



# CHRISTIAN LAWYERS CENTRE LEGAL LINK



Motto: "Defending the Rights of Vulnerable Groups in Society"

The Honorable Chief Justice and head of the Judiciary of Sierra Leone  
Chambers of the Chief Justice  
Law Court Building  
Siaka Stevens Street  
Freetown.

29th October, 2020

My lord,

**Appealing to you and the Justices of the Supreme Court to rescind the bench warrant issued against Human Rights Activist, Augustine Sorie Sengbeh Marrah Esq**

My Lord and honorable Chief Justice of the Judiciary of the Republic of Sierra Leone, it is with great urgency and a deep sense of cosmic responsibility that we at LEGAL LINK write you this letter.

**LEGAL LINK** is a non- profit Legal advocacy Group that seeks to defend not only the rights of religious communities and vulnerable groups but also ensures respect for constitutionality, accountability, rule of law, democratic good governance and human rights in Sierra Leone.

Let us first of all start by thanking you as well as the judges of the Supreme Court for the resounding judgment they delivered on Monday 26th October 2020 defining in the clearest of terms the issue of "standing" as it relates to the legal profession in Sierra Leone.

No doubt, this landmark decision will help settle in a permanent way the many controversies, claims and counter claims that had long existed in determining how the number of years of practice and experience of legal practitioners in Sierra Leone ought to be counted.

Having read the 97 pages judgment, we are of the firmest conviction that this landmark decision that will surely have far and wide reaching impacts on not only the generation of today but also that of posterity as well. We dove our hearts to you all for dealing with this public interest matter in a timely manner.

In a rather dramatic twist however, while many legal scholars, students and researchers were still dissecting the judgment of the Supreme Court for possible critique or appreciation, we note with utter consternation that, by an order dated 28th October 2020, signed by the presiding judge, Justice Allan A.B. Halloway (J.S.C), our colleague and human rights activist was being ordered a bench warrant by the Highest court and further denied a right of hearing in any courts in Sierra Leone.

Rumors making the rounds on social media are of the view that the bench warrant issued against Augustine Marrah Esq by the presiding Justice of the Supreme Court may not have been unconnected to his critical and damning comments posted on his Twitter account in which he castigated the judgment of the Supreme Court on the basis that it was politically motivated.

For purposes of clarity, the said tweet of Augustine Marrah Esq is stated verbatim:

**"POLITICS has yet again been elevated above the LAW in 2dy's judgment by the Supreme Court. This is egregious chipping of the sanctity of the law. We raised this same eyebrow when the VP's illegal sacking was judicially laundered. Only those allied with politics will jubilate 2day."**

My lord, if indeed it is true that the above comment was infact the true and only reason that precipitated the issuing of a bench warrant and subsequent orders against Augustine Marrah Esq by the Highest Court in the land, then this development is quite worrying to say the least.

While we openly condemn the tweet of Augustine Marrah Esq as irresponsible, considering his duty owed to the court as a legal practitioner and moreso having represented the Defendant / Respondent that was defeated in the said matter, we equally hold the view that the orders issued against him as stated in the Order dated 28th October 2020, signed by the learned presiding judge, Justice Allan Halloway ( J.S.C) were certainly an overstretch especially when judged from the perspective of a democratic society where fundamental human rights and freedoms are expected to be guaranteed by the courts.

Certainly, it was not prudent on the part of Augustine Marrah ERSq, a defence counsel in the said matter to have openly impugned and demeaned the Supreme Court's unanimous decision on social media in the way he did.

But was the order of bench warrant for his arrest and subsequent denial of access to the courts of Sierra Leone a measured response by the Supreme Court? Certainly Not!

Perhaps, as a first step my lord, a more measured response from the Bench would have been to refer Augustine Marrah Esq to the very General Legal Council he had earlier represented for disciplinary actions. This would certainly have lend credence to the Supreme Court especially having ruled against the GLC in the just concluded proceedings.

In our view, it was certainly a missed opportunity by the Court to have shown that despite its ruling against the GLC, it does hold the Council in high esteem and respects its role in regulating the conduct of legal practitioners within the jurisdiction of Sierra Leone.

Issuing not only a bench warrant for Augustine Marrah Esq but also denying him access to all the courts in Sierra Leone certainly constitutes a fundamental breach of the principles of natural justice.

My Lord, the right to be heard, as all judges are aware, serves as the bedrock to the justice system of every country; and it is settled law that any attempt to whittle it down by anyone will amount to a breach a natural Justice principles. The other side must always be given an opportunity to be heard.

More important still, in a democratic society as ours and more so a nation that has just successfully repealed a draconian law that once muzzled freedom of speech and the press for over 50 years, it is overtly counterproductive to see such orders being made by the Highest court in the land in contemporary day, against persons/ activists that expressed disaffection with their judgments on social media, radio or Tv.

My lord, with the greatest of respect, we submit that this ought not to have been the case. On the contrary, and more so as a democratic nation, we expect the highest Court of the land to be the ultimate protector of freedom of speech and the press when all other courts and adjudicating authorities below shall have failed to guarantee such rights.

We therefore kindly appeal that your Lordship intervenes in this matter and ensure that the bench warrant issued against Augustine Marrah Esq is not only rescinded but further orders listed against him in the order dated 28th October 2020 be vacated forthwith.

In conclusion, while we strongly admonish Augustine Marrah Esq to always learn to accept the decision of the Court and challenge them through due process if aggrieved, it is vital to pinpoint that Augustine Marrah Esq is one of the leading human rights activists in the Republic of Sierra Leone; and that activist side of him will always be revealed notwithstanding. He just cannot help himself.

Please my Lord and Justices of the Supreme Court, we beg of you to kindly understand with that side of him and tamper Justice with mercy.

Whilst we await on your positive response, please accept the assurances of our highest regards.

**Yours Faithfully,**



**Rashid Dumbuya Esq**  
**Executive Director, LEGAL LINK**

**On behalf of the legal team.**

**Cc:**

**The Presiding Judge, Honourable Justice Allan Halloway ( J.S.C)**

**The Honourable Justice Alusine Sesay ( J.S.C)**

**The Honourable Justice M.F.Deen Tarawally (J.S.C)**

**The Honourable Justice M.Sengu Koroma ( J.S.C)**

**The Honourable Justice M.M.Samba (J.A)**

**The Sierra Leone Bar Association**

**Augustine Marrah Esq**