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To: The Inspector General Of Police – Sierra Leone

Date: 07 October 2022

Subject: Arrest and Detention of Ady Macauley Esq.

We write as an apolitical group of citizens who had the pleasure of first darkening the walls of the Prince of Wales School in 1989 together with a detainee currently in your custody, Ady Macauley.

He advised us on the morning of 6th October 2022 that he has been invited to report at the Criminal Investigations Department (CID), and we later learned from news on social media that on arrival at the CID, he was arrested and detained.

We understand that he was arrested on an allegation of incitement contrary to the provisions of the Public Order Act 1965. That upon his arrival at the Criminal Investigations Department at 09:45 am, a statement was obtained from him with respect to the allegation as stated above and he was subsequently placed under arrest. As at the time of this letter, he continues to be under arrest and in detention.

We do not write to question your authority to conduct your investigation with respect to the above cited allegation for we know your institution does bear the responsibility of investigating criminal allegations. We also do not write to make an argument as to whether or not the actions of our colleague can reasonably be interpreted as amounting to incitement or whether he being a lawyer, his statement in that regard can or cannot by law be said to be criminal, for that we believe will be better served in the court of law should the need arise.

Our concern is that in spite of the fact that our colleague voluntarily submitted himself on your invitation, you nonetheless decided to restrict his constitutionally protected right to liberty as guaranteed by section 17 of the Constitution of Sierra Leone 1991.

We are advised that even though the constitution provides that you can lawfully detain a suspect for up to 72 hours on an allegation such as the one for which Ady Macauley was arrested, such violation of his right to liberty **cannot** be considered lawful where **he is not a flight risk, and cannot interfere with potential witnesses.**

From this perspective, we make haste to say that we know for certain that Ady Macauley has never been a flight risk and cannot possibly interfere with potential witnesses. His passport was returned to him after it was seized by the government and since then he has made several trips out of the country but have always returned. It cannot also be that he could interfere with potential witnesses as the primary exhibit and basis of your investigation is a recorded video which he has not denied.

We are aware that in 2017, members of "The Renaissance" filed a petition in the Supreme Court to articulate and determine this thorny issue of whether protesters do need the permission of your office to conduct themselves as such, which said issue was being canvassed by our colleague Ady Macauley and for which he is now being investigated and currently incarcerated. There is yet to be a definitive determination on the issue by the Judiciary and while this uncertainty remains, as a nation we would do well to tread cautiously in dealing with this on this fundamental principle of human right.

We now find ourselves at the stage where our colleague has forfeited his liberty on an allegation based on an issue the Judiciary has left hanging in the balance. No one is certain what the true position of the law is but regardless of this delay, it is clear that the resources of the state are being put to use against its citizen without a clear understanding of the legal provisions pursuant to which he is being deprived of his liberty.

As the Inspector-General of Police, you would definitely know that your actions in depriving our colleague of his liberty run contrary to well established legal principles which as a nation we are all bound to follow.

There is absolutely no plausible reason why Ady Macauley should continue to be in detention while being investigated. You also probably know that Ady Macauley being deprived of his liberty when this could reasonably have been avoided is an abuse of office which is itself a criminal offence.

On this basis, we write to bring the aforementioned to your attention should it not have been and to request that you use your good office to ensure the provisions of the law are complied with. **We write to request that Ady Macauley be released on bail pending the outcome of your investigation. His loss of liberty can never be replaced. As an institution, if you must err, let it be that you err on the side of caution and let justice be done even if the heavens must fall. For that is what we as a people must uphold.**