

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**42nd DAY'S JURY'S SITTING
NOVEMBER A.D. 2018 TERM
WEDNESDAY, JANUARY 2, 2018**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR TRIAL.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK AND THE PANEL IS FULL. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court is, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation to be joined by Cllr. Cornelius F. Wanneh.** counsel says he in court and ready to proceed. AND SUBMITS.

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay** who say he in court and has a submission to spread on the minutes of court after party's representations are noted. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted. And the defense counsel is granted the permission to spread his submission. And so ordered

At this stage, one of counsel for defendant request your honor to mandate the State to provide all pieces of evidence its intents to use in the prosecution of this case. Counsel further says that this request is made in good faith and is in keeping with Chapter 17, of the Criminal Procedure specifically section 17.4

WHEREFORE AND IN VIEW OF THE FOREGOING, Defense counsel prays your honor for his discovery to be granted so as to enable the defense provides adequate representations as require by our statue and constitution. AND SO SUBMITS

THE COURT: The application as herein above stated by one counsels for defendant is hereby noted and granted the State meaning the prosecution is hereby ordered to provides pieces of its evidence has in its possession and are intended to be used in these proceedings to the defense counsels for the purpose to provides adequate representation for the defendant. AND SO ORDERED

At this stage, one of counsels for prosecution request your honour to order the clerk to read the indictment to the defendant so as to ascertain her plea of guilty

THE COURT: Prior to the recess being announce the defense counsel filed an application in which he requested to court to mandate the State to provide all pieces of evidence he intends to use in the case file to which application the court noted and ordered prosecution counsel to act accordingly. The court will now like require from the defense whether those pieces of evidence are in his possession. And so ordered

Yes your honor we receive photocopy of a house purported to be the place where the transactions to have taken place. The second of this set is a photocopy of the allege victim daughter and the last two photo is the photocopy of the defendant in these proceedings. Counsels say these photocopy fill short of what is to be the evidence in human trafficking. And so submits

THE COURT: The court hereby note the assertion made by the defense counsel and SO ORDERED

THE COURT: The court says that on June 29, 2018 the defendant in the dock Hawa Bangura was arraigned before court during the May 2018 Term of Court and at that time when the indictment in these proceedings was read to her she pleaded not guilty to the crime of Human Trafficking thereby joining issue with the state. Subsequently the prosecution counsel inform the court that it cannot proceed with the said case because its principal witnesses because they are out of the bailiwick of Liberia and thereafter name the Police Director of the Republic of Liberia, Minister of Labor and the Minister of Gender respectively have been responsible for the witnesses and the State should have produce in these proceedings for leaving the country and returned to Sierra Leon. Upon hearing of this information the court ordered the clerk to issue a writ of contempt on those who are been responsible for them leaving the country and subsequently informing the court so that the said case will not be assigned for that period and subsequently waste the court time.

When the Ministers through the representative and the Police Director appear in court they pleaded for mercy so that the court can purge the contempt. The court having listened to the appeal, fine each of them the Ministers of Gender and Labour US\$100.00 each and US\$50.00 for the Police Director and given up to the August 2018 Term to produce the said witnesses. The said amounts, that is, a US\$100.00 fine the Ministers of Labour and Gender and that the US\$50.00 fines the Police Director were into the Judiciary account on the 72 hours ultimatum given them. However, the witness was not brought into the country during the August 2018 term of court. For which this court on November 28, 2018 called a conference involving the Ministers and the Police Director and after the conference and after listening to them the court give them up to December 28, 2018 one month exactly to produce the witness or face the consequences that the law provide. The court says on December 22, 2018 the parties are herein above name produce the witnesses from Sierra Leonean and same was turnover to the Ministry of Justice which now prompt the assignment on hearing of the case today, Wednesday, January 2, 2019 and we shall not proceed and hereby grant any of the parties. And so ordered

At this stage, one of counsels for prosecution humbly requests your honour and this honorable court for a bench trial in these proceedings.
AND SO SUBMITS

In resisting thereto, one of counsels for defense says and submits that the issue of bench or jury trial is the right of the defendant. However, the issue of Human Trafficking is a new phenomenon in our jurisprudent. The intricacy of which our jury will not understand. Therefore one of counsels for defendant reluctantly agreed to bench trial taken into consideration the judge presiding will play a perfect roll of a jury and a judge. And so submits

THE COURT: The application by one counsel for prosecution for a bench trial in these proceedings to which one of counsels defendant interposes no objection is hereby noted and granted. Prosecution may now proceed. And so ordered

At this stage, one of counsels request this honorable court for the qualification of its first batch of witnesses in person of Ms. Famatta Kanu, the principal victim in these proceedings who was brought from Sierra Leone and Madam Mariene Sowu a businesswoman living Banjor, Virginia who the defendant in the dock first approached that she had come to Liberia to make a business and that business was to sell a human being. so as to enable these witnesses take the stand and

THE COURT: The application by one of Counsels for the Prosecution of the two witnesses just named is hereby noted and granted. The clerk of this court is hereby ordered to act accordingly. And so ordered

PROSECUTION FIRST WITNESS IN PERSON OF PRINCIPAL VICTIM MS. FAMATTA KANU WHO SHALL TAKE THE STAND TO TESTIFY FOR AND ON BEHALF OF THE STATE.

**Ousman Amara Kanu (An interpreter for the prosecution witness)
DIRECT EXAMINATION**

Q Madam Witness please call your full name and where do you live?

A My name is Famatta Kanu and I live Waterloo, in Sierra Leone

Q Please tell us what do you do for living?

A While in Waterloo I am a businesswoman

Q Madam Witness according to court's record before us that in November 2017, you were in Liberia. Please tell this court who brought you to Liberia

OBJ: Proper premise not laid

Sustained

Excepts

Exception noted

Q You told this court that you are a businesswoman in Sierra Leone, please tell us about the business that you do in Sierra Leone

A I sold cow meat in Sierra Leone

Q Who were you selling the cow meat for?

A I sold the cow meat for myself, a later I started selling for Madam Hawa Bangura

Q Please tell us what happened next when you were selling for Hawa Bangura?

A While selling for Hawa then she told me that we should come to do business. When we reached Bo I did know Bo very well, later we came Liberia and I don't know Liberia. While we board a vehicle someone asked who we come to in Liberia and one woman answered and later we came out of the vehicle. We never know where should lodge, we called Sierra Leone and we were directed someone to stop. We walked along the Streets for about two weeks and there were no lodging place. A man who took me in a place my Maborkor. Where we were lodging the woman who took us will leave us and go out for her normal business. The next day she said that two men from Sierra had come and I should greet them because they were our brothers from Sierra Leone. When I greeted the two men they couldn't understand or speak Krio.

Later I left them and went back inside and the next day she told me that she will send me to a lady to collect money for her the person who she sent me to was selling fish and the woman gave me the money I went I was sent for and I reported the said amount to the woman who sent me. Later I met a guy on a motorcycle and the later told me that she will send me to the man to collect some money for her. She even told me that I alone was not going to go to the man but this time we will be about three persons. We went to the man's house when we entered I saw small blood and I told the woman aunty look at the blood and she told me the man to cover the blood with sand. Where we were when they tied Madam Hawa Bangura and started to shout and told to not yell because Madam Hawa already sold me and carryout to the police and we took our statements.

Q Madam Witness you told this court that a woman by the name of Hawa Bangura brought you to Liberia for the purpose of doing business. Were you to see that woman that you spoke about, will you be able to recognize her?

A Yes

Q By the kind permission of this honorable court please tell us where you are and directly identify the person you call Hawa?

LET REFLECT ON THE RECORD THAT THE WITNESS IDENTIFIED THE DEFENDANT IN THE DOCK

Q Madam Witness you told this court that Aunty Hawa brought you to Liberia for business and that while you were in Gbakor, Liberia the lady took you to a house where you were told by those that were in that house that you were being sold, and that you saw the woman aunty Hawa being cuffed and you were carried to the police station. Please say how you felt when you later knew that aunty Hawa brought you to Liberia to be sold for money?

OBJ: Misquotation as it's relates to being sold 2. Speculative 3.
Opinionative 4. Traveling beyond the scope of the witness
Sustained

Q Madam Witness do you confirm and affirm that the people in the room where Aunty Hawa took you told you that she had sold you to them?

OBJ: Stare decisis 2. Misquotation of the witness 3. Traveling
beyond the witness

Overruled

Defense Excepts

Exception noted

A Where they went to the people arrested Hawa and I started crying and wanted to runaway but the police officer told me that I should be afraid because they had come to my rescue

Q Madam Witness please tell us how you felt after you were told that you were being rescued from Aunty Hawa?

A I knew it was true what they said because she told my phone and everything I had

Q Madam Witness in your testimony in chief you mentioned the name of your daughter please tell us where is your daughter that came from you from Sierra Leone to Liberia?

A When the woman said she would sell us and another woman said that if she sells me, she should leave my daughter with her so that she can be taken care of

Q Please tell the court the whereabouts of your daughter?

A I came with the child

At this stage, prosecution rest with the witness on the stand with the usual reservation. And submits.

DIRECT EXAMINATION

Q You are Famatta Kanu am I correct

A Yes

Q You stated in your testimony in chief that prior to your coming in Liberia you sold for the defendant in Sierra Leone, am I correct?

A Yes I saw for her two months and two weeks

Q Madam Witness what were you selling for her?

A We were selling shrimps

Q Madam Witness by that answer what was you pay or salary at the time you were selling for you?

OBJ: Irrelevant and immaterial as to the crime charge

Overrule

Excepts

Exception noted

A She said she was going to pay me 4,000,000 Leones but since I started working for her she never paid me while in the third months it was when we came in Liberia

Q Madam Witness you worked for the defendant two and half months in Sierra without pay, yet you agreed to come to Liberia?

A She told me that when we come to Liberia and after we come she would pay me

Q Madam Witness will I be correct to say that you follow her to Liberia voluntarily?

A I don't know Liberia she told me it was Bo we were going

Q After you reached Bo, Sierra Leone and since you did not know Liberia you followed her to Liberia anyway, am I correct?

A I never just follow her because I don't know Bo or Liberia, when we arrived at Bo, madam Hawa took bike and we came to the border. When we arrived to the border. When we arrived in Liberia the driver asked who was coming down and the woman (Hawa) said yes we were coming there

Q Madam Witness you were not force, am I correct?

A The woman told me that we should come to Liberia, I ask her that its this place that people are sold and Hawa told me that God won't agree

Q Madam Witness at the time of your interaction with the defendant you were 37 years am I correct?

A Yes that is just a guess I don't know my age

Q Madam witness when you entered Liberia territory you knew you were in Liberia, am I correct?

OBJ: Entrapment 2. Asked and answered
Sustained
Defense excepts

Q You told this court that at the checkpoint you were informed that you were in Liberia?

OBJ: Misrepresentation of the witness' statement 2. Argumentative
3. Burdening of the records

Sustained
Excepts
Exception noted

Q Madam Witness you said when you entered Liberia you spent two weeks in Liberia without getting a place to stay, am I correct?

A Yes, the woman was walking with me and sometimes Hawa will call in Sierra Leone and there was no place for us

Q Will I be correct to say that within those two weeks you did not make any request or demand to return to Sierra Leone, am I correct?

A I don't know nothing about Liberia, I was being told and carried by Hawa wherever she goes

Q You told the police that you are married in Sierra Leone but you traveled to Liberia without the permission of your husband, am I correct?

A at the time we were to come I was not actually married I was about to divorce

Q but in your statement you said you married, am I correct?

A Yes that is what I told the police and I never told the man when I was coming

Q when the defendant brought you to Liberia according to you, did she tell you type of business she was going to get involve with in Liberia?

A Yes

Q By that answer what kind of business did she tell you, you were going to get involved with?

A Hawa told me that when we arrived in Liberia any type of business we made we will share the profit and go back

Q Madam Witness you said in your testimony in chief that the defendant sent you to a man for money what is the name of that man you sent you to and whether or not you received the money she sent you for?

A The man name is Alhaji and when I was going Hawa told me that I shouldn't go there along and I did not receive the money

Q Madam Witness you said the defendant took you to her house and when you got there you saw blood on the floor. Do you remember the location the location of the house?

OBJ: Entrapment 2. Not the best evidence 3. Irrelevant and
immaterial
Overruled

A If I am taken there I can identify the house, the blood I saw one dot was laying another place while the other was a bid far

Q Madam Witness when you entered the house and you saw the defendant was tied and you were informed that she had been arrested because she intended to sell you, am I correct?

OBJ: Misquotation of the witness 2. Entrapment 3.

Sustained

Excepts

Exception noted

Q Madam you informed the court that you and the defendant went to her house and somebody from that house told you that you were being sold, am I correct?

A When we got at the house Madam Hawa was being tied and someone told me that I shouldn't cry because the woman had sold me

Q Did the defendant receive any money from your would be buyer?

OBJ: Not the best evidence as the defendant would be

Sustained

Excepts

Exception noted

Q Madam Witness as somebody who had been doing business selling shrimps in Sierra Leone, did you ever give out your shrimps without receiving money?

OBJ: Unconstitutional 2. Irrelevant and immaterial

Sustained

Q Madam Witness how old was the child you traveled to Liberia?

A She was 6 years

Q Madam Witness you kept that child sleeping in the cold for two weeks, am I correct?

A Yes I was with my child and whenever we travel, we would see security to take care of the child

Q Yet madam witness you made no attempt to take the child back to the father, am I correct?

OBJ: Irrelevant and immaterial
Overruled
Prosecution excepts
Exception noted

A No my child was young and all my children I am the one who been taking care of them

Q By that answer the decision to leave Sierra Lone to come to Liberia was a conscious and voluntary decision of your own, am I correct?

OBJ: Burden of the record
Sustained
Excepts
Exception noted

Q Madam Witness do you affirm and confirm that all you have told this court is the truth and nothing but the truth, am I correct?

A Yes

At this stage, defense rest with the witness on the stand with the usual reservation.

REDIRECT; WAVED
RECROSS: WAVED

COURT'S QUESTIONS

Q Madam Witness how many children do you have

A I got five children

Q Madam Witness how old are they?

A I know the first one age but she about 22 years, the second is a little younger than the first the third and the fourth are about age, the one sitting in the court is the last one at about seven years

Q Madam Witness is that one who you say is the last is the one you brought to Liberia?

A Yes

Q Madam Witness in your testimonies you talked about madam Bangura sending you to get some money for the first time that you got and brought. The second money that she sent you for and while you were going she came along with you. Who was the first person she sent you for?

A It is the man sitting in the court wife Madam Mariama who is the prosecution second witness I got the money from.

Q Madam witness how long you stay in Liberia before the defendant was arrested?

A We still about three weeks

Q Madam Witness by that answer before the arrest of Madam Bangura did you know her intention?

A No, I don't know the defendant intention

Q Madam Witness while you were selling for Madam Hawa in Sierra Leone where was she living at the time?

A She was living in Waterloo

Q What kind of business did Madam Hawa tell you, you were coming to do Liberia?

A The woman told me that we were going to do any type of business that will accrue much profit

Q Madam Witness you told this court that your husbands abandoned you with five children?

A Yes

Q Madam Witness by that answer does it means you are the only person taking care of the children?

A Including my people

Q Madam Witness did anyone tell you to come and sell some of the children in Liberia including Liberia?

A Nobody told me anywhere I go sell I normally carry the kid

Q Madam Witness although you said that the defendant did not tell you that you people were coming to Liberia but when she made you to come to Liberia where you did not know anybody at no time did you know that she wanted to sell you and your daughter?

A No I don't know that she had the intention to sell me what she told me was for us to get to Bo and it was when we came to Liberia

THE COURT: The witness is discharged with thanks of court. And s ordered

**PROSECUTION SECOND WITNES SHALL TAKE THE STAND
DIRECT EXAMINATION**

Q Madam Witness what is your name and where do you live?

A My name is Mariama Sowu and I live Banjor

Q Madam Witness for how long have you been living in Banjor

A I been living in Banjor for about ten years

Q Please tell us what you do for living?

A I am businesswoman I sell bunny

Q Please tell us where you do your business?

A In the same place where I live

Q Please say where were you November 28, 2017 during the morning hours?

A I was at my selling place

Q Please tell us to the best of your knowledge when you were at your selling place on the said date?

A On November 28, 2017 I was at my selling place then a lady came by the name of Hawa to buy bunny but she met me on the phone talking to one of my friends from Freetown. When I concluded the called she asked me the price of the bunny I told her 40.00 and 100.00 LD. Madam Hawa bought 40.00 bunny, during that time my children came from school and she asked as to whether I am a Sierra Leonean because she heard the Mende I was speaking, she also saw my two boys and ask if they were the only once and I confirmed. She told me that she had a granddaughter to give me and I told her that if she was to give me her granddaughter that should be discussed with the community chairman before she could stay. We talked and she came back the next day on November 29, 2017 and again bought my bunny. She told me that she had brought market to sell and I asked her which type of market she told me that she brought human being for sale but I told her that I was not part of that market and shouted at her. I advised that said business is a dangerous business it will end her in South beach and then I blasted at her. The defendant told me that she was just joking with me but I told her not to bring said joke to me.

Q Madam Witness please tell us what happened thereafter when she left you?

A On the 30th of November 2017, the defendant came back to my place and said she was looking for one Lahai a motorcyclist, I told her that I didn't know any motorcyclist by that name. Right then she saw one cyclist running and she got on the bike and left. On the same day the Lahai came to me with a coat suit man and asked me for the money for the child. I told them that I never had any money for child. Afterward I was taken to Zone 6 by the Liberia National Police

Q Madam Witness, please tell us what happened next when you were taken to Zone 6?

A I explained to the police because they had asked me?

**THE COURT: THE COURT TAKES RECESS FIVE MINUTES
MORE OR LESS. AND SO ORDERED**

At this stage, one of counsel for prosecution says that the reassessment of the case filed in the above entitle cause of action has necessitated rescindment of the precious application made for the qualification of madam Mama Sowa who had earlier been qualified to testify as one of prosecution witnesses. Prosecution says that this rescindment is against the backdrop that testimony to be given by witness Sowa will not be in the best interest of the State and as such should be stricken from the record of these proceedings.

Wherefore and view of the aforesaid, one of counsel for prosecution prays your honor for the rescindment of the testimony given of witness as well as the stricken of precious testimony given by her on the records of these proceedings and to grant unto the Republic of Liberia all other and further relief that this honorable court will deem just legal and just. AND SO SUBMITS

In response thereto, one of counsels for defendants says it is the prerogative of the State to present any witness of the choice. Howbeit, one wonder while the state did not do proper investigation before a witness to court thereby qualifying said witness to testify. Haven said that one of counsel for defendant says said action leads much to be delicious of the credibility of the State subsequent witness whereby creating reasonable doubt which will operate in the favor of the defendant in this instant case. And so submits

THE COURT: THE application by prosecution counsel to which defendant counsel interposes no objection is hereby noted and granted. And the clerk of this court is hereby ordered to thank the witness will thank of court. AND SO ORDERED

At this stage, one of counsels of prosecution humbly request your honour for the issuance for subpoena duce tecum and ad-testificandum and have same place in the hands of the sheriff of this court to be serve on Ms.

Mamawa Richards, Administrative Officer of the Sierra Leonean Embassy through the Ministry of Foreign Affairs. This subpoena witness was present at the WACPS on December 6, 2017 when the defendant in the dock statements was extracted from her. Prosecution says and submits that its application for the aforementioned when granted and serve on the said witness will provide an opportunity to your honour who is sitting as jury defacto to understand and appreciate from prosecution stand point its evidence as the trial progressive. And so submits

THE COURT: The application made by prosecution is noted and granted and the clerk is hereby ordered to issue out the said subpoena request for by prosecution.. And so Ordered

At this stage, prosecution request for a continuance these proceedings to January 3, 2019 so as to enable prosecution procure additional witness whose testimonies are very cogent to prosecution's case in chief.

THE COURT : That application as made by prosecution is hereby granted and noted. these is hereby reschedule for Thursday, January 4, 2019 at 10:00am prompt all parties being present today's minutes serve as Notice of Assignment

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**5th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
TUESDAY, JANUARY 8 , 2018**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR TRIAL.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court are, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Atty. A. Tamba Gborie I, to be joined by Cllr. Cornelius F. Wanneh.** Counsel says they are in court and has a submission to spread on the minutes of court. AND SUBMITS.

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay** who say he in court and ready to proceed. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted. And prosecution may now proceed. And so ordered

At this stage, one of counsels for prosecution request your honor for the qualifications of Lahai Kamara so as to enable him take the witness stand and testified in these proceedings. So submits

The court: The application by one of counsels for prosecution to for the qualifications of its fourth witness is hereby noted and granted and the clerk of this court is hereby ordered to act accordingly. And so ordered.

CLERK'S REPORT: Your honor as per your ordered to qualify prosecution fourth witness I have executed said ordered hence my report and submits.

PROSECUTION FOURTH WITNESS IN PERSON OF LAHAI KAMARA WHO SHALL TAKE THE STAND TO TESTIFY FOR AND ON BEHALF OF THE STATE

DIRECT

Q Mr. witness, Please tell us your name?

A My name is Lahai Kamara

Q Mr. witness, Where do you live?

A I Live Banjor

Q Mr. Witness, Please tell us what you do for a living?

A I'm a Motorcyclist

Q Mr. witness, also please tell us how long you have been in the Motorcyclist business

A From since 2005

Q Mr. Witness, The Government of Liberia have charge and indicted defendant Hawa Bangura for the crime of human trafficking for which you have been brought in this court to provide testimony in these proceedings. My question to you is Mr. Witness do you know Hawa Bangura in these proceedings?

OBJ: Leading, proper premise not lay

THE COURT: Overruled

Defense excepts

Noted

A from the first day I met her

Q Mr. witness, You just told this court that knew Hawa Bangura from the first day you met her. Where to see her will you recognize her?

A Yes

By the kind permission of this court please look around to where you are and directly point to her?

A Let her there

Q Mr. Witness, Defendant Hawa who you just identified in open court is on trial for an allege an Trafficking and you have been brought to provide testimony in this case. Please tell us what you know about this case?

A Year before last in 2017, it was November 29, I pick up passenger from Banjor Turning point to Banjor rock Creek. On my way back I met this lady standing in front the late Togbah shop in Burkon she stopped the Motorbike and then I stop and I asked her where are you going she told that she was going at the Banjor turning point. So I charge her LD\$20.00 and we started going. On our way going she asked and said that if they can sell human being in this country and I said to her I don't know I have never seen the place yet and I said to her only sometime it can be on the radio that children loosing. I told her I haven't seen there yet until we reached at the turning point. She got down for my bike and paid me.

Q Mr. Witness, Please tell us what happened thereafter?

A by then my foot was hurting so I always used bandage and that day I was wearing short trouser so she marked by my foot. So she told me when she come back she will look for me. That is how she got in the car and left. When she came back that she evening she sat the Bus stop waiting for me. So when I came for the quota will passengers as soon I reach at the turning point she me a shouted my name Alhaji, I came here for you to carrying me back. While going back then I met one of my friends by the name of Morris. Then Morris asked me whether I was going far out and I said to him no I will soon be stopping and he told me that he was getting late so I told he him just be going I will soon drop this lady. When we passed Morris then she asked and tell me that she get a business and she wanted me to find customers for her. So I asked her what type of business you are talking about. She told me that she have will her two children for Sierra Leone for sale right there I was so afraid so right in that time she asked me if I able to do that business. I told her yes only for us to try to save them. So while talking she told me that she was getting

down to where I pick her up during the morning hours. When she reached to where she was getting down she told me to stop and told that my friend was waiting for me that is how I stopped and got down from the bike. So she asked me for my phone number but I was afraid and give her different number. So she told that she will call me so we both can talk that is how I turned and met my friend Morris while going so I told Morris that the lady you saw on the bike will tell me that she had two children that she want to do business with but I am afraid but Morris told that you made a mistake you should have given your real number or knowing where she lived but I told him I was afraid and he told that was the only way we were going to get that lady. So I went and drop Morris and that is how Morris left.

Q Mr. Witness, what did you next after you drop Morris?

A The next day, I went to the Mosque late so my older brother asked me why I come late at the mosque and I told him that something happened yesterday and I told him that I met one lady who told me that she get two children that she brought for Sierra Leone for that she is selling. So my brother told that we need to try by all means to save these children's life. The next day I decided to search all around the community looking for her I could not see her so I left and when back at my place.

Q Mr. Witness, please tell us what happen next?

A This happened one week before November 29, I couldn't remember the exact date. The eve of November 29, I was going around Burkon I met her at the intersections sitting with her friend and she called my attention by calling me Alhaji and she told me what happen I just lost from her and the number you gave is not going through and then I replied to her by saying thank God you now see me and I also told her I wanted to go and see her house so just come and get on the bike. When she got on the motorbike that is how her friend came closed to her and her friend asked her and say beside this boy you ever told any person she reply no I haven't tell any other person beside him that is how she got on the bike and we both left to see the house. So when we both was getting closer to the house she told when we reach I will call the children so that you can see them. When we reach at the house she told that they come out side I will tell them you are my new boyfriend I met in Liberia. So when I got from the bike she called Fatumata and the little girl answer and she told her to come meet my new boyfriend that I met in Liberia and then the little girl came and I shake the little girl's hands and then I told them I was going to come back.

Q MR. Witness, please tell us what happened thereafter when you left the house of the defendant?

A I ran straight to my friend Morris Quaye House to tell him that I met the lady and she took me to her house so brother Morris and I when at my oldest brother house when we got at my brother house he wasn't there so we decided to call him on his phone. When I told him that we met the lady and we both know her house and said to us wait for me let me come. So when he came we decided to meet one Mr. Hilton but to we did meet Mr. Hilton at his home. When we went back at my big brother house we decided to meet with the Community chairman.

Q Mr. Witness, please tell us what happened next after you decided to meet with the community chairperson?

A When we went to the community chairman house he was not there too, and Morris Quaye asked the community chairman wife for his number and give us the number so we decided to call him he answered the phone that was when Morris gave me the phone to explain to him and I told him that happen so he said it wasn't a phone talk we should wait, and if he came we would meet to the house. After he came that evening he made a call and we explained to him and told him that the lady was in the community and I know the house, and in order to track her he should pretend as the buyer so that they could talk on the business and while transacting we would find journalist to record the transaction. The chairman told me that beside him being chairman he also a journalist. I therefore went and told the Bangura that I had a customer for her.

Q Mr. Witness so what happened thereafter?

A Immediately I told the defendant madam Bangura that I had a business partner. She inquires as to whether I had trust in the person and I told her that the business had been in the business for long to the extent that he has a house. Thereafter I went back to the chairman and told him that the woman agreed to see him.

Q Mr. Witness what did you do next after you informed the chairman that the defendant in the dock told you to take the chairman to her house?

A After that I told the chairman that the defendant had agreed to see him. The chairman wanted to use his car but I discourage him and told him that we should use a motorcycle instead before the defendant Madam Hawa be afraid. On our way the chairman took a camera to record the transaction, before our arrival to Hawa I told the chairman to put his camera on and he did. When we arrived she came to the chairman and he asked Hawa that they should sit somewhere to talk. Around there was a

football field it was where we went under a plum tree. When we sat under the tree the chairman ask the defendant as to whether she had the business which he confirmed. The chairman also ask the defendant the price of the business and she replied and told us it was US\$750.00 for each, during that time the chairman was recording their conversation. The chairman asked Madam Bangura how he was going to get the children before payment. The defendant told us that she was going to tell her people that her brother she came to to Liberia that was not being seen had been found and he was going at night to pick them up. She advised that when we come at night we will pick them up and while on our way, she would get out of the car and the children would be left with us. After our conversation and agreement we agreed to meet at about 9:00 pm to go and get them. After we had had that discussion the Chairman called Mr. John Sarnoh who is said to be the Security Advisor in the community. Because of the chairman basic schedule it was about 12:00 a.m. when he called me or us to get prepare for the transaction. Before we could leave I called Madam Bangura but she told me that it was late and she never wanted to leave before the people around suspected her.

Q Mr. Witness so what happened next after the defendant in the dock advised you that it was late and that the transaction should go in the morning hours?

A After she told me about it being late I told the chairman that we should do the transactions the next morning. The next morning the chairman told me to get to Madam Bangara and she told me that she wanted the both of us to see the chairman which we did and that was November 29, 2017. After we entered the chairman's house, he decided to confirm the price that was discussed the previous day but the defendant denied and said that she never understood anything, and that her business was now US\$1,500.00 of each. The chairman refused to her new price and told that he had prepared the amounts of US\$750.00 for each as we discussed the previous day. The chairman told her that since she had proposed new price he would give her the 1,500.00 he brought for both and after one week she should come back for the balance but she refused on ground that were she to go back to the house there would be suspicion. She told the chairman that she will receive the amount and return with balance two persons while on her way back and that she wanted to give me who was the middle man something but I refused and said she needed not to worry about me. After we agreed the chairman told her that we should go and bring the children. After we arrived we met the children hauling water and told me that we should wait until the girl finish so we could go back. While sitting waiting she told the children that her boyfriend never had money and that she Hawa wanted the children to go to her boyfriend place so that they would have money to cook. After her daughter finish we got on the bike and went to the chairman, but while at the chairman house, the

security advisor and other people were hiding in the chairman's house. When we arrived at the chairman house, and while the chairman was about to record Madam Bangura all of the people including the security advisor told Hawa including the chairman that they were under arrest. It how the chairman and every one of them were arrested and we drove to the police station at Zone 6.

Q Mr. Witness so what happened when the chairman and the others were taken to Zone 6 police depot?

A When we arrived at the police station, everyone statements were taken including me. After our statement were taken by the police, we went home and Hawa was arrested and stay at the police station

Q Mr. Witness during your testimony in chief before this court you did mention the name of a lady who amongst other things you said was in direct connection with the defendant in the dock. Please tell us if you know the name of that lady?

OBJ: Not the best evidence 2. Soliciting Hearsay

THE COURT: Overruled

Defense excepts

Exception noted

A The lady is Madam Mariama Sowoh

Q Mr. Witness you told this court that on the 29th of November 2017 when you took the defendant along with the two commodities to the house of the chairman to be sold, and while that transaction was going on the security team that was around came and arrested every one of them, and that those that were arrested along with you were taken to the police station were statements were extracted from you and others. Were you to see that statement, will you be able to recognize it?

A Yes

By kind permission of court, the prosecution passes to you this instrument, please look at it and say what you make it to be?

A Yes

A this state, prosecution humbly request your honor to place a mark of identification on the instrument just testified to and identified by the witness which is the statement of the witness to the police

THE COURT; The application as herein above stated and made by one of counsels for the prosecution is hereby noted and granted; the clerk of

this court is hereby ordered to place a mark of identification P/3 on the instrument just testified to and identified by the witness on the stand. So ordered

Q Mr. Witness I again pass to you court's marked P/3, please tell this court whose signature is affixed thereto?

A it is my signature

At this stage, counsel request Your Honor to place a mark of confirmation on instrument just testified to, identified and confirmed. And submit.

THE COURT: The application made by the prosecution is hereby noted and granted. The clerk is hereby ordered to place a mark of confirmation on the said instrument. So ordered.

At this stage, prosecution rest with the witness on the stand reserving the right to redirect if there be. And submits.

CROSS EXAMINATION

Q Mr. Witness you are Lahai Kamara, am I correct?

A Yes

Q Mr. Witness you were on of the first persons that interacted with the defendant when she arrived in Liberia from Sierra Leone, am I correct?

OBJ: Not the best evidence as the defendant would be 2. Entrapment
Sustained
Defense excepts
Exception noted

A Mr. Witness on the direct you told this court when asked how long you know the defendant, you said you knew her as soon as you saw her. By that answer it means you had interacted before, am I correct?

OBJ: Assuming facts not in evidence as to how long 2. Question asked to entrap the witness

THE COURT: During the witness testimony in chief as to whether he knows the defendant in the dock and he responded by saying that he only got to know the defendant on the first day they interacted. Defense counsel while cross examining the witness wants to know by that answer will he be correct to say that the witness interacted with defendant before. It is based on this question that the Counsel for the prosecution has objected on grounds that it is meant to entrap the witness and also assuming facts not

testified to by the witness. This court says the witness on the stand answer was clear and emphatic as to the time he began knowing the defendant when asked, that he only got to know the defendant on the day they met and the defendant rode with him as a motorcyclist. For the defendant to ask the witness how long it is a ground for entrapment and therefore the objection is sustained the witness must not answer the question

CROSS EXAMINATION

Q Mr. Witness, in your testimony on the direct you told the court that you knew Haw Bangura from the first day you met her. Does this mean that you saw Hawa Bangura Before?

OBJ: Stereo Decisis

THE COURT: Sustained

Defense Excepts

Noted

Q Mr. Witness, in your testimony in chief you told this court that the bargaining price of the cargos or human being who were allegedly brought to Liberia from sierra Leone was US\$1500.00 in your testimony to the police you informed the police that the bargaining was US\$350.00 which was these statement is true?

A The first she called to the chairman was US\$750.00 each and the second time she said not what she said but instead US\$1,500.00. I can't remember giving any statement to the police

Q by that answer Mr. witness it means you did not read this statement before signing it?

OBJ: Entrapment 2. Opinionative 3. Assuming facts not testified to
Overruled

Excepts

Exception noted

Q I can't read

Q Mr. Witness in your testimony in chief you informed the court that you and chairman went to the home of the defendant and chairman had camera to record the interaction, am I correct?

A Yes the chairman have the recording and refused to play it

Q Mr. Witness by that answer you saw the recording from the chairman's camera?

A I saw the chairman putting the camera on and when I told Mr. Hilton the chairman refused to show it to him

Q Mr. Witness is it not a fact that you Lahai made sexual advances to the defendant, am I correct?

OBJ: unconstitutional 2. Entrapment
Sustained

Q Mr. Witness when the defendant told you that she had human cargo to sell how long did it take before you informed the chairman and subsequently the police?

A The moment I saw her house, immediately informed my friend and we went to the chairman's house

Q Mr. Witness you told this court that the defendant told you that she had two children to sell, and you were taken to the house to see those children. When you saw them were they all children as she informed you?

A I saw the mother and her baby

Q Mr. Witness how many times did you visit the home of the defendant?

A I went to the defendant when I was sent by the chairman

Q Mr. Witness is it not a fact that you visited the defendant several times before the chairman sent you there?

OBJ: Asked and answer 2. Argumentative 3. Assuming facts not testified to by the witness

THE COURT: OVERRULED

Prosecution excepts
Exception noted

A I only went there one time without the chairman sending me there

Q Mr. Witness in your testimony in chief you informed the court that the defendant had a relationship with one Mariama Sowoh, what was that relationship?

A Ms. Hawa Bangura told her that Mariama Sowoh was her friend and that when she arrived, she Mariama use to help her with food money

Q Mr. Witness on that night that you people were taken to the police station, you informed this court that Hawa Bangura and the so called

cargo to be sold rode together on bike to the scene of the purchase,
am I correct?

OBJ: Misstatement as to so called

Sustained

Exception noted

Q Mr. Witness you informed this court that Hawa Bangura and the
human cargo rode together on the bike to the scene of the purchase,
am I correct?

A Yes we rode the same bike to the house of the chairman

Q Mr. Witness were you present at the scene of the purchase?

A Yes

Q By that answer was the cargo paid for?

OBJ: Burdening of the record 2. Entrapment

Overrule

Prosecution excepts

Exception noted

A We were doing same to save the two children, No, Mr. chairman was
dramatizing

Q The transaction was a setup?

Entrapment

Sustained

Q Mr. Witness you agreed to take part in this transaction simply
because you were rejected by Hawa Bangura as a lover?

OBJ: Entrapment

Sustained

At this stage, counsel for the defendant informs court that he rest with the
witness with the usual reservation.

REDIRECT: WAVED

RECROSS: WAVED

COURT'S QUESTION

Q Mr. Witness you spoke about one Mariama Sowah whom you said on
the if your first arrival at the house, she asked defendant Hawa

Bangura as to whether you were the only person she told about this transaction. Am I correct?

A Mariama Sowah asked Hawa Bangura that I was the only person she ever told and Hawa said beside Mariama I was the only person

Q By that answer does it mean that Mariama Sowah knew what was happening?

A Hawa Bangura told me that Mariama had done the business twice, but her customer had travel so she Mariama couldn't direct Hawa to the customer

Q Mr. Witness your whole purpose in this transaction was to save the lives of the two persons the defendant wanted to sell. Am I correct?

A Yes

Q Do you as to whether they are still alive, sold or not sold

A I don't know

THE COURT: The witness is hereby discharged with thanks of court and the sheriff is order to escort the witness from the witness stand.

The prosecution the qualification of Sgt. Tugbeh P. Nyankun of the Liberia National Police who will testify so prosecution fourth witness to testify for and on behalf of the State. So prays prosecution

THE COURT: The application of the prosecution for the qualification of its fourth witness as herein above listed is hereby noted and granted; the clerk of this court is hereby ordered to qualify the said witness.

RECESS HOUR:

Direct Examination

Q Mr. Witness, Please state your name and place of resident?

A My name is Sergeant Tugbeh P. Yonkon and live in the Chicken factory

Q Mr. witness, What do you for a living?

A I worked for the LNP

Q Mr. Witness, please state you educational back ground as well as your experience ?

A I am a graduate of the Addo Mills International School System, A graduate of the National Police Academy 2007 will several other training in criminal investigation both home and abroad

Q Mr. Witness, You have been called by the Republic of Liberia to serve as a witness in the case R.L vs Hawa Bangura which has its basic in an incident in the Banjor Community on November 30, 2017. Please tell this court what you know of the incident aforementioned on account which you have been called to serve as witness. You may now proceed?

A On November 30th, 2017, complainant Molley Passewe the chairman of the Banjor, Gbankan Town community reported at the Zone 6, Police station with a complain that he received information from his community watch team from one Morris Quaye and Lahai Kamara who inform that Lahai is motorcyclist meet this passenger in person of Hawa Bangura asked him to drop her at the turning point of the Banjor road. Accordingly while they were riding on Mr. Kamara informed the Chairman that the passenger in person of Hawa Bangura informed that she have come to Liberia form Sierra Leone to sell human being that she wanted him to help find a buyer. Based upon said information the community chair told the police and setup a team to verify said information. Mr. Molley Passawe said that Lahai took him to Hawa Bangura house where he ported himself as a buyer of human being. When he met Hawa Bangura she confirmed to him the issue of the sale of the human being that she has brought form Sierra Leone. The Price of US\$3,000.00 was negotiated upon. According to him he said he could not have completed the transaction but plain for the next Moring the next Moring as per the plain Lahai Kamara was asked to go for the human being that Hawa Bangura has come to sell. Accordingly Lahai Kamara drove to the resident of Hawa Bangura to inform her that all is now set for the sale of the human being. Hawa Bangura took along on Lahai Motorbike Famata Kanu and Kaidaitu Kromah a juvenile and they all ride to Molley Passewe for the purpose for the transaction. While in the living room of Mr. Molley Passewee a team of Police Officers headed by Inspector Zumo arrival on the same, on the same victims Famata Kanu and Kiadiatu Kromah along will suspect Hawa Bangura photos were taken by the team of officers along with Molley Passewe all parties where transferred to the Zone 6, Police station. From information received from the Zone 6, Brewerville Police station all parties involve was transfer to The Liberia National Police Headquarters. At central it was established that all parties involve was Sierra Leone Nationalities. The Sierra Leone embassy sent a team headed by Mamawa Richards the liaison officer. In the presence of the liaison officer and the counselor embassy, Hawa Bangura was duly informs of her Miranda rights and was investigated. During an

investigation will suspect Hawa Bangura she inform the police that she have come from Waterloo for a purpose of business in Liberia and has come to meet a sister Cynthia in Liberia who she cannot locate. During the investigation the Liaison Officer in person of Mamawa Richard asked the investigators to allow her speak her tongues with Hawa Bangura after the minutes of confession in their local delate Mamawah then asked Hawa Bangura to explain in English what was discuss in their local delate. In an additional statement of Hawa Bangura she admitted to the investigation that she have come from Waterloo sierra Leone to Liberia for the purpose to sell Famata Kanu and Kiadiou Kromah. Based upon said information investigation from witnesses and victim it was establish that Famata Kanu was recruited through her brother Jusufu Kanu by deception that she was transported to Liberia through illegal Border point and she was being harbor by Hawa Bangura in Liberia. Based upon the facts and circumstance the police resolve to charge suspect Hawa Bangura trafficking in person which contravene section 15.5.5 the new panel code of Liberia.

Q Mr. Witness, you told this court that when the defendant was arrested of Chairman Molley Passewe a team of officers undertook to have the defendant and victims photograph. Where you to see copy of said photograph would you recognize same?

A yes

Q By court permission passed to you these photograph.

A This Booket is the first page is Mama Sawah, the second is suspect Hawa Bangura, third sheet carried Victim Famata Kanu and Kiadiatu and the fourth page is outcatge of Molley Passewe.

Prosecution request for a placemnt of mark of identification and so submits.

THE COURT: That application by prosecution is hereby noted and granted and the clerk.

Q I again pass unto you court's instrument mark p/4in bulk say where it is the instrument that you just testified and identified to by you?

A Yes it's the Photograph

Q Where were these photograph taken?

A These photos that carried the image of Hawa Bangura and the others was taken at Mr. Molley Passewe unless the photo of Mamawah Suah was taken at the Zone 6, Police Station/

Q Prosecution request court for a placement of a mark of confirmation which the court subsequently marked.

THE COURT: The application as herein above stated is note and granted the clerk of this court is hereby ordered to act accordingly.

Q Mr. Witness, you told this court that having discovered elements of recruitment, discription, transferred and harboring the police was left will no other alternative but to charge the defendant with the commission of the crime of trafficking in person a violation of 15.5.5 a new panel law of Liberia. Where you to see the charge sheet will recognize same?

OBJ: Misquotation of the witness and introducing facts not testified to

THE COURT: Overruled

Defense excepts

Noted

A Yes

Q The prosecution hand over to you police charge prepared by the Liberia National Police. Kindly tell this court what you make it to be?

A This charge sheet dated December 9, 2017 prepared by the human Trafficking Section and signed by me as the lead investigator.

The prosecution request placement of mark of identification on the instrument testified to by the witness on the stand.

The court: That application is hereby noted and granted

By court permission hand over court's instrument mark P/5 In bulk please state to this court whose signature its bears?

A Yes it is the charge sheet prepared by me and signed by me.

By kin

Q Do you confirm and affirm that al what you have said to this honorable is the true and so true so help me God?

A Yes

At this stage, prosecution give notice that its rest with the witness on the stand with the usual reservation. And so submits

CROSS EXAMINATION

Q Mr. witness, you are sergeant Tugbeh T. Yankon. Am I correct?

A Yes I am

Q You are not the arresting officer of the defendant in the dock?

A Yes I am not the arresting officer

Q Mr. Witness, upon the arrest of the defendant of the she was not given her Miranda rights. Am I correct?

A When the defendant Hawa Bangura was transferred at Central a team of officers of the sierra Leone and her she was told of her Miranda right.

Q Mr. witness, at the police station will I be correct to say that the defendant did not wave her right to be presented by her lawyer?

OBJ:

A She was represented by a counselor of the Sierra Leone embassy

Q will I be correct to say that the chief liaison officer of the sierra Leone is not a lawyer. Am I correct?

OBJ: Opinionative

Q Mr. Witness it has been the modus operatis of the police 2009 that when a defendant is being investigated he/she signs a waiver. In your investigation of this defendant will I be correct that there is no showing that she waived her right, is that correct?

A The suspect statement form of the LNP has the Miranda rights writing on it and when you followed the said document you will see her thumb stick to it

Q Mr. Witness you testified to waiver from the headquarters of the LNP. By kind permission of court, please take a look at these papers and indicate to me where the defendant waived her rights?

OBJ: Proper premise not lay
The Court: overruled
Excepts
Exception noted

A In my hands is the original suspect statement form and it says
**“having been duly informed of my rights, that my right to
phone call, right to lawyer, my right to remain silent that
anything I say or write could be used against me in the court of
law, I waived my right to make the following statements”.**

At this stage, one of Counsels for the defendant request Your Honor to
take judicial notice of the blank space on this sheet which is alleged
to be the waiver of defendant Miranda rights, which was not signed
by the defendant in dock. And submits.

That application is noted by the court and the counsel may now proceed.

Q Mr. Witness you also testified to deception, misrepresentation
amongst others not to exclude transporting of victims from sierra
Leone to Liberia. My question to you Mr. Witness is are you aware
that Famata Kanu was Working defendant Hawa Bangura in Sierra
Leone Prior to the coming to Liberia?

OBJ: Not the best Evidence, Stereo Decisis
Prosecution Excepts
Noted

A No, according to the victim in her statement when she was being
arrange for through her brother Jufusu Kanu for a purpose to
business in Waterloo and when move on to Hawa Bangura she took
victim Fatama Kanu to one of her sisters to do fry fry and she
worked for over four months and did not receive pay.

Q Mr. Witness are you aware that Famatta Kanu informed this Court
that she was working for Hawa Bangura

A I am not aware

Q Mr. Witness since you claim that this representation and deception in
Sierra Leone before the transporting of the victims to Liberia, will I
be correct to say that you did not have the opportunity to visit Sierra
Leone which is the origin of the crime of human trafficking?

OBJ: Introducing extraneous matter 2. Entrapment 3. Irrelevant
Immaterial
Overrule
Excepts

Exception noted

A According to the victim in her statement she was asked by Hawa Bangura to do business in Waterloo, her coming to Liberia her brother never knew

Q Mr. Witness by that answer you investigation and its conclusion was based on the information provided by Famatta Kanu, am I correct?

OBJ: Entrapment 2. Assuming facts not testified to and submits.

Overruled

Excepts

Exception noted

A No

Q Mr. Witness but will I be correct to say that your investigation was inconclusive since you didn't talk to all the parties involved?

OBJ:

SUSTAINED

Q Mr. Witness in your investigation as it relates to human trafficking did you get to know what was the negotiated price for the victims, and at which price they agreed to consummate the sale?

A According to complainant Molley Passewee it was been arranged with Hawa Bangura with victim Famatta Kanu and Kadiatu Kromah to be sold for US\$3,500.00

Q Mr. Witness in your investigation did you establish whether or not the deal or sale was consummated?

A No the deal was not consummated

Q Mr. Witness how did you come to the conclusion that defendant Hawa Bangura had planned and intended to sell human beings?

A Investigation established through witnesses that financial arrangement was being made for the sale of the victim and by action the suspect took the victim at Mr. Molley Passewee place for the purpose of sale there they were arrested.

Q Mr. Witness it is our understanding through the testimony of one of Prosecution key witnesses that the community chairman recorded and/or video tape one of the interactions amongst the chairman, Lahai Kamara and Hawa Bangura. My question to you is in the

course of your investigation did you by any means come across such recording in the course of your investigation?

OBJ: Traveling beyond the scope of the witness testimony 2.
Introducing extraneous matter 3. Not the best evidence

Sustained

At this stage, one of counsels for the defendant rest with the witness on the stand with the usual reservation. And submits.

REDIRECT: WAIVED

RECROSS: WAIVED

COURT'S QUESTIONS

Q Mr. Witness in your testimony in chief you identify on the photo one Mariama Sowoh what was your purpose of taking her photo and what did you establish?

A The photo of Mariama Sowah was taken at the Zone 6, police station by the team of police officers who was arrested on grounds that one of the discussions was head around her business place. At the investigation it was established that suspect Hawa Bangura previously told about the sale of these victims. She informed the defendant that if she got involved with said business she will be line up in south beach. Based on the information in keeping with the community, the investigation proves that she did only inform Lahai Kamara but informed others that if she go in the sale of human being she will be line up in south beach

Q Mr. Witness did I understand you to have said that during investigation and in the presence of the liaison officer at the Sierra Leonean Embassy the defendant Hawa Bangura admitted to bringing the victim to Liberia for sale

A Sale

Q Mr. Witness was that written in her statement

A Yes

At this stage, one for counsels for prosecution humbly request your honour for a continuance in these proceedings to January 9, 2019 so as to enable prosecution procure its subpoena witness. And so submits

THE COURT: That application as herein above stated is hereby noted and since defendant counsel has interposes no objection is hereby granted. Accordingly these proceedings are hereby rescheduled from tomorrow, Wednesday, January 9, 2019 at 10:00am prompt. All parties being present today's minutes serve as notice of assignment

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**6th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
WEDNESDAY, JANUARY 9 , 2018**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR TRIAL.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court are, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Atty. A. Tamba Gborie I, to be joined by Cllr. Cornelius F. Wanneh. Counsel says they are in court and ready to proceed. AND SUBMITS.**

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay** who say he in court and ready to proceed. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted. And prosecution may now proceed. And so ordered.

6th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
WEDNESDAY, JANUARY 9 , 2018

At this stage, one of counsels for the prosecution humbly request your honor for the qualification of its last direct witness in person of police Supt. Anthony S.T .Tugbeh so as to enable him take the witness stand and testify in these proceedings. And submits.

PROSECUTION FIFTH WITNESS IN PERSON OF SUPT. ANTHONY S.T. TUGBEH WHO SHALL TAKE THE STAND AND TESTIFY FOR AND ON BEHALF OF THE STATE. AND SUBMIT.

DIRECT EXAMINATION

Q Mr. Witness what is your name and where to you live?

A My name is Anthony S.T. Tugbeh, and live in Brewerville, Yellow Flower

Q Mr. Witness please tell us what do you do for a living?

A I am a law enforcement officer

Q Which institution that work as a law enforcement officer

A I work with the Liberia National Police

Q Mr. Witness please say how long have you worked with the LNP

A I am a twelve years' service man with the Liberia National Police

Q Mr. Witness please tell us in which capacity you serve in at the LNP

A Presently, I am the program officer of the community services section, Liberia National Police with the rank of Superintendent

Q Please tell us how long have you been serving in that position

A I have served a little over one year

Q Mr. Witness before serving in your current position what was your previous position

A Previously, I served as the Chief of Anti Human Trafficking Unit Liberia National Police

Q for the benefit of this court please tell us how long you served in that position

A I have served in that position for three years

Q Mr. Witness let me bring you back to your service at the Liberia National Police, please tell us from in which year you got your police credential that qualifies you to be a police officer at the LNP

A I enlisted in the LNP in August 2006

Q Let me bring you back to the time you served the Chief of Anti Human Trafficking at the Liberia National Police. Please tell us some of your job description?

A As head of Anti Human Trafficking Unit my roles and responsibilities were as follow:

1. Served as lead investigator in all human trafficking cases
2. Create awareness about prevailing conditions about human trafficking in person
3. Prepared police magisterial charge sheet in cases of human trafficking
4. Supervised day to day activities of investigations within my office as head of trafficking

Q Please also tell us the duration of your service as head of the anti-human trafficking division? **Question withdrawn**

OBJ: Asked and answered 2. Burden of the record
Sustained

Q Mr. Witness you told this court that you served three years of head of anti-human trafficking division. For better clarity please tell us the year of your service and the time you ended your service

OBJ: Asked and answer Burdening of the record
Sustained
Excepts
Exception noted

Q Mr. Witness where were you on November 30, 2017?

OBJ: Vague and indistinct 2. Proper premise not lai
Sustained

Q Mr. Witness the Republic of Liberia has charged and indicted defendant Hawa Bangura for the crime of Human Trafficking for which you have been brought to this court to provide testimonies in these proceedings. Please tell this court whether you know the defendant Hawa Bangura?

OBJ: Leading 2. Does not fall within the preference of the direct examiner as the answer will be yes or no

Sustained

Except

Exception noted

Q Mr. Witnes the Republic of Liberia has indicted Hawa Bangura for the crime of human trafficking and you have been brought as former head of the anti-human trafficking section of the Liberia National police. Please tell us what lies within your certain knowledge?

A On November 30, 2017 while at the Police Headquarters I was informed by my Supervisors about an alleged Human Trafficking case emanating from Zone 6 police station in Brewerville involving Sierra Leonean Nationals in persons of Hawa Bangura, Fatumatta Kanu, Kadiatu Kromah all females. Based on the information the parties were transferred to police central headquarters to ascertain the merit therein. Immediately, when the parties arrived Hawa Bangura was introduced as suspect and Famatta Kanu and Kadiatu Kromah as survivors. Immediately the office of Public Defender headed by one Cllr. Ellero Barchue was contacted and they found about representation of the suspect mentioned. Severally to no avail that the Public Defenders turned out, based on the fact that the suspect and survivors are all Sierra Leonian Nationals, the investigating team made contact with the Sierra Leonian embassy who sent a delegate headed by Mamawa Richards who ascertain the nationality of the parties under probe and liaised with the investigators when statements were obtained from all parties.

During the probe from initial statement made by suspect Hawa Bangura, she told the investigating team that she has no knowledge about the alleged crime of trafficking Fatumata Kanu and Kadiatu Kromah. During another probe in a separate statement on December 6, 2017 in the presence of Mamawa Richards and the delegates from the Sierra Leonean Embassy, Hawa Bangura told the investigating team that without the knowledge of Fatumatta Kanu's relative shebrought her from Freetown Sierra Leone to Liberia with the purpose of buying used closed or dogga flag as commonly used. Accordingly, when they got in Liberia Hawa Bangura had no money to purchase the dogga flag as was the case to have come to Liberia. Instead they were sleeping under market table somewhere believe to be in the Paynesville. Until another Sierra Leonian accommodated them as his resident in Banjor in a community known as Borkon. She said while in Banjor she had gone to the market and took a motorcycle with a motorcyclist called Lahai Kamara. According to Hawa Bangura while they were riding on the motorbike she told Lahai that she was afraid and Lahai said to her why will you be afraid when a Sierra Leonean who can bring human being to Liberia to sell.

Q Mr. Witness you earlier told this court in your testimony in chief that the defendant Hawa Bangura while undergoing police investigation made two separate statements one of which denied the allegation of Human trafficking and the other admitting in the presence of an official from the Sierra Leonean embassy. Were you to see those two statements which you made reference to, will you be able to identify them?

A Yes

Counsel for the defendant objects to these statements for the legal and factual reasons to wit:

1. That the waiver was not signed by the defendant and what is purported to be finger print is a pen mark rather than finger print. Wherefore and in view of the foregoing counsel for the defendant object to the grounds

THE COURT: During yesterday's proceedings several documents were marked including police charge sheet which was marked as P/5 in bulk. That charge sheet which was testified to and identified by the witness had attached to it the statement of the defendant Hawa Bangura that made it to be marked as P/5 in bulk. In today's hearing the witness on the stand for the prosecution testified to this same document that was marked as P/5 in bulk identified and confirm in the process, counsel for the defendant objected on ground as herein above stated. It is interesting to note that during yesterday's sitting as earlier stated this document has been marked in bulk with the police charge sheet and therefore for the counsel to come again and object to it in these proceedings means that he suffers waiver and laches. Therefore the objection is overruled and the witness on the stand will proceed in confirming this statement as was previously marked, identified and confirmed yesterday. AND IT IS HEREBY SO ORDERED

To which ruling of your honor one of counsels for the defendant excepts and will take advantage of the statutes and will seek the advance of the chamber justice thereby applying for prohibition. And submits.

Q Mr. Witness I now pass back to you P/5 in bulk, please tell this court what you recognize same to be?

A I recognize these documents as statement of suspect Hawa Bangura and the police charge sheet

Q Mr. Witness I pass back to you court's marked P/5 in bulk and please tell this court whose signatures are affixed thereto?

A I see the thumb print of suspect Hawa Bangura witness by a representing from the Sierra Leonean embassy Madam Mamawa Richards.

At this stage, counsel for prosecution humbly request Your Honor to place a mark of reconfirmation on P/5 in bulk just testified to, identified confirmed and reconfirmed

THE COURT: the application is hereby noted and granted the clerk is hereby ordered to marked instrument marked P/5 in bulk as a mark of reconfirmation

Q Mr. Witness you told this court during your testimony in chief that het suspect along with the survivor were transferred to LNP headquarters for further police probe. Please refresh your memory as to what your investigation discovered during the time of police investigation

Q During the probe the team of investigators discovered that survivor Fatumatta Kanu and Kadiatu Kromah were deceived and grounds that they were coming to Liberia to purchase dogo flag or used clothes to the knowledge that suspect Hawa Bangura had no money whatsoever in that regard. Furthermore, the investigation discovered that suspect Bangura made contact with Lahai Kamara to solicit buyers of both survivors. The investigation also discovered that the survivors were harbored in a place of poor sanitary condition. The investigation also discovered and established that Molley Passewe who purported to be the buyer of the Survivor. Furthermore, the investigation established that the sum of US\$3,000.00 was discussed as the price for the sales of the survivors, with those notes having recruited, transported harbored and gone at the stage of exploitation with monetary value as three thousand dollars those premises became sufficient as to wit.

Q Mr. Witness you told this court during your testimonies that Hawa Bangura was arrested, charged and sent to court for the crime of human trafficking. Were you to see Hawa Bangura will you be able to recognize her?

A I have investigated the suspect for period for which if I were to see her, I will be able to recognize her

Q By that answer and by kind permission of court please look around in this courtroom and directly point at Hawa Bangura who you told this court you investigated and forwarded to court.

LET IS REFLECT ON THE RECORD THAT THE WITNESS IDENTIFIED THE DEFENDANT IN THE DOCK

At this stage, prosecution informs court that he rest with the witness on the stand with the usual reservation. And submits.

CROSS EXAMINATION

Q Mr. Witness you are Anthony Tugbeh, am I correct?

OBJ: Misstatement as Anthony Tugbeh
Overruled

A I am Supt. Anthony S.T. Tugbeh

Q Mr. Witness in your testimony in chief you stated that you served the Liberia National Police for twelve years, I correct?

A Yes

Q By that answer Mr. Witness the suspect/accused interview form which is purported to be signed by the defendant and that is marked P/5 in bulk and presented to this court. My question to you is, is it customary by the police for a defendant to sign waiver without including his/her name on the waiver form?

OBJ: Introducing extraneous matter 2. Entrapment
Overrule
Excepts
Exception noted

A By practice and by law it is not customary

Q by that answer Mr. Witness will I be correct to conclude that the defendant was not given her Miranda rights?

OBJ: Unduly cumulative 2. Stare decisis 3. Argumentative
Overruled
Excepts
Exception noted

A No her Miranda rights were accorded wherein these rights were read out to the accused, the office of the public defense was contacted which did not show up in regards similarly the investigative team when beyond the borders to make contacts with the embassy so as to be represented in any legal means and as with that a team which constituted Charge d' affairs headed by Madam Mamawa Richards served representation. Moreover it was an oversight and an error that her prints have them placed to where the waiver should have been.

Q Mr. Witness in your three years as head of the human trafficking session of the Liberia National Police, have you been able to distinguish between human trafficking and migration?

OBJ: Unconstitutional

OVERRULED

Exception noted

A Having served as head of anti-human trafficking Republic of Liberia with both national and international trainings in Togo, Botswana and Liberia especially with the United National organization on drugs and crime, I do verily understand the distinction between human trafficking and migration.

Q Mr. Witness did you have the opportunity to visit Sierra Leone where the transaction is said to have begun?

A Verily the Liberia National Police as an embodiment of Interpol because we could not go in other jurisdiction with the help of the National Central Bureau did contact our Sierra Leonean counterpart by means of Interpol to ascertain facts in the instant case.

Q Mr. Witness are you aware that the defendant in the dock was the employer of Fatumatta Kanu while they resided in Sierra Leone?

A That was the statement made by the suspect and also confirm by the Survivor

Q Mr. Witness, During your investigation did you come across any recording or video in which the private prosecutor Molley Passewe and Lahai Kamara on the one hand negotiated the sale of human being with Defendnat Hawa Bangura?

A like I preciously stated I was at the LNP Headquarters when duly informed about the instant case and so I cannot be knowledgeable being on cite reference video recording or audio tape.

Q Mr. Witness, During your investigation where you able to ascertain as to whether or not this transaction was consummated?

A In my testimony I stated the negated price in the tone of US\$3,000.00 again more beside as part of my roll and responsibility which is to create awareness on Human Trafficking processes on the manner and form in which said cruciate act is carryon it has reach Public awareness. As so witness Molley Passewe Purported as the buyer begin knowledgeable with intention to sell which is the ground of elements qualified that the accuse had a mind set to exploit the survivors had opportunity one through as discuss.

Q Mr. Witness in your testimony in chief you indicated that you contacted the office of the Public Defender and receive no cooperation from said office. Hence, you was left with no alternative

but to contact the charge d' affair of the Sierra Leone who send a representative in person of Mamawa Richard. My question did you need the voluntary statement of the defendant to make your report?

OBJ: vague and indistinct 2. Argumentative 3. Irrelevant immaterial

Defense except

Noted

Q Mr. Witness, did you ascertain as to whether the representative of the Sierra Leone embassy Mamawa Richard is a lawyer?

OBJ: Irrelevant and Immaterial

THE COURT: Overruled

Prosecution excepts

Noted

A As per best practice citizen of foreign national whether in contact of the law if there is no legal representation foreign embassy the charge d' affair do represent their citizens

At this stage, counsel for defendant inform court that he rest with the witness on the stand with the usual reservation

Redirect waive

Re-cross waive

COURT'S QUESTION

Q Mr. Witness, did I understand you to say that doing your investigation and in the presence of the sierra Leone embassy official the defendant admitted to bringing the victims to Liberia for the purpose for being sole?

A Like I said preciously in my narrative the intend of leaving Sierra Leone to Liberia was to buy used clothes as was told to the survivors but upon arrival in Liberia the intention change and the defendant admitted before the sierra Leone representative that she deceived to sale the children.

\Q By that answer Mr. Witness did the defendant admitted to the charge of Human trafficking?

A Yes sir

At this stage, counsel for prosecution request court and your honour for an amendment to count 13 and 14 of the indictment so as to confirm to the crime of human Trafficking as indicated in the face of the indictment. Counsel says and submit that count 12 of the indictment should be amended to include and "Through her criminal act as describe above the defendant proposedly or knowingly

engaged in the sale of human Trafficking of the Famata kanu and Kiadiatu Kromah in volition of section 100 and Section 7,(c) (d) (g) and (i) of the human trafficking law of Liberia and against the peace and Dignity Republic of Liberia”

Prosecution further prays and submits that it application for a amendment in the indictment to confirm to the crime charge in the indictment in consonant with chapter 14 section 14. 7. 1, 2, and 3 criminal Procedure of Liberia.

Wherefore and in view of the foregoing, prosecution rays that it application is made in good faith and has no intention to prejudice the defendant in the dock. And so submits

THE COURT: The criminal procedure law chapter 14, section 14.7, state that title; amendment says that the court shall admit a indictment or complainant to be at any stage to be. The caveat thereto as stipulated that that amendment under no circumstance prejudice the rights of the defendant.

In the case at bar prosecution counsel has file and application for said indictment amendment are herein above state to which the defendant counsel interpose no objection that application for amendment is therefore noted and granted. And so ordered.

At this stage, prosecution inform your honour and this honorable court that it rest with the production of oral and documentary evidence and request your honuor to admit into evidence court's mark to P/1 which is the statement of the private prosecutor Molley Passewe, P/2 containing the statement of John K. Sannoh, P/3 statement of witness Lahai Kamara, P/4 in bulk the photos of the defendant in the dock and the survivor s to P/5, in bulk containing the police charge sheet and two made by the police while undergoing by the police probe which was testified to, identified confirm and reconfirmed by State witnesses during these proceedings so as to form a cogent part in these proceedings.

THE COURT: That application by one of counsel for prosecution is hereby noted and granted. And so ordered

At this stage, prosecution inform court and your honour that it rest with the production of oral and documentary evidence and submits its side of the case to final argument. Meanwhile, prosecution further says and submits that it procure rebuttal witnesses if the need arises. And so submits

THE COURT: That application as herein above is hereby noted and granted. So ordered

At this stage, one of counsel for defendant request your honor for continence for the following factual and legal reason showeth to wit:

1. That the prosecution having rested with the production of oral and documentary evidence counsel for defendant need time to review the evidence and procure witness to testify for and on behalf of the defendant . counsel also say that this application is made in good faith also want to provide a legal representation in these proceedings.

Wherefore and in view of the foregoing, defense counsel request for a continuance in these proceedings for Friday and the time to be requested by this court. And so submits

THE COURT: The application of the defendant counsel is hereby noted and granted. Meanwhile, these proceedings based on the application as herein above is hereby rescheduled for Friday, January 11, 2019 at 9:30 am prompt. All parties being present today's minutes serve as notice of assignment. AND SO ORDERED

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**8th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
FRIDAY, JANUARY 11, 2019**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR TRIAL.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court are, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Atty. A. Tamba Gborie I, to be joined by Cllr. Cornelius F. Wanneh. Counsel says they are in court and ready to proceed. AND SUBMITS.**

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay and Atty. Edwina Barchue** who say they are in court and ready to proceed. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted. And Defense may now proceed. And so ordered

At this stage, one of counsel for defense informed court that the defendant in these proceedings evoke chapter 2, section 2.5 of the criminal procedure law, privileges and duty of accuse person.

1. Accused's privilege not to be a witness. Every person in a criminal action in which there is an accuse has a privilege not to be called as witness and not to testify.

IN VIEW OF THE ABOVE STATED, one of counsels for defendant informed the court that he submits his side of the case to final argument to a date and time be set by this honorable court. And so submits

THE COURT: Madam witness, your counsel has informed this copout that in keeping with the charges as herein above stated you have waive your right to testify on your own behalf. Do you understand that statement and do it meet your consent?

A Yes Your honour I understand that statement and it meet my consent.

THE COURT: The application made by one of counsels for the defendant as enshrined in chapter 2, section 2.5 of the criminal procedure law, Titled, Privileges and Duty of the accused's person, section 1, Titled, accused's Privilege not to be witness, which is the right of the defendant and to which the defendant was asked as to whether that statement of the counsel was understood by her and met her consent and to which she has answered in the affirmative. Noted and granted. AND SO ORDERED

At this stage, prosecution gave notice to court and your honour that it rest in total with the production of documentary evidence and oral evidence and hereby submits its side of the case to final argument. And so submits

THE COURT: That application by the prosecution is hereby noted and granted. Meanwhile, the final arguments in these proceedings are hereby schedule Monday, January 14, 2019 at 10:30 am prompt. The parties are hereby ordered to submit the legal memorandum on the clerk or the court on or before Monday, January 14, 2019 at 9:00am prompt. All parties being present today's minutes serve as notice of assignment. AND SO ORDERED

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**10th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
MONDAY, JANUARY 14, 2019**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR FINAL AGRUMENT.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court are, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Cllr. Cornelius F. Wanneh.** **Atty. Joseph Tegai, Atty. A. Tamba Gborie I, Counsel** says they are in court and ready to proceed. AND SUBMITS.

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay** who say he in court and ready to proceed . AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted and the court each of the parties will be allocated 45 minutes each including law citations and argument. AND SO ORDERED

At this stage, one of counsels for prosecution begs leave of court so as to commence its face of the final argument. AND SO SUBMITS

At this stage, one of counsel for defense in arguing his case cites the following law. 1986 constitution chapter 3, Article 21 (c) the Miranda Rights, the burden of proof, chapter 25, section 25.1 the Privilege not to testify, the suppression of evidence 14LLR. Page 17, material variance 3LLR, Page 58, Hence William Vs R.L March Term 2014 the act of trafficking in person, the Best Evidence 25.6, Hearsay 25.7, Andrew Doe Weah Vs R.L 28LLR, Page 336. And so submits

WHEREFORE ANF IN VIEW OF THE FOREGOING, counsels for defendant prayed your honor to acquit the defendant based on reasonable doubt based on variance based on inquorate evidence for the fact that her Miranda right was being violated, there was no FOC and the entire indictment was based on speculation. AND SO SUBMITS

By way of closing prosecution prays your honour that in rendering your final judgment in this trial you considered the evidence prosecution as to bring the defendant down guilty for the trafficking in person so as sa to serve as a deterrent. And so submit.

THE COURT: The court having listened to law citations and the argument put forth by the parties, the court will deliver his final judgement at 2:30pm. Monday, January 14, 2019. And it is hereby so ordered

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR FINAL JUDGMENT.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court are, **Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Cllr. Cornelius F. Wanneh. Atty. Joseph Tegai, Atty. A. Tamba Gborie I, Counsel** says they are in court and ready to proceed. AND SUBMITS.

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court for the final judgment is **Cllr. T. Joseph B. Debblay** who say he in court and ready to proceed. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted. And the court shall now proceed to give the final judgment in these proceedings.

SEE COURT'S FINAL JUDGMENT ATTACHED

To which verdict/ruling of your honor, one of counsels for defendant excepts and takes advantage of the statute controlling. And so submits

THE COURT: The exception of the defendant counsel are hereby noted meanwhile, these proceedings are here by suspended and will recommence for the purpose and hearing of the sentencing of the defendant will be had on Thursday, January 19, 2019 at 10;00 am prompt.

REPUBLIC OF LIBERIA) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO MONTSERRADO COUNTY) COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A. D. 2018 TERM

BEFORE HIS HONOUR:.....ROOSEVELT Z. WILLIE.....RESIDENT CIRCUIT JUDGE PRESIDING

**13th DAY OPENING CHAMBER SESSION
NOVEMBER A.D. 2018 TERM
THURSDAY, JANUARY 17, 2019**

IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL COURT "A", FOR MONTSERRADO COUNTY, REPUBLIC OF LIBERIA, SITTING IN ITS NOVEMBER A.D. 2018 TERM MET THIS MORNING WITH HIS HONOUR ROOSEVELT Z. WILLIE, RESIDENT CIRCUIT JUDGE PRESIDING.

BY DIRECTIVE OF HIS HONOUR, THE SHERIFF PROCEEDED TO THE DOOR OF THE COURT AND CRIED THREE TIMES FOR THE TRANSACTION OF BUSINESS AT 10:00 A.M.

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ADJOURN FOR FIVE MINUTES MORE OR LESS PENDING THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

SHERIFF'S REPORT: MR. SHERIFF BEGS TO ANNOUNCE THE ARRIVAL OF THE JUDGE IN OPEN COURT. AND SUBMITS

MR. SHERIFF, RECESS HOUR HAVING EXPIRED, COURT NOW RESUMES BUSINESS. AND SO ORDERED.

MR. SHERIFF: CALL THE CASE: REPUBLIC OF LIBERIAPLAINTIFF VERSUS HAWA BANGURA.....DEFENDANT. CRIME: HUMAN TRAFFICKING IS CALLED FOR FINAL JUDGMENT AND SENTENCING.

SHERIFF'S REPORT: THE SHERIFF BEGS TO REPORT THAT THE COUNSELS FOR THE DEFENDANT AND PLAINTIFF ARE IN COURT THE DEFENDANT IS PRESENT IN THE DOCK. AND SUBMITS.

REPRESENTATIONS:

The State, the Republic of Liberia is represented by the Ministry of Justice and all Prosecuting Attorneys in Montserrado County and present in court is, **Atty. A. Tamba Gborie I, and to be joined by Cllr. Wesseh A. Wesseh, Assistant Minister for Litigation and Cllr. Cornelius F. Wanneh.**Atty. Joseph Tegai, Counsel says he is in court and ready to receive your honor final judgment and sentencing. AND SUBMITS.

While the defendant is present in the dock and is represented by the Office of the Public Defenders of Montserrado County to include all Defense Lawyers and present in court is **Cllr. T. Joseph B. Debblay** who say he in court and ready to receive your honor final judgment and sentencing. AND SUBMITS. AND SO SUBMITS

THE COURT: The representations of the parties are hereby noted and the court shall now proceeding to reading the final judgment and sentencing

we shall request the clerk of this court to read the investigative report for the Probation Office of the Ministry of Justice regarding the character of the defendant AND SO ORDERED

THE COURT: when this case was called the parties representation made and noted. Prosecution counsel produce six witnesses who testify to their certain knowledge and lent the defendant Hawa Bangura to the crime of human trafficking. Upon the conclusion of prosecution and it was turn for the defendant to take the witness stand to testify on her own behalf the defendant through her legal counsel utilizing her rights under the statute that is the criminal procedure law that is section 2.5 waive her rights not to be called as a witness to testify on her own behalf. Thereafter the court set a time for final argument in the proceeding within laws citations by the both parties and thereafter the defendant was found guilty for violation of the act to amend the penal law of Liberia section 14.55 (a) approved April 29, 2013.

In order to make an informed decision for the purpose of sentencing the defendant the court then ordered the clerk of this court to write the Probation Office of the Ministry of Justice so as to investigate the defendant prior criminal record to enable the court make an informed decision regarding her sentence. That which was just read by the clerk of this court and the court wants to inquire for the parties as to what they have to say about this report.

PROSECUTION: at this stage, says that the report from the Probations division of the Ministry of Justice is alright and prosecution has no problem with it. Only that whatever sentence that the your honor have to give should be reasonable and line with the statute.

DEFENDANT: defense counsel said that he have nothing to say.

THE COURT: as earlier stated the purpose of sentencing hearing from the probation office of the ministry of justice concerning the defendant is intended to give the judge information regarding the accused as to whether to sentence that defendant to the maximum sentence as require by the law or to mitigate the as in this case the grading from the crime of human trafficking under the amendment penal code of Liberia as enshrined in section 14.55 (a) is first degree felony. Our law provides under section 50.5 of the penal code regarding first degree felony section (a) says that where the term of imprisonment is not specified the accuse who is found guilty to be sentence to a definite term and the maximum of which shall be ten years. Meaning therefore, the term of imprisonment is not specified in this law on human trafficking the court should set a term of imprisonment or the maximum of which should be ten years.

In order to determine whether or not this court should sentence madam Hawa Bangura who is not convicted the court instructed to carry on an

investigation just read by his court. According to this investigation report and because the investigation did not consider the character of the defendant while she lived in Sierra Leone and that report says that Hawa Bangura have no prior criminal record. Why the investigation report regarding her criminal it is not asubtive for the reason stated supra. This court says in reliance on the law as stated in 50.5 of the Liberia penal code for sentence duration and maximum of which should be ten years, the court shall exercise that portion of the law.

In view therefore, Madam Hawa Bangura is hereby sentence to a prison of Eight years including or to include the numbers of months or the one year she had already spent in prison. The clerk of tis court is hereby ordered to communicate this mandate to the authority of the Monrovia central prison for execution. Meanwhile, this court hereby mandate

SEE COURT'S FINAL JUDGMENT AND SENTENCING ATTACHED

To which final judgment and sentencing, one of counsels for defendant excepts