



**REPUBLIC OF THE GAMBIA
NATIONAL ASSEMBLY, NEW ASSEMBLY BUILDING,
REVEREND PYE LANE
BANJUL, THE GAMBIA**

**REPORT
OF THE
STANDING COMMITTEE ON HUMAN RIGHTS AND
CONSTITUTIONAL MATTERS
ON THE CRIMINAL PROCEDURE BILL 2022**

DECEMBER, 2023

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ACKNOWLEDGEMENT

The Committee expresses its appreciation to the Office of the Clerk for providing the necessary support staff and logistics which enabled the Committee to carry out exhaustive consultations with all relevant stakeholders to deliver a report as stipulated by Standing Order 66 (2)(a).

The Committee is impressed by the diligence of all the stakeholders invited and the subject matter specialists who demonstrated professionalism in their presentations and recommendations to enrich the Bill in both content and form.

LIST OF HON. MEMBERS

- | | |
|--------------------------|--------------------|
| 1. Hon. Madi M.K. Ceesay | - Chairperson |
| 2. Hon. Seedy S.K. Njie | - Vice Chairperson |
| 3. Hon. Fatoumatta Njai | - Member |
| 4. Hon. Suwaibou Touray | - Member |
| 5. Hon. Yahya Sanyang | - Member |
| 6. Hon. Abdoulie Ceesay | - Member |
| 7. Hon. Muhammed Kanteh | - Member |
| 8. Hon. Bakary K. Badjie | - Member |
| 9. Hon. Birom J.S. Sowe | - Member |

Subject Matter Specialist (SMS)

1. Mrs. Haddy Dandeh Jabbie
2. Mr. Karu O. Sallah

Support staff of the Committee

- | | |
|---------------------------------|---|
| 1. Mr. Kalipha M.M Mbye | - Deputy Clerk Legal & Procedural Matters |
| 2. Mr. Marabi S. Hydera | - Director of Committees |
| 3. Mr. Abubacarr Sidiqqe Kabbah | - Director of Legal Affairs |
| 4. Mr. Mamadou A.M Bah | - Senior Ass. Committee Clerk |
| 5. Ms. Isatou Sonko | - Committee Clerk |
| 6. Ms. Mary T Mendy | - Research Officer |
| 7. Mr. Lamin M Dibba | - Senior Legal Officer |
| 8. Mr. Toney F. Mendy | - Senior Table Clerk |

LIST OF WITNESSES

- | | |
|--------------------|---|
| 1. Hussein Thomasi | - Solicitor General (Ministry of Justice) |
| 2. Onome Obuotor | - Parliamentary Counsel (Moj) |

- | | |
|------------------------------|---|
| 3. Lamin S Camara | - Senior Counsel Private Bar |
| 4. Emmanuel Joof Chairperson | - National Human Rights Commission |
| 5. Njundu Drammeh | - Commissioner (NHRC) |
| 6. Abdoulie Sanneh | - Commissioner Gambia Police Force |
| 7. Neneh M.C Cham | - Member General Legal Counsel |
| 8. Dr. Saikou kawsu Gassama | - Executive Secretary (NHRC) |
| 9. Matilda Mendy | - Dep. executive secretary (NHRC) |
| 10. Mansour Jobe | - Director of legal (NHRC) |
| 11. Mam Ndeban Jobe | - Director of Programs (NHRC) |
| 12. Fatou Sulay Penn | - Senior State Counsel (MoJ) |
| 13. Sering Bamba | - Senior State Counsel (MoJ) |
| 14. Kissima Bittaye | - Senior Legislative Draftsperson (MoJ) |
| 15. Fatou L Njie | - Legislative Drafter (MoJ) |
| 16. Sheikh Omar Jabbie | - State Counsel prosecutor (MoJ) |
| 17. Alieu Gibba | - State Counsel (MoJ) |
| 18. Lamin Trawally | - Legal Officer, Pros & Legal Affairs |
| 19. Maria Saine | - Legal Officer (NHRC) |
| 20. Christine Boissy | - RMO NHRC |
| 21. Fatoumata Touray | - OC Pros & Legal Affairs (GPF) |
| 22. Jeremiah Akigbbgun | - Superintendent (GPF) |
| 23. Alpha Badjie | - IC SK Pros, (GPF) |
| 24. Mariama Sowe | - Pupil Barrister (MoJ) |

INTRODUCTION

Honourable Speaker, I rise to table before this august Assembly, the report of the Standing Committee on Human Rights and Constitutional Matters on the Criminal Procedures Bill 2022, for the consideration and adoption of the Plenary.

Hon. Speaker, following the first reading of the Bill on the 22nd of June 2020 and subsequently, its Second Reading on the 13th of July 2020, the Bill was referred to the Standing Committee for scrutiny and report to the Plenary. However, following the dissolution of the 5th Legislature and the subsequent composition of the 6th Legislature in 2022, the Bill was re-introduced by the Honourable Minister for Justice. It was then referred to the Committee to continue its scrutiny.

The Bill, as clearly reflected in the Objects and Reasons, seeks to align our criminal justice legislation with current trends by removing all provisions inimical to freedom of speech such as criminal defamation and sedition. In addition, the Bill also seeks to close a long-standing legal lacunae by expanding the criminal jurisdiction of Gambian courts to offences committed by persons outside the country and who thereafter enter The Gambia, instead of extraditing them for trial in a foreign state.

Honourable Speaker, Criminal law is fundamental in society because it provides deterrence, rehabilitation, punishment, protection, maintaining social order, and protecting individual rights and liberties.

In fulfilling its mandate, the Standing Committee reached out to the Ministry of Justice, the National Human Rights Commission, the Ministry of Interior, through the Office of the Inspector General of Police, the Gambia Bar Association, the Gambia Press Union, The Association of Non-Governmental Organizations, the Faculty of Law of the University of the Gambia, Female Lawyers Association of the Gambia, as well as a host of renowned legal practitioners across the country.

The Committee reviewed each of the clauses in the Bill, and we hereby present our recommendations and observations as detailed below:

MANDATE

Like all other committees of the National Assembly, the Standing Committee derives its mandate from section 109 of the 1997 Constitution of the Republic of The Gambia and Standing Order 124 (2), which spells out the mandate of the Committee as follows:

‘It shall be the duty of the Committee on Human Rights and Constitutional Matters to scrutinize, consider and deal with matters relating to the Constitution and Human Rights’.

METHODOLOGY

During the review of this Bill, the Committee comprehensively adopted substantial methods such as;

- i. Consultation with stakeholders to seek their valuable opinions.
- ii. Review of documents/position papers presented by the invited stakeholders, and;

- iii. Convene validation meeting, where the Honourable Members, and the Support Staff of the Committee sat to review the various submissions, further scrutinize the clauses, prepare and validate a report.

PART I – PRELIMINARY

1. Short title

The Committee proposes that this clause stands part of the Bill with the following amendment:

The Committee recommends that this Act may be cited as the Criminal Procedure Act, 2023.

2. Interpretation

The Committee proposes that this clause stands part of the Bill without amendments:

PART II – POWERS OF COURTS

The suggestion is that section 5 of the document be highlighted for a review.

5. Powers of subordinate courts

The Committee proposes that this clause stands part of the Bill with the following amendments:

- I. The Committee recommends that 5(1) be added ‘except life imprisonment and death sentence’
- II. That 5(3) to include the ‘limit for fines’
- III. On clause 5(6) the Committee recommends that this clause be deleted as it can be abused by concern authority. Further, it needs to be explained why such a need.

Part III –General Provision of Arrest, Escape and Retaking

9. Notification of cause of arrest and rights of suspect

The Committee proposes that this clause stands part of the Bill with the following amendment:

The Committee recommends that ‘within three (3) hours of arrest the person who is arrested or detained shall be informed as to the reasons of his/her arrest or detention’.

16: Examination of arrested suspect

The Committee proposes that this clause stands part of the Bill with the following amendment:

The Committee recommends that sub “C” be added, to cover the exemption of DNA testing –to be subjected by the court order.

17. Arrested persons to be taken at once to a police station

The Committee proposes that this clause stands part of the Bill with the following amendment:

17(1(b)The Committee recommends to add “three hours” to “without delayed which will resonates well with the constitutional provision.

19. Recording of a statement of a suspect

The Committee proposes that this clause stands part of the Bill with the following amendment:

19(4(a) The Committee recommends for the word “interpreter” within the clause be define in the interpretation part for proper comprehension.

Sub-Part I –Arrest without warrant

The Committee proposes that this part stands part of the Bill with the following amendments:

22(h) The Committee recommends that ‘of’ before word Act be replaced with ‘or’

23. Arrest of Vagabonds, etc.

The Committee recommends that this clause in the Bill be deleted.

25. Refusal to give name and residence

25(3) The Committee recommends that the phrase ‘surety’s’ be changed to ‘sureties’

25(4(a) The Committee recommends that the second (a) changed to (b)

25(4) The Committee recommends that the word “magistrate” in the clause should be change to “courts.” And now be read as; ‘he or she shall forthwith be taken before the nearest ‘courts’ having jurisdiction’.

30. Bail of person arrested without a warrant

30(4) The Committee recommends that the words ‘subordinate’ and the second “time” within the clause be deleted, and now to be read as;

‘Where the person taken into custody is detained in custody, he or she shall be brought before a ‘competent court’ at the earliest time practicable, and in any case not later than seventy-two hours, whether or not the police inquiries are completed’.

31. Police to report apprehensions

The Committee recommends for the letter “s” be deleted from the word “apprehension(s)”

Suggestion on whether the entire clause 31 and 32 be deleted.

It should be maintain as it served the purpose of “check and balance” on the police.

32. Principal Magistrate to visit police stations every month

32(5a) The Committee recommends to add ‘contempt to misconduct “disobedience to statutory order or misconduct” treated as misconduct or dealt with contempt.

Sub-Part 3 - ASSISTANCE TO MAGISTRATE OR POLICE OFFICER

The Committee proposes that this part stands as part of the Bill with the following amendments:

37. Assistance to Magistrate or police officer

37(a) The Committee recommends for “authorized” should be change to “authorised” in order to maintain the British Standard English.

37(b). The word “telegraph” be change to “telecommunication device” –which commemorates with the modern standard.

38. Pursuit of the person to be arrested:

The Committee recommends a “full stop” to be added at the end of the word “Gambia.”

SUB-PART 4 - PREVENTION OF OFFENCE

The Committee proposes that this part stands as part of the Bill with the following amendments:

40. Security for good behaviour from vagrants and suspected persons

The committee recommends that the section should be delete.

41. Security for good behaviour from habitual offenders

The Committee recommends for one of the “ or her” to be deleted. And now be read as;

‘When a Magistrate is informed on oath that a person within the local limits of his or her jurisdiction –‘

Sub-Part 5 - PROCEEDINGS IN ALL CASES SUBSEQUENT TO ORDER TO FURNISH SECURITY

The Committee proposes that this part stands as part of the Bill with the following amendments:

51. Contents of recognizance

The committee recommends that the word recognizance be changed in the entire document with ‘z’ instead of ‘s’

53. Procedure on failure of person to give security

53(6)&(7) The Committee recommends that hard labour be removed from the these sub-clause.

54. Power to release persons imprisoned for failure to give security

The Committee recommends that ‘the’ be added before opinion.

56. Discharge of sureties

The Committee recommends that the word ‘sureties’ be changed to ‘surety’

Sub-Part 6 - PREVENTIVE ACTION OF THE POLICE

The Committee proposes that this part stands as part of the Bill with the following amendment:

58. Information of design to commit such offences

The Committee recommends that word ‘her’ be changed to ‘she’ in this clause

PART IV – PROVISIONS RELATING TO ALL CRIMINAL INVESTIGATIONS PLACE OF TRIAL

The Committee proposes that this part stands as part of the Bill with the following amendment:

68. Trial where place of offence is uncertain

68(c) The Committee recommends that ‘s’ be removed from ‘areas’ to now be ‘area’.

Sub-Part 1 - TRANSFER OF CASES

The Committee proposes that this part stands as part of the Bill with the following amendments:

72. Transfer of case where offence committed outside jurisdiction

The Committee recommends that a provision for bail by court to be included.

72(3) Recognizances

The Committee recommends that the “s” on the word “recognizances” be deleted.

73. Power of High Court to change venue

73(1(a) The Committee recommends for the word “had” be change to “held.” And now be read as

‘a fair and impartial inquiry or trial cannot be ‘held’ in any criminal court subordinate thereto;

73(6) The Committee recommends the “full stop(.)” before the starting of the word “if convicted.” be deleted.

73(7) the committee is inclined to give an equal standing with respect to this application, however has reservation and need further clarification from the Minister of Justice.

Sub-Part 2 - CONTROL OF THE STATE IN CRIMINAL PROCEEDINGS

The Committee proposes that this part stands as part of the Bill with the following amendments:

74. Power of Director of Public Prosecutions to enter nolle prosequi

The Committee recommends for the letter “s” in the word “Prosecution(s)” be removed

75. Appointment of Public Prosecutors

75(1) The Committee recommends that “legal practitioner in the Gambia” be change to “a legal practitioner enrolled in the Gambia.”

78. Withdrawal from prosecution in trials before subordinate courts

78(3) The Committee recommends for this sub section be deleted; the provision on “nolle prosequi” have already addressed it.

Sub-Part 3 - INSTITUTION OF CRIMINAL PROCEEDINGS

The Committee proposes that this part stands as part of the Bill with the following amendment:

79. Methods of instituting criminal proceedings

79(2) The Committee recommends for the word “pursue” be change to “pursuant.”

Sub-Part 4 - PRIVATE PROSECUTION

The Committee proposes that this part stands as part of the Bill with the following amendments:

80. Private prosecution on certificate

80(1(d) The Committee recommends for the word “lunatic” should be change to “person of unsound mind.”

80(3) The Committee recommends to include seven (7) working days for the grant of the “certificate.” (This is done to give a stipulated period, or time frame).

82. Security to be provided by Private Prosecutor

82(1(a) The Committee to decide (The section is open to be deleted as a suggestion).

82(2(a,b) (Considered adding “compensation” to the person to whom it was charge). And subsection (1)(a) in the sentence be changed to (1)(b)

86. Power of the Director of Public Prosecution to intervene in a private prosecution

The Committee recommends that this clause be aligned with Constitution on taking over of private prosecution.

91. Limitation of right to institute private prosecution

90(c) The Committee recommends this to be deleted and to cross reference it with Criminal Offences Bill.

91(f)The Committee recommends for “attempted rape” in this clause be deleted for it to be in connection with the Sexual Offenses Act.

Sub-Part 5 - ISSUE OF SUMMONS

The Committee proposes that this part stands as part of the Bill with the following amendments:

101. Proclamation for person absconding

101(1) The Committee recommends that the ‘brackets’ be replaced with ‘commas’

101(2(d) The Committee recommends to delete daily newspaper and add 2 newspapers of wide spread circulation and also Gazette.

102. Attachment of property of person absconding

The Committee recommends for the amendment of the heading (Attachment of property of person absconding).

102(2) The Committee recommends for the comma (,) after to be deleted.

And to add ‘for’ before ‘the’ in the last paragraph of the clause.

Sub-Part 6 - ISSUE OF WARRANT OF ARREST

The Committee proposes that this part stands as part of the Bill with the following amendments:

105. Form, contents and duration of warrant of arrest

The Committee recommends that the letter ‘s’ be deleted from the word ‘contents’

106. Court may direct security to be taken

The Committee recommends that sub 1 and 3 of this clause be redrafted, and Sub 2(d) 's' to be deleted from 'times' and to add 'be directed'

Sub-Part 7 - MISCELLANEOUS PROVISIONS REGARDING PROCESSES

The Committee proposes that this part stands as part of the Bill without amendment.

Sub-Part 8 - SEARCH WARRANTS

The Committee proposes that this part stands as part of the Bill with the following amendments:

117. Search of premises

117(3) The Committee recommends that the word 'dishonestly' before punishable to be rectified as 'dishonesty'.

119. Execution of search warrant

119(2) The Committee recommends for 'or justice for the peace' be deleted.

121. Detention of article seized

121(4) The Committee recommends for 'or justice for the peace' be deleted.

122. Provisions applicable to search warrants

The Committee recommends that to ensure cross referencing is correct in this clause

Sub-Part 9 - PROVISIONS AS TO BAIL AND RECOGNISANCES GENERALLY

The Committee proposes that this part stands as part of the Bill with the following amendments:

123. General entitlement to bail

The Committee recommends that 'broug' be spelled correctly as 'brough' and 'be' added after part.

125. Bail where a person is charged with a capital offence

125(2)(a) The Committee recommends that it be amended as *'notwithstanding para. a, b, c a judge may grant bail taken into considerations the circumstances before him/her;*

127. Bail where accused person is charged with offence not exceeding three years imprisonment

The Committee recommends for the word 'defendant' be change to 'accused person'

134. Recognisance in respect of minors

The Committee recommends that the word ‘Recognisance’ and the clause be cross referenced with the Children's Act

136. Forfeiture of recognizance

136(4) The Committee recommends for ‘without hard labour’ be deleted

Sub-Part 10 - CHARGES AND INFORMATION

The Committee proposes that this part stands as part of the Bill with the following amendments:

139. All necessary particulars of offence to be specified

139(b) The Committee recommends that 'be' to be added after may.

142. Rules for the framing of charges and information

142(14) The Committee recommends to change “reasonable clearness” to “reasonable clarity”

Sub-Part 11- PLEA AGREEMENTS

The Committee proposes that this part stands as part of the Bill with the following amendments:

143. Plea agreement negotiation

143(1(a) The Committee recommends that the word “included” be deleted; and the clause should now be read as “lesser offence”.

144. Plea agreement on behalf of the State

144(2) Suggestion: this section be flagged-out –open to the opinion of the committee members.

147. Form of plea agreement

147(d) The Committee recommends for this sub-clause to be redrafted and now read as, ***“be signed by the prosecutor, accused person, and his or her legal representative where applicable”***

On sub-clause (e) be flagged-out for a more comprehensive view –by the committee members.

148. Recording of plea agreement by court

148 Reading of the plea agreement by court... “B” is missing in the section.

151. Address by parties

151(b) The Committee recommends that “this” be added before the word “act”.

154. Finality of judgement

154(2) The Committee recommends for the drafters to draft a new sub-clause 3, which shall encompass the concerns of interest parties’ mention in the section.

156. Rules under this Sub-Part

The Committee recommends for the word “sub” in the title, and now be read as “this part” instead of “sub-part”.

Sub-Part 12 - PREVIOUS CONVICTION OR ACQUITTAL

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 13 - OFFENCES BY FOREIGNERS WITHIN GAMBIAN WATERS

The Committee proposes that this part stands as part of the Bill with the following amendments:

159. Leave of Attorney General necessary before prosecution instituted

159(2a, b and c) The Committee recommends that wherever “consent and certificate” appears on the clause of mentioned sections; “Certificate” should be maintained instead of “Consent.” Hence it has more binding effect.

Sub-Part 14 - COMPELLING ATTENDANCE OF WITNESSES

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 15 - EXAMINATION OF WITNESSES

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 16 - COMMISSIONS FOR THE EXAMINATION OF ABSENT WITNESSES

The Committee proposes that this part stands as part of the Bill with the following amendments:

The Committee recommends that the letter ‘s’ pluralizing Commission in the title sub-part 16 be deleted.

170. Issue of commission by the High Court or a subordinate court of first or second class for examination of witness

The Committee recommends that ‘class’ be added after ‘first’ and also ‘a’ before witness

175. Procedure where person charged is only witness

The Committee recommends that the article ‘the’ be added before witness in the heading, and also ‘shall’ be replaced with ‘may’

176. Right of reply

To seek clarification for the inclusion of the provision and extend the right of reply to all counsel appearing on behalf of the State

Sub-Part 17 - PROTECTION OF WITNESSES AND VICTIMS

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 18 - PERSONS OF UNSOUND MIND

The Committee proposes that this part stands as part of the Bill with the following amendments:

178. Procedure when accused is suspected to be of unsound mind

178(5(a) the committee recommends that 'to' be deleted in this sub clause

178(6) the committee recommends that 'or his or her designate' be added after Minister and 'personally' be deleted

178(7) the committee recommends that 'of the Minister' be deleted

179. Procedure when accused is certified as capable of making his or her defence

179(5(a) The Committee recommends that 'accused's to be changed to 'accused person release'

182. Special verdict

In this heading the Committee recommends to include 'omission as per current CPC'

182(1(b) The Committee recommends for the deletion of 'that person's action' and also to add 'the' after the court that.

Sub-Part 19 – JUDGEMENT

The Committee proposes that this part stands as part of the Bill with the following amendments:

187. Mode of delivering judgement

187(3(a) The Committee recommends that 'point or points' be changed to 'issue or issues'

187(5) The Committee recommends that 'defendant' in the sub-clause be changed to 'accused person'

188. Contents of judgement

188(2(a) The Committee recommends that 'she' be added after 'he'.

188(4) The Committee recommends that 'of' be added before this.

Sub- Part 20 - COSTS AND COMPENSATION

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 21 - RESTITUTION OF PROPERTY

The Committee proposes that this part stands as part of the Bill with the following amendment:

196. Restitution of stolen property to owner

196(11) The Committee recommends that 'of' be added after section 194 or

Sub-Part 22 - MISCELLANEOUS PROVISIONS

The Committee proposes that this part stands as part of the Bill without amendment:

PART V - PROCEDURE IN TRIALS BEFORE SUBORDINATE COURTS

Sub-Part 1 - PROVISIONS RELATING TO THE HEARING AND DETERMINATION OF CASES

The Committee proposes that this part stands as part of the Bill with the following amendments:

210. Objections to charge to be taken at once

The Committee recommends that 's' be deleted from the word Objections in the heading

219. The decision

The Committee recommends that 'has hears' after a court be changed to 'has heard'

Sub-Part 2 - LIMITATIONS AND EXCEPTIONS RELATING TO TRIALS BEFORE SUBORDINATE COURTS

The Committee proposes that this part stands as part of the Bill without amendment:

PART VI - COMMENCEMENT OF CRIMINAL PROCEEDINGS IN THE HIGH COURT

The Committee proposes that this part stands as part of the Bill with the following amendments:

225. Filing of information and summary of evidence

The Committee recommends that sub-clause 'C' to be created that will contain copies of all documentary evidence to be relied on by the prosecution must be served on the defense.

The "and" after accused in "(A)" should be deleted.

227. Information and summary of evidence to be authenticated by Attorney General

The Committee recommends that the article "the before the Attorney General" be added.

PART VII – PROCEDURE IN TRIALS BEFORE THE HIGH COURT GENERAL

The Committee proposes that this part stands as part of the Bill with the following amendment:

228. Remand pending trial in High Court

Flagged to ascertain if a replica of section 208 (a) is anywhere in the Bill if not, it should replicate it here.

The Committee seeks for clarification on ‘if the Magistrate lacks jurisdiction can they grant bail’

Sub-Part 2 - CASE FOR THE PROSECUTION

The Committee proposes that this part stands as part of the Bill with the following amendment:

245. No Case Submission

The Committee recommends that ‘her’ to be added after ‘him’

Sub-Part 3 - CASE FOR THE DEFENCE

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 4 - CLOSE OF HEARING

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 5 - PASSING SENTENCE

The Committee proposes that this part stands as part of the Bill without amendment:

PART VIII – SENTENCING

The Committee proposes that this part stands as part of the Bill with the following amendments:

Sub-Part 1 - PAROLE

258. Court may direct release of prisoner before completion of sentence

258(1) The Committee recommends that the sub-clause be arranged correctly (c)

Sub-Part 2 - SUSPENDED SENTENCE AND COMMUNITY SERVICE

The Committee proposes that this part stands as part of the Bill with the following amendments:

The committee recommends that the spelling in the ‘SERVICE’ in sub-part be corrected

268. Suspended sentence and community service

268(3) The Committee recommends that ‘s’ to be added on the word ‘weapon’ and the three years imprisonment term to be increased to ‘five’ years.

268(4) the sub-clause to be corrected to (c) and ‘hardened criminals’ to be amend to ‘habitual offenders’

269. Arrangements for community service

269(3(b) The Committee recommends that 'an' be added after at

269(8) The Committee recommends that ‘the’ be deleted and ‘she’ be added before absconds

Sub-Part 3 - POLICE SUPERVISION

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 4 - PROBATION OF OFFENDERS

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 5 - TRIAL OF A CORPORATION

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 6 - DEFECTS IN ORDER OR WARRANT

The Committee proposes that this part stands as part of the Bill without amendment:

PART IX – APPEALS

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 2 - RESERVATION OF QUESTION OF LAW AND RIGHT OF THE ATTORNEY GENERAL TO APPEAL FROM THE HIGH COURT TO THE COURT OF APPEAL

The Committee proposes that this part stands as part of the Bill without amendment:

PART X - ADDITIONAL PROCEDURE IN TRIALS FOR OFFENCES RELATING TO MISAPPROPRIATION AND THEFT OF PUBLIC PROPERTY

The Committee proposes that this part stands as part of the Bill without amendment:

PART XI - SUPPLEMENTARY PROVISIONS

Sub-Part 1- IRREGULAR PROCEEDINGS

The Committee proposes that this part stands as part of the Bill without amendment:

Sub-Part 2 - DIRECTIONS IN THE NATURE OF HABEAS CORPUS AND WRITS

The Committee proposes that this part stands as part of the Bill without amendment:

PART XII - MISCELLANEOUS

The Committee proposes that this part stands as part of the Bill without amendment:

OBJECT AND REASONS

RECOMMENDATION

The name of the current Attorney General and Minister of Justice, who re-introduced the Bill to the 6th Legislature, should replace the name of the former Attorney General and Minister of Justice.

CONCLUSION

Parliament in a democracy is the fundamental pillar in the promulgation of criminal law. Criminal laws protect, serve, and limit human actions and to help guide human conduct. It simply helps to safeguard the lives and properties of individuals in a state. That said, while giving the Committee's blessings to this important Bill, it is important for the Executive and the Legislature to ensure that this, as well as the Criminal Procedure Bill, is regularly reviewed to respond to emerging issues.

I beg to move!