury System back as part of our laws, otherwise when it is against you, you will know what I am saying now. I want you to take note of that. Of course, the nominee is qualified and he will listen to our advice. It is now your responsibility to change or improve on public perception of our judicial system in this country. This is your time to change the public perception and make some improvements. I want you to know somebody was there before you, and somebody will come after you. When you leave office, people will ask what you have done or achieved. You have to be asking yourself that question on a daily basis. Anything you are about to do, is it pleasing to my maker? Is it pleasing to my conscience? Is it pleasing to public perception? I have no doubt in you.

Mr Speaker, Honourable Members, I believe the President did not make any mistake. The decision of the President to nominate these people before us is based on the confidence he reposed on them to deliver on his agenda. During the interview, we would have questioned their eligibility if there was any, but as far as I know, I have no question for their eligibility. I believe they are qualified and we need to allow them to take up their various responsibilities to deliver on their mandates. Thank you very much, and God bless you.

**HON. HINDOLO M. GEVAO:** Mr Speaker, before I start my debate, I always say Hon. Daniel B. Koroma is a fine gentleman. He is a fine Sierra Leonean. I would like to correct few things he said during his debate. What he has said is the truth because successive Chief Justices were removed. I want him to know that when His Excellency,

Ernest Bai Koroma was in office two days after he took oath of office, he removed Dr Adena Reyna Thomas as Chief Justice of the Republic of Sierra Leone. This happened two days after he took the oath of office.

**HON. DANIEL B. KOROMA:** Mr Speaker, Honourable Members, I want the Honourable Member to reference me. I believe I have the right to respond in his opening statement. He said wished to correct me on what I said, but I believe all those listening to us now will confirm that what you have just said supports the presentation I made. I said based on our legal system, our Chief Justices have been successively removed from office before the end of their term of office. That has been my problem and it is one of the examples I cited. As far as I concerned, that practice is not correct.

**HON. HINDOLO M. GEVAO:** Of course, I am in support of what you have said. Indeed, it is a wrong practice to remove a Chief Justice from office two days after you took oath of office. My intervention is on the proposed Chief Justice of the Judiciary, Justice Komba Kamanda. I have known him when I was in the University and shortly after he was called to the Bar. I am sure he practiced under Attorney Brewah. He came to do his Pupillage while I was also doing my pupillage under the JB Queen. He is a man of strong character; he was a strong Magistrate. He has served Sierra Leone and has given back to this country. He has served successive governments. He served as Magistrate under the APC-led government. I remembered in those days, when the streets of Freetown used to be very dangerous to walk after 6 o'clock, particularly central Freetown. The then Minister of Internal Affairs was Paulo Conteh. Those were the days when those who were arrested for loitering or stabbing in the central Freetown were considered as demigods.

Mr Speaker, Honourable Members, Justice Komba Kamanda presided over several of those cases and through him the central Freetown became a very peaceful place to live. I am not here to praise him; I am here to admonish the Judiciary. If you look around the Well, you would discover that some of the very senior members of the Judiciary are conspicuously absent. One person I have always prayed for to become Chief Justice was Justice Brown Mark. When he was made Acting Chief Justice, I thanked God for

that because he always wanted to be and he has the experience. God chose him and when he assumed office, he made some good reforms. I am happy as he is stepping out, Justice Komba Kamanda is coming to replace him. I want to beseech you to guide him using your wealth of experience as a legal practitioner for over 30 to 40 years standing and as a benchman of over 15 to 20 years standing. I want you to guide him and ensure that the judicial family stick together.

Mr Speaker, Honourable Members, one Appeals Court Judge that I will not mention his name here told me that certain positions are only given by God. Today, God has chosen Justice Komba Kamanda to occupy that seat. He will succeed if all of you rally around him to make the Judiciary great. Indeed, the Judiciary will be great again; and with your wealth of experience or with the way every judicial member respects you, I have no doubt that you will be able to perform that sacred duty. I am sure all of them will tap on your experience. I am certain that Justice Komba Kamanda himself will always knock at your door when he faces difficulties in the course of performing his sacred duties. You would agree with me that Justice Desmond Babatunde Edwards did face some challenges when he was Chief Justice of the Republic of Sierra Leone. It is indeed a very difficult job, even being a Magistrate is not an easy job. When the Magistrate presides over a case, a lawyer will just say something that is inimical to his integrity. I have seen it and it is worst among the High Court Judges Appeals Court Judges and Supreme Court or a Chief Justice. The entire nation will say A or B. But like I said, Justice Komba Kamanda is a very strong character.

Mr Speaker, Honourable Members, Justice Komba Kamanda has presided over difficult cases. He has been asked to preside over cases where senior citizens were asked to appear before him. He has delivered justice without fear or favour. I want us to respect the Judges and Magistrates because they are doing a very difficult job. I was given the opportunity to be a Magistrate. If I had been, maybe I would have been in the High Court, or Appeals Court or the Supreme Court bench, but I chose to follow things that bring me **\$10,000, \$15,000 or \$20,000** to my pocket. Some of them chose to be on the Bench. They used to pay them less than **Le 1mln**, but they still decided to be on

the Bench. Therefore, it behoves us to respect them. I will ask that when you are approved, please work with the Legislature and the Executive Arms to ensure that the welfare of your colleague judges is improved. I sometimes look at some judges driving their own vehicles. Sometimes when their vehicles broke down, they would have to write letters of assistance. I am sure you have served as Magistrate in the provinces and as Judge in the city. With your experience, you will be able to ensure that the welfare of your colleagues is regularised.

Mr Speaker, Honourable Members, I want to advise the proposed Chief Justice to embark on positive reforms, especially reforms relating to the rules and procedures of the Judiciary. I want you to look at the Supreme Court rules of 1982; I also entreat you to look at the Court of Appeals rules of 1985. I want you to review the rules and make the court committee very active. Some of these rules have taken over 20 years and it is high time they are reviewed in order to meet modern trend. I have no doubt in my mind that Justice Komba Kamanda, with the supports from the Supreme Court Judges, the Appeals Judges, the Magistrates and High Court Judges, will deliver successively. Like my colleague on the other side said, Justice Komba Kamanda is one person who has never change course for national politics. That is why I always say that President Julius Maada Bio will go down into the records as one of the best Presidents. I will vow that Justice Komba Kamanda never meddled into politics. No one can say he is APC, SLPP or NGC. On that note, I want to say thank you and I wish you well.

**HON. ABDUL KARGBO:** Mr Speaker, Honourable Members, I know we are behind schedule, but I would have loved to have heard the voice of Honourable Peter Yamba. He has expressed sentiments on the appointment of his brother from the North and he wanted to shower praises on him. However, because of time constraint, I will do it for him. I do not intend to hold the microphone for too long because we have many other things on the Order Paper.

Mr Speaker, Honourable Members, I will start with the proposed Chief Justice. I am sure when the Deputy Leader of Government Business was making his submission, he mentioned the challenges in the Judiciary. One thing I like about him is that there are

times when he debates, he presents issues like a Sierra Leonean. These are similar concerns we also share. You have a moral obligation, as the Chief Justice, to ensure that justice is dispensed, regardless of your political orientation, tribe, religion, etc. You would agree with me that being a judge is the only role you can play that is equivalent to the function of God. God judges us for whatsoever we do on Earth. This means you are representing God on planet Earth. That is why when you dispense justice, you should do so without fear or favour. We do not want to see a Judiciary wherein a political party will be scared to go to court. We want to see a Judiciary that everybody will be proud of.

*[Suspension of S.O 5[2] being 12:00 noon]*

**HON. ABDUL KARGBO:** Justice Komba Kamanda has a herculean task. The public should repose confidence in the Judiciary. The Deputy Leader of Government Business [1] showered praises on Mr Abu Abu. He said Mr Abu Abu is a strong and a tough man. Mr Abu Abu is waving and it seems as if he is proud of the accolades. All I want to say you were suspended while serving as a sitting Resident Minister. I want you to do everything possible, so that you will not be suspended again. I cannot be proud of somebody who has been suspended. This is what they do to deceive people. So, do everything within the limit of your power to ensure that you do things correctly.

Mr Speaker, Honourable Members, when the new Resident Minister for the North was introduced, regardless of the fact that MPs on this side know very well that he is SLPP, regardless of the fact that MPs on this side know that he is not APC, they clapped for him. Many others who are SLPP have come here and we have clapped for them; we congratulated them because they behave like Sierra Leoneans. By the way, Mr Abu Abu is my man. I wish you well in your new appointment.

Mr Speaker, Honourable Members, without wasting time, I want to wish all the nominees well. The former Chief Justice, Desmond Babatunde Edwards is going to Dublin and I want to wish him well. Please make sure that Sierra Leoneans benefit from your service. I want to ask this side of the aisles to approve these nominees.

**HON. MATHEW S. NYUMA:** Thank you very much, colleagues for expressing such wonderful sentiments about the nominees. This shows we have done a very good job at the Committee level. The Leader of the Opposition has expressed willingness for us to speedily approve these nominees. I am fully aware of the time and also you do not keep the President waiting to perform state functions for specific nominees. I believe the Deputy Leader [2] of Government Business, Honourable Saa E. Lamina and the Kono people will be happy today to have one of their kinds, a man who has been in the Judiciary for a very long time. He knows what is happening within the Judiciary. I wish him well. I know we do not need to talk about challenges anymore. You have to ensure that you solicit assistance from those who have retired. They are still worthy of giving the assistance you need. Your predecessor is now going as an ambassador to Ireland, Dublin. He said in his interview that he would always be ready to give a helping hand if called upon to do so. Please look at what he has done and I am sure he has done so well. Please make room for the retirees because you still need them.

Mr Speaker, Honourable Members, we need robust reforms at the Judiciary. I want to entreat Justice Komba Kamanda to work with the senior members of that institution. He has to embrace them and work with them. You have to look at the conditions of service, including those who have retired. We want you to leave a mark in the Judiciary. I wish the rest of the nominees all the best and I wish you follow what the spirit of leadership is giving you. You have a very good resume. We have read and understood all what you have done for this nation. I want you to continue to do the best you can for this country. I think I am satisfied with the work of the Committee on Appointments. It shows that we did our best to look at your profile. If approved by this House, I know you are going to perform.

Mr Speaker, Honourable Members, you would agree with me that more than half of the nominees before us this morning have been to this House for approval. This means it is not their first time coming to Parliament. I thank you very much for your service to this nation. We know what is happening in this nation and we are ready to support you, especially in our oversight functions. Thank you very much for the support given to all

of us. On that note, the Fifth Report reflects the unanimous view of the Committee. I therefore move that the Fifth Report of the Second Session of the Committee on Appointments and Public Service be adopted by the house. I thank you.

**THE SPEAKER:** Honorable Members, let me at this stage recognise the presence of certain eminent personalities in our midst this morning. We have Justice Brown Mark is Justice of the Supreme Court of Sierra Leone and the Acting Chief Justice that is now going to be replaced by the proposed Chief Justice if approved; Justice Alusine Sesay is Justice of the Supreme Court of Sierra Leone; Fatmata Bintu Aladi is Justice of the Court of Appeals; Justice Abdualraman Mansarey is a Justice of the High Court of Sierra Leone; Justice Suleiman Bah is the Justice of the Court of Appeals; Justice Abdullah Bangura is a Justice of the Supreme Court of Sierra Leone; Justice Jamestina King is the Justice of the Court of Appeals; Justice Ivan Sesay is a Justice of the Court of Appeals; Justice Momoh Jah Stevens is a Justice of the Court of Appeals, Justice AK Musa is a Justice of the High Court of Sierra Leone; Justice Bangs Kamara is a Justice of the High Court of Sierra Leone; Justice Tonia Bernadette is a Justice of the Court of Appeals; Justice A.T Ganda is a Justice of the High Court of Sierra Leone; Justice Emmanuelle Harding is a Justice of the High Court of Sierra Leone; Justice S.O Taylor is a Justice of the High Court of Sierra Leone; Justice Abubakar Sheriff is a Justice of the High Court of Sierra Leone; Justice Simeon Alieu is the Justice of the High Court of Sierra Leone; Justice Michael Mami is a Justice of the Court of Appeals; Justice Kosmo Tina Jared is a Justice of the High Court of Sierra Leone; Mr Usman I. Kanu is the DPP, the Director of Public Prosecutions; Dr Bangura is the director of the Sierra Leone Law School; Justice Miata Samba is the Justice of the Supreme Court of Sierra Leone and of course, the justice of the International Criminal Court. You are all heartily welcome to the House of Parliament. We also have Justice Adrian Fisher, Justice of the High Court. I also recognise the presence of Bishop Akintayo Sam-Jolly. You are welcome and all the Paramount Chiefs and other dignitaries here present. This is the people's House and once again you are all welcome.

*[Question Proposed, Put and Agree to]*



*[Motion of the Committee on Appointment and the Public Service has been approved]*

**THE SPEAKER:** Mr Clerk, please read out the message from the President.

**HON. PARAN UMAR TARAWALLY** *[Clerk of Parliament]:*

Office of the President,  
State House, Freetown,  
Republic of Sierra Leone.

**Presidential Message to Parliament, Pursuant to Paragraph 1[d] of the  
Standing Orders.**

Dear Speaker, Honourable Members,

In accordance with sub-section 9 of Section 119, and sub-section 7 of Section 137 of the Constitution of Sierra Leone, I have forwarded the Tribunal's report concerning the Auditor General, Mrs Lara Taylor Pearce, the tribunal established to investigate allegations of misconduct has recommended her removal from office. The Constitution mandates that such a recommendation requires parliamentary approval. This important process underscores our commitments to upholding the rule of law and ensuring accountability within our public institutions. I urge you to take a decision on this matter with the utmost diligence, considering the tribunal's findings and principles of justice and transparency that guide our nation. Your decision will have significant implications for the integrity of our governance and the trust placed in us by the citizens of Sierra Leone. I thank you and I wish you a Merry Christmas and a prosperous 2025.

Signed: His Excellency Brigadier Rtd Julius Maada Bio, President of the Republic of Sierra Leone. Thursday, 19<sup>th</sup> December, 2024

**HON. MATHEW S. NYUMA:** Mr Speaker, Honourable Members, Motion of removal of the Auditor General from office, pursuant to sub-section of Section 119 in tandem with sub-section 7 of section 137 of the Constitution of Sierra Leone, Act No. 6 of 1991. The Attorney General forwarded the Tribunal report for the removal of the Auditor General, Mrs Lara Taylor Pearce from office on the 27<sup>th</sup> August, 2024 in fulfilment of these constitutional provisions. Parliament is required to obtain a 2/3 majority of Members of Parliament to uphold the recommendations contained in the Tribunal report. In view of

this, I move that the recommendation in the report relating to the removal of the Auditor General from office, which was laid on the Table of this House on Friday, 30<sup>th</sup> August, 2024 be adopted by this Honourable House here assembled.

Mr Speaker, Honourable Members, to bring members to speed, please permit me to give a summary of the report before we take actions. This is a summary of the findings and recommendations in respect of the report of the tribunal on the removal of the Auditor General, Mrs Lara Taylor Pearce, under the provision of sub-section 9 of Section 119 and sub-sections 5, 6 and 7 of Section 137 of the Constitution of Sierra Leone Act No. 6 of 1991. A tribunal to investigate the Auditor General, Mrs Lara Taylor Pearce and the Deputy Auditor General, Mr Tamba Momoh of the audit service Sierra Leone was set up by His Excellency the President of the Republic of Sierra Leone, Brigadier Rtd Dr Julius Maada Bio. The membership of the tribunal constituted the following:

1. Honourable Mrs Justice Nyawo Matturi Jones, JSC, retired Chairperson;
2. Honourable Mr Justice Ansumana Ivan Sesay, J.E Member; and
3. Mr Lahai Momoh Farma Esq. retired principal, state Council member.

The tribunal was set up primarily to look into allegations of misconduct or lack of professional performance of Mrs Lara Taylor Pearce and Mr Tamba Momoh as Auditor General and Deputy Auditor General respectively.

Mr Speaker, Honourable Members, the Terms of Reference was carefully developed specifically to investigate Audit Service Sierra Leone, with particular reference to the performance or lack thereof of Mrs Lara Taylor Pearce as Auditor General and Mr Tamba Momoh as Deputy Auditor General, and to look into any matter or matters coincidental to the above merit. In a bid to ensure a transparent investigation process, the membership of the tribunal agreed to carry out their mandate based on the rule of law as a fundamental guide to investigate and the principle of free and fair investigations. For this purpose, the tribunal adopted foreign legal framework, including:

- A. the Constitution of Sierra Leone, Act No. 6 of 1991;

B. The Audit Service Act, 2014, Act No. 4 of 2014;

C. the High Court Rules, 2007; and

D. practices as prepared and adopted by the Tribunal. The Tribunal adopted a combination of both the statutes and adversarial legal systems that are used for investigating or adjudicating cases. The Tribunal commenced each investigation on the 17<sup>th</sup> day of March, 2022. At the close of the investigations, the parties filed and adopted their final written submissions on the fact and the applicable law. The Tribunal diligently appraised and evaluated the evidence led by both state Council and Council for the respondents, including the cross-examination of evidence and the voluminous exhibits and those of expert witnesses on both sides. Upon an evaluation of the evidence laid, the tribunal made specific findings on each area of the investigation, as mentioned below:

[i] the final Financial Auditor General's report on the Office of the President for the year 2020, issued in December 2021 contained findings and conclusions made by the second respondent which were adversely different from the findings and conclusions made by the team of auditors from Audit Service Sierra Leone who conducted the audit, as stated by the state witnesses, Ibrahim Barrie.

[ii] Contrary to the findings and conclusions of the team of auditors, the first and second respondents on their own volition, prepare another audit verification report on the Office of the President for the same financial year, 2020, dated 15<sup>th</sup> October, 2021, without contacting the team of auditors who concluded the audit and prepared exhibit A16, which contained a couple of verifiable comments.

[iii] With reference to the second findings above, conclusions and comments were made by the first and second respondents without further verification with the auditee or the team of auditors. These were quite different from the findings, conclusions and comments made by the team of auditors, as contained in exhibit A15 and the audit verification report on the audit of the Office of the President for the financial year 2020, dated 10<sup>th</sup> October 2021. The first and second respondents requested confirmation of the audit documents that were initially verified by the team of auditors who inspected

the retirement receipts and concluded that they were satisfied with them. The second respondent further requested confirmation of the authenticity of the couple of receipts obtained from the third party.

[iv] The above request for confirmation of the authenticity of the receipts was made by the second respondent without the permission of the auditee, the Office of the President, as required by all the principles of third party external confirmations and as indicated in the evidence of state witness [2], Abubakrr Kamara.

[v] Even though, in defence of the first and second respondents witness 1 [RW1] in evidence is not a legal requirement by any standards and auditor to request the consent of the auditor before approaching a third party. The RW 2; i.e., witness No. 2 in this cross-examination confirmed that there is an audit standard for third party confirmation and issues of confidentiality for financial and compliance audit.

[vi] The findings, conclusions and comments in the audit exercise carried out on the Office of the President and issues contained in the final management letters on the Office of the President. Exhibit b[1] to 14 for the financial years 2011 to 2012; exhibit b[3], 1 to 11 for the financial year 2016; exhibit 1 to 13 for the financial year 2017. They were, however, never reflected in the auditor general's report for the years 2011, 2012, 2016 and 2017.

[vii] The first and second respondents abandoned the verified report that you are prepared by the audit team in 2020 the second respondent, without further verification of the receipts with the auditee, prepared another verification report, as shown in exhibit A, one six, dated 15, October, 2021.

[viii] It was also confirmed that despite the fact that final compliance report for the financial year 2020, as shown in Exhibit A[1][7] contains adverse conclusions, supposedly derived from the third party confirmation request. The evidence shows that the response from the Chairman of the Lancaster Eden B was fully honoured by the Chief of Protocol and the receipt in the question was valid. The response contained in the letter dated 21<sup>st</sup> December, 2021 addressed to the Audit Service Sierra Leone.

[ix] It was confirmed that even though the auditors were scheduled to undertake a performance audit of the Freetown City Council, it was never carried out and the first respondent refused to sign the letter of request to contact the other parties involved in projects implemented by FCC, the evidence remained on uncontroverted and unchallenged.

[x] Also in 2020, the first respondent, again, failed to properly audit the transformed Freetown Project to the tune of **\$22mln** and failed to use statutory powers under the Constitution of Sierra Leone, the audit Service Act, 2014 and the Public Financial Management Act, 2016 to access relevant information to execute a proper audit.

[xi] It was confirmed that through actions of both the first and second respondents Section 11, sub-section 2 of the Audit Service Act, 2014 was thoroughly breached.

[xii] In the context of performance audit conducted by the first respondent of her office, it is important to consider the implications of discounting the audit process based on the first respondent judgment of the auditees' credibility.

[xiii] There was also breach of confidentiality when the first and second respondents disclosed confidential information obtained during the audit to unauthorised individuals or entities without proper consent or legal authority.

[xiv] The evidence of SW1 that is witness No. 1 and witness No,2 showed that the standard guidelines relating to obtaining third party confirmation were not followed in several ways.

[xv] When an auditor suspects fraud during an audit, it is a serious matter that must be handled in accordance with professional auditing standards and ethical guidelines. This was not the case as there were breaches related to professional standards.

[xvi] A critical analysis of conduct of both the first and second respondents revealed series of serious misconduct and ethical violations of the provisions that have raised significant concerns regarding their conduct and performance in their respective rules.

[xvii] The tribunal found evidence of professional misconduct of the first and second respondents, indicating their failure to adhere to professional standards, ethical guidelines and best practices in the auditing profession.

Xviii] The first and second respondents completely breached their own very memorandum on the issue of retrieving relevant information on the third party that may relied on this subject under review.

Mr Speaker, Honourable Members, regarding the general observations based on the findings of the tribunal, it is evident that both the first and second respondents have displayed very serious ethical breaches, including professional misconduct, conflict of interest, confidentiality and disclosure of information to third parties. Additionally, the failure to conduct a third party confirmation contravened auditing standards and further highlights lack of adherence to the professional guidelines and ethical practices. There was show of misconduct and negligence by the first and second respondents whose roles are critical in ensuring transparency, accuracy, accountability and auditing the accounts of MDAs.

Recommendations based on facts and findings through the Tribunal report on professional performance of the first and second respondents, the following key recommendations have been advanced:

- a. That the first respondent, Mrs Lara Taylor Pearce, be removed from office of Audit Service by the President of Republic of Sierra Leone upon the approval of this Parliament.
- b. That pursuant to Section 78 of the Anti-Corruption Act, 2008 [as amended], it is hereby recommended that the ACC investigate the conduct of both Mrs Lara Taylor Pearce and her Deputy, Mr Tamba Momoh as Auditor General and Deputy Auditor General respectively leading to the publication of the Auditory Board of 2020 and in carrying out the audit on the Office of the President and the Freetown City Council.
- c. The last, but not the least, that sub-section 9 of Section 119 of the Constitution of Sierra Leone, Act No. 6 of 1991 which provides for the application of sub-section 137 of the same Constitution, security of tenure of judges in relation to the removal of the Auditor General being reviewed by the Constitution Review Committee with a view to providing an effective mechanism for the monitoring and discipline of the

Auditor General. Mr Speaker, this is a brief summary of what is contained in the report. I thank you.

**THE SPEAKER:** Any seconder?

**HON. BASHIRU SILIKIE:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed to]*

**HON ABDUL KARGBO:** Mr Speaker, this issue is of public interest and we on this side have been following with key interest. You would agree with me that this matter calls for 2/3 majority as stated in the Constitution of Sierra Leone. As leaders of Parliament, I think Members of Parliament should have been notified earlier than this time, so as to enable them prepare for such exercise. Mr Speaker, it will interest you to note that this voting exercise is taking place at a time when most of our Members of Parliament are in Kambia ending the retreat organised by our party. If we were notified earlier, we would have called them to come and participate in this very crucial event.

Mr Speaker, Honourable Members, it will also interest you to note that two Members of Parliament went on an assignment to Abuja; one from APC and the other from SLPP. As per their tickets, they are supposed to return tomorrow. Interestingly some surreptitious arrangements were made for the SLPP Member of Parliament to return, leaving behind the APC Member of Parliament. I am bringing some of these issues because we think when a vote regarding critical issues is about to take place, we should create the level playing field, so that Members of Parliament exercise their discretion and their consciences. To me, I am disappointed that ample opportunity has not been given to Members of Parliament to prepare for this exercise. Apart from that, we the Opposition Members have our own Position Paper. With your leave and with the leave of this Honourable House, I would like to read. This is a House of laws and this is a House of procedures. We, on this side, have always comported ourselves and behaved in a way not to interrupt the procedures and not to interrupt the laws of this House.

**THE SPEAKER:** Mr Leader of the Opposition, I would definitely allow you to read your Position Paper, but let me make this very clear that I have been in this Parliament for,

about 12 years now, and I have not witnessed it at any occasion where when it comes to very serious voting exercise you would have all Members of Parliament present. It has never happened and your Deputy can attest to this fact. There has never been an occasion where you had all Members present at the same time. So, if we insist on having all Members present at the same time, then we will not continue transacting important state matters. When the Leader of Government Business brought the Order Paper to me, the first question I asked him was whether this particular matter was on the Notice Paper. He said that this issue was on the Notice Paper. You would agree with me anything that is on the Notice Paper can be brought before Parliament at any time. I really do not want to open this for a debate.

**HON. DANIEL B. KOROMA:** Mr Speaker, since you make reference to me, I want to attest to the fact that there has never been any occasion where you would have **100%** attendance. I can attest to that, but I do not think whether that is the reason for the objection. The objection is the work of the Business Committee. The Work of the Business Committee was never ignited in this matter. So, we on this side did not receive any notice. Our complaint is not the lack of **100%** attendance. I am sure matter like this should have been properly handled by the Business Committee because the Committee is made up of both government bench and the opposition bench. All of us should be opportune to inform our Members, but that was never done.

**HON. MATHEW S. NYUMA:** Mr Speaker, this was done through an Internal Notice Paper in August. I know that my colleagues would have read that the Speaker may direct us at any given time to put an item on the Order Paper he thinks is of public interest. The Speaker called to explain to us that such matter should be discussed or captured on the Order Paper. We met with him, and he said he would give instructions. I am sure all of us were there. S.O.11[8] is very clear and I can read it. We have no reason to disadvantage anybody. Some of my Members are not here; I do not know where they have gone to; they are not around, but that is a matter we are going to deal with internally.



Mr Speaker, Honourable Members, let me draw the attention my colleague to S.O. 11[8]. It says not later than the day preceding each sitting distribute to Members a Paper to be known as Order Paper, setting forth the business of the sitting. I think I did that, Mr Speaker. The Honourable said we should have called to notify Members that this is what is going to be on Order Paper. I respect the fact you have put together a Position Paper, I did not mean to disrupt my colleague from calling their Members. I am sure S.O. 11 is very clear. He also said that during the elections of the Speaker and Deputy Speaker, some of their Members were not here. In fact, we nearly lost the elections had it not been the constitutional provision for a third round of voting. That is where we won the elections. So, the issue of having Members is one thing, but you also have to campaign to win votes. I believe the needful was done in terms of making sure that we are here.

**HON. ABDUL KARGBO:** Mr Speaker, on behalf of the Opposition of the Parliament, please permits me to read our Position Paper on this very matter which we have followed judiciously. This is Position Paper of the APC on the tribunal report on the removal of the Auditor General of Sierra Leone, Mrs Lara Taylor Pearce and Deputy Auditor General, Mr Tamba Momoh. Following the suspension of the Auditor General, Lara Taylor Pearce from office on the 11<sup>th</sup> November, 2021 we have followed with keen interest the proceedings of the tribunal that was set up to investigate her and the Deputy Auditor General, Mr Tamba Momoh for alleged professional misconduct and lack of professional performance. The Parliament of Sierra Leone, through the Office of the Clerk of Parliament accorded the report of the tribunal which was tabled in the Well of Parliament on Thursday, 29<sup>th</sup> August 2024. This Tribunal Report was made public and we have read some provisions of the Constitution of Sierra Leone and the related legislations. We have also received and noted submissions made by international bodies, members of the public and the two auditors that were investigated. Having done some deliberations on this subject matter with wider consultations with both local and international stakeholders, we wish to state the following:

[i] That the Auditor General and Deputy were strictly guarded by international standards on Auditing ISA240 OR its public sector equivalent. For alleged professional misconduct and lack of professionalism ISA 2240, states that an auditor is usually not expected to be an expert in the authentication of documents. However, when an auditor identifies conditions that caused the auditor to believe that a document may not be authentic, or that terms in the document have been modified, but not disclosed to the auditor, possible procedure to investigate further includes confirming directly with the third party. This is obviously so, because in question for authorisation before third party inquiry may lead to the destruction of evidence in the first place, the allegation for which the Auditor General was investigated relates to the third party confirmation of the authenticity of the document, which is clearly separate and distinct from the third party confirmation of an account balance, such as bank creditor, debtor, account balances, debt to account balances. Furthermore, the intent and purpose of the provision is to deter fraud and or dishonesty, requiring consent, therefore as requirement for such confirmation, no doubt, will defeat the very intent for which it was created.

[ii] That in Paragraph 212 of the Tribunal Report, the Director General at the INTOSAI Development Initiative made it abundantly clear that it was never, he has never come across a requirement that an auditor should seek the consent of an auditee before confirmation. Confirmation can be made from the third party to authenticate a document submitted as audit evidence, and that there are no standards for an auditor to get consent from the third party confirmation. However, contrary to such instruction and expert opinions from highly reputable auditing institutions, which sets standards for global auditing as provided for in sub-section 2[a] of Section 11 of the Audit Service Act, survey of the of the Audit Service Act 2014, as amended, the Tribunal Report in Paragraph 229, choose to based its conclusion primarily on testimonies of non-expert witness, and totally discarded the testimonies of expert witness based on international best practice. We view this not only as bias, but mockery to the principle of fairness and justice.

[iii] That, as an Opposition, we believe that if this unprecedented removal of the Auditor General attracts the 2/3 majority in Parliament, it will significantly affect the conduct of credible, independent audits and other accountability processes in Sierra Leone, owing to the fact that the Audit Service Sierra Leone is perceived by a substantial number of citizens as the only remaining independent accountability Agency that has stood the test of time for successive governments and any attempt by government to remove the Auditor General will, without doubt, serve as a barrier for other auditors or other oversight institutions to conduct their work objectively and independently for fear of

being subjected to what is perceived as a politically centred attempt to limit the scope of transparency in the future.

**THE SPEAKER:** Honourable Leader of the Opposition, I think what you are doing now is prejudicial.

**HON. ABDUL KARGBO:** Mr Speaker, this is our own opinion and in Parliament, everybody has the right to his or her opinion.

**THE SPEAKER:** In any case, you should have circulated that to Members of Parliament.

**HON. ABDUL KARGBO:** We will do that, Mr Speaker.

[iv] That on the allegation of Audit Service to audit the Freedom City Council referenced in Paragraph 248 to 257, of the Tribunal Report, we were shocked that the tribunal could not make conclusion that the Auditor General and her Deputy failed to conduct proper audit exercise on the FCC for the Financial year 2020, even when successive financial statements of the FCC were audited and expressed an unqualified opinion in full compliance with Section 11, sub-section 1 of the Audit Service Act, 2014. Please see Table 4.2, of the Councils' opinion on the 2020 Audit Report on Page 485 and Page 493. It is worthy of note that all audits conducted by the Audit Service are based and are limited to public accounts of Sierra Leone and all public offices, other bodies and organisations established by Acts of Parliament or Statutory Instruments and that audit of non-governmental organisations do not fall under the functions of the Audit Service Sierra Leone, neither under any other legal mandate.

[v] That allowing the removal of the Auditor General on this particular issue will certainly defeat the intent and purpose for which his Excellency, President Julius Maada Bio rejected the 2020 Finance Bill under Section 101 sub-section 1 of the Constitution of Sierra Leone, Act No. 6 of 1991. This Bill provides for unaccounted Imprest for President, Vice President and Speaker of Parliament for all overseas travels. This said Bill, after perusal by State House and in the memorandum addressed to the Clerk of Parliament, the Secretary to the President had this to say: "His Excellency the President has perused the document and has expressed grave concern over the open-endedness of non-accountable Imprest as provided for in the said Act. He is of the view that this is prone to improper use of public funds." We therefore strongly believe that we in the Opposition in Parliament will not be a party to any attempt made whatsoever to erode such level of transparency and accountability.

[vi] On Tuesday, 29<sup>th</sup> October, 2024 the Institute of Chartered Accountants of Sierra Leone, ICASL, established by the Institute of Chartered Accountants of Sierra Leone Act of 12<sup>th</sup> May 1988 to regulate accountancy, the professional Accountant in Sierra Leone, which both the Auditor General and Deputy are members, issued a press statement to its members confirming that it has concluded its own investigation into this matter and that there was no evidence of professional misconduct. Instead, it confirmed that the Auditor acted in the best interest of the public, upheld professional standards and adherence to international auditing standards and guidelines.

[vii] In the same vein as ICASL, but on an international scale, on the 23<sup>rd</sup> July, 2024, the global umbrella body for all auditors, auditors general in the world, the International Organisation of Supreme Audit Institutions [INTOSAI] who are responsible for regulating members and developing the oversights confirmed that the Auditor General indeed complied with their standards in the press statement titled INTOSAI, General Secretary, Secretariat and INTOSAI development initiatives, joint position on the removal process of the Auditor General of Sierra Leone.

Mr Speaker, Honourable Members, due to the composition of the Sixth Parliament, it is evident that 2/3 majority of all Members of Parliament needed to vote in favour of the removal of the Auditor General, as provided for in sub-section 7[b] of Section of 137 of the Constitution of Sierra Leone can be difficult to achieve without the support of the Opposition. Therefore, on the best interest of accountability and transparency, which the Audit Service has stood for over the years, we advise that His Excellency the President, reconsiders the recommendation in the Tribunal Report relating to the removal of the Auditor General and the Deputy. It is hoped that His Excellency will heed to our advice in the interest of strengthening the tenets of transparency and accountability in our only nation. This is our Position Paper and as far as we are concerned, we still believe in the content of this document and we stand by it.

**THE SPEAKER:** Thank you very much. You see, this is the beauty of democracy. Democracy is actually beautiful. I have given leave to the Leader of the Opposition to read out their Position Paper, but I want to state that your plea to His Excellency the President is of no effect, as long as the document is now with us. It is now left with this House to decide whether there will be 2/3 majority or not; whether we accept or we reject. However, that Position Paper is beautiful, but let this House decide whether the

Motion will be accepted or rejected. I would have ruled that the Motion is carried because no division has been claimed, but I will urge you on this side to see if you intend to claim any division.

**HON. DANIEL B. KOROMA:** Mr Speaker, Honorable Members, we will surely call for division. It was as a result of some procedural issues.

**THE SPEAKER:** Honourable Daniel B. Koroma, I allowed you in the interest of fairness; otherwise I would have just ruled that no division has been claimed and therefore the Motion is carried. Nevertheless, in the interest of fairness to you, whether you are claiming a division or not, let the House know that you are claiming a division, otherwise I will rule.

**HON. DANIEL B. KOROMA:** Mr Speaker, I stand on S.O. 46[1] for a division.

**THE SPEAKER:** Any seconder?

**HON. ABDUL K. KAMARA:** I so second, Mr Speaker,

THE SPEAKER: I am going to put the question again and if they so desire, they can claim a division before I give the necessary orders after 10 minutes for all Members to be here and all the doors to be closed. I do not know what your heartbeat is because I wanted at least the Well of Parliament to be cleared. We will allow people in the galleries, but not in the Well. So, before I make that ruling, all strangers should relocate to the galleries because we are going to close our doors. All strangers, with the exception of our staff, should relocate to the galleries. If you are not a Member of Parliament or a staff, then excuse us.

*[Question Proposed]*

**HON. DANIEL B. KOROMA:** Mr Speaker, Honourable Members, I still stand on S.O. 46[1] for a division.

**THE SPEAKER:** Any seconder

**HON. ABDUL K. KAMARA:** I so second, Mr Speaker.

**THE SPEAKER:** Honourable Members, a division has been claimed. I want you to make sure that all Members of Parliament are in within 10 minutes. Mr Sergeant-At-Arms, please make sure that after 10 minutes, all the doors are closed. All Strangers should go out of the Well. Honourable Members, please pay keen attention. This is for Members of Parliament and the general public. I know that before the conclusion of this exercise, some people will be analysing what is happening here today. This is why I have decided to rule, so that you know exactly what my position, as the arbiter of the proceedings, is.

Honourable Members, there is a Motion before this House, Pursuant to sub-section 9 of Section 119, and sub-section 7 of Section 137 of the Constitution of Sierra Leone, Act No. 6 of 1991 concerning the removal of the Auditor General, Mrs Lara Taylor Pierce from office, following the recommendations of the Tribunal established to investigate allegations of misconduct. Section 119, sub-section 9 provides Parliament with clear guidelines for the removal of the Auditor General. This is further supported by Section 137 sub-section, 7 which outlines the process of the removal of certain public officials from office requiring:

- ❖ The establishment of a tribunal to investigate the matter;
- ❖ Recommendations from that Tribunal; and
- ❖ Parliamentary approval by a 2/3 majority to uphold the recommendations.

The Tribunal's findings, which have been laid before this House indicates alleged acts of misconduct that according to the Tribunal, undermined the confidence and integrity of the Office of the Auditor General. The report includes recommendations for removal from office. As the Speaker of this House, I must remind Members of the weight of the decision before us. The role of the Auditor General is central to ensuring accountability and transparency in the management of public finances. It is therefore imperative that this process reflects fairness, impartiality and adherence to constitutional principles. The Constitution requires us to ensure that the rights of the Auditor General are respected, and the integrity of this institution we call Parliament is upheld. The Motion can only succeed if it garners the constitutionally mandated 2/3 majority. Having reviewed the Tribunal Report, the submissions made during this sitting of the tribunal and the

requirements of the Constitution. Therefore, the Motion for the removal of the Auditor General is in line with the constitutional provisions of Sections 119, sub-section 9, and 137, sub-section 7. The House is therefore competent to deliberate and vote on this matter. But the question in my mind is that what 2/3 majority in Section 137, sub-section 7 is really referring to? Is it 2/3 of the total number of Members of Parliament elected for a particular life of Parliament or 2/3 of those Members of Parliament present in the Well of Parliament to decide a particular question before it. A careful consideration of two separate provisions of the Constitution of Sierra Leone, Act No.6 of 1991 leaves no doubt in my mind as to what the drafters of our Constitution actually meant about 2/3 majority as provided for in Section 137, sub-section 7.

Honourable Members, when the drafters conceived 2/3 majority of the total Members of Parliament elected by the life of a particular Parliament, the drafters deployed the quantifying use of the preposition of sub-section 3 and sub-section 13 of Section 29 of the Constitution of Sierra Leone, Act No 6 of 1991 in tandem with order 44[4] of the Standing Orders of Parliament. However, the preposition in is normally used to describe a location or space inside a larger space, such as a House like this Parliament or a city, a car, wardrobe, etc. This was deliberate to demonstrate that those Members of Parliament who are actually present within the Well of Parliament are those referred to and nothing more.

Honourable Members, I therefore rule that in line with Section 137, sub-section 7 of the Constitution, supported by Section 91, the 2/3 majority will be conceived from those Members of Parliament present and voting today. I therefore rule.

**HON. ABDUL KARGBO:** Mr Speaker, we have heard your ruling and of course, this House has, on several occasions, without prejudice to your ruling, voted for 2/3. I could remember in your own elections, when the Leader of Government Business and myself debated here and we unanimously consented that 2/3 majority was referring to not Members present and voting, but of the total number of Members of Parliament. You would agree with me that in the lifespan of this Parliament, there had never been a

precedent in which 2/3 referred to Members present and voting. You will be the first Speaker to set that precedent.

**THE SPEAKER:** Honourable Leader of the Opposition, it is not parliamentary to challenge the ruling of Mr Speaker.

**HON ABDUL KARGBO:** I am not challenging your ruling and I am aware of S.O.42.

**THE SPEAKER:** You are questioning the integrity of the ruling.

**HON. ABDUL KARGBO:** I am not questioning the integrity of your ruling. I am making clarifications on the ruling. I cannot contend with the ruling of the Speaker, but as a Member of Parliament, I have the right to express my opinion contingent on what I have seen, what I have practiced, what I have tasted in this Parliament and that is what I am doing here. So, we on this side still believe that the 2/3 majority should be the total number of all Members of Parliament.

**THE SPEAKER:** Honourable Member, let me address you on this issue and after that we go to the voting process. I hate doing this, but let me take my time to explain. When we were in primary school, they taught us the parts of speech. They also taught every Member of Parliament here and we all know what that mean. In English, we refer to them as the parts of speech, such as noun, pronoun, verb, adjective, etc. I am particularly interested in prepositions. There are two different prepositions deployed in the Constitution. One preposition that is referred to in the Constitution is 'of' and let me tell you the meaning 'of.' Of is used in English for measurement relationship between nouns, pronouns and other words. It is used to determine measurement. For instance, if you say 20 of 30, you are showing a measurement of 20 out of 30. So, of is used for quantification. They call that quantification such as 20 of 30, 50 of 60. You are quantifying that amount to be removed from the bulk. Another preposition that is relevant to my ruling is the preposition 'in.' When you use the preposition 'in,' primarily means a space or something within the space. For instance, I am in Parliament. It means I am in this building. As a person, I am within the space. It is in my wardrobe. It means something is within the space of the wardrobe. That being said let me refer



Members to the specific provisions. Let us go to sub-section 3 and sub-section 13 of Section 29. Section 20, sub-section 3 reads: "every declaration made under sub-section 1 shall at the expiration of the period of 21 days, beginning with the date of the declaration, unless it has, in the meantime, been approved by or superseded by a resolution of Parliament, supported by the votes of 2/3 of the Members of Parliament. It means of all the Members 2/3. Do you understand? Now, let us go to Sub-section 13. I do not like exposing my teaching skills, but you have forced me. Now, let us go to sub-section 13. It reads: "A resolution of Parliament passed for the purpose of this Section shall remain in force for a period of 12 months or such shorter period as may be specified herein, provided that any such resolution may be extended from time to time by such resolution supported by the vote of 2/3 of Members of Parliament. You know, by the use of the preposition 'of' is enough to know the meaning. Again, Standing Orders 44 uses the same 'of' to show you the total number of Members and that is the part I was referring to.

Honourable Members, let us go to Section 137[7] for your edification and the edification of the public. This Section has to do with the Auditor General. In fact, before we come to 137[7], read Section 119, sub-section 9. It says if you want to remove an Auditor General, use the same procedure used for the removal of a Judge. It is the same procedure you use in the removal of the Auditor General. So, that is why we are coming to 137, sub-section 7. I want to tell you the wordings in Section 137 sub-section 7. It says: "A Judge of the Superior Court of Judicature shall be removed from office by the President if his removal has been approved by a two 2/3 majority in Parliament." So, you can now see the difference. In fact, for even the election of Speaker, they will use the word 'of' and it is a supposition that they are referring to the entire House, both those who are present and those who are not. If you look at the removal of a judge that is the provision, except the Chief Justice. For the Auditor General, they said 2/3 of the Members of Parliament in Parliament. What do we mean by 'in Parliament'? When you say 'in' ... - *[Interruption]*. Honourable Daniel B. Koroma, I am not going to allow further debate on this matter. There are two different prepositions used in other areas,

such as the election of Speaker, the State of Emergency, etc. and they all mentioned 'of 2/3 majority.' In this context, 'of' means all of us, but when you say in Parliament, you are referring to those who are within this space and not of Parliament. It says 2/3 of Members in Parliament. I am sure that is the basis for my ruling. But like I said, if you have any issue with my ruling, you can seek for interpretation.

Honourable Members, I would urge you to seek redress in the Supreme Court because whatever you are now doing is of no importance as long as I have ruled. So, your only redress is for you to seek interpretation from the Supreme Court. Honourable Daniel B. Koroma, I hate refusing you to take the Floor, but in this case, I am going to refuse you because if we continue in this direction, the debate will continue unabated. The point is that I have already ruled, so we cannot go back. Mr Clerk, proceed with the election process.

**HON. ABDUL KARGBO:** Mr Speaker, Honourable Members, while the Clerk is preparing, I am sure one of the responsibilities of Parliament is to talk. Parliament is derived from a French word parler, which means to talk. So, I am of the opinion that a Member of Parliament should not be restricted from exercising his democratic rights. I have known you to be democratic and I have enjoyed your Speakership.

**THE SPEAKER:** I have a personal relationship with Honourable Daniel B. Koroma. I do not want to allow any debate on this because somebody else will be tempted to respond to him?

**HON. ABDUL KARGBO:** Mr. Speaker, I am sure he will be the last person to give an opinion on this matter.

**THE SPEAKER:** Leader of the Opposition, the Honourable Daniel B. Koroma and I have been friends for a very long time. I have always been giving him the Floor any time he sought to take the Floor. I do not want to create a situation where after my ruling, another debate on this matter comes up. In any case, please summarise what you wanted to say.

**HON. DANIEL KOROMA:** Mr Speaker, thank you very much. I am quite aware of S.O. 42, which I believe should have been withheld before now, but it has been done already. The relevance of sub-section 7 of Section 137 and the use of the preposition 'in' comes into play. I believe the way it is being interpreted cannot be the intent of the drafters.

**THE SPEAKER:** Honourable Member, I can see you want to give another interpretation, but that should be done by the Supreme Court if you feel unsatisfied.

**HON. DANIEL B. KOROMA:** I know that whatever being done by Parliament cannot be looked into by any Court. They are not going to look into what we are doing.

**THE SPEAKER:** I know, but you can go for interpretation. In my opinion, if for instance he interprets the word 'in' to be somebody bodily present in the Well, what about somebody who is on official assignment.

**HON. DANIEL B. KOROMA:** Well, the person is part of Parliament and should be considered. Those on official assignments sent by Parliament should be considered.

**THE SPEAKER:** Honourable Member, I have ruled.

**HON. DANIEL B. KOROMA:** Except you are bulldozing your way, but somebody on official assignment sent by Parliament should be considered present. He is not absent because he is on official assignment sent by Parliament.

**HON. ABDUL KARGBO:** Mr Speaker, to add to what my Deputy was saying, that is why even when we are outside Parliament, we are referred to as sitting Members of Parliament. We are sitting Members of Parliament even when we are standing or outside Parliament. This means you are in Parliament.

**THE SPEAKER:** Well, you can be properly described under **of** and not **in** sitting Member of Parliament. Thank you very much, Leader of the Opposition. Mr Clerk, you can proceed.

**HON. PARANUMAR TARAWALLY:** Thank you very much, Honourable Speaker. The Rt Honourable Speaker, distinguished ladies and gentlemen, this is going to be a very

simple process; it is going to be free and fair. There are ballot papers to be issued to you when you hear your name. We will conduct the roll call first to determine those who are present here this morning. The procedure is simple and straightforward. For the purpose of this exercise, please answer present when your name is called, so as to verify your presence in the Well. I will now ask the Director of Legislative Services Department to quickly conduct the roll call. Please, raise up your hand as you answer present.

**MR MOMODU L.D. ROGERS** [*Director of Legislative Services*]: Thank you very much. Thank you very much. The roll call was done by the Director of Legislative Services.

**HON. PARAN UMAR TARAWALLY:** Honourable Members, please take your seats. The roll call has been conducted.

**HON. ABDUL KARGBO:** Mr Clerk, I expect maximum transparency in this process. I therefore appeal that we have a live coverage of the entire process.

**THE SPEAKER:** Leader of Opposition, I insist that we go live.

**HON. PARAN UMAR TARAWALLY:** Honourable Speaker, I hereby report that the roll call of all Members of Parliament present in the well of Parliament has been conducted, and the roll stands at 136 MPs. If we were to take a 2/3 majority of this number, we are going for 90 MPs.

**HON. ABDUL KARGBO:** Mr Clerk, for the sake of Mathematics, we are taught that if the number after the decimal point is five or above, you have to round it up the number immediately before the decimal point.

**HON. PARAN UMAR TARAWALLY:** That is not for living things.

**HON. ABDUL KARGBO:** That is why you make it full.

**HON. PARAN UMAR TARAWALLY:** That is for non-living things. For living things, you do not have half human being. Anyway the decision is with Mr Speaker to decide. However, by my estimation as the Chief Electoral Commissioner of this process, I

calculate that out of 136, 2/3 will constitute 90 MPs. Therefore, we expect that the votes for the removal of the Auditor General should be 90. If the votes are not up to 90, it means the Motion has been defeated and it is going to be a simple process of voting. These are the ballot papers and they are from South Africa. Ballot box opened and displayed for the purpose of this election. I am going to stand in as a voter education officer to quickly go through the ballot.

Honourable Members, the ballot papers have AYE or NAY. If the Motion you want to vote for is Aye, please just tick AYE, meaning you want the Auditor General to be removed. Please do not tick both boxes; you are only required to tick one box; i.e., either 'aye' or nay. If you want the Auditor General to stay in office, you tick the 'nay' box. When your name is called, you will be issued a ballot paper and after you would have ticked one of the boxes, you have to deposit it in the ballot box.

**HON. ABDUL K. KAMARA:** Mr Speaker, in every election, the transparency is very important. We want to send a party representative to monitor the process.

**THE SPEAKER:** No, Honourable Member. This is not a vote between APC and SLPP.

**HON. ABDUL KARGBO:** Mr Speaker, Why? I do not want you to doubt what Honourable Abdul K. Kamara is saying. This is out of experience we are advising. We are still crying for the disaggregated data. We do not want a repeat of that very incident here. So, we want to send our representative, so that they monitor the process. At the end of the day, he has said he is the Chief Electoral Commissioner, and we do not want a repetition of that.

**HON. PARAN UMAR TARAWALLY:** Thank you very much. I want to assure you that this process is going to be as open and free as possible. I am here and when your name is called, you come forward and cast your vote. Thank you very much for your understanding.

## **VOTING**

**HON. ABDUL KARGBO:** It left with the discretion of the... - *[Interruption]*.

**HON. IBRAHIM T. CONTEH:** Mr Speaker, this is not discretionary; this is constitutional. Mr Speaker, Section 36 of the Constitution talks about secret ballot.

**THE SPEAKER:** Honourable Members, with all due respect, I do not want us to be passionate in such a manner to the extent that we humiliate ourselves in public. This is the 21<sup>st</sup> Century and we do not expect somebody to show his/her vote to anyone. How can you imagine that or even think about that.

**HON. ABDUL KARGBO:** Mr Speaker, no Member of Parliament is forced to show his or her ballot paper after he/she must have voted. They have to exercise their discretion as to whether they should show their vote or not. If they wish to, so be it.

**THE SPEAKER:** There is no discretion here because it is clear in the Constitution.

**HON. IBRAHIM T. CONTEH:** The Leader of the Opposition cannot be a double-edged. You cannot be a stickler to the law, by asking for the violation of the law. This is a constitutional matter for God's sake. Section 36 of this Constitution requires secret ballot. Besides, Section 97 state that the dignity and integrity of this House depends on the integrity and trust of Members of Parliament. You cannot expect MPs to vote and show same to the public. That is against the law.

**HON. ABDUL KARGBO:** Let me respond to the Deputy Speaker of this House. Sometimes I begin to wonder when people come to this House, what they think or what we feel. This is not the first time of voting. We voted for the Speaker and during his election, nobody spoke about the secrecy of the ballot. This is the same process and we are not coercing anybody to reveal his or her vote. You have to exercise your discretion as to whether you should do it or not.

**THE SPEAKER:** No, it is an offence if you do that.

**HON. ABDUL KARGBO:** What is the offence, Mr Speaker?

**THE SPEAKER:** Honourable Members, I cannot sit here and allow a thing like that to happen.

**HON. MATHEW S. NYUMA:** Point of Order, Mr Speaker. Let us allow the election to continue. I am sure bringing issues that are undemocratic should not be supported. We cannot accept it. We should allow the Speaker to conduct the elections.

**HON. IBRAHIM T. CONTEH:** Mr Speaker, I still have an objection? Why should they have to use the pen of the Leader of the Opposition?

**THE SPEAKER:** Leave that aspect, Mr Deputy Speaker.

**HON. ABDUL KARGBO:** Mr Speaker, because of your objection, I am giving all my Members this pen to cast their vote.

**HON. PARAN UMAR TARAWALLY:** Honourable Members, I am the Chief Electoral Commissioner. You can vote with any pen of your choice.

*[Suspension of S.O. 5[2] being 3:00 p.m.]*

**HON. PARAN UMAR TARAWALLY:** Honourable Members, the voting exercise has ended and we are now collating the votes.

**HON. DANIEL B. KOROMA:** Mr Speaker, I think each political party should have at least one representative.

**THE SPEAKER:** The Honourable Member is suggesting, but what I am saying this is not an election between two political parties.

**HON. DANIEL B. KOROMA:** There are two Motions and there is a division.

**HON. PARAN UMAR TARAWALLY:** Mr Speaker, 137 Members of Parliament and the results are as follows:

Ayes = 100

Nays = 36

Void = 1

**THE SPEAKER:** Based on the results mentioned above, I therefore rule that the Ayes have it.

*[Government Motion on the Report of the Tribunal on the Removal of the Auditor General, Mrs Lara Taylor Pearce and Deputy, Mr Tamba Momoh, has been carried]*

**HON. MATHEW S. NYUMA:** Mr Speaker, I want to make an amendment on the Order Paper, but before I do so, I want to thank my colleagues from the other side for supporting democracy. I think we deserve a round of applause. This is a process that takes time. Mr Speaker, I thank you for sustaining all the objections and your ruling was sincere and fair. Thank you, Leader of the Opposition for making it clear to this nation that you cannot rubberstamp the Opposition. In fact, one cannot rubberstamp anything in Parliament. This is a House of democracy and even when they wanted to go overboard, we came to understand that we have to respect certain principles of democracy. This is a process we have undertaken to ensure that the rule of law reigns supreme. Thank you all and God Bless us all.

Mr Speaker, Honourable Members, one of our fundamental functions is to pass the budget and we are getting very close to the Christmas holiday. With your leave, I want to amend the Order Paper to move forward the budget reporting. Also, there is a document that was supposed to be laid, but unfortunately, we were so busy that it was inadvertently omitted from the Order Paper. It has to do with the Gender Instrument .

THE SPEAKER: Was it not laid by the Minister of Information and Civic Education?

**HON. MATHEW S. NYUMA:** I am really sorry about that, Mr Speaker. Let me now amend the Order Paper thus: instead of item IV after item VI, I am now bringing item 7, which is the Appropriation Act, 2025 and item VII now becomes item VIII. The last one it should be item IX, which is Electricity and Water Regulation Commission Act, 2025. Therefore, we bring it under item VII. I move that item IV. The first item now is Appropriation Act, 2025. I so move, Mr Speaker.

*[Question Proposed, Put and agreed to]*

*[Motion to amend the Order Paper has been carried]*

**HON. MATHEW S. NYUMA:** Thank you, Mr Speaker. We have finally agreed with the Minister that she intends to lay the 2025 Gender Budget Statement to be part of the



budget submission to Parliament. So, after our consultations, I still have to make an amendment on the Order of Paper; i.e., laying of papers is now item III on the Order Paper.

*[Motion by the Leader of Government Business has been carried]*

### **III. PAPER LAID**

THE MINISTER OF FINANCE

**THE MINISTER OF FINANCE:** Mr Speaker, Honourable Members, I beg to lay on Table of this Honourable House the following Paper:  
Government of Sierra Leone FY 2025, Gender Budget Statement.

### **IV. Bill**

THE APPROPRIATION ACT, 2025

MINISTER OF FINANCE

**MINISTER OF FINANCE:** Mr Speaker, Honorable Members, I report that the Bill entitled the Appropriation Act, 2025 having gone through the Committee of the whole House with amendments, I now move that the Bill be read the third time and passed into law .

*[Question Proposed, Put and Agreed to]*

*[The Bill entitled the Appropriation Act, 2025 being an Act to authorise expenditure from the consolidated fund for the services of Sierra Leone for the financial year 2025, and for other related matters has been read the third time and passed to law].*

**THE SPEAKER:** Honorable Members, we cannot proceed with the rest of the remaining items. So, I will urge the Leader of Government Business to make an application for us to be here tomorrow at 10:00 a.m. We are going to do a roll call.

**HON. MATHEW S. NYUMA:** Mr Speaker, I stand on S.O. 5[1] to take resolution for the House to sit on Saturday, at 10:00 a.m. I so move, Mr Speaker.

THE SPEAKER: Any seconder?

**HON. DICKSON M. ROGERS:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed to]*  
*[Motion by the Leader of Government Business has been carried]*

***ANNOUNCEMENT***

*[The House rose at 5:00 p.m. and was adjourned to Saturday, 21<sup>st</sup> December, 2024 at  
10:00 a.m.]*