



## PUBLIC NOTICE

### PUBLIC INQUIRY INTO THE CONDUCT OF LAW ENFORCEMENT OFFICIALS

Section 5 subsection (2) paragraph (b) of the Constitution of Sierra Leone, 1991 provides that ***“the security, peace and welfare of the people of Sierra Leone shall be the primary purpose and responsibility of Government, and to this end it shall be the duty of the Armed Forces, the Police, Public Officers and all security agents to protect and safeguard the people of Sierra Leone”***. Similarly, Section 13 paragraph (j) provides that ***“every citizen shall - ... render assistance to appropriate and lawful agencies in the maintenance of law and order”***.

To further protect and promote the rights of all in Sierra Leone, and to ensure that citizens are aware of their duties and responsibilities, the government established the Human Rights Commission of Sierra Leone by an Act of Parliament in 2004. One of the ways in which the Commission protects and promotes human rights in the country is by monitoring and documenting human rights violations as provided for in Section 7(2) (f) of the Human Rights Commission of Sierra Leone (HRCSL) Act (No. 9), 2004.

The Commission also has the mandate to conduct public inquiry into allegations of systemic human rights violations pursuant to Section 7 (2)(a) of the HRCSL Act (No. 9) of 2004 and Rule 42 of the HRCSL (Complaints, Investigations and Inquiries) Rules of 2008.

Having monitored, received and documented many allegations of human rights violations by Law Enforcement Officers (LEOs)<sup>i</sup> especially in the maintenance of public order, the Commission has decided to undertake a public inquiry into the conduct of LEOs. The Commission has also documented instances of attacks by citizens on LEOs; the inquiry will also look into such allegations.

The scope of this public inquiry will be for a period of seven years, from 2015-2021.

#### **The issues to be determined by the Inquiry include;**

- Whether LEOs used disproportionate force in the execution of their duties contrary to the UN Guiding Principles on the use of Force and Fire Arms;



- Whether there were loss of lives and grievous bodily harm resulting from excessive use of force by LEOs contrary to Section 16 of the Constitution of Sierra Leone, 1991 and Article 4 of the African Charter on Human and Peoples Rights (ACHPR) as well as Article 6 of the International Covenant on Civil and Political Rights (ICCPR);
- Whether the right to property was violated by LEOs in executing their mandate contrary to Section 21 of the Constitution of Sierra Leone, 1991 and Article 14 of the ACHPR;
- Whether LEOs lost their lives or sustained grievous bodily harm in the hands of members of the public or individuals while carrying out their lawful duties contrary to Section 16 and 13(j) of the Constitution of Sierra Leone, 1991;
- Whether individual LEOs and/or their institutions were held accountable for their actions in line with their institutional Codes of Conduct;
- Whether appropriate actions were taken against individuals for abuses against LEOs;
- Whether LEOs were in need of further and requisite training in enforcing the law;
- Whether LEOs were provided with requisite logistical and operational resources;
- Whether citizens were adequately aware of their rights and responsibilities especially the duty to respect and cooperate with LEOs in the execution of their lawful mandate.

### **Terms of Reference for the Public Inquiry**

- Investigate alleged systemic human rights violations that occurred from 2015 to 2021;
- Examine and determine individual cases of victims of alleged human rights violations and abuses;
- Document, analyze and articulate the human rights issues and violations experienced by affected person(s) as consequence of activities, actions, omissions or negligence of LEOs and private person(s);
- Produce and publish a report containing key findings, conclusion and recommendations, directives and orders including legal and policy reforms;

### **The Inquiry Secretariat**

For the purposes of this Inquiry and in accordance with Rule 43 (5) of the Human Rights Commission of Sierra Leone (Complaints, Investigations and Inquiries) Rules, 2008, the Commission has set up a secretariat to manage the affairs of the Public Inquiry.



Meanwhile, anyone who may require further clarifications, wish to make a statement, submit written memoranda or provide any information to the panel should contact the following offices of the Commission:

1. HRCSL **Complaints House**, No. 3 Lamina Sankoh Street, Freetown (*close to Big Market*)  
Tel: +232 76 774 268/ +232 76 602 371
2. No. 12 Majur Drive, Waterloo, (by Med Porsh NP Station) Morabi Community  
Tel: +232 76 682 677
3. No. 25 New London, Kambia Highway-Port Loko City  
Tel: +232 76 800 026
4. No. 13 Old Railway Line, Bo City  
Tel: +232 78 336 306
5. No. 69 Blama Road, Kenema City  
Tel: +232 76 796 810
6. No. 65 Magburaka Road, Makeni City  
Tel: +232 76 571 770

**All documents should be addressed to:**

The Secretariat

Human Rights Commission Complaints House,

No. 3 Lamina Sankoh Street,

Freetown

Sierra Leone

Email: [hrcslpublicinquiry2022@gmail.com](mailto:hrcslpublicinquiry2022@gmail.com)

**Arrangement and Programs for the Inquiry**

The following schedule of activities is informed by the need to employ various methods to gather information and evidence. The specific dates on which these activities will take place will be communicated from time to time.

The Inquiry is divided into three (3) phases:



### **Pre-Inquiry Stage (January – March)**

- Preparation of data collection instruments;
- Collection of further data on alleged human rights violations of the LEOs through strategic and media engagements, key informant interviews, focus group discussions etc;
- Invitation to the general public as well as LEOs to submit written statements of any alleged violation/abuse.

### **Inquiry Stage (April - May)**

- Sittings at three different locations(Western Area, north-west and south-east);
- Two panels shall sit simultaneously to cover incidents of alleged violations/abuses;
- Another panel shall sit in the Western Area to also cover same.

### **Post-Inquiry Stage (June – August)**

- Collation of the evidence and analysis;
- Report produced and disseminated;
- Strategic engagements with the LEOs, government and other relevant stakeholders to ensure the recommendations are fully implemented.

### **Invitation to the Public to participate in the Inquiry**

Members of the public are hereby invited to participate in the inquiry by providing information that will be useful in determining the issues before the panel. This information should be presented in the form of written memoranda either by individuals, groups of individuals or interested organizations. The documents should be signed and forwarded to the Inquiry Secretariat at the address provided above.

Any person who wishes to provide information to the Inquiry Panel *in confidence* should contact the Secretariat through the contacts provided above. Arrangements will be made for that person to provide information with maximum regard to their safety. Measures will also be put in place to protect witnesses who so request and who, in the view of the panel, require such protection.

It is important that people try as much as possible to provide evidence for the allegations they make by providing photocopies of authentic documents, photographs, medical reports and any other evidence. The information provided should be limited to the issues before the Inquiry Panel for determination.



Members of the public are hereby reminded that any falsification of documents and /or misleading information provided for the purposes of this inquiry will lead to punitive measures as provided by the HRCSL Complaint Rules of 2008 and the Perjury Act of 1911.

**Application to be Named as an Interested Party**

*[Under Rule 45 (2) of the Human Rights Commission of Sierra Leone (Complaints, Investigations and Inquiries) Rules, 2008.]*

Any person, institution or organization that would wish to be named as an interested party in this Inquiry should make an application to be so named **within a period of one month** after the publication of this public notice. Applicants must demonstrate that they have a central role or interest in the subject matter of the Inquiry.

**Dated this 31<sup>st</sup> day of January, 2022**

**Signed:**

Patricia Narsu Ndanema (Mrs.)

**Chairperson**

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<sup>i</sup> For the purposes of this Inquiry, Law Enforcement Officers include the Sierra Leone Police, Republic of Sierra Leone Armed Forces, Correctional Service Officers, Road Safety Corps and Metropolitan Police.