

Thursday 16<sup>th</sup> January, 2020

Before the Hon. Mr. Justice Ivan  
Sesay JA

Case is called. A. Fisher appears for the Applicant and he makes his application as follows :

This is an application by way of Exparte of notice of motion dated the 6<sup>th</sup> day of January 2020 for a consent In writing the preferment of thirty (30) counts indictment against Fatmata Kamara and Kadiatu Kargbo on the grounds that a speedy, fair and impartial trial may be heard in the interest of Justice.

In support of this Application reliance is placed upon the affidavit sworn to by JAK Sesay state Counsel on the 6<sup>th</sup> day of January 2020. Attached to the said Affidavits are the following Exhibits namely:

1. Exhibit JAKS 1- a copy of the proposed indictment.
2. Exhibit JAKS 2- proof of evidence containing names of witnesses intended to call at the trial.

Reliance is further placed on the statement accompanying the Exparte notice of motion dated the 6<sup>th</sup> day of January 2020.

Further, that warrants of Arrest be issued for the apprehension of the said Fatmata Kamara and Kadiatu Kargbo for them to be brought before the Court re..... on the 17<sup>th</sup> day of January 2020. This application is made pursuant to section 36 (1) of the Criminal Procedure Act 1965 No 32 of 1965 as amended by the Criminal Procedure Act No 17 1970 and the indictment Ex- otheio (procedure) rules PN no 42 of 1969.

That is all.

#### Ruling

Having heard A.S. Fisher State Counsel of Counsel if the Applicant in the Exparte originating Notice of Motion dated 6<sup>th</sup> day of January 2020 and the supporting Affidavit and it's Exhibits.

And having further read the statement accompanying the said Exparte originating Notice of Motion. It is ordered as follows :

1. That consent in writing is hereby given for the preferment of thirty (30) counts indictment against FATMATA KAMARA AND KADIATU KARGBO with the offenses contained in the Exparte originating Notice of Motion.
2. That warrants of Arrest for FATMATA KAMARA AND KADIATU KARGBO be issued and directed to the Sheriff of the High Court for the arrest of the said Fatmata Kamara and Kadiatu Kargbo returnable one the 17<sup>th</sup>/1/20.
3. That the matter is adjourned to the 17<sup>th</sup> day of January 2020.

Sesay 16/1/20

Monday 20<sup>th</sup> January 2020

Before the Hon. Mr Justice Ivan Sesay JA

Case is called. Respondents are present. A. Fisher appears for the Applicant. Arresting officer (Detective insp Claude Brima) is present and is led in chief.

AOI – (SOB) My names are Detective Inspector Claude Brima) attached to the trans-national organized crime unit, Hastings. I live at 59 Peacock Farm Wellington.

On the 16<sup>th</sup> day of January 2020, I received two warrants of Arrest for the respondents with regards to certain criminal offenses i.e. Conspiracy, Human trafficking and related offenses. On the date 20/1/20 at about 12:45 hours, at the female correctional center..... and in the complaint of a woman sergeant 0606 Kodoma CF, 9 Executed the said warrants of arrest on both the respondents

(Fatmata Kamara and Kadiatu Kargbo) in respect of conspiracy, human trafficking and other related offenses. I now see both respondents in court. Fatmata Kamara and Kadiatu Kargbo called and identified. Both warrants of arrest tendered as Exhibit "A" & "B" respectively. That is all.

Upon hearing the ..... Case and upon the sufficient identity of both respondents, Counsel apply for an order for the preferment of thirty (30) counts indictment against both respondents. .... their trial date be set for the 28/1/20.

#### Ruling

Having heard A. Fisher State Counsel of Counsel for the Applicant in his submissions and his reference to the Exhibit contained in the Affidavit including the proposed indictment, proof of evidence and .....

And having listened to detective inspector Claude Brima attached to the trans-national organized crime unit who arrested Fatmata Kamara and Kadiatu Kargbo and he having sufficiently identified both of them in court and relying on the endorsement on the warrants of arrest. It is hereby ordered as follows :-

1. That Fatmata Kamara and Kadiatu Kargbo be served with the indictments containing the charges found ..... forthwith and without delay.
2. That the said Fatmata Kamara and Kadiatu Kargbo stand their trial AL the law Court Building Siaka Stevens Street Freetown. Starting the next criminal session.
3. That the trial is fixed for the 28/1 /20.
4. That the trial for Fatmata Kamara and Kadiatu Kargbo commences not less than seven (7) days from today's date.
5. That the said Fatmata Kamara and Kadiatu Kargbo will remain in custody at the female correctional center Freetown.
6. Matter will be adjourned to the 28/1/20

20/1/20

Thursday 6<sup>th</sup> February 2020

Before the Hon. Mr Justice Ivan Sesay, JA

Case is called. Accused persons are absent. Both of them have not been ..... with the affidavit. Matter will be adjourned to the 6/2/20.  
28/1/20

Thursday 6<sup>th</sup> February 2020

Before the Hon. Justice Ivan Sesay, JA

Case is called. Both accused persons are present. A. Fisher appears for the state. No defense Counsel for the accused persons at the moment. The charges are put and read to the both accused persons and each pleaded as follows:

#### Count 1

1st accused person = Guilty

2nd accused person = Not Guilty

#### Count 2

1st accused person = Guilty

2nd accused person = Guilty

Count 3

1st accused person = Guilty  
2nd accused person = Guilty

Count 4

1st accused person = Guilty

Count 5

1st accused person = Guilty

Count 6

1st accused person = Guilty

Count 7

1st accused person = Guilty

Count 8

1st accused person = Guilty

Count 9

1st accused person = Guilty

Count 10

1st accused person = Guilty

Count 11

1st accused person = Guilty

Count 12

1st accused person = Guilty

Count 13

1st accused person = Guilty

Count 14

1st accused person = Guilty

Count 15

1st accused person = Guilty

Count 16

1st accused person = Guilty

Count 17

1st accused person = Guilty

Count 18

1st accused person = Guilty

Count 19

1st accused person = Guilty

Count 20

1st accused person = Guilty

Count 21

1st accused person = Guilty

Count 22

1st accused person = Guilty

Count 23

1st accused person = Guilty

Count 24

1st accused person = Guilty

Count 25

1st accused person = Guilty

Count 26

1st accused person = Guilty

Count 27

1st accused person = Guilty

Count 28

1st accused person = Guilty

Count 29

1st accused person = Guilty

Count 30

1st accused person = Guilty

Prosecution facts as charged to the 1 st accused person who has pleaded guilty. She was at waterloo where she recruited seventy young girls whose names appears in the particular of offense and during the process collected certain amount of money to facilitate the process via Liberia to Ghana where she would link with her agents who will take them to Oman.

Prosecutor informs the Court that he is offering no evidence against the 2 nd accused person with regards count 1.

This matter will be sentenced to the 11/2/20 for record and sentencing. Both persons will remain in custody.

6/2 /20

Thursday 11th February 2020  
Sesay, JA

Before the Hon.Mr Justice Ivan

Case is called. Both accused person are present. Defense Counsel is absent. Both accused person have pleaded guilty to all the counts contained on the indictment. At this stage I will now allow plea .....

#### Allocatus

1st accused person : I ask for mercy

2nd accused person : I ask for mercy

Prosecution makes an application pursuant to section 23 of the Anti Human Trafficking Act 2005 for ..... and compensation to the victims.

Prosecution says this was a sustained and repeated criminal conduct on the part of the both accused persons which involves the transfer of the victims from Sierra Leone via Liberia across the ivory on Sea to Ghana on route to Oman and Iraq. Where they would have been subjected to sexual exploitation, modern day slavery and forced labor on the pretense that they were to be paid well.

In the area of sentencing the Court has the discretion to impose consecutive sentences. The maximum penalty for trafficking is ten years and a fine not exceeding Le50,000,000.00.

For the offense of false pretenses the maximum is 5 years.

For money laundering the maximum is seven (7) years and no alternative.

#### Sentence

I have carefully listened to the both accused persons in terms of plea in .....

I have also considered the facts that have not wasted the counts time and equally they are young Sierra Leoneans who have now shown remorse for their unlawful acts. I have also taken into consideration the submission advanced by the Prosecution knowing fully well that the offenses are serious in nature. No antecedent is known also in the ..... I will sentence both accused persons as follows :

1 st accused person

Count 1 = Accused person is sentence to 8 years

Count 2 = sentence to 8 years imprisonment

Count 3 = Sentence to 8 years imprisonment

Count 4 = Sentence to 8 years imprisonment

Count 5 = Sentence to 8 years imprisonment

Count 6 = Sentence to 8 years imprisonment

Count 7 = Sentence to 8 years imprisonment

Count 8 = Sentence to 8 years imprisonment

Count 9 = Sentence to 8 years imprisonment

Count 10 = Sentence to 8 years imprisonment

Count 11 = Sentence to 8 years imprisonment

Count 12 = Sentence to 8 years imprisonment

Count 13 = Sentence to 8 years imprisonment

Count 14 = Sentence to 8 years imprisonment

Count 15 = Sentence to 8 years imprisonment

Count 16 = Sentence to 8 years imprisonment

Count 17 = Sentence to 8 years imprisonment

Count 18 = Sentence to 8 years imprisonment

Count 19 = Sentence to 8 years imprisonment

Count 20 = Sentence to 8 years imprisonment

Count 21 = Sentence to 4 years imprisonment

Count 22 = Sentence to 4 years imprisonment

Count 23 = Sentence to 4 years imprisonment  
Count 24 = Sentence to 4 years imprisonment  
Count 25 = Sentence to 4 years imprisonment  
Count 26 = Sentence to 4 years imprisonment  
Count 27 = Sentence to 4 years imprisonment  
Count 28 = Sentence to 4 years imprisonment  
Count 29 = Sentence to 4 years imprisonment  
Count 30 = Sentence to 12 years imprisonment

2nd accused person

Count 2 = sentence to 8 years imprisonment  
Count 3 = Sentence to 8 years imprisonment

For the 1st accused person Sentences from Count 1 to 29 to run concurrently and Sentence for Count 30 to be served consecutively with that of counts 1-29.

For the 2nd accused person Sentence is to run concurrently. In other words 1st accused is to serve 20 years in totality. The 2nd accused person is to serve 8 years in totality.

11/2/20.