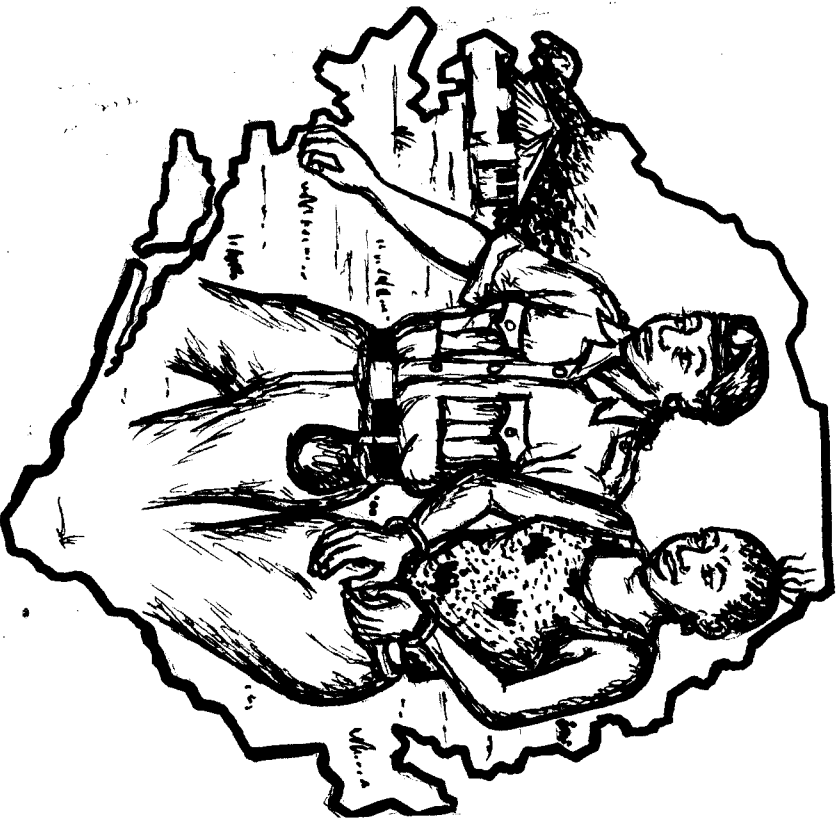


**AFTER YOU'VE BEEN ARRESTED:
WHAT NEXT?**

Afta we den arrest yu: wetin neks?



**A booklet prepared by AdvocAid and
the Sierra Leone Court Monitoring
Programme (SLCMP) with the
support of the Special Court for
Sierra Leone**

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Section B: Organisation offering free legal advice / assistance

AFTER YOU'VE BEEN ARRESTED: WHAT NEXT? After we den arrest yu: wetin neks?

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1. Acknowledgements

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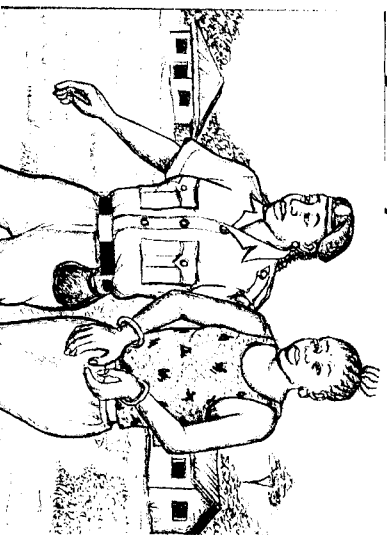
Sabrina Mahtani (AdvocAid) and Mohamed Suma (SLCMP), (August 2007)

AdvocAid is a group which seeks to provide access to legal representation and legal education to female prisoners at Pademba Road Prison.

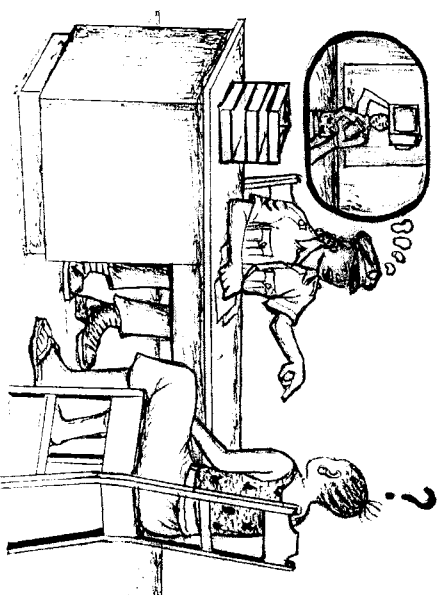
SLCMP is an independent Sierra Leonean organisation established in order to monitor the domestic courts in Sierra Leone, the Special Court for Sierra Leone and the implementation of the Truth and Reconciliation Commission recommendations.

**30 Wellington Street, Freetown
www.slcmp.org
Cell: 033-445 287**

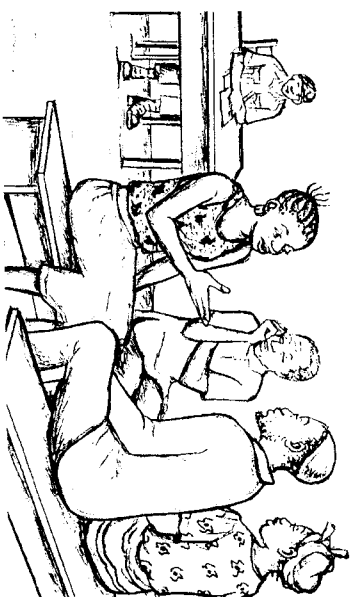
- 2 **What is this booklet about?**
 - This booklet is designed to help explain the criminal process in Sierra Leone after you have been arrested.
 - It is important for everyone to know their rights when faced with criminal proceedings and to teach them to others.
 - Words **underlined** and in **bold** are explained in the **glossary** at the back of this booklet.
3. **What are your rights once you've been arrested?**



- The police have the power to arrest you if they have reasonable grounds to suspect that you have committed or are about to commit an offence e.g. if they have found out information that you stole something or they see you with a knife about to kill someone.
- The Sierra Leone Constitution provides that once you are arrested you must be informed immediately about the reason why you have been arrested & also your right to have a lawyer to represent you.



- You also have the right to inform a family member or friend about your detention as soon as possible.



- If you are under 18 then the police must inform your parents or guardian immediately. If they are not available then the Chief Social Development Officer should send a member of his staff to attend the police station.
- After you have been arrested, the police are entitled to interview you. The police must caution you before questioning you. For example, they should say "You need not say anything that may incriminate you. Whatever you do say will be taken down and may be used in evidence against you." If they do not give you this caution then you should not answer any questions. You should inform your lawyer or the **Magistrate/Judge** if the police did not give you this caution. If the police have not given you this caution then the evidence that they have collected may not be used against you in court.
- You have the right to remain silent and not to answer questions if what you say may implicate you in the crime. However, a **Judge** may wonder why you did not say anything to the police. You must think carefully about whether you decide to give a statement to the police.
- If you decide to give a statement to the police, they must write it down. After you have finished, ask them to read the statement back to you so that you can make sure what they have written down is correct.
- If you decide to give a statement to the police, they must write it down. After you have finished, ask them to read the statement back to you so that you can make sure what they have written down is correct.

It is against the Sierra Leone Constitution for any police officer to beat you, harm you or torture you. Any statement you give the police must be from your own free will and not because you were forced. If you were forced, you must tell this to your lawyer or the **Magistrate** or **Judge**.

If a police officer has harmed you or tried to bribe you, you should tell his boss (e.g. a more senior police officer). You can also tell other people such as the Prison Welfare Officer, your lawyer, the **Magistrate** or **Judge**, a Priest or Imam.

- All police officers must obey a code of conduct. You can file a formal complaint against any police officer for:

- A. Bribery
- B. Intimidation
- C. Neglect or not performing their duties properly
- D. Any other misconduct

- You can file a complaint by writing (or having someone write) a letter detailing the complaint and giving this to the senior police authorities. If you make a complaint you must make sure that it is not false.

- You can file a complaint by writing (or having someone write) a letter detailing the complaint and giving this to the senior police authorities. If you make a complaint you must make sure that it is not false.

- You should be brought to court 72 hours (3 days) after you have been arrested. If you have been arrested for a **capital offence** (murder, treason or armed robbery) or an offence carrying a **sentence** of life imprisonment you should be brought to court no later than 10 days after you have been arrested. In practice, it takes a long time to go to court after you have been arrested. It is your right to ask and demand that you attend court within the times stated above.

Summary

After you have been arrested:

- 1) Ask to know why you have been arrested
- 2) Ask to inform a member of your family or friend about your detention
- 3) Do not offer any money or anything to the police officer so that they will not arrest you. This is called a bribe.
- 4) You can request to be released on bail if you have not been charged with a **capital offence**.
- 5) You may choose not to give a statement to the police and have a right to remain silent.
- 6) It is illegal for any police officer to harm you. If this happens you should report it.

4. What is Bail?

What is bail?

- After you have been charged with a crime, you can be released from prison until you next have to appear in court. This is what is called "**bail**".
- Before you get **bail** you will need to find a person called a **surety** to promise that you will return to court.

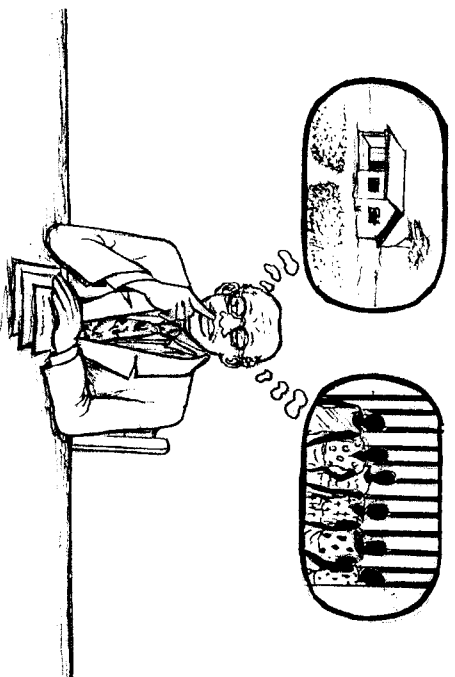
What is a surety?

- A **surety** is a person who will promise that you will return to court throughout your trial. The **surety** must promise to pay money to the court if you do not return to court.

Who can be a surety?

- For most charges, any person who is over 21 can be a **surety**.
- If it is a serious crime then a **Magistrate** might say that the surety must be a senior citizen. A senior citizen is a responsible adult of middle age or older.

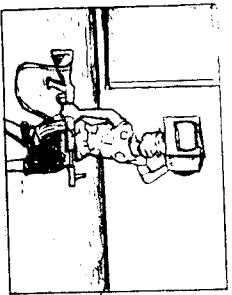
How do you get bail?



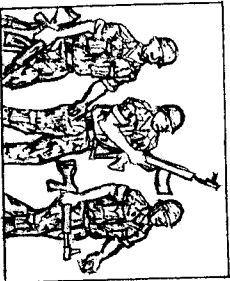
- You have to apply to court for **bail**. In most cases you can apply to a **Magistrate** for **bail**. However, if you are charged with murder or treason you can only get **bail** if you apply to a High Court **Judge**.



MURDER



ARMED ROBBERY



TREASON

**NO BAIL FOR:
MURDER
TREASON &
ARMED ROBBERY**

- If you have a lawyer then he can make a bail application for you. However, even if you do not have a lawyer you can still ask the Magistrate or Judge to grant you bail.

- You will need to persuade the Magistrate/ Judge that you will come back to court for trial.

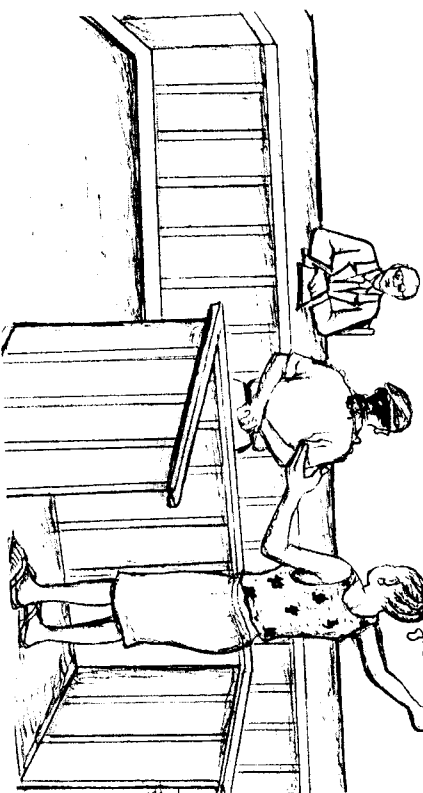
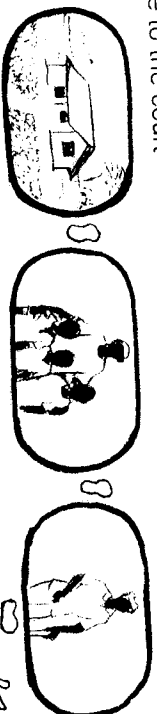
You should tell the Magistrate/ Judge about:

- Any children you have,
- Any family obligations,
- If you are married,
- If you own or rent a house
- If you have a job,
- Any other information that would assure the court you are of good character, will not run away & will not speak to any witnesses.

- If you have no previous convictions, it is good to mention this to the Magistrate/ Judge.

- If there is not much evidence that you committed a crime then you should also tell that to the Magistrate/ Judge when applying for bail.

- Any information you tell the court must be true, as it is a criminal offence to lie to the court



- If you do not get bail then you will have to stay in prison until your next appearance in court.

What does the surety need to bring to court?

- 1) The **surety** must bring his or her National Identity Card. If they do not have one they should just explain this to the Court Officer.
- 2) The **surety** must also bring 2 passport-sized photographs.
- 3) The **surety** will have to fill out a bail bond form. They will have to write his or her name, address and age on the bail bond form. The name, address and age that is written on the National Identity Card. If the **surety** is not able to write then the Court Officer will assist them in filling out the bail bond form.
- 4) You must remember it is a criminal offence to give false documents or make false statements in order to get **bail**. *Do you need to pay money to get bail?*

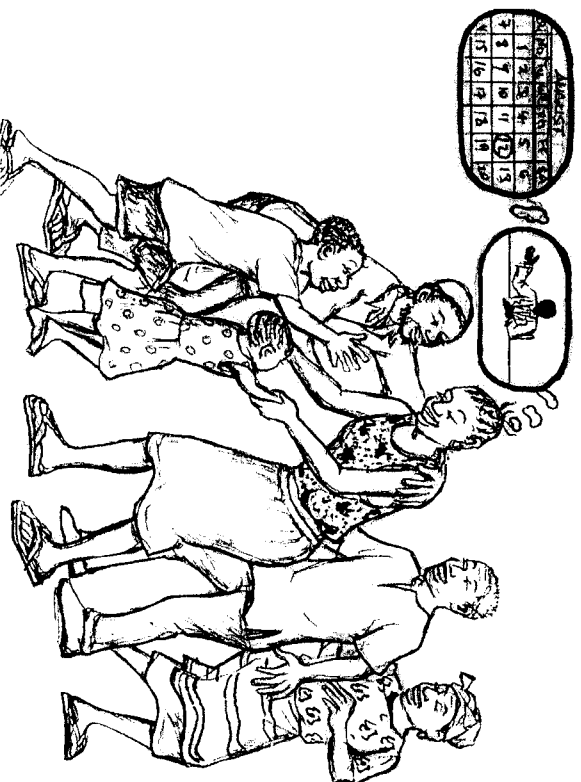
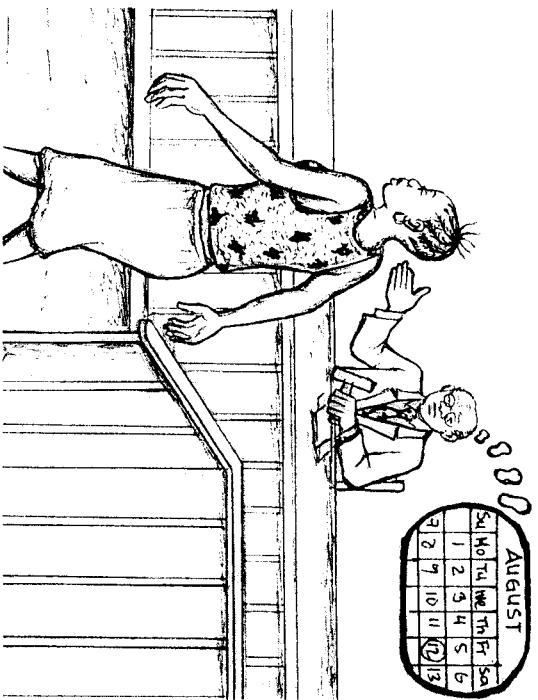
Do you need to pay money to get bail?

- No, you do not need to pay anyone money.
- The **surety** does not need to bring money to the court. The **surety** will only have to pay the money if you do not come to court.

- Nobody (including police officers) has the right to demand money from you before you get **bail**

What happens if you do get bail?

- You go home and carry on with your life until the date when you must return to the court for the next hearing.



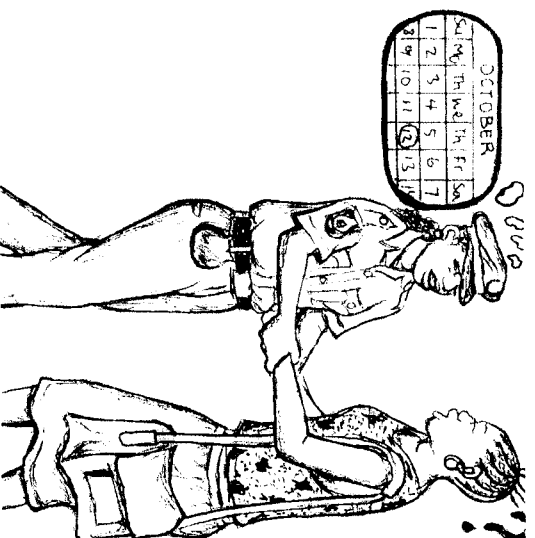
- Sometimes the court will say that you have to do certain things, like sleep at a particular address, report to the police station, not go near a particular area, or not contact any victims or witnesses. These are called 'conditions of bail' and you must be careful to do everything the **Magistrate/ Judge** tells you.

What happens if you do not get bail?

- If the **Magistrate/ Judge** refuses you **bail**, you have the right to apply to a High Court **Judge** to get bail.

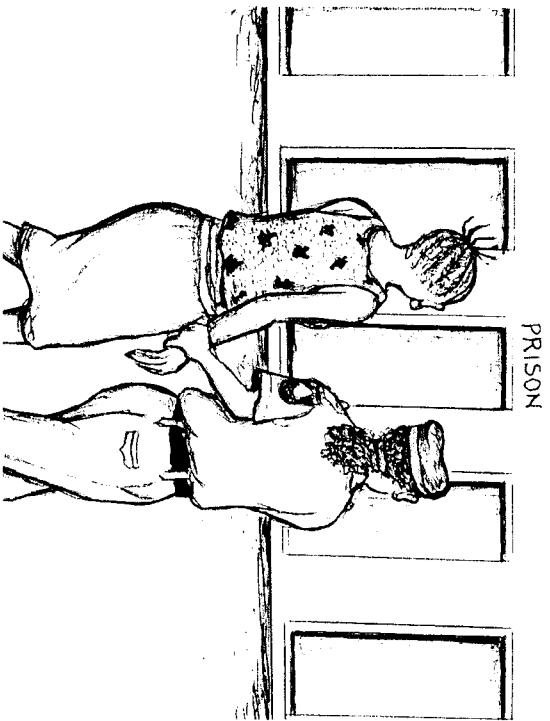
What is "jumping" bail?

- This is where you do not return to court as agreed.



What happens if you "jump" bail?

- If you do not return to court you will be charged with another criminal offence on top of the offence you are currently charged with.
- The **surety** will be arrested and will be forced to pay the amount of **bail**.
- If they cannot pay this amount then they may be detained.

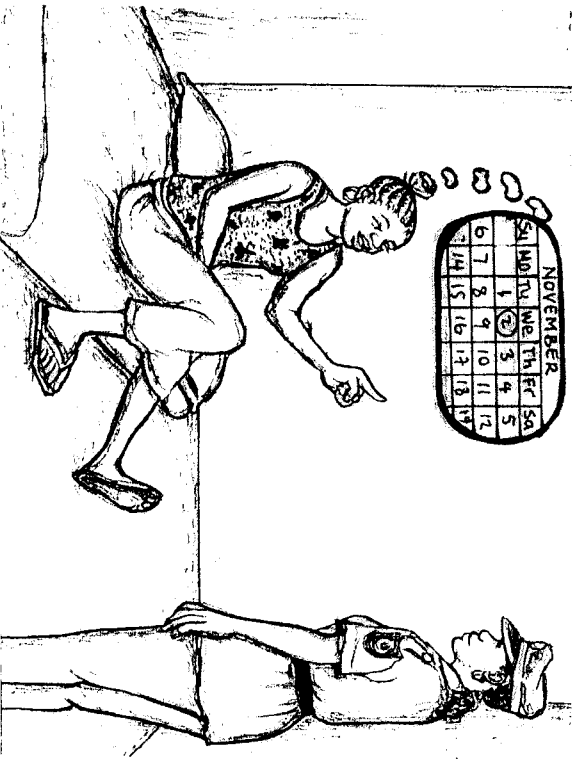


If the **surety** helped you "jump" **bail**, he or she will also be charged with an offence.

5. Going to Court

a. How to get to Court?

- If you are in prison, you should inform the Prison Welfare Officer or other Prison Guards as soon as you know the date you have to go to Court. They will arrange to transport you to Court.

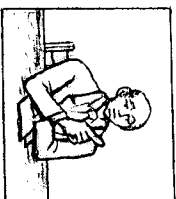


- If there is no transport to take you to Court, keep pressing the Prison Officers about when is your next court date
 - When you arrive at the Court you may be placed in a holding cell where you will wait until it is time for your case to be heard in the court room.
- ### b. What to wear when you go to Court?

- Women need to wear a scarf or hat to cover their head, must cover their shoulders and must not wear trousers.

- If you do not feel you have something appropriate to wear, ask the Prison Welfare Officer, Prison Guards or your family members to assist you.

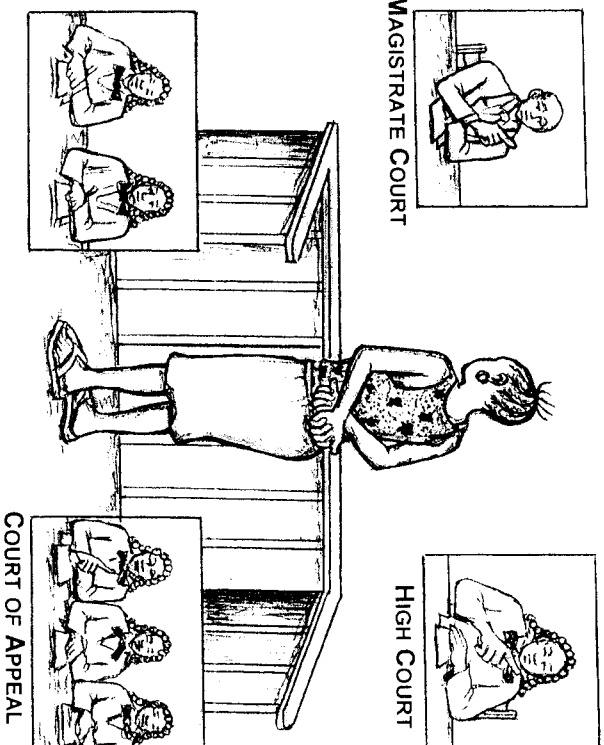
c. Different courts



MAGISTRATE COURT



HIGH COURT



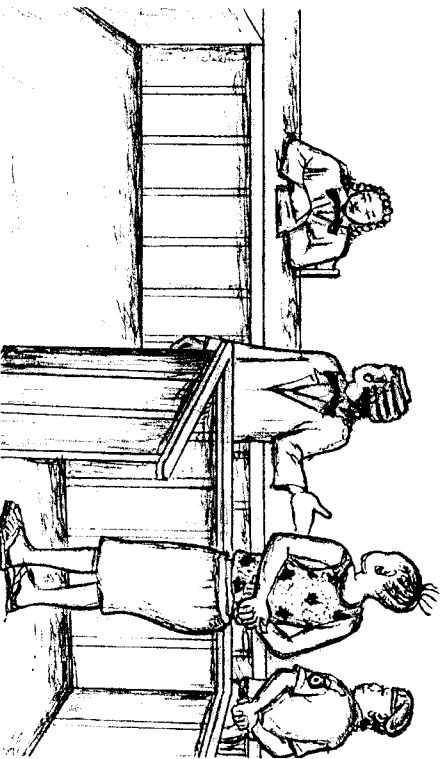
- There are different types of court that you will attend depending on the crime you are charged with and the stage of your case.

i) Magistrates Court

- This is where you will probably go when you are first arrested.
- These courts do not deal with serious cases such as murder or rape. However, if it is a serious offence you will go to the Magistrates Court first, and the **Magistrate** will listen to the case and decide whether there is enough evidence to send you to the High Court. This is called the 'preliminary investigation'. If he thinks you might have committed the crime he will send it to the High Court, where you will have a trial. If he

think, there isn't enough evidence he will dismiss the case and you will be able to walk away free.

- 1 **Magistrate** or 2 Justices of the Peace will hear your case. A Magistrate is trained as a lawyer and a Justice of the Peace is an important member of civil society.
- ii) **High Court**
 - The High Court has **Judges** rather than **Magistrates**.
 - Serious cases will be tried there.
 - If you are tried in the Magistrates court you can appeal in the High Court.
- iii) **Court of Appeal**
 - This is the court where you can appeal from a **sentence** passed in the High Court.
 - 3 **Judges** will hear the appeal.
 - Generally only appeals from serious charges, such as murder, will reach the Court of Appeal.
- iv) **Supreme Court**
 - This is the highest court in Sierra Leone and hears appeals from the Court of Appeal and other important cases.
 - You can apply to the Supreme Court for redress under s 28 of the Sierra Leone Constitution if your constitutional rights are violated.
- d. **You have the right to have a lawyer**

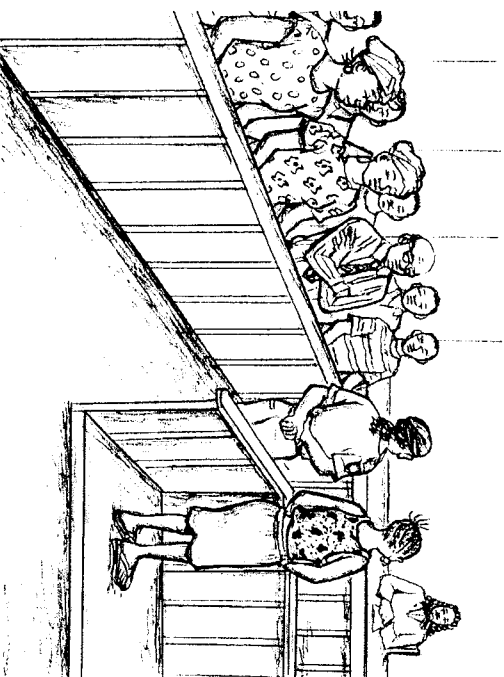


- If you or your family have money then you should find a lawyer to represent you in Court. (At the end of this booklet there is information on how to find a lawyer and what to expect from a lawyer.

- If you are charged with a **capital offence** (murder, treason or armed robbery) then the Government must pay for you to have a lawyer if you cannot afford to pay for one. You should inform the Prison Welfare Officer or Court Clerk about this.
- If you are charged with a non-capital offence and you cannot afford a lawyer, you should ask your family or friends to ask a lawyer to do the case for free (which is called "pro bono"). They can also ask civil society groups or religious organisations to help pay a lawyer. (At the end of this booklet there is a list of organisations which may be able to provide you free legal advice or assistance.)
- Remember that even if you do not have a lawyer you still have the right to defend yourself in Court.
- e. **Who are the different people you will meet in court?**
 - **Magistrate** – this is a lawyer who decides cases in the Magistrates Court.
 - **Justice of the Peace** – this is an important member of civil society. They can decide cases in the Magistrates Court too.
 - **Judge** – a judge will decide your case at the High Court or Court of Appeal.
 - **Court Clerk** – the Court Clerk will call your name and organise the court file.
 - **Police Prosecutors** – it is likely that the Prosecutor will be a police officer rather than a lawyer.
 - **Police Officers and Prison Officers** – other police officers and prison officers will be at court to maintain security.
 - **Lawyers** – there will be other lawyers at court waiting for their case to be called.
 - **Public** – members of the public and other family members can attend court.
- f. **How should you speak to the people you meet at Court?**
 - You should speak to everyone in Court with respect, especially the **Magistrate** or **Judge**. It is easy to become angry or frightened but try not to be. Do not shout or scream at the **Magistrate/ Judge** or Police Officers.
 - When you speak to a Justice of the Peace you should call him or her "Sir" or "Madam".
 - When you speak to the **Magistrate** you should call him or her "Your worship."
 - When you speak to a **Judge** you should call him or her "My Lord" or "My Lady".

g) What to expect in court?

- You should expect to wait, maybe for a long time, at the court before your case is heard. The cases of more senior lawyers will be held first.
- When it is your turn, the Court Officer will call out your name
- You will be asked to stand during the court proceedings when the **Magistrate** or **Judge** addresses you. You may have to stand in what is called a "**dock**". This is a wooden frame or structure which you will stand in.
- There will be a police man or woman or Court Official who will stand next to you.



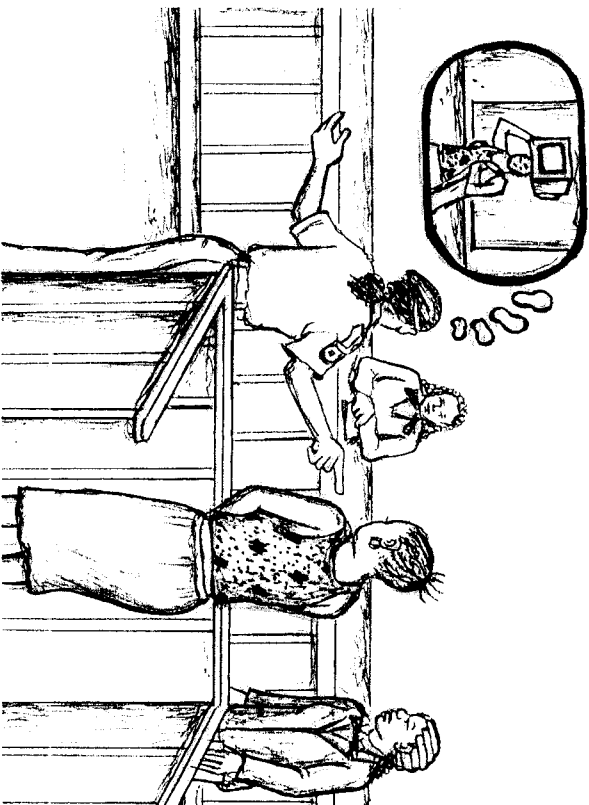
- Your case may be '**adjourned**'. This is where the court decides to move the hearing of your case to a later date for some reason e.g. because a witness is not available. You should expect this to happen several times. It is important to listen to the date given for the next hearing.

h. Pleading guilty or not guilty

- You are considered innocent until it is proven that you are guilty.
- Just because you are accused of a crime does NOT mean that you are a criminal. You have the same rights as any other person.
- You can only be found guilty in 2 ways:
 - 1) If you state freely to the Court that you are guilty and did commit the offence you are charged with, or
 - 2) After the Court has heard evidence and they decide this evidence proves you are guilty beyond a reasonable doubt.

- The **Magistrate** or **Judge** will ask you whether you plead guilty or not guilty. You should only say you are guilty if you know you have committed the offence and not because anyone has pressured you to say this.
- If you have committed the offence, if you plead guilty straight away and show you are sorry for what you have done then the Court may take this into account when deciding what punishment to give you.

i. What will happen the first time you go to Court?



- When your case is brought before the Court, the **Prosecution** will explain to the **Magistrate** or **Judge** the offence you are supposed to have done.
- Any application for bail will be discussed.
- You will be asked by the **Magistrate** to say at this time whether you are guilty or not guilty.
- If you plead guilty, you will be sentenced shortly afterwards.
- The **Magistrate** will inform you of the date, time and place of your next court hearing.

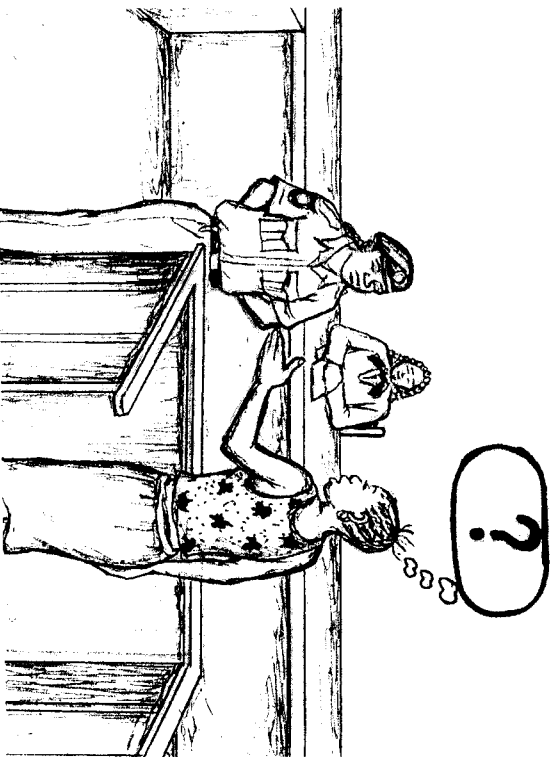
j. What happens at trial?

- Trial is where the Court will decide whether there is enough evidence to prove whether you are not guilty or not guilty.
- The Prosecution will try to prove you committed the offence and can bring people (witnesses) who can talk about what happened.
- You will also have the chance to bring witnesses who can tell your side of the story.

k. Your right to examine witnesses

- If you do not have a lawyer, you have a right to ask questions of the person who is bringing the evidence against you. This may be a police officer or a witness (e.g. a trader if the police say you stole something from his stall.) Make sure that you ask lots of questions and try and explain your side of the story to the **Magistrate/ Judge**.
- You also have the right to call your own witnesses show your side of the story (e.g. a person who can tell the **Magistrate** he saw someone else steal the goods from the trader's stall.) You should tell your lawyer or the **Magistrate/ Judge** if you feel there are people you know who could support your case.

l. Your right to ask questions in Court if you do not understand what is happening



- Do not be afraid or shy to ask questions in Court. It is very important you ask your lawyer or the **Magistrate/ Judge** if you do not understand something.

- Do not agree to any question that you are asked unless you understand what is being asked.
- If someone says something you do not understand, you have the right to ask him or her to repeat it until you understand what is being asked.

m. Your right to an interpreter

- If you do not understand English, the Court must pay for an interpreter to explain what is happening in a language you understand.

- If you do not understand what is being said, you must tell the **Magistrate or Judge**.

n. You have the right to be tried without unnecessary delay

- Your trial must be carried out as quickly as possible.
- If you are in prison and haven't yet had a trial you should go to court every few weeks.
- Make sure to ask the prison officers, court officers, your family and your lawyer, if you have one, to keep pressing the Court about the length of time your case is taking.

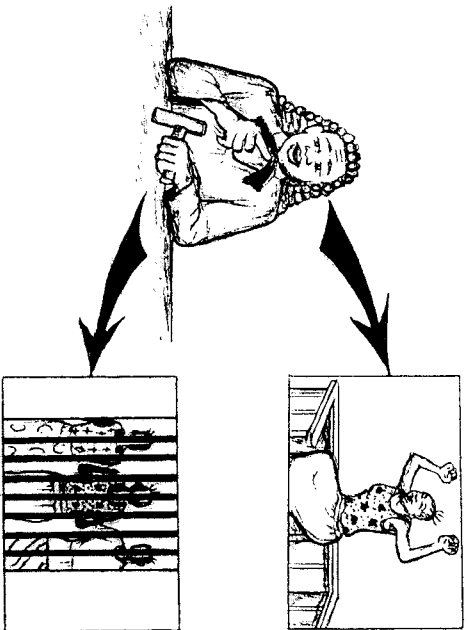
o. Remembering Important Information

- It is important to remember details such as:
- The date you go to Court
- Whether you are attending the Magistrates Court, High Court or Court of Appeal
- The name of the **Magistrate or Judge**
- What exactly is said about the case when you are at Court
- The exact details of any **sentence** or fine given
- The next date and time you have to go to Court

p. If you are under 18 years of age.

- If you are under 18 years of age you must inform the police officer or prison officer.
- If you are under 18 years of age the law says you should not be detained in an adult prison but should either be released on **bail** or kept in a home for juveniles.
- You should not be tried in public, and only the people relevant to the case will attend. In practice it is likely you will be tried in public.
- In the Magistrates Court, your case will be heard by a **Magistrate** and a Justice of the Peace.

6. Sentence



- Once all the evidence has been heard the **Magistrate** must tell you whether he finds you guilty or not guilty within 90 days (3 months). If you are found guilty then you become a 'convicted prisoner'.
- If you plead guilty or are found guilty, you will be sentenced.
- You should tell your lawyer or the **Magistrate** or **Judge** about any reason why your **sentence** should be reduced. For example
 - * This is your first offence,
 - * Any family commitments,
 - * You pleaded guilty as soon as possible.
- You may be sentenced to a fine or to spend time in prison or both.
- The time you have spent in prison while your case is being heard should count towards the prison **sentence** you receive. E.g. If you are sentenced to 2 years imprisonment but have spent 1 year in prison while your case is being heard then the **Magistrate** should take this into account and you should only spend 1 more year in prison. You must tell the **Magistrate** or **Judge** how long you have spent in prison when they tell you your **sentence**.
- If you are under 18 years of age you should not be sentenced to prison but should be sentenced to spend time in the approved school.
- Sierra Leone still has the death penalty and if you are found guilty of having committed murder, treason or armed robbery then you may be sentenced to death. However, the Government has not executed anyone in the past 10 years and people have only been executed for having committed treason.
- If you are a pregnant woman then you should not be given a death **sentence** but rather a **sentence** of life imprisonment. If you are under 18 then you should also not be given a death sentence.

- It is very important you ask your lawyer or the **Magistrate** or **Judge** to explain your **sentence** to you correctly if you do not understand.
- It is important that you keep track of how much time you spend in prison and that when you get to the end of your **sentence** you tell the prison officers.

7. Appeal

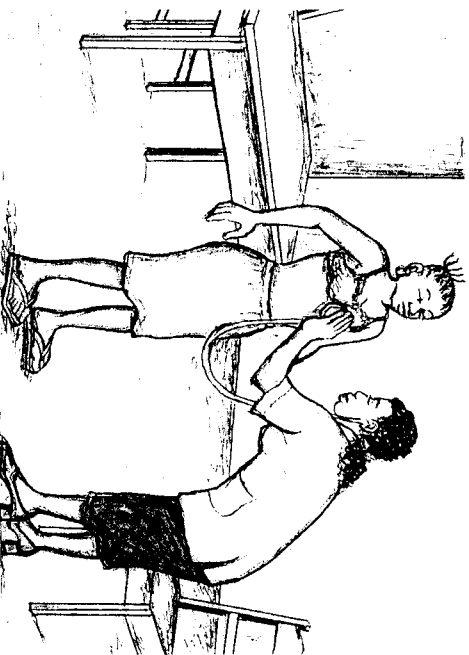
- You have the right to appeal against your **sentence** if you think it was too much. You can also appeal against conviction, arguing that you are not guilty. You can appeal on both these grounds.
- If you have been given a death sentence then it is very important you appeal.

8. What are your rights in prison?

- You have many important rights in prison which should not be violated. The United Nations has provided Standard Minimum Rules for the Treatment of Prisoners. The Prison Rules of Sierra Leone set out similar basic requirements.
- In practice many of these rights may be violated, and it will be difficult for you to insist on them. Other organisations should be demanding them for you, as should your lawyer. However, you will not always have a lawyer to represent you and so it is important that you know these rights. Also, if ever anybody asks you about how you are being treated, you should be able to tell them which of these rights have been violated.
- **a. Right to Food and Water**
 - You have the right to adequate food and drinking water.

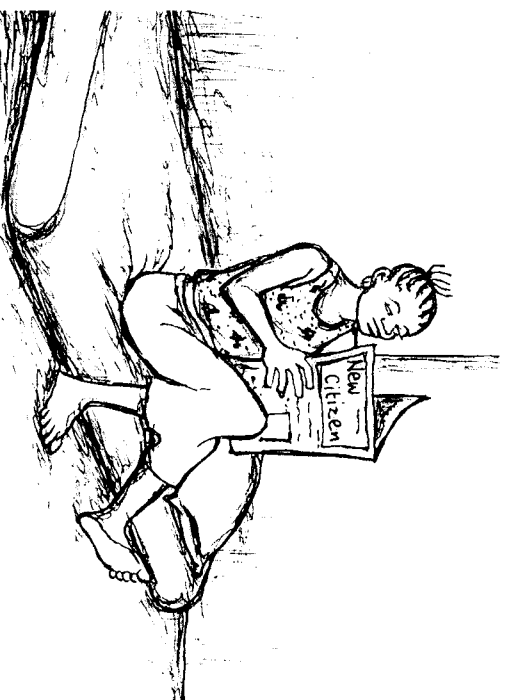


- Before your food is reduced as a form of punishment, a medical officer must confirm in writing that you are healthy enough to cope with this punishment.
- b. Right to Exercise**
- You have the right to at least one hour of suitable exercise in the open air every day if the weather is good.
- c. Right to Medical Care**

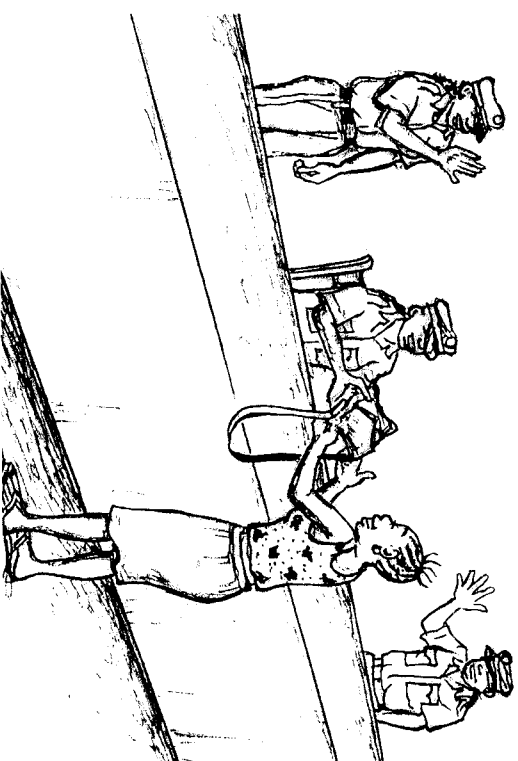


- You have the right to see and be treated by the prison doctor or nurse.
- d. Right Against Cruel, Inhuman and Degrading Punishment**
- You should not be disciplined through corporal punishment or subject to cruel, inhuman or degrading punishment.
- e. Right to Complain**
- You have the right to complain to Prison Officers, the Director of the Prison, your lawyer, civil society and religious groups about your treatment.
- f. Right to Contact with the Outside World**
- You have the right to communicate with your family and reputable friends regularly, through letters and receiving visits.
- Rule 55 of the Prison Rules also allows for prisoners to be moved to another prison facility so that you can be visited by family and friends. E.g. you could try and ask to be moved to a prison up country if that is where most of your family live.
- You have the right to be informed of the outside news, through reading

newspapers or hearing the radio.



- g. Right to Religion**
- You have the right to practice your religion without any interference and the Prison authorities should assist with providing you access to religious services, books and religious representatives.
- h. Right to Retention of Your Property**



- All money, clothes and valuables that you are not allowed to keep with you in prison should be kept safely by the Prison authorities. They should

ask you to sign a list of what they have kept.

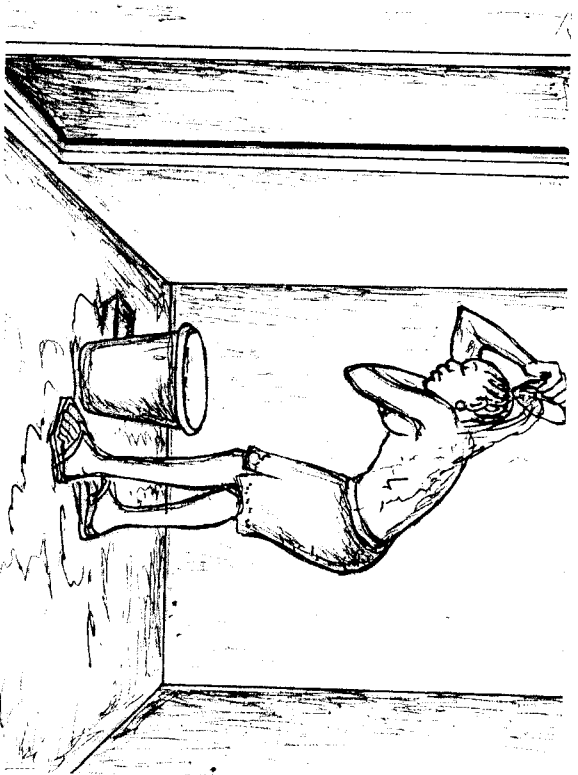
- After your release from prison these articles should be returned to you unless you have authorised for them to be sent outside the prison, money has been spent on items for your use or they have to be destroyed for hygienic purposes.

i. **Right to Education and Recreation**

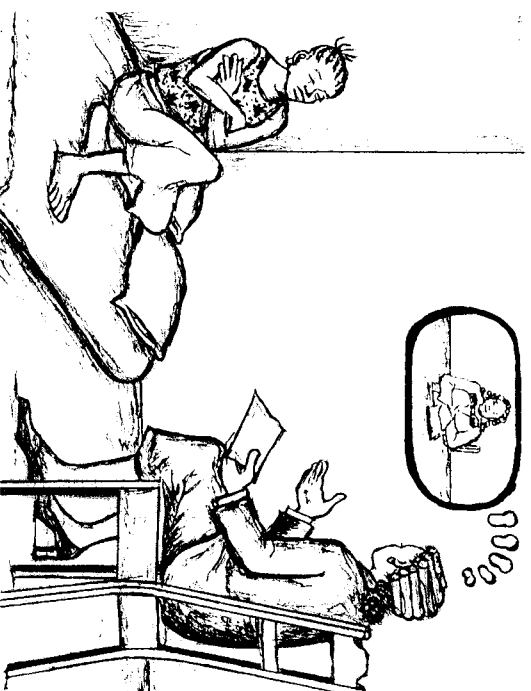
- You have the right to education, recreation and cultural activities while in prison. For example, you have the right to attend any schooling organised in the prison or to celebrate national holidays such as Christmas.

j. **Right to Personal Hygiene**

- You have the right to wash and maintain your personal hygiene.



k. **Right to Confidential Legal Briefings**



- You have the right to receive visits from your lawyer/ legal representative and to talk to him or her privately.
- Interviews between you and your lawyer/ legal representative may be within sight but not the hearing of a police officer or prison officer.

l. **Work**



- Sentenced prisoners will usually be required to work. Whether you are physically or mentally capable of working should be determined by a medical officer.
- You should have at least one rest day a week and sufficient time for education and other activities.
- You should be paid fairly for the work you will be required to do in the prison e.g. if you make clothes or beads that are sold outside the prison. Under this system you should be allowed to spend at least part of these earnings on items for your own use approved by the Prison Officers and to send part of these earnings to your family. Part of these earnings can be set aside by the Prison Administration as savings which should be handed over to you on your release.

m. **Prisoners Awaiting Trial**

- Untried prisoners should be kept in different cells from **convicted** prisoners.
 - Untried prisoners should be allowed to wear their own clothing or be provided with a prison dress different from **convicted** prisoners.
 - Untried prisoners should not be forced to work.
 - Untried prisoners should be allowed to inform their family and friends immediately of their detention and to receive visits from them.
- #### n. **Prisoners Sentenced to Death**
- If you are sentenced to death, you are entitled to extra food.

9. **Post-Prison Support**

- It can often be very difficult to adjust after you have been released from prison.
- Do not be afraid to contact various organisations (such as churches, mosques and civil society organisations) to ask for help such as financial help or skills training.

10. Glossary

Adjourn: This is where the court decides to move the hearing of your case to a later date for some reason e.g. because a witness is not available.

Bail: After you have been charged with a crime, you can be released from prison until you next have to appear in court. This is called "bail".

Capital Offence: A capital offence is one which carries a death sentence. Murder, armed robbery and treason are capital offences. Although Sierra Leone still has the death penalty, the Government has not executed anyone in nearly 10 years.

Convicted: A person who has been found guilty of a crime.

Cross examination: During trials, when a witness has given evidence, the other side can ask questions of him to show that he is not a good witness: for example he didn't see what happened, has a bad memory, or is lying. This is known as 'cross examination'. When the **Prosecution** brings a witness, the Defence lawyer or the defendant should 'cross examine' him, and when the Defence brings a witness, the **Prosecution** should cross examine him.

Defendant/ Accused: The person charged with a crime.

Dock: This is a wooden frame or structure which you will stand in.

Examination-in-Chief: During trials, if a witness is brought to court to give evidence, they will start by giving their story of what they saw happen. This is called 'examination-in chief'.

Judge: A person who decides your case at the High Court or Court of Appeal.

Justice of the Peace: An important member of civil society. 2 Justices of the Peace can also decide cases in the Magistrates Court.

Magistrate: A lawyer who decides cases in the Magistrates Court.

Prosecution: A police man/woman or lawyer who will present evidence of the charges against you.

Remand: A person awaiting trial is "on remand".

Sentence: This is the punishment someone who is charged with an offence will receive once they are found guilty. It can be prison or a fine or both.

Surety: A surety is a person who will promise that you will return to court throughout your trial. The surety must promise to pay money to the court if you do not return to court.

Section A: Instructing a Lawyer

How do you find a lawyer?

- If you do not know where to find a lawyer you can call or visit the Sierra Leone Bar Association which has a list of lawyers.
Sierra Leone Bar Association
11 Lamina Sankoh Street
Freetown
Tel: 033 344 694

Can you get a law student to act as a lawyer for you?

- A person who has passed his bar exams but has not done his pupillage (1 year of legal training) can represent you in the Magistrate Court but not the High Court.

Paying your lawyer

- At your first meeting, your lawyer should tell you how he calculates his charges e.g. how many leones per court hearing.
- If possible, your lawyer should give you an estimate of the total amount.
- It is not wise to pay your lawyer the total amount at the beginning. It is better to pay him/ her at the end of the case or in stages.
- Your lawyer should not ask you for extra money for things such as fuel to come to court.
- Your lawyer should give you a bill at the end of the case which should show you what work was done, the dates on which it was done and the cost for that work.
- If your lawyer is being paid by the Government to take on your case (e.g. if you are charged with a **capital offence**) then he or she should not ask you to pay any more money.

What to Expect from your Lawyer?

- Your lawyer can only give their best advice and service if the information you give them is accurate and complete.
- A lawyer should:
 - Put your interests first when representing you
 - Be polite and considerate in their dealings with you
 - Make every effort to explain things clearly and in a language you can understand
 - Agree with you the type of service you can expect to receive

- Tell you who will be handling your work
- Explain what the likely costs are to be
- Keep you informed of the costs throughout so you can work out if a particular course of action is worth following financially
- Respond to your phone calls or letters
- Tell you about any developments and update you on progress as work proceeds
- Give you a clear bill which shows the work done and the amount charged
- Treat all clients fairly and not discriminate against anyone because of their race, tribal group, gender or disability
- Keep what you tell them confidential and refuse to represent anyone else if doing so could compromise that confidentiality

What to do if you have a Complaint?

- If you are unhappy with the service you have received from your lawyer you can make a complaint.
- You should first complain to the law firm where the lawyer works and report the matter to his or her boss.
- If this does not provide a satisfactory solution then you can complain to the Bar Association at the address above.
- If you wish to file a formal complaint against a lawyer then you must send an affidavit along with your written complaint. An affidavit is a written document setting out particular facts which you must swear in front of a Commissioner for Oaths. You can also ask a lawyer to assist you with this. Below is an example of an affidavit (the complaint in the example is of a lawyer failing to appear in court and to return his fee, but you can complain about anything a lawyer does wrong)

You will need to send this to:

The Secretary (Attention Mr. J. O. Wellington)

Disciplinary Committee of the General Legal Council

Ministry of Finance

14th Floor

Ministerial Building

Freetown

Telephone: 344 694

Facsimile: 344 694

Telex: 344 694

1999

Example:

IN THE MATTER OF THE LEGAL PRACTITIONERS ACT, 2000, ACT NO. 15 OF 2000, AS AMENDED, PART V,
SECTIONS 29 – 38

IN THE MATTER OF A COMPLAINT AGAINST
[insert full name]
A LEGAL PRACTITIONER

AFFIDAVIT

1. [insert full name] of [insert address in the Western Area..... Province of the Republic of Sierra Leone], [insert occupation or if unemployed state same] make oath and say as follows:-

[SET OUT IN NUMBERED PARAGRAPHS THE FACTS COMPLAINED OF]

1. That on the 1st of March 2006 I engaged the services of [insert address of legal practitioner] to represent me in Magistrate Court No. 1 in respect of a criminal summons that had been issued against me.
2. That on the 6th of March 2006 I paid [insert name of legal practitioner] the sum of Le1, 000,000.00, being the agreed fees for his services in respect of the said criminal summons. I am shown a copy of the receipt of payment of the said fees issued by [insert name of legal practitioner] which is attached here to marked 'A'.
3. That the criminal summons came up for hearing on the 10th of March 2006 at Magistrate Court No. 1. That I had informed the said [insert name of legal practitioner] of the date of hearing but he did not appear on my behalf on that date. That the criminal summons was adjourned to the 17th of March 2006. That I went to the chambers of the said [insert name of legal practitioner] and informed him of the adjourned date and he promised to appear on the adjourned date. That despite the promise given by him he again failed to appear on my behalf on the adjourned date.
4. That after several adjournments of the criminal summons I was compelled to engage the services of another legal practitioner in the person of [insert name of new practitioner] who is now representing me in this matter.

That I have requested from the said [insert name of legal practitioner] that he returns to me the said sum of Le1,000,000.00 paid to him be me as he did not appear on my behalf in the proceedings in Magistrate Court No. 1 but he has refused to do so. That I have therefore made a complaint, in writing to the Disciplinary Committee of the General Legal Council on the [insert date] and I make this affidavit in support of my complaint.

Section B: Organisations Offering Free Legal Advice/ Assistance

Access to Justice

Offers free legal advice in Makeni and surrounding areas.

Office: 1 Flower Corner, Makeni

Contact: 076 99 5317 or 076 90 1637

Defence for Children International Sierra Leone

Provides free legal advice and representation on criminal cases where the Defendant is under the age of 18.

National Co-ordinator: Abdul Manef Kemokai, tel. 033 59 43 65

Freetown Office: 42 Siaka Stevens St. Contact: Ngardie Kargbo, tel. 033 30 30 62.

Makeni Office: 32 Misiri Street

Bo Office: 15 Lahai Street, Nikibu Section, New London

Kenema Office: 1 Reservation Road

LAWCLA 'Lawyers Centre for Legal Assistance'

Offers some free legal advice and representation on serious criminal offences.

Freetown Office: 15D Old Railway Line, Brookfields, Tel: +232-22-240440

Makeni Office: 7 Lady's Mile, Makeni

LAWYERS 'Legal Access through Women Yearning for Equality Rights and Social Justice'

Offers free legal advice and representation on exceptional cases of sexual violence, domestic violence and divorce. Also represents women in prison.

Contact Malinda Davies (President): 076 713 743 or 033 713 743, or Jeneba Kamara (Secretary): 033 449 187. Office located at: 32Bathurst St, Freetown

Rainbo Centre

Offers free medical care and some legal support to victims of gender based violence.

Offices in:

Freetown: PCMH Fourah Bay Road, Eastern Freetown, tel. 076 668 052

Kenema: Kenema Government Hospital, Combema Road, Kenema, tel. 076 716 157

Kono: Koidu Government Hospital, Spark, Koidu Town, 076 919 501

Timap for Justice

Offers free legal advice and mediation on issues of land and property, family issues, criminal offences, contracts, personal injury etc

National coordinator: Nancy Sesay, tel. 033 310 871. Lead paralegal: Daniel Sesay, tel. 076 926 090.

Freetown: 56 Campbell Street, Freetown, tel. 022 229 911

Magburaka: 42 Bo Road. Abdulai Harding tel. 076-793917/ Michael Lusenii, tel. 077 558 207

Yele: Contact Abu Jalloh, tel. 076-820520 or John Kanu, Koroma Lane, tel. 076 521 659

Tikonko Town. Contact George Hinga, tel. 076-718046

Bumpe Town. Contact Elizabeth Lebbie, tel. 076-960842 or Joseph M. Sawyer

Bo. Contact Daniel Sesay, 32 Kotomandu St., tel. 076-928090

Gondama. Contact Alpha Songa, Gondama Town, tel. 033-419568

Bombali Seborra Chieftdom: 6 Station Road, Makeni

Yoni Bana Chieftdom: 9 Old Police Road, Mile 91

Safroko Limba Chieftdom: 1 Mafaray Road, Binkolo

Gbendembu, Ngowahun Chieftdom: N'Kala House, Wesleyan Primary School Compound, Gbendembu

Valunia Chieftdom: Mongeri Town

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