



CHRISTIAN LAWYERS CENTRE LEGAL LINK



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

The Chief Justice and Chairman of the Council of Legal Education

Sierra Leone Law School

Chambers of the Chief Justice

Law Courts Building

Siaka Stevens Street

Freetown

17th August 2021

My lord and Chairman,

Worrying concerns over a Bill entitled, 'The COUNCIL OF LEGAL EDUCATION AMENDMENT ACT 2021' and the continued imposition of illegal entrance requirements at the Sierra Leone Law School

Christian Lawyers Centre (hereinafter referred to as **LEGAL LINK**) has received a number of complaints from legal practitioners, law students, law graduates and members of the general public over a proposed Bill widely circulated on social media as well as the continued illegal imposition of entrance requirements on law graduates applying at the Sierra Leone Law School which is not supported by law.

But before delving into the facts and merits of these complaints, let me seize this opportunity to openly commend your leadership over the plethora of reforms and innovations currently taking place within the judiciary of the Republic Sierra Leone. We note in particular the separation of the inferior courts from the Superior Courts of Judicature, the infrastructural facelift, establishment of specialized courts, beautification of the court environment, restoration of sanity around the precincts of the courts, employment of more magistrates, judges and staff as well as improved access to justice in remote areas of the country.

While the task of reforming the judiciary may still be far from being accomplished, we however make bold to say that these key reforms you have introduced in your tenure are not only timely but are certainly making significant impacts within the justice system in the republic of Sierra Leone. Kudoos.

But be that as it may however, permit me my lord and Chairman to urgently bring to your attention the twain issues mentioned above for the kind intervention of the Council of Legal Education. No doubt, by virtue of the Council of Legal Education Act 1989, the Council of Legal Education serves as the highest decision-making organ of the Sierra Leone Law School. It is against this backdrop that we have considered it fit an appropriate to address these concerns to you for the attention of Council.

Regarding the issue of the proposed draft bill that has been widely circulated on social media, we note that the Bill seeks to amend the Council of Legal Education Act 1989 to provide, amongst other things, for *“representation of Njala University and the University of Makeni in the Council of Legal Education, and to provide for the establishment of Njala University Law School and the University of Makeni Law School”*.

As an organization that promotes human rights, the rule of law, accountability and due process in Sierra Leone, we are motivated to ask some fundamental questions: **Was this proposed Bill an endorsement of the Council of Legal Education?, To what extent was the legal community in Sierra Leone consulted before the drafting and circulation of the proposed Bill? What is the true rational and compelling justification for proposing such a Bill that seeks to regionalize Law schools in the country?**

My lord and Chairman, the arguments of LEGAL LINK against the proposed bill is premised on the above rhetorical questions.

First, we are strongly of the opinion that such a Bill was never an endorsement of the Council of Legal Education in the first place. As you will rightly agree, the governing and highest decision-making body of the Sierra Leone Law school is Council. Without the expressed approval of this Bill by such a Council, it will be a travesty to proceed with such amendment to say the least.

Secondly, it is now clear as crystal that the legal community was never consulted over this proposed Bill to be enacted. The Public Notice of the Sierra Leone Bar Association dated 16th August 2021 clearly reveals this. **This nocturnal act in itself underscores the insincerity and unaccountability surrounding this proposed Bill.** Mr Chairman, we submit that members of the Sierra Leone Bar Association have a moral and legal justification to be consulted on such an issue which has to do particularly with their profession and survival. It is inconceivable and preposterous therefore to learn that they were left out on such an important matter. This Bill must therefore be strongly resisted and disdained in our society.

Thirdly and most important of all, we are of the strongest conviction that creating new law schools in the South and the North of the country will inadvertently embolden regional and ethnocentric tensions in the legal profession in Sierra Leone. And you will certainly agree with us my lord and Chairman that regionalism and ethnic divide has been one of the very reasons for our backwardness as a nation today. **We don't want such to be institutionalized in the legal profession and continue to fester in the future unabated. It is highly likely that if the South and North are allowed to have law schools, the East and North-West will also be justified to call for theirs in the future. And this will certainly not be good for our noble legal profession in the country!**

It is important to also emphasize that Sierra Leone is not a federal state but a unitary one and it is for good reasons why Parliament passed the 1989 Council of Legal Education Act to create for a unified SIERRA LEONE LAW SCHHOL. Amongst other things, it wanted to suppress regionalization, parochial and ethnocentric institutionalization within the Bar in Sierra Leone. Usually, the creation of plurality of law schools is more akin to federal systems of government than unitary ones.

In place of this draconian bill, we strongly recommend to the Council of Legal Education for either an introduction of new Sierra Leone Law school campuses in the provinces where practicable; or embark on a two shift system at the Sierra Leone Law in Freetown so as to cater for the growing number of law students graduating every year from within and outside Sierra Leone applying into the Sierra Leone Law school. This step, we believe, would be a more measured response in relation to addressing the influx problem at the Sierra Leone Law School rather than creating new Law schools in the country, further entrenching regional stereotypes.

In another development also, we note that the Sierra Leone Law School has introduced new additional subject requirements to form part of its entrance requirements into the Sierra Leone Law School. **These additional subject requirements are Equity & Trusts, Law of Contract, Law of Tort, Criminal Law, Constitutional Law and Land Law.** For a student to be admitted, he or she must be a holder of at least a third-class honours degree in law from a recognized university approved by the Council of Legal Education and must have passed the above additional subjects.

Strikingly, a cursory look at the Council of Legal Education Act 1989 which governs the Law school reveals that no subject requirement is provided for admission into the Sierra Leone Law School. **The question that then comes to mind is: Why should Sierra Leone Law School amend the Council of Legal Education Act without reference to Parliament? Why should new subject requirements be added without Parliamentary approval? Why should the administrators of the Law School continue to deprive law graduates from access to legal education using illegally imposed requirements?**

Rightly so, the Administrators of the Sierra Leone Law School did try twice to seek an amendment of the Council of Legal Education Act 1989 through Statutory Instruments for additional subject requirements to be part of the admission requirement into Law School. But these proved unsuccessful as Parliament refused such Statutory Instruments for want of procedure and irregularities.

With two attempts to amend the law proving unsuccessful, the Administration of Law School decided to now take the law into their own hands by going ahead with the implementation of the additional subject requirements notwithstanding. This kind of behavior you will agree with us my lord is unacceptable in a democratic society which prides itself on rule of law and due process.

No doubt, you will agree with me my lord and Chairman that it is Parliament that has the sole responsibility to amend the laws of the land. This is so because they were the maker of such laws in the first place. **But in this exceptional instance, it may appear as though the administrators of the Sierra Leone Law School have transformed themselves into a law making entity, usurping the authority of Parliament.**

We therefore call on your urgent intervention to estop this Parliamentary usurpation and ensure that a statutory instrument be correctly laid by the Council before parliament seeking the approval of the additional subject requirements to also form part of the admission requirements into the Sierra Leone Law School.

A continued denial of the right to access legal education by the administrators of the Sierra Leone Law School through illegally imposed requirements that are not supported by law amounts to a blatant violation of the right to education as enshrined under many of the international and regional treaties that Sierra Leone has signed and ratified.

While we anticipate an urgent response to these concerns by the Council of Legal Education, please accept the assurances of our highest regards.

Yours Faithfully

**Rashid Dumbuya Esq
Executive Director, LEGAL Link
For and on behalf of the Legal Team**

**Cc:
The Attorney General & Minister of Justice
The Speaker of Parliament
The Registrar of the Sierra Leone Law School
The Press**