



# MONITORING PRESS FREEDOM AND ENHANCING REFORM OF MEDIA LAWS IN SIERRA LEONE



## Report on Press Freedom in Sierra Leone - December 2020 to May 2021 Sixth Edition

Produced by Media Reform Coordinating Group (MRCG)  
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## ACRONYMS AND ABBREVIATIONS

Acronyms & Abbreviations	Meaning
AKA	Also Known As
ADP	Alliance Democratic Party
APC	All Peoples Congress
AYV	Africa Young Voices
BBC	British Broadcasting Corporation
CAN	Citizens Advocacy Network
CDIID	Complaint, Discipline and Internal Investigations Department
CGG	Campaign for Good Governance
CID	Criminal Investigations Department
CMO	Chief Medical Officer
CBD	Central Business District
DM1	Deputy Minister 1
FIFA	Federation International de Football Association
IMC	Independent Media Commission
MFWA	Media Foundation for West Africa
MRCG	Media Reform Coordinating Group
MoHS	Ministry of Health Sanitation
MBSSE	Ministry of Basic Senior Secondary Education
NATCOM	National Telecommunications Commission
NED	National Endowment for Democracy
ONS	Office of National Security
POA	Public Order Act
PS	Permanent Secretary
RAIC	Right to Access Information Commission
RSLAF	Republic of Sierra Leone Armed Forces
SLAJ	Sierra Leone Association of Journalists
SLBC	Sierra Leone Broadcasting Corporation
SLENA	Sierra Leone News Agency
SLP	Sierra Leone Police
SLPP	Sierra Leone People's Party
TRC	Truth and Reconciliation Commission
UNDP	United Nations Development Programme
USD	United State Dollars
USA	United State of America

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## EXECUTIVE SUMMARY

This Report on ‘Press Freedom in Sierra Leone’ is the sixth in a series produced by the Media Reform Coordinating Group (MRCG). It is a component of a project titled, “Enhancing Press Freedom and Legislative Reforms of Media Laws”, supported by the National Endowment for Democracy (NED) in the United States of America. The Report, which covers the period December 2020 to May 2021, is the outcome of the monitoring of the exercise and legal guarantees of press freedom and freedom of expression issues in Sierra Leone, including invitations, intimidations, attacks, assaults, arrests, detentions and prosecution of journalists and civil society activists; and also tracks media performance.

This edition is divided into the following areas: Thematic Issues (focusing mainly on the assault, arrest and detention of journalists and civil society activists); Guarantee of Freedom of Expression and of the Press (constitutional and other legal provisions); Regulating Bodies for Electronic Media, Print Media and Telecommunications; Performance of Media Institutions; Status of Media Laws in Sierra Leone; Conclusion, Recommendations and References.

The Report has been produced from the monitoring of issues relating to freedom of expression and of the press, broadcasts on radio and television stations, and publications on newspapers and posts on social media platforms like Facebook, Twitter and WhatsApp. Interviews were conducted, where necessary, with individuals who were either reportedly attacked or arrested. Officials of institutions named in some of the issues reported were also interviewed.

The cases/issues covered in this Report are:

1. The verbal attack, insult and intimidation of **BBC** reporter, and Former President of SLAJ Umaru Fofana in December 2020, on social media for his alleged “biased reports on political events in Sierra Leone” from people claiming to be members of the main opposition All Peoples Congress (APC) party.
2. The arrest and detention of Emmanuel C. Thorli, a reporter for the *Night Watch Newspaper* on 7 February 2021, by the Sierra Leone Police for allegedly taking snapshots of the 7 February 2021 Jui demolition exercise carried out by the police at Jui Junction, Western Area Rural.
3. The invitation and detention of the Editor-in-Chief and Proprietor, Joseph Turay and Ezekiel Dumbuya, News Editor of the *Public Review Newspaper*, on 22 March 2021, by officers of the Criminal Investigations Department (CID) in Freetown for more than five hours, over a matter involving land dispute in the Western Rural Area which police claimed, the newspaper had reported erroneously on.
4. On the trial of the matter of the late journalist Ibrahim Samura, the two accused, former Freetown Mayor of the All People Congress Party (APC), Albert George Williams, and the APC Public Relations Officer, Abubakar Daramy were acquitted and discharged by Justice Augustine Musa of the High Court of Sierra Leone on Thursday, 11 March 2021 as the jury returned a verdict of not guilty for murder and conspiracy to commit grievous bodily harm. .

5. The arrest and detention of Osman Hardy Jalloh of *TV-News24* on 28 April 2021, on the orders of Magistrate Joseph Toby of Magistrate Court No. 2, Kenema for an article he published, titled: Imam Granted Bail after Five Days in Jail.
6. The arrest and detention of Hassan Gbessay Koroma, a *Concord Times Newspaper* journalist on 6 May 2021, by the Sierra Leone police for allegedly taking pictures of the Minister of Internal Affairs, David Panda Noah, at the Siaka Stevens Street during an operation of him and police chasing commercial bike riders off the Central Business District (CBD) area, an operation that is said to clean the CBD of commercial motor bikes.

The MRCG data show that out of the six cases/issues monitored, five have been concluded. Emmanuel C. Thorli, a reporter for the *Night Watch Newspaper* was released following the intervention of the Sierra Leone Association of Journalists (SLAJ); the Editor-in-Chief and Proprietor, Joseph Turay and Ezekiel Dumbuya, of News Editor of the *Public Review Newspaper*, were released by officers of the Criminal Investigations Department (CID); the conclusion of the murder trial of late journalist Ibrahim Samura as the two accused were acquitted and discharged for murder and conspiracy to commit grievous bodily harm; the matter on the arrest and detention of Hassan Gbessay Koroma, a *Concord Time Newspaper* journalist by the Sierra Leone police has been closed by the police; on the verbal attack, insult and intimidation of BBC reporter, he has decided to move on as he said he receives such threats frequently

The matter on the arrest and detention of Osman Hardy Jalloh of *TV-News24* is still on going.

On the following cases in the first edition of the Press Freedom Reports (June to November 2018), second edition (December 2018-May 2019), third edition (June to November 2019) and the fourth edition (December 2019 to May 2020), the MRCG notes that they were still inconclusive as at the end of the reporting period (See details in the appendices).

The MRCG is concerned about the state of some cases in which journalists were harassed, assaulted, arrested, detained and released without charge. It is also concerned that some of the complainants had to abandon their matters because they thought the police took a long period to either investigate or charge them to court. The MRCG calls on the Government and those responsible to look into those cases.

The MRCG is concerned that despite Government's repeal of Part V of the Public Order Act, 1965, (Act No. 46 of 1965), some cases of journalists and people prosecuted under defamatory and seditious libel are still in court. The MRCG calls on the Government to also unconditionally discharge other criminal libel cases.

While the MRCG urges media practitioners to abide by the ethical and legal standards of the journalism profession, it is also calling on the Government, media organisations, civil society and the general public to ensure the safety and security of journalists across the country at all times.

## 1. INTRODUCTION

This sixth report, produced by the MRCG, is one of the components under a project titled, “Enhancing Press Freedom and Legislative Reforms of Media Laws”, supported by the National Endowment for Democracy (NED) in the USA. The activity continues to track media performance and monitor the exercise and legal guarantees of press freedom and freedom of expression in Sierra Leone, including attacks, intimidations, assaults, arrests, detentions and prosecutions of journalists and civil society activists.

The year 2020 was a remarkable period for media freedom in Sierra Leone. Part V of the Public Order Act, 1965 (Act No. 46 of 1965), which was used to arrest and detain journalists and other members of the public for criminal and seditious libel offences was repealed on 23 July 2020. Parliament passed into law the Public Order (Amendment) Act 2020 (Act No. 40 of 2020) which repealed the fifty-five year old anti-press freedom legislation. Section 1 of the Public Order (Amendment) Act 2020 provides that “The Public Order Act, 1965 is amended by the repeal of Part V- DEFAMATORY AND SEDITIOUS LIBEL.” Following that repeal, Sierra Leone was ranked 75 out of 180 countries in the World Press Freedom Index; moving ten places forward (85/180 in 2020 to 75).

Freedom of expression requires that the health of the democratic political system of a state depends on the efficient, accurate, and complete transmission of social, political, and cultural information in society, of which the media are the conduits and should act in public interest. Even with the repeal of the criminal and seditious libel laws, there are still inconclusive cases. There were cases in which journalists stopped going to the police because of lack of progress or loss of confidence in the investigations; police kept some files in view for lack of corporation from witnesses, including some journalists, while some files were with the Law Officers Department for perusal and legal advice and some were in court.

The report covers a six-month period – December 2020 to May 2021. It is divided into the following areas: Thematic Issues (focusing mainly on the attacks, intimidations, assaults, arrests and detentions of journalists and civil society activists); Guarantee of Freedom of Expression and of the Press (constitutional and other legal provisions); Regulating Bodies for Electronic Media, Print Media and Telecommunications; Performance of media institutions; Status of media laws in Sierra Leone; Conclusion, Recommendations and References.

The report is produced from the monitoring of issues relating to freedom of expression and of the press. A monitor contracted by the MRCG takes daily records of major issues relating to freedom of expression and of the press by tracking radio, television and newspaper contents, as well as following up on issues on social media platforms like Facebook and WhatsApp. Interviews were conducted where necessary, with some individuals who were reportedly attacked, intimidated or arrested. Officials of institutions named in some of the issues were also interviewed.

A total of six major issues have been addressed in this report. In addition, this report follows up on cases from the first to the fifth edition, which span from June 2018 to November 2020 that were still inconclusive.

The MRCG thanks NED for funding the project. Special thanks also go to the authors of the monthly reports, namely Foday Conteh, Jonette-Ann Matilda Olufunke Greene and Osman



Sesay, and their supervisor, and Augustine S. James. This sixth biannual report was written by Francis Sowa (Ph.D.) and Usman Bah.

## 2. THEMATIC ISSUES

### 2.1 Assaults, Arrests, Detentions and Intimidations of Journalists

#### DECEMBER 2020

In December 2020, **BBC** reporter, and Former President of SLAJ Umaru Fofana was verbally attacked, insulted and faced a lot of intimidation from social media for his alleged “biased reports on political events in Sierra Leone” from people claiming to be members of the main opposition All Peoples Congress (APC) party. The Sierra Leone Association of Journalists (SLAJ) on 8 December 2020 issued a Press Release in relation to the verbal attacks against their former president, Umaru Fofana, urging the Sierra Leone Police to investigate the matter properly, and also called on the executive of the APC party to publicly condemn and distance their party from the perpetrators. Journalists, civil society groups and people from all walks of life sent out messages condemning the act by those groups and urged Umaru to continue his good journalistic work.

**Fig 2.1: Sierra Leone Association of Journalists Press Release, 8 December 2020 – SLAJ Condemns Baseless Attacks on BBC Reporter published on its Facebook page.**



In response to the verbal attack and intimidation, on 8 December 2020, Umaru Fofana posted on his Facebook page that the allegations made against him on not reporting the violent protests in Makeni that led to the killing of protesters, the central prison riots and the subsequent shooting of some inmates, the Lunsar and Tombo incidents that led to the loss of lives, were all false and baseless.

“By empowering the people through accurate information and holding leaders accountable, I can afford not to be corrupt while doing that and the other lie - that I’m a card-carrying member of the SLPP - I won’t dignify with a response. It’s so preposterous that even the liars know it to be false,” he clarified adding that, “But as SLAJ demands in its statement, I’ve urged those callers to let their party come out and condemn this shameless and cowardly act done apparently in their name. Not condemning it, will be tantamount to condoning it.”

## JANUARY 2021

No case was reported of the intimidation, assault, arrest, or detention of any journalist. The MRCG followed up on the murder trial of late Journalist Ibrahim Samura at the High Court of Sierra Leone. *Concord Times Newspaper* publication of 29 January 2021, reported that Justice Augustine Musa of the High Court of Sierra Leone in Freetown informed both the defense and the prosecution that, he would do a summing-up on the next adjourned date- 15 February 2021 and deliver ruling on the matter. The former Mayor of Freetown Herbert George Williams and the Public Relations Officer of the opposition APC Party in the Western Area, Abu Bakarr Daramy were on trial for the alleged murder of journalist Ibrahim Samura and were charged with murder and conspiracy to commit grievous bodily harm contrary to Law.

## FEBRUARY 2021

On Sunday, 7 February 2021, Emmanuel C. Thorli, a reporter for the *Night Watch Newspaper* was arrested and detained by the Sierra Leone Police for allegedly taking snapshots of the 7 February 2021 Jui demolition exercise carried out by the police at Jui Junction, Western Area Rural. On 8 February 2021, the Secretary General of SLAJ, Mohamed Asmieu Bah, posted on his Facebook wall that SLAJ had secured the release of Mr. Emmanuel C. Thorli from police detention.

**Fig 2.4: Mohamed Asmieu Bah Facebook post on the release of Emmanuel C. Thorli on 8 February 2021**



In an interview with Emmanuel C. Thorli, he said he had gone to the demolition scene to get more facts on what really happened to complete his story. He said he spoke to Mr. Kasho Holland-Cole, Chairman of the Western Area Rural District Council about the demolition who said he had no knowledge on what was going on.

“After my interview with Mr. Holland-Cole and just about 10 metres away from him, two police officers grabbed me by my trousers and asked why I talked with him and took snapshots of the site. I told them that I was a journalist, but they said they did not want to know and if I did not go with them to the station, they would know what to do with me. Immediately, one of the officers cocked his gun and I had to comply,” Thorli explained.

He said the police ‘bundled’ him into the Jui Police Station and locked him up from 8:00 a.m. unto 12:00 noon even after identifying himself as a journalist. He said at 12 noon, he was transferred to the Criminal Investigations Department (CID), where he spent the night. Thorli said, the CID obtained statements from him and on Monday morning the SLAJ executive secured his release.

MRCG followed-up on the matter of the late Journalist Ibrahim Samura. The hearing scheduled for February did not hold as the Judge was reportedly sick. The ruling was adjourned for 11 March 2021.

### **March 2021**

On 22 March 2021, the Editor-in-Chief and Proprietor, Joseph Turay and Ezekiel Dumbuya, News Editor of the *Public Review Newspaper*, were invited and detained by officers of the CID in Freetown for more than five hours, over a matter involving land dispute in the Western Rural Area. Police claimed that the newspaper had reported erroneously on the matter.

According to Joseph Turay, after the police had obtained statement from him, he left and after a while, the police started searching for him, claiming that they were not done with him yet and that he must take his Editor, Mohamed Jalloh to the CID. He said he did not return to the CID again, as he referred them to SLAJ and the IMC. He said since then, his newspaper had been writing on the story and the police had kept harassing and pressurizing him to stop reporting on the matter.

**On the matter of the late journalist Ibrahim Samura, the former Freetown Mayor of the All People’s Congress Party (APC), Albert George Williams, and the APC Public Relation Officer, Abubakar Daramy were on Thursday, 11 March 2021 acquitted and discharged for murder and conspiracy to commit grievous bodily harm by Justice Augustine Musa of the High Court of Sierra Leone in Freetown. The jury returned a verdict of not guilty.**

None of the witnesses told the court that they saw the accused beating up the deceased on the day of the incident. It was on these grounds that the jury unanimously passed the verdict of ‘not guilty’ of the two charges against the accused.

The late Ibrahim Samura was allegedly beaten by APC thugs on orders of Herbert George Williams and Abubakar Daramy at a polling station in Lumley, Freetown during the 31 March 2018 Presidential run-off election. He later died at the 34 Military Hospital at Wilberforce on 6 June 2018.

**Fig 2.5: Concord Times Newspaper, 12 March 2021- Journalist Samura's Alleged Murderer...Herbert Williams, Abubakar Daramy Walk Free**



## **APRIL 2021**

On 28 April 2021, *TV-News24* published on their Facebook page that one of their journalists, Osman Hardy Jalloh, was detained in Kenema and sent to the correctional centre on the orders of Magistrate Joseph Toby of Magistrate Court No. 2, Kenema, for an article he published, titled: Imam Granted Bail after Five Days in Jail.

On 29 April 2021, Mr Jalloh appeared at Magistrate Court No. 2 in Kenema. According to a report by Philip Koroma, a journalist in Kenema, the Magistrate claimed that Mr Jalloh was remanded for contempt of court as he did not report the facts as the accused detained was not an imam, contrary to what Mr Jalloh reported.

The Magistrate assured of releasing Mr Jalloh if he agreed to do a retraction with the facts of the matter by including that the accused was not before him as Imam and that he didn't refuse the accused bail based on a statement, but on contempt of court as he was on flight risk by failing to comply with a court summon until he was arrested by police officers.

With the intervention of SLAJ Eastern Region executive, Mr Jalloh was released with a condition that he retracted his story in a week's time. Mr Jalloh said he stood by his story and that he was not going to retract it.

## **MAY 2021**

On 6 May 2021, the Sierra Leone police arrested and detained Hassan Gbessay Koroma, a *Concord Times Newspaper* journalist, for allegedly taking pictures of the Minister of Internal Affairs, David Panda Noah on Siaka Stevens Street during an operation of him and police chasing commercial bike riders off the Central Business District (CBD) area, an operation that was said to clean the CBD of commercial motor bikes.

On the same day, he was released with the intervention of his editor and the Secretary General of Sierra Leone Association of Journalists (SLAJ), Asmieu Bah.


## **2.2 Attacks on, Intimidation, Harassment and Arrest of Civil Society and Human Rights Activists**


There were no reports on Intimidation, Harassment and Arrest of Civil Society and Human Rights Activists.

### 3. STATUS OF REPORTED CASES

#### 3.1 Status of Reported Cases in Sixth Edition Respectively of the Press Freedom Report

The table below shows the status of the six reported cases in the sixth edition with responses by the Deputy Head of Media and Public Relations Unit, of the Sierra Leone Police (SLP) Asst. Supt. Samuel Saio Conteh; interviews with journalists who were attacked, arrested, detained, intimidated, harassed and insulted in their line of duty, dates of attack/arrest or invitations and their current status. Six of the cases have been concluded, settled, resolved, dropped or abandoned and one of them is inconclusive.

The cases in the ‘gold columns’ have been concluded, settled, resolved, dropped or abandoned. 

The cases in the ‘red columns’ are under police investigation/inconclusive/stalled. 

No	Cases Reported in the Sixth Edition	Date of Attack /Arrest/Invitation	Status of Cases
1	The verbal attack, insult and intimidation of <b>BBC</b> reporter, and Former President of SLAJ Umaru Fofana in December 2020, from social media for his alleged “biased reports on political events in Sierra Leone” from people claiming to be members of the main opposition All Peoples Congress (APC) party.	December 2020	Umaru Fofana said he has decided to move on as he receives such threats frequently.
2	The arrest and detention of Emmanuel C. Thorli, a reporter for the <b>Night Watch Newspaper</b> on 7 February 2021, by the Sierra Leone Police for allegedly taking snapshots on 7 February 2021 Jui demolition exercise carried out by the police at Jui Junction, Western Area Rural.	7 February 2021	Police said the matter has been closed.
3	The invitation and detention of the Editor-in-Chief and Proprietor, Joseph Turay and Ezekiel Dumbuya, News Editor of the <b>Public Review Newspaper</b> , by officers of the Criminal Investigations Department (CID) in Freetown for more than five hours, over a matter involving land dispute in the Western Rural Area which police claimed that the newspaper had reported erroneously on.	22 March 2021	The police said none of them was detained. “They were only at CID for statement making; maybe, according to them, they see it as detention,” said the police. Police said the matter has been closed.
4	The murder trial of late journalist Ibrahim Samura has been concluded. The late Ibrahim Samura was allegedly beaten by APC thugs on orders of former Freetown Mayor of the APC, Albert George Williams, and the APC Public Relation Officer, Abubakar Daramy Herbert George Williams and Abubakarr Daramy at a polling station in Lumley during the 31 March 2018 Presidential run-off election and later died at the 34 Military Hospital at Wilberforce on 6 June 2018.	31 March 2018 Presidential run-off Election	The two accused had been acquitted and discharged for murder and conspiracy.

5	The arrest, detention and jailing of Osman Hardy Jalloh of <i>TV-News24</i> on the orders of Magistrate Joseph Toby of Magistrate Court No. 2, Kenema for an article he published, titled: Imam Granted Bail after Five Days in Jail.	28 April 2021	Osman Hardy Jalloh was released with the intervention of the Sierra Leone Association of Journalists (SLAJ). Osman Hardy Jalloh said he alongside <i>TV-News 24</i> had filed a letter of complaints against Magistrate Joseph Toby to the Human Rights Commission of Sierra Leone and that they are waiting for the Commission's response
6	The arrest and detention of Hassan Gbessay Koroma, a <i>Concord Time Newspaper</i> journalist by the Sierra Leone police for allegedly taking pictures of the Minister of Internal Affairs, David Panda Noah at the Siaka Stevens Street during an operation of him and police chasing commercial bike riders off the Central Business District (CBD) area, an operation that is said to clean the CBD of commercial motor bikes.	6 May 2021	The matter has been closed with the intervention of SLAJ

### 3.2 Detailed Status of Compiled Reported Cases in the First, Second, Third, Fourth, and Fifth Edition Respectively of the Press Freedom Report

Please see appendix 1 for full details of all cases monitored from the First (March 2018) to Sixth (May 2021) Edition of the Press Freedom Reports launched by the MRCG. Thirty five cases have so far been monitored. Twenty six of them have been concluded, settled, resolved, dropped or abandoned, because of lack of progress; three in court; and six under police investigation/inconclusive/stalled.



### **3.4 Position of the Sierra Leone Association of Journalists on Press Freedom**

The year 2020 was a triumphant year for press freedom advocates, Sierra Leone journalists and media as the country repealed the 55-year-old obnoxious Criminal and Seditious Libel laws contained in Part 5 of the 1965 Public Order Act. Since the repeal of the criminal and seditious libel law in July 2020 the country has seen a drastic decline in the arrest and detention of journalists across the country on issues relating to their work. From December 2020 to date, SLAJ has in fewer occasions visited the CID to secure the release of journalists as it used to happen prior to the repeal.

SLAJ is also encouraged by the fact that the government acted on its initial request following the repeal to kindly request the judiciary to drop all ongoing criminal libel cases against journalists. To follow up on that, SLAJ, MRCG and MFWA signed a petition letter to His Excellency the President, Julius Maada Bio (through the Minister of Information and Communications) kindly urging him to intervene in the particular case of journalist Fayia Amara Fayia whose case with the State was still hanging over his head and distracting him from his academic endeavor.

Meanwhile, notwithstanding the decline in arrest and detention of journalists in post-repeal era, SLAJ is concerned that the Independent Media Commission (IMC) continues to receive complaints against journalists repeatedly committing the same ethical and professional violations as before the repeal.

SLAJ has told its journalists again and again that yes the criminal libel law has gone, but there are other media regulations and laws that are still in existence and they should always practice professionally. There are still the civil defamation law, contempt of parliament, contempt of court, etc.

“Freedom of speech is not a license to blackmail, assassinate people’s character. It is a license for you to practice professionally, ethically and responsibly,” says SLAJ President, Ahmed Sahid Nasralla.

Also, SLAJ notes that there are still instances of intimidation and harassment of journalists by politicians and traditional authorities. Independent and critical media are sidelined from benefitting from government advertisement and opportunities.

SLAJ respects the verdict of the court on the murder trial of late journalist Ibrahim Samura as due process was followed, and some of his close colleagues and friends were key witnesses in the trial. However, SLAJ knows that the courts do not always serve justice. Either the wrong people were charged or the wrong charges were filed.

On the issue of the Cyber Security and Crime Act, SLAJ is satisfied that it contributed to enriching the content of the bill at the level of engagement with the Ministry of Information and Communications and with the Legislative Committee of the Parliament of Sierra Leone. In collaboration with the MRCG, SLAJ consulted with its membership across the country, its sub/affiliate groups and national media stakeholders, the IMC and Right to Access Information (RAIC) to arrive at a joint media's position paper on the bill. And most of the concerns raised

in the position paper in the areas of protecting freedom of expression and of the press, and investigative journalism were taken on board.

Nevertheless, even though Parliament has enacted the bill, SLAJ still believes Sierra Leone is not yet ready for the implementation of such an Act as the country lacks the infrastructure to be able to effectively and efficiently apply the cyber law. Above all, SLAJ is still waiting for the final edited version of the Act from the Law Officers Department to see if all the reviews made during the debate in Parliament were eventually captured in the final document that would be presented for presidential assent. With the passing of the Cybercrime law SLAJ is seeking for funding opportunities for training of journalists to understand the provisions of the Act to help them avoid the pitfalls.

### 3.5 Government's Position on Press Freedom Issues

The key highlight of the government's position on press freedom is the repeal of the criminal and seditious libel laws.

In a statement made by President Julius Maada Bio at the Presidential Media Cocktail held on the 18 December 2020, he said the year 2020 had been truly remarkable and exciting not only for the media in Sierra Leone but also for 'our great country' stating thus:

*Tonight, I am proud to say that the repeal of Part V of the Public Order Act of 1965 is no longer in the pipeline. We are celebrating the end of an era that criminalized libel and sedition after 55 years of its existence. The New Age Newspaper described the repeal of Part V on its front page as: "An epoch of media emancipation of Sierra Leone". I cannot agree more. The repeal of Part V of the Public Order Act of 1965 and the enactment of the Independent Media Commission (IMC) Act 2020 will enhance professionalism in the media with several key benefits that will make the journalism profession an enviable career. Particularly, if the Independent Media Commission Act 2020 is carefully implemented, backed by a clear media code of practice, it will attract investment opportunities, enhance social security scheme for media practitioners amongst others.*

The President reiterated that through his engagements with the United Kingdom Government, the Foreign Commonwealth and Development Office has committed to support the development of the Sierra Leone media especially in areas of institutional capacity building of professional bodies like SLAJ, its affiliate bodies and the Independent Media Commission.

"I have also been reliably informed by the Minister that the Ministry of Information and Communications in collaboration with SLAJ has put the requisite tools together to host an investment conference on the Media that will attract investment in the media to alleviate media poverty and poverty in the media. The investment conference is expected to hold early next year in commemorating the 50th anniversary of SLAJ and the 60th Anniversary of Independence respectively," the President emphasized.

With frequent calls from the MRCG and SLAJ for on-going libel related cases be dropped, the Ministry of Information and Communications wrote a letter to the Attorney-General and Minister of Justice titled: REPORT ON PRESS FREEDOM IN SIERRA LEONE-MARCH 2018 TO MAY 2021 (FIRST TO SIXTH EDITION) urging the Justice office to facilitate the resolution of outstanding libel matters in the spirit of the repealed Criminal Libel Law as their existence in the law books will continue to blur Government's stellar press Freedom reputation

In a letter addressed to the Permanent Secretary, Office of the Attorney General (AG) and Minister of Justice, the Ministry of Information requested the AG's office to facilitate the resolution of the outstanding matters in the spirit of the repealed Criminal Libel Law as their existence in the law books will continue to blur the country's stellar press freedom reputation.

The Government of Sierra Leone laid the Cybercrime Bill 2020 in Parliament. The Minister of Information and Communication, Mohamed Rahman Swaray at the MRCG and SLAJ Consultative Meeting on the Cybercrime Bill 2020 said that the Bill was geared towards sanitizing the cyberspace. Reassuring government's commitments to the media, he said that the New Direction Government is committed to making sure that the media landscape was

reshaped to match international standards, and to bring reforms that will match international best practice.

At the National Forum on Safety of Journalists in Sierra Leone convened by MRCG and MFWA, Mohamed Rahman Swaray on the safety and security of journalists assured journalists of Government's commitment to press freedom and in ensuring their safety and security emphasising that **“Government will not support any politician that attacks journalists”**.

Sierra Leone in 2021 ranked 75 out of 180 countries in the World Press Freedom Index; moving 10 places forward (85/180 in 2020 to 75) because of the bold step which was taken by the government to repeal the law criminalising press offences in Sierra Leone.

#### **4. GUARANTEE OF FREEDOM OF EXPRESSION AND OF THE PRESS**

The Constitution of Sierra Leone, Act No. 6 of 1991 guarantees freedom of expression and of the press. Section 25 (1) states thus:

—Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions, and academic freedom in institutions of learning.

Article 11 provides the obligations of the mass media.

—The press, radio and television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Constitution and highlight the responsibility and accountability of the Government to the people.

There is also the Right to Access Information Act, 2013, that provides for access to certain information held by public bodies.

However, SLAJ, IMC and other human rights organisations had argued before that the existence and/or use of the criminal and seditious libel laws in Part V of the Public Order Act, 1965 contravened the constitutional provision of freedom of expression and of the press.

Nevertheless, after a prolonged advocacy and lobbying, SLAJ, IMC and their partners succeeded in ensuring the unanimous repeal of the criminal libel laws in Part V of the Public Order Act of 1965, by Parliament on the 23 July 2020.

Sierra Leone has a civil libel law of 1961 (Defamation Ordinance, Act No. 32 of 1961), which does not criminalize libel and gives journalists room for apology when they get their facts wrong.

## **5. REGULATING BODIES FOR ELECTRONIC MEDIA, PRINT MEDIA AND TELECOMMUNICATIONS**

Sierra Leone has regulatory bodies for its media. The Independent Media Commission (IMC) is the regulatory body of media institutions in the country. The IMC was established by an Act of Parliament, The Independent Media Commission (IMC) 2000 (Act No.12 of 2000) as amended in 2006 and 2007) and now repealed by The Independent Media Commission (IMC) Act, 2020 (Act No. 5 of 2020). It registers and licenses media institutions, and ensures compliance with the Media Code of Practice. It seeks to promote professionalism in the media throughout Sierra Leone; ensures that media institutions achieve the highest level of efficiency in the provision of media services; protects the interest of journalists and the public against exploitation or abuse by media institutions. The IMC Act makes provision for the Independent Media Commission (IMC) to develop a Media Code of Practice that contains provisions on the Rules and Regulations Governing the Establishment and Operations of the Print, Electronic Media and Advertising in Sierra Leone.

Another regulatory body is the National Telecommunications Commission (NATCOM), which was established by an Act of Parliament in 2006. NATCOM issues frequency spectrums to radio and television stations. The main function of the Commission is to licence and regulate the activities of telecommunications operators so as to promote efficiency, fair competition, expansion of investment in the sector, development of the sector and the protection of users of telecommunications networks and services.

## 6. PERFORMANCE OF MEDIA INSTITUTIONS

The Independent Media Commission (IMC) is the regulatory body responsible for registering, licensing, and ensuring compliance with the Media Code of Practice.

The SLAJ constituted Disciplinary Committee established pursuant to Article 14 (3) of its constitution is responsible to adjudicate upon matters of indiscipline and professional misconduct of individual members of SLAJ.

There is significant improvement in the outputs of media institutions. This is reflected in their contents and programming. However, there were major concerns that a number of media institutions continued to publish and broadcast contents that breached ethical standards or were in contravention of the country's media laws, the IMC Act and Media Code of Practice and the SLAJ Code of Ethics.

The Media Reform Coordinating Group with support from the National Endowment for Democracy (NED) trained and capacitated media practitioners from various media houses across the country in Freetown, Makeni and Bo in December 2020 on Media Regulation in the Post Criminal Libel Era: the Independent Media Commission Act 2020 and the 1961 Civil Libel Law for effective and responsible journalism practice. Journalists were reminded that although Part 5 of the Public Order Act of 1965 had been repealed, there was still the Civil Libel law which citizens can use to seek redress against journalists and individuals they think have infringed on their rights.

**Fig 6.1: MRCG Facebook post, December 2020- MRCG Trains Journalists on Media Regulation in the Post Criminal Libel Era: the Independent Media Commission Act 2020 and the 1961 Civil Libel Law**



**January 2021-** On the 6 March 2020, the Independent Media Commission received a letter of complaint from Philip Tonks, General Manager of Socfin Agricultural Company against the NewsWatch Newspaper regarding its publication dated Thursday 27 February, 2020 titled: **“Breaking News!! Socfin stole land from Poor Farmers in Sahn Malen”**. Emmanuel Fillie representing Socfin during the hearing said his company considered the article to be malicious, inaccurate, misleading and intended to defame the reputation their company. Three hearing sessions were held on the matter.

“During the deliberations, the Committee noted that the publisher of the *NewsWatch Newspaper* claimed that his publication was based on the report of the sub-committee set up

by the office of the Vice President, to investigate the Socfin Agricultural Company SL, on the alleged Sahn Malen issue. The Committee was faced with difficulties regarding the existence of the alleged report of the Vice Presidential sub-committee's investigation into the allegation that Socfin has stolen land from Sahn Malen people.

The Board of the Independent Media Commission at the meeting held on Wednesday 27 January 2021 fully endorsed the recommendation of the Complaint Committee that hearing of the matter be put on hold as the matter is sub-judice."

On 27 October 2020, the Independent Media Commission, received a complaint from Anrite Columbus Thompson, Barrister & Solicitor, on behalf of Mr Al-Hassan Karamoh Kondoh, Acting Director General, Ministry of Foreign Affairs, against the *NightWatch Newspaper* in connection with an article it published on 11 February 2020 titled: "**Foreign Affairs Director General Implicated**".

"During deliberations, the Committee noted that Reagan M. Conteh, who represented *Nightwatch* at the hearing, accepted that the story was inaccurate and therefore did not stand by it. The Committee noted that the Staff writer, Reagan M. Conteh made a declaration to the Committee of having done a retraction of the story, but he failed to provide evidence of the said retractions.

The Committee also noted that the false declaration by a newspaper that a retraction had been done was in contempt of the Commission and disregard of the seriousness of its proceedings. Therefore, such behavior is professionally reprehensible. In consequence of which the writer must apologise to the Commission and copy the complainant. The Editor did not make any reasonable effort to cross check the fact of the story, before going to press.

The Board of the Independent Media Commission at its meeting held on Wednesday 27 January 2021 fully endorsed the recommendations of the Complaint Committee as follows:

- That a fine of 1,000,000 (One Million Leones equivalent to USD 100) be levied in accordance with principle 3 of the IMC Media Code of Practice dealing with accuracy.
- That a fine of 500,000 (Five Hundred Thousand Leones which is equivalent to 50 USD) be levied for failure to attend the hearing without any valid excuse.
- That the Editor publishes two retractions with equal prominence in its next two Editions, upon receipt of the ruling."

**In April**, there were three rulings on previous reports of breaches of provisions of the IMC Act and Media Code of Practice by *Standard Times Newspaper*. On 1 February 2021, the Independent Media Commission (IMC) received a complaint from Marrah & Associates on behalf of Dr. David Sengeh, Minister of Basic and Senior Secondary Education (MBSSE), against the *Standard Times Newspaper* in connection to three articles the *Standard Times* had published against the Minister on the following dates: 20, 26 and 28 January 2021 respectively, titled: "**\$66M Donor Project...Conflict of Interest at Education Ministry**"; "**Education Minister Turns Mr. Fixer**" and "**Minister's Parlour Wife Bags Le 70m Monthly...Education Ministry Turns Goldmine**".



During deliberation, the committee found out that for the first publication of 20 January 2021 titled: “\$66M Donor Project...Conflict of Interest at Education Ministry”, Standard Times did not report accurately because upon investigation, the Committee found out that Mr. Ambrose Sesay’s name was in the shortlisted candidates in the Interview Report, dated 3 December 2020. According to the Secretary of the interview panel, Mahawa Sandi of the Project Fudiciary Management Unit (PFMU), Ambrose Sesay was interviewed on 24 November 2020 along four other applicants. The Committee did not access any evidence that Ambrose Sesay’s name was sneaked into the list

A further investigation by the committee did not discover any indication that the Minister attempted in any way to influence the decision of the shortlisting Committee chaired by Osman Kamara, Director of Research and Curriculum Development at the Ministry of Basic and Senior Secondary Education and the interview Panel that was chaired by Mr. David W.S Banya, Senior Permanent Secretary at the Ministry of Basic and Senior Secondary Education (MBSSE).

The Committee further noted that, much as it was established that journalists may intrude into the privacy of public officials, when editorially necessary, the publication of Standard Times dated 28 January 2021 titled: MINISTER’S PARLOUR WIFE BAGS LE70M MONTHLY” stating that Grace Kargobai, Executive Assistant to the Minister of Basic and Senior Secondary Education failed to justify their intrusion, because they did not publish any evidence by Standard Times during the hearing do not exhibit any compromising circumstance.

The Committee also noted that the publication is in breach of Principle 6 of the IMC Media code of Practice on privacy.

**The Board of the IMC at its meeting held on Wednesday 21 April 2021 fully endorsed the recommendations of the Complaints Committee as follows:**

- That for the first publication of 20 January 2021, a fine of Le1,000,000 (One Million Leones equivalent to USD 100) be levied on *Standard Times Newspaper* for the breach of Principle 3 of the IMC Media Code of Practice dealing with accuracy
- That the second publication dated 26 January 2021, where *Standard Times* alleged that Ambrose Sesay’s name was sneaked into the list of interviewed candidates, a fine of Le 1,000,000.00 (One Million Leones equivalent to USD 100) be levied in accordance with Principle 3 of the IMC Media Code of Practice dealing with accuracy.
- That for the publication titled: “Minister’s Parlour Wife Bags le 70M...Education Ministry Turns Goldmine”, a fine of 5,000,000 (Five Million Leones equivalent to USD 500) be levied in accordance with principle 6 of the Media Code of Practice dealing with privacy. The fine is in line with section 19(7) b of the IMC Act 2020
- That for the same publication of 28 January 2021, a fine of 1,000,000 (One Million Leones equivalent to USD 100) be levied in accordance with Principle 3 of the IMC Media Code of Practice dealing with accuracy, as *Standard Times* could not prove that Grace Kargobai takes home 70M monthly as a net salary
- That the Newspaper publishes a retraction with equal prominence in its next edition upon receipt of this ruling.

On 1 February 2021, the Independent Media Commission received a complaint from Marrah & Associates on behalf of Ms. Grace Kargobai, Executive Assistant to the Minister of Basic

and Senior Secondary Education (MBSSE), against the *Standard Times Newspaper*, in connection with an article it published on 28 January 2021 titled: “**Minister`s parlor wife bags 70M monthly...Education ministry turns Goldmine**”.

During deliberations, the Committee found out that contrary to the *Standard Times* publication of 28 January 2021 in which it was alleged that Grace Kargobai, Executive Assistant to the Minister of Basic and Senior Secondary Education was taking home Le 70M per month as salary, the Committee discovered from evidence submitted by *Standard Times Newspaper* that the allegation was inaccurate.

The Committee also noted that *Standard Times* could not prove that Ms. Grace Kargobai was a parlour wife and/or concubine to the minister.

The Committee further noted that, much as it is established that journalists can intrude into the privacy of public officials in justifiable circumstances, the publication of *Standard Times* dated 28 January 2021 titled: “**Minister`s Parlour Wife Bags Le 70M Monthly...Education Ministry Turns Goldmine**” stating that Grace Kargobai, Executive Assistant to the Minister, MBSSE failed to justify their intrusion, because they did not publish any evidence of prof of compromising circumstances to justify their allegation. The photos submitted in evidence during the hearing do not exhibit any compromising circumstance.

**The Board of the Independent Media Commission at its meeting held on Wednesday 21 April 2021 fully endorsed the recommendations of the Committee as follows:**

- That a fine of Le 1,000,000.00 (One Million Leones equivalent to USD 100) be levied against Standard Tines Newspaper in accordance with the Principle 3 of the IMC Media Code of Practice dealing with accuracy.
- That a fine f Le 3,000,000 (Three Million Leones equivalent to USD 300) be levied in accordance with Principle 6 of the Media Code of practice dealing with privacy. This decision is in line with Section 19(7) b of the IMC Act 2020.
- That the newspaper publishes a retraction with equal prominence in its next publication upon receipt of this ruling.

On 22 April 2021, the Media Foundation for West Africa (MFWA) and the Media Reform Coordinating Group (MRCG) convened a national forum on Safety of Journalists at Sierra Palms Resort, Lumley Beach Road, Freetown. The forum, attended by 60 media and free expression stakeholders, Government representatives, civil society and security agencies, including the Office of National Security (ONS)), Sierra Leone Police (SLP) and the Republic of Sierra Leone Armed Forces (RSLAF), highlighted issues around the safety and security of journalists in the country; how to foster collaboration among stakeholders (media, security agencies, regulatory bodies, civil society, etc.) to combat impunity on crimes against journalists, and on how the media and security can work harmoniously to maintain peace and stability.

At the forum, the Minister of Information and Communications, Mohamed Rahman Swaray, officially launched the study on the ‘State of Safety of Journalists’ Policies and Practices in Media Houses in Sierra Leone’ that targeted forty-four (44) media outlets (radio stations, newspapers, television stations and online media) across the country. The report showed that

harassments, humiliations, arrests, detentions, and physical attacks were mostly the security threats on journalists, especially critical journalists. The report revealed that the acts were mostly done by the Sierra Leone Police, Politicians, chiefs/community stakeholders, military personnel and senior civil servants. Generally, the study indicated that majority of Sierra Leone’s media outlets lacked safety and security policy which is meant to protect journalists.

The Minister during the launch of the report said his **“Government will not support any politician that attacks journalists.”**

**Fig 6.2: The Calabash Newspaper 23 April 2021- MRCG &MFWA End National Forum on Safety of Journalists**



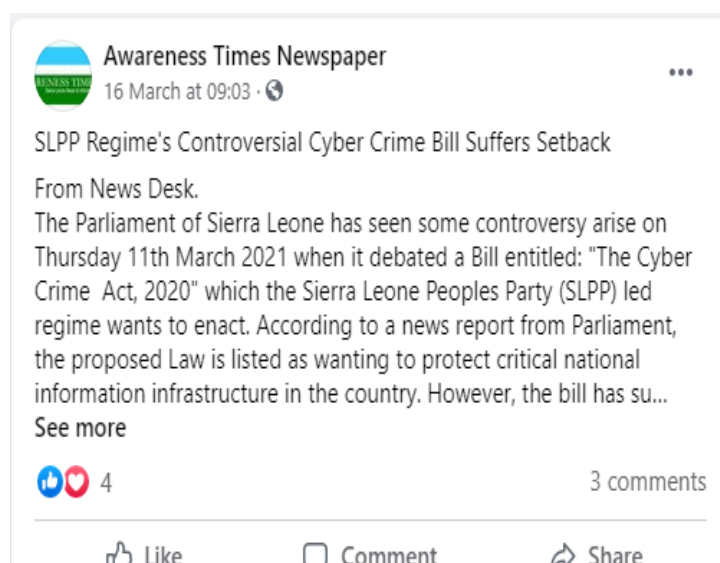
## 7. STATUS OF MEDIA LAWS IN SIERRA LEONE

There have been major changes to the laws used to regulate the media in Sierra Leone. July 2020 recorded two, as the 55-year old draconian criminal libel and seditious libel provisions in the Public Order Act were repealed and the bill entitled, The IMC Act, 2020 (Act No. 5 of 2020) was enacted. It repealed the IMC Act 2000 (as amended in 2006 and 2007).

On 16 March 2021, the *Awareness Times online Newspaper* published an article titled: ‘SLPP Regime’s Controversial Cybercrime Bill Suffers Setbacks,’ following government laying in parliament a bill titled “The Cyber Crime Act, 2020 Bill.” According to the publication, the bill had suffered some setbacks as Members of Parliament from various political parties had agreed to suspend debate on the bill. Reason for the suspension was as a result of some Members of Parliament calling for sincere national sensitisation on the bill, and they feared that the composition of the bill’s regulatory committee seems to be targeting the opposition.

The publication further stated that the bill was advocating for the judicious use of computer systems to help curb cybercrime, strengthen the safety of National Information Infrastructure, and promote international cooperation in dealing with cybercrime and other related matters.

**Fig 7.1: Awareness Times Newspaper, 16 March 2021- SLPP Regime’s Controversial Cybercrime Bill Suffers Setbacks**



On 22 March 2021, Augustine Sorie-Sengbe Marrah, a lawyer and an activist critiqued the new Cybercrime Law through his twitter page.

“The proposed CYBERCRIME LAW would be 10x more dangerous to media practice than the just repealed Part V of the Public Act 1965. It is data protection law that we need, not a Cybercrime monster,” he stated.

**Fig 7.2: Augustine Sorie-Sengbe Marrah Twitter Post, 22 March 2021- proposed CYBERCRIME LAW would be 10x more dangerous...**



On 23 March 2021, the executive of the Sierra Leone Association of Journalists (SLAJ) issued a press release in which they raised concern over the Ministry of Information and Communication’s failure to consult them during the drafting process of the new proposed Cybercrime bill 2020.

Ahmed Sahid Nasralla, the SLAJ President, expressed his disappointment that the Ministry excluded the media fraternity during the consultation process in drafting the bill. He was concerned about the new Cybercrime bill’s possible interference with the civic space, and infringement on fundamental human right; and people’s right to privacy, once legislated.

**Fig 7.3: Sierra Leone Association of Journalists Press Release- 23 March 2021- Report on Meeting with the Ministry of Information and Communications on the Cyber Crime Bill**



On 29 March 2021, the MRCG & SLAJ convened a Consultative Meeting on the Cybercrime Act, 2020 to discuss provisions of the Cybercrime Bill 2020 following Parliament’s directive to the Ministry of Information and Communications to have further engagements on the cybercrime bill that was being debated. The consultative meeting sought the views and opinions of media stakeholders on the Cybercrime Bill 2020 and focused on issues relating to free speech, journalism and press freedom in Sierra Leone. The meeting was attended by the Minister of information and Communications, Mohamed Rahman Swaray, executives of SLAJ, media practitioners drawn from different parts of the country and other relevant stakeholders.

Following the deliberations and consultations, including presentations from lawyers who argued for and against certain provisions of the bill, the MRCG and SLAJ developed a media position paper titled: SIERRA LEONE MEDIA'S POSITION PAPER ON A BILL ENTITLED THE CYBERCRIME ACT, 2020 and presented it to the Ministry of Information and Communication on 13 April 2021 as the Media's position on the bill. The media stakeholders resolved that they were not averse to the enactment of the legislation consistent with international obligations that seek to enhance protection, security and responsible use of cyberspace, but were concerned about the certain provisions of the bill that had the tendency to stifle press freedom and freedom of expressions.

**Fig 7.4: MRCG Twitter Post, 13 April 2021- MRCG &SLAJ Present Sierra Leone's Media Position on the Cybercrime Act 2020...**



On 23 April 2021, the Sierra Leone Bar Association presented their position paper on the Cybercrime Bill 2020 to parliament. They highlighted several areas of the bill they wanted parliament to look thoroughly into before passing the bill into law. They made suggestions and recommendations to some parts of the bill to be amended before enactment.

**Fig 7.5: Sierra Leone Bar Association, 23 April 2021- Position Paper on the Cybercrime Bill 2020**



On 5 May 2021, the Media Reform Coordinating Group (MRCG) and Sierra Leone Association of Journalists (SLAJ) took part in Parliament's Legislative Committee sitting on the Cybercrime Bill 2020 at the Golden Tulip Hotel, Freetown where they presented their concerns



about certain provisions of the bill they deemed to hinder free speech, journalism and press freedom in Sierra Leone.

**Fig 7.6: MRCG Twitter Post, 5 May 2021- MRCG & SLAJ take part Parliament’s Legislative Committee sitting on the Cybercrime Bill 2020...**



**a. Specific Acts containing Media Laws and Regulations still in Force**

No.	Specific Statutes on Media Laws/Regulation - Acts of Parliament	Year	Status of the law
1.	Undesirable Publications Cap 113 of the Laws of Sierra Leone, 1960	1961	In force
2.	Undesirable Advertisement Ordinance - Cap 114 in the Laws of Sierra Leone, 1960	1960	In force
3.	Defamation Ordinance - Act No. 32	1961	In force
4.	Sierra Leone Broadcasting Corporation Act, 2009 (Act No. 1 of 2010).	2010	In force
5.	The Independent Media Commission (IMC) Act, 2020 (Act No. 5 of 2020)  It repealed and replaced the Independent Media Commission (IMC) Act, 2000 (Act No. 12 of 2000) as amended in 2006 and 2007	2020	In force

Source (Sowa & Kapuwa, 2015 and updated regularly)<sup>1</sup>

**Table 7.1: Specific Acts containing Media Laws and Regulations still in Force**

<sup>1</sup> Francis Sowa and Joseph Ebenda Kapuwa, Media Laws and Regulations: Review and Update on Sierra Leone’s Statutory and Self-Regulatory Models (2015)

**a. Other Statutes (Acts of Parliament)/common law relating to Media Regulation Still in Force**

No.	Other Statutes (Acts of Parliament) with laws relating to media regulation	Year	Status of the law
1.	The Treason and State Offences Act, 1963	1963	In force
2.	Criminal Libel - The Public Order Act, 1965 (Act No 46 of 1965)	1965	<b>Repealed</b>
3.	Publication of False News - The Public Order Act	1965	<b>Repealed</b>
4.	Seditious Libel - The Public Order Act	1965	<b>Repealed</b>
5.	Constitution of Sierra Leone - Freedom of Expression and of the Press	1991	In force
6.	Constitution of Sierra Leone - Public Emergency Law	1991	In force, but under review
7.	Constitution of Sierra Leone - Law of Contempt of Parliament	1991	In force
8.	The International Covenant on Civil and Political Rights	1995	In force
9.	Pharmacy and Drugs Act	2001	In force
10.	The Telecommunications Act	2006	In force
11.	The Child Rights Act	2007	In force
12.	The Anti-Corruption Commission Act, 2008 (Act No 00 of 0000)	2008, as amended in 2019	In force
13.	The Copyright Act, 2011 (Act No 00 of 2011)	2011	In force
14.	The Sexual Offences Act, 2012 (Act No 00 of 2012)	2012 as amended in 2019	In force
15.	The Right to Access Information Act, 2013 (Act No 00 of 2013)	2013	In force
16.	Public Order (Amendment) Act, 2020 (Act. No 4 of 2020)	2020	In force
17.	The Law on Contempt of Court	Common Law	In force

Source (Sowa & Kapuwa, 2015; updated)<sup>2</sup>

**Table 7.2: Other Statutes (Acts of Parliament) relating to Media Regulation still in Force**

**b. Codes Dealing with Media Regulation Still in Force**

No.	Codes	Year	Status of the law

<sup>2</sup> (Ibid,2015)



1.	Code of Conduct of the Sierra Leone Association of Journalists	2000 (reviewed in 2014/2015)	In force.
2.	The Independent Media Commission (IMC) Media Code of Practice	2007	In force, under review.

Source (Sowa and Kapuwa, 2015; updated)<sup>3</sup>

**Table 7.3: Codes Dealing with Media Regulation Still in Force**

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<sup>3</sup> (Ibid,2015)

## 8. CONCLUSION

The issues covered in this report relate to freedom of expression and of the press, freedom of assembly and the safety and security of journalists and civil society activists.

The general constitutional guarantees for freedom of expression and of the press are still in force. The criminal and seditious libel provisions in Part V of the 1965 Public Order Act that criminalizes libel, were repealed by Parliament on 23 July 2020 and accented to by the President on 18 August 2020. It brought a sigh of relief that journalists and human rights activists would not be invited, harassed, arrested or detained on criminal libel charges anymore, but rather under the civil libel law or other state laws.

The MRCG will continue to re-echo one of the provisions in the Truth and Reconciliation Commission (TRC) Report, which says: “Freedom of expression is the lifeblood of a democracy. A culture of public debate and tolerance for dissenting ideas is the sign of a vibrant and healthy democracy. Restrictions on the freedom of expression represent a fearful state; it reflects a State that has no confidence in its ability to promote and disseminate its doctrines in the marketplace of ideas.”

The MRCG hopes that with the repeal, Government will review outstanding matters in the spirit of the repealed Criminal Libel Law as their existence still reminds of the obnoxious suffering journalists went through. The MRCG hopes Government creates an atmosphere that is conducive for professionalism in which journalists can operate freely without fear, but rather fairly - objectively, responsibly, professionally and ethically. It is hoped that there will now be more investment in the media industry and one that can now attract more women to practice freely and fairly without fear of being imprisoned.

The MRCG hopes that the Government will look into concerns the media raised on the Cybercrime Bill 2020 as the media is not averse to the enactment of the legislation consistent with international obligations that seek to enhance protection, security and responsible use of cyberspace, but is concerned about certain provisions of the bill that had the tendency to stifle press freedom and freedom of expressions.

## 9. RECOMMENDATIONS

- The Government of Sierra Leone should review and discharge all seditious and/or criminal libel-related cases against journalists and other individuals since the law has been repealed.
- Government to take into consideration the media's position paper on the Cybercrime Bill 2020 and look into concerns raised of provisions that may stifle press freedom and freedom of speech.
- SLAJ should strengthen its Disciplinary Committee so as to promptly and effectively deal with issues of unprofessional practice and excesses of any journalist.
- SLAJ, MRCG and other partners should do more training and capacity building training for journalists to keep them up with international best standards of practice and for the security forces to also understand the provisions in the new laws.
- The Sierra Leone Police should speed up and conclude investigations of all cases against journalists and civil society activists, including those who were assaulted or threatened and those who had been invited and/or detained, but released without charge.
- SLAJ should take the lead and be given the freehand by victims of press freedom violations and their media houses, in seeking justice on their behalf.
- Government should ensure that journalists and citizens continue to enjoy their rights to freedom of expression, including press freedom without the fear of being intimidated, harassed, assaulted, arrested or detained and prosecuted.
- Citizens and journalists should appreciate that there are limitations to every right/freedom and that to every right, there is a corresponding responsibility; therefore, they should own up to their responsibilities.
- Journalists should abide by ethical standards in their daily coverage and reportage.
- The IMC should continue to popularise its statute (IMC Act 2020) and the Media Code of Practice among journalists and the Police.
- SLAJ should popularise its Code of Ethics among its membership.
- Politicians and the Police should respect media freedom and the right to freedom of expression.
- Government officials should stop stone-walling and be willing and ready to respond to requests from journalists to cross-check their facts.

## 10. LIST OF SOURCES


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- MRCG Facebook post, December 2020- MRCG Trains Journalists on Media Regulation in the Post Criminal Libel Era: the Independent Media Commission Act 2020 and the 1961 Civil Libel Law
- Mr. Emmanuel C. Thorli (2021 Feb. 24) interviewed by Osman Sesay, Press Freedom. Night Watch Newspaper, 29 Rawdon Street, Freetown.
- Mrs Fatmata Kamara (2021 Jan. 29) Interviewed by J.M Greene, Press Freedom Report. Independent Media Commission, Siaka Steven Street, Freetown.
- Mrs. Fatmata Kamara (2021, Feb. 25) interviewed by Osman Sesay, Press Freedom. Independent Media Commission, 54 Siaka Steven Street, Freetown.
- Sierra Leone Association of Journalists Press Release- 23 March 2021- Report on Meeting with the Ministry of Information and Communications on the Cyber Crime Bill
- SLAJ Press Release, titled “SLAJ condemn Baseless attack on BBC reporter” issued on 8 December 2020.

- Sierra Leone Bar Association Position Paper on Cybercrime Bill 2020, issued on the 23 April 2021
- The Calabash Newspaper 23 April, 2021- MRCG &MFWA End National Forum on Safety of Journalists


## 11. APPENDIX 1

### 11.1 Reported Cases in the First, Second, Third, Fourth, Fifth and Sixth Edition Respectively of the Press Freedom Report

The table below shows the cases, dates of attack/arrest or invitations and their current status.

The cases in the ‘gold columns’ have been concluded, settled, resolved, dropped or abandoned. 

Those in ‘blue columns’ are in court. 

Those in the ‘red columns’ are under police investigation/inconclusive/stalled. 

From the First to the Sixth Edition of the Press Freedom Report, thirty four cases were monitored. Twenty five of them were concluded, settled, resolved, dropped or abandoned, because of lack of progress; three were in court; and six under police investigation/inconclusive/stalled.

No	Cases Reported in the First Edition	Date of Attack / Arrest/Invitation	Status of Cases
1	Attack on a reporter of <i>Concord Times Newspaper</i> , Patrick Jaiah Kamara by thugs allegedly on the instruction of former Mayor of the Freetown City Council, Herbert George Williams, Sanusi Bruski and other All People Congress (APC) Party members during the 31 March 2018 Presidential run-off election	During the 31 March 2018 Presidential run-off Election	Matter resolved out of court after few appearances.
2	Attack on the late Editor of <i>New Age Newspaper</i> , Ibrahim Samura by the then ruling APC party members and supporters allegedly on orders of former Freetown Mayor of the APC, Albert George Williams, and the APC Public Relation Officer, Abubakar at a polling station in Lumley during the 31 March 2018 Presidential run-off election who later died at the 34 Military Hospital at Wilberforce on 6 June 2018.	31 March 2018 Presidential run-off Election	The two accused had been acquitted and discharged for murder and conspiracy to commit grievous bodily harm by Justice Augustine Musa of the High Court of Sierra Leone in Freetown as the jury returned a verdict of not guilty.
3	Arrest and detention of a civil society activist, Edmond Abu, Executive Director of Native Consortium and Research Centre, by the Sierra Leone Police for staging a peaceful protest in Freetown against the increments in fuel pump price.	17 July 2018	Released on bail; matter not charged to court.
4	Invitation of the Leader and Chairman of the Alliance Democratic Party (ADP) , Mohamed Kamarainba Mansaray and Abdul Fonti Kabia, formerly of AYV, to CID for interview he granted in response to allegation relating to the alleged publication of false news, contrary to the Public Order Act of 1965.	22 July 2018	All charges dropped and matter terminated.

5	Invitation of journalist to Parliament to answer to some questions in connection with a story broadcast on <i>African Young Voices TV</i> , titled “Caught on Camera”, involving a member of parliament, Hon. Veronica Kadie Sesay and two others in a land matter.	September 2018	The AYV Director of News and Current Affairs, Mr. Samuel Wise Bangura, appeared before Parliament and was asked to retract and apologise. But he refused/declined and nothing happened after that.
6	Attack on the publisher of <i>The Elephant Newspaper</i> , Nimalty Kamara, allegedly by youth of the ruling Sierra Leone People’s Party (SLPP) for allegedly criticising the new regime of President Julius Maada Bio.	<sup>10</sup> September 2018	Matter is still at the Kenema High Court.
7	Attack on <i>AYV TV</i> journalist, Ransford Metzger, while investigating an alleged corruption matter at the St. Joseph Secondary School in Freetown.	September 2018	Alleged perpetrators arrested and held at the CID, but were released after the journalist and AYV management accepted the apology of the perpetrators.
8	Attack on the former Editor of <i>Awareness Times Newspaper</i> , John Koroma, during a Bye-Election in Tonko Limba, Kambia District, Northern Sierra Leone, on 29 September 2018, allegedly by a team of Sierra Leone Police officers and persons who openly identified themselves as SLPP supporters.	29 September 2018	Matter still with the police and no arrest effected. John Koroma said he availed his witnesses to the police and that statements were obtained from them individually. He said the police had promised to get unto him but haven’t done so since and that he is gradually forgetting the matter. The police said that Koroma had not been able to identify those that attacked him; and as such, they were constrained to arrest any suspect. They however said they will continue to follow up on the matter.
9	Arrest of Fayia Amara Fayia of <i>Star Radio and Standard Times Newspaper</i> by CID officers outside the AYV media on what the CID said was a post on his Facebook page containing defamatory words against His Excellency the President of the Republic of Sierra Leone.	29 September 2018	Police said since Part 5 of the Public Order Act of 1965 has been repealed, the file has been closed.
10	Harassment of Alhassan Jalloh, Editor of the <i>Unique Newspaper</i> , by police officers attached to the Lumley Police Station in the West end of Freetown, while investigating a fracas between Leonco Filling Station at Lumley and a mosque.	5 November 2018	Mr. Jalloh said the matter was not progressing and he has dropped it and moved on.

No	Cases Reported in the Second Edition	Date of Attack/Arrest	Status of the matter
11	Arrest and detention of Alpha Thorley, Managing Editor of <i>the NightWatch Newspaper</i> by the Sierra Leone Police on 14 January 2019 on the allegation of publishing false information that several diplomatic passports were illegally given to families of the ruling government officials.	14 January 2019	Police said the matter has been closed because of the decriminalization of Part 5 of the Public Order Act of 1965
12	Attack on two <i>AYV</i> journalists, Augusta Ethel Turay and Bockarie Samai, on the 16 January 2019, allegedly by supporters of the opposition All People's Congress Party (APC), while covering the visit of officials of the Criminal Investigation Department (CID) to the home of former President Ernest Koroma in Makeni, Bombali District.	16 January 2019	Matter stalled as police claim complainants were yet to return with their endorsed medical reports; hence they could not take any further action. But Augustine Ethel Turay, said they submitted their medical reports as was requested by the Police; yet there was no progress on the matter. "We submitted the medical reports at the Mena Police Station in Makeni as requested, but up to date, the police did not call us, neither discharge the matter nor charge it to court and so we stopped following the matter." The police called on the journalists to take their endorsed medical forms to the police headquarter and they can take it from that point.
13	Death threat against the <i>BBC's</i> Umaru Fofana apparently by a member or supporter of the opposition APC in an audio circulated on social media, after an interview he conducted with Sierra Leone's former Vice President, Victor Bockarie Foh.	17 January 2019	Matter still under investigation according to the Police. However, Umaru Fofana said the Police investigating the matter disclosed the identity of his key witness and he eventually lost confidentiality in them and hence, he has stopped following up on the matter. The police in their response urged Mr Fofana to continue with the matter and to make an official complaint against the police officers that disclosed his key witness.
14	Attacks on and intimidation of civil society leaders, including the Executive Director of Campaign for Good Governance (CGG), Madam Marcella Samba-Sesay, who had publicly expressed critical views on the media about the governance challenges.	3 -6 May 2019	Matter ended after several press releases condemning the attack on her.



15	Attack on a civil society activist, Morlai Conteh, President of the National Youth Coalition of Sierra Leone, allegedly by a group of military officers of the Republic of Sierra Leone Armed Forces (RSLAF) after the main opposition All People's Congress (APC) party did a walkout protest of the ceremony marking the Presidential State Opening of Parliament on 2nd May 2019.	2 May 2019	Mr. Conteh said his moves to further the case were fruitless; so he decided to drop it.
<b>N</b>	<b>Cases Reported in Third Edition</b>	<b>Date of</b>	<b>Status of the matter</b>
<b>o</b>		<b>Attack/Arrest</b>	
16	Arrest and detention of four local journalists- Sallieu Tejan Jalloh, Publisher of the <i>Times SL Newspaper</i> ; David Johnson, Editor of <i>Times SL Newspaper</i> ; Mustapha Sesay, General Editor, <i>Standard Times Newspaper</i> ; and Abu Bakarr Kargbo (Father Bakish), a Senior Staff Writer of <i>Standard Times Newspaper</i> - in Freetown on Friday 28 June 2019. They were charged with eight-count for allegedly publishing defamatory articles in the <i>Times SL Newspaper and the Standard Times Newspaper</i> respectively against Pa Momoh Fofanah Esq, a Barrister and Solicitor of the High Court of Sierra Leone.	28 June 2019	Journalists discharged.
17	Assault on two female sport journalists (Francess Bernard-Bundor and Easter Marie Samura) of SLBC by Officers of the Sierra Leone Presidential guard on Sunday 8 September 2019 at the National Stadium, during the FIFA 2022 World Cup Preliminary returned match between Sierra Leone and Liberia.	8 September 2019	Action taken against the presidential guards. Government refunded the medical expenses by the journalists and their properties destroyed or stolen paid for.
18	Arrest and detention of Mahmud Tim Kargbo on 20 September 2019 for allegedly publishing a defamatory article against Hon Justice Miatta Samba', an Appeal Court Judge, titled 'Justice Redefined by Miatta Samba', which is said to have accused the judge of corruption and incompetence.	20 September 2019	Granted bail after tendering an apology letter to Hon Justice Miatta Samba; matter is still in Court.
19	Arrest and detention of the Managing Editor of the <i>Times Newspaper</i> Sallieu Tejan Jalloh (Sal Tee) on 11 November 2019 in Freetown, by plainclothes police officers in connection with an SMS text message that he sent to the Chief Minister of Sierra Leone, Prof. David Francis enquiring about an alleged payment of US\$ 1.5 million into his private ECOBANK account by SL Mining, which license had been cancelled by the state.	11 November 2019	Police said the matter has been closed because of the decriminalization of Part 5 of the Public Order Act of 1965.

No	Cases Reported in Fourth Edition	Date of Attack/Arrest	Status of the matter
20	Attack on three local journalists - Ibrahim Manasaray, aka 'Hebro' of <i>SLBC</i> , Makeni, Abdul M. Jalloh of <i>Amzas Radio</i> , Makeni and Foday Moriba Conteh of <i>Calabash Newspaper</i> , Tonkolili Districts - in the Northern Region of Sierra Leone.	January 2020	Matter under police investigation as police said journalists are yet to corroborate their witnesses. One of the victims, Abdul M. Jalloh of Hamzas Radio, said there is no progress on the matter and hence they have decided to move on with their different jobs.
21	Alleged threat by the former Inspector General of Police to arrest Alex Lawrence Koroma, a producer of <i>Radio Democracy FM 98.1</i> 'Good Moring Salon Programme', for a programme he produced on the state of security.	23 February 2020	Arrest not affected.
22	Arrest and detention of Chernor Jalloh, Reporter, <i>Radio Democracy</i> , Yusuf Bangura, Reporter, <i>Concord Times</i> , and a civil society activist, Thomas Moore Conteh, Executive Director of Citizens Advocacy Network (CAN) by police during a Limkokwing University protest over fee subsidies by the Government of Sierra Leone	5 March 2020	The two journalists were released, while the matter of Mr. Moore was dismissed by the Court.
23	Invitation of the Managing Editor/Publisher of the <i>Nationalist Newspaper</i> , Mohamed Sankoh (AKA, One Drop) by the police in in connection with an opinion piece he authored titled 'Is the Catholic Church in a Mess?'	20 March 2020	Police dropped case against Mr Sankoh as they said it was a mistaken identity as they mistook Mr Sankoh for another person.
24	Assault on journalist Fayia Amara Fayia of <i>Star Radio and Standard Times Newspaper</i> , allegedly by military officers in Kenema and his subsequent arrest and detention by Police in Kenema.	4 April 2020	The matter is still at the Magistrate Court No. 1 in Kenema. SLAJ, MRCG and MFWA signed a petition letter to His Excellency the President, Julius Maada Bio (through the Minister of Information and Communication) kindly urging him to intervene in the matter.
25	Assault on Stanley Sahr Jimmy, Station Manager, <i>Wusum Radio FM 88.5</i> in Makeni, allegedly by five police officers at the Mena Police Station.	April 2020.	The police said four of the officers were seriously reprimanded in the presence of the complainant and that there was no case against one of the officers. The police said the matter has been closed. Mr Jimmy claimed the police are yet to call him to identify those that

			assaulted him nor had they been disciplined.
26	Arrest and detention of Adeyemi Jackson of <i>Universal Radio</i> by police in Freetown after reportedly requesting an interview with Dr Ibrahim Bundu, a medical doctor attached to the Connaught Hospital in Freetown, in relation to an alleged sexual assault matter.	21 May 2020.	Police said the matter has been closed.
<b>N</b>			
<b>o</b>	Cases Reported in Fifth Edition	Date of Attack/Arrest	Status of the matter
27	The arrest and detention of Dr. Slyvia Blyden and Hussain Muckson Sesay by CID in Freetown, because of her alleged critical and controversial publications and postings on social media. She was later charged with 10 counts of various offences, ranging from seditious libel, publication of false news, to defamatory libel, among others	1 May 2020	The matter rendered, “Nolle Prosequi”, as the Government of Sierra Leone dropped all charges against them on the 16 November 2020
28	On the Police harassing and intimidating the Manager of <i>Lunsar Radio</i> , Mr Alhaji Foday Labay to produce a recording of a radio program he hosted Prof Sheikh Umaru Kamara, the Community Relations Officer of Sierra Leone Mining Company in Lunsar on 23 April 2020 which led to a strike action calling for the resignation or replacement of their Paramount Chief.	12 June 2020	The matter has been dismissed.
29	Supreme Court of Sierra Leone ordering the arrest of Lawyer Augustine Sorie-Sengbe Marrah for publishing information on social media about the ruling on the qualification of lawyers in holding certain offices, which have political undertone and allegedly had the tendency to put the legal profession into disrepute as his post was rated as demeaning to the apex court of the land.	28 October 2020	The matter ended when he complied with the Supreme Court ordering to do a retraction of the said post in an article and write a letter of apology to the judiciary and the presiding judges; and also publish the said letter of apology in the front pages of two widely read newspapers in Sierra Leone.
<b>N</b>			
<b>o</b>	Cases Reported in the Sixth Edition	Date of Attack / Arrest/Invitation	Status of Cases
30	The verbal attack, insult and intimidation of BBC reporter, and Former President of SLAJ Umaru Fofana in December 2020, from social media for his alleged “biased reports on political events in Sierra Leone” from people claiming to be members of the main opposition All Peoples Congress (APC) party.	December 2020	Umaru Fofana said he has decided to move on as he receives such threats frequently. <b>“I find it very harassing and sort of bullying that they can dedicate so much time to attacking and seeking to intimidate me. And the fact that APC party doesn’t distance itself from it, let alone condone, it is irksome. Failing to</b>

			<b>condemn it is akin to condoning it.”</b>
<b>31</b>	The arrest and detention of Emmanuel C. Thorli, a reporter for the <i>Night Watch Newspaper</i> on 7 February 2021, by the Sierra Leone Police for allegedly taking snapshots of the 7 February 2021 Jui demolition exercise carried out by the police at Jui Junction, Western Area Rural.	7 February 2021	Police said the matter has been closed.
<b>32</b>	The invitation and detention of the Editor-in-Chief and Proprietor, Joseph Turay and Ezekiel Dumbuya, News Editor of the <i>Public Review Newspaper</i> , on 22 March 2021, by officers of the Criminal Investigations Department (CID) in Freetown for more than five hours, over a matter involving land dispute in the Western Rural Area which police claimed that the newspaper had reported erroneously on.	22 March 2021	The police said none of them was detained. “They were only at CID for statement making; maybe, according to them, they see it as detention,” said the police. Police said the matter has been closed.
<b>33</b>	The arrest and detention of Osman Hardy Jalloh of <i>TV-News24</i> on 28 April 2021, on the orders of Magistrate Joseph Toby of Magistrate Court No. 2, Kenema for an article he published, titled: Imam Granted Bail after Five Days in Jail.	28 April 2021	Osman Hardy Jalloh was released with the intervention of the Sierra Leone Association of Journalists (SLAJ). Osman Hardy Jalloh said he alongside <i>TV-News 24</i> had filed a letter of complaints against Magistrate Joseph Toby to the Human Rights Commission of Sierra Leone and that they are waiting for the Commission’s response before filing a lawsuit against the magistrate for unlawfully detaining him.
<b>34</b>	The arrest and detention of Hassan Gbessay Koroma, a <i>Concord Time Newspaper</i> journalist on 6 May 2021 by the Sierra Leone police for allegedly taking pictures of the Minister of Internal Affairs, David Panda Noah at the Siaka Stevens Street during an operation of him and police chasing commercial bike riders off the Central Business District (CBD) area, an operation that is said to clean the CBD of commercial motor bikes.	6 May 2021	The matter has been closed.

**Table 11.1 Status of cases monitored by the MRCG from May 2018 to May 2021**