

S.C. 4/2011 .

IN THE SUPREME COURT OF SIERRA LEONE

CORAM:

HON. MRS. S BASH-TAQI, JSC (PRESIDING)

HON. MR. JUSTICE P. O HAMILTON, JSC

HON. MRS. JUSTICE V. A D. WRIGHT, JSC

HON. MR. JUSTICE M. E. T. THOMPSON, JSC

HON. MRS. A. SHOWERS, JA

IN THE MATTER OF THE CONSTITUTION OF SIERRA LEONE ACT NO. 6 OF 1991

SECTIONS 127 (1); 124(1); 137(5A); 135(3-5); 136(2-6); 146(1) &(2); 147(1-

4);

148(1-3); 149(1-4) & 146.

AND

IN THE MATTER OF THE OMBUDSMAN ACT NO.2 OF 1997, SECTIONS 4(A&B)

AND

7-15 OF THE SAID ACT.

AND

AND IN THE MATTER OF THE SIERRA LEONE GAZETTE VOL. CXL1 THURSDAY 17<sup>TH</sup>  
JUNE, 2010 NO 44. GOVERNMENT NOTICE NO. 173 PAGES 840/1

AND

AND IN THE MATTER OF THE EXERCISE OF THE POWERS CONFERRED ON THE  
PRESIDENT BY SECTION 137 OF THE CONSTITUTION OF SIERRA LEONE 1991 (ACT  
NO 6 OF 1991) TO SET UP AND DID SET UP A TRIBUNAL CONSTITUTING OF :-

(a) JUSTICE EDMOND E. COWAN – CHAIRMAN

(b) WORDSWORTH FILO JONES – MEMBER

(c) ROLAND E. CEASAR – MEMBER

(d) JOSEPH GOMOI VANDI-KOBBA – MEMBER

2A. TO INQUIRE INTO THE QUESTION OF THE REMOVAL OF JUSTICE ALUSINE SESAY AND JUSTICE ALLAN B. HALLOWAY, BOTH OF WHOM ARE JUDGES OF THE SUPRIOR COURT OF JUDICATURE AND TO REPORT TO THE PRESIDENT THE FACTS THEREON AND THE FINDINGS THEREOF, AND (B) RECOMMEND TO THE PRESIDENT WHETHER JUSTICE ALUSINE SESAY AND JUSTICE ALLAN B. HALLOWAY OUGHT TO BE REMOVED FROM OFFICE.

(3) THE TRIBUNAL SHALL COMMENCE ITS PROCEEDINGS ON THE 29<sup>TH</sup> DAY OF JUNE 2010 AND SHALL SIT IN FREETOWN OR SUCH OTHER PLACE IN SIERRA LEONE AS THE TRIBUNAL MAY DETERMINE.

(4) THE TRIBUNAL SHALL REGULATE THE PROCEDURE FOR ITS PROCEEDINGS.

(5) THE TRIBUNAL SHALL SUBMIT ITS REPORT WITHIN SIX WEEKS OF THE COMMENCEMENT OF THE PROCEEDINGS.

MADE AT FREETOWN THE 10<sup>TH</sup> DAY OF JUNE 2010.

BETWEEN:

JUSTICE ALLAN B. HALLOWAY

PLAINTIFF

AND

1. JUSTICE EDMOND E COWAN – CHAIRMAN {

2. WORDSWORTH FILO JONES {

3. ROLAND E. CEASAR {

DEFENDANTS

4. JOSEPH GOMOI-VANDI KOBBA & {



## 5. ATTORNEY GENERAL &amp; MINISTER OF JUSTICE

Barristers

C. F. Margai, Esq. Sulaiman Banja-Tejan-Sie and R. B. Kowa, for the Plaintiff

Joseph Gomoi-Vandi Kobba Esq. for the Defendants

Dated the 8<sup>th</sup> day of July 2011

S. BASH-TAQI, JSC: - My Lords, the facts of this case and the arguments of Counsel are fully set out in the Judgments of my learned brothers and sister, Justices M. E. Tolla Thompson, P.O. Hamilton and V. A. D Wright, JJ SC, which I have had the privilege of reading, and I need not repeat or elaborate on them here.

I have come to the same conclusion that the declarations asked for in the Originating Summons should fail and the Motion dismissed.

  
S. BASH-TAQI, JSC

