



POLICY BRIEF

**PRESIDENTIAL INVESTIGATION INTO THE SIERRA LEONE LAW
SCHOOL:
CONSTITUTIONAL CONCERNS, SEPARATION OF POWERS,
AND THE CASE FOR STRUCTURAL REFORM**

April 2026

EXECUTIVE SUMMARY

On 7 April 2026, State House announced that His Excellency the President, Dr. Julius Maada Bio, had directed the establishment of an “Independent Investigation Committee” into the Sierra Leone Law School.¹ The announcement followed a meeting on 31 March 2026 between the President, the Chief Justice (who is the Chairman of the Council of Legal Education), and the Attorney-General. The Committee, chaired by Dr. Priscilla Schwartz, former Attorney-General and Minister of Justice, is mandated to investigate all allegations of wrongdoing and impropriety, assess governance structures, and identify systemic weaknesses within eight weeks. The press release further states that the Anti-Corruption Commission (ACC) has suspended its own ongoing investigation into the Law School “pending the outcome of the Committee’s work.”

This Policy Brief raises serious constitutional and legal concerns about the establishment, legal basis, composition, and implications of this presidential intervention. It argues that:

¹Government of Sierra Leone, State House Press Release, 7 April 2026: “President Julius Maada Bio Directs the Establishment of an Independent Investigation Committee into Sierra Leone Law School.”

- (a) no constitutional or statutory authority has been cited for the President to investigate a body created by Act of Parliament and chaired by the Chief Justice;
- (b) the intervention violates the principle of separation of powers enshrined in the 1991 Constitution;
- (c) the suspension of the ACC’s investigation compromises the statutory independence of an institution that is, by law, not subject to the direction or control of any person or authority;
- (d) the composition of the Committee raises concerns about impartiality and institutional knowledge; and
- (e) the intervention forms part of a troubling pattern of executive encroachment upon independent institutions.

The Brief concludes with concrete recommendations for structural reform of legal education.

I. INTRODUCTION AND BACKGROUND

The Sierra Leone Law School, established in 1989 under the Council of Legal Education Act (No. 1 of 1989, as amended in 2021),² is the country’s sole institution for post-LLB professional legal training leading to call to the Bar. It is governed by the Council of Legal Education, a statutory body chaired by the Chief Justice and comprising the Attorney-General, a Supreme Court Justice, Bar Association representatives, university deans, and others.³ The Council’s exclusive statutory functions include responsibility for admissions, examinations, staff appointments, curriculum, and discipline.⁴

In March 2026, the Council took decisive action against the then-Director, Dr. Abu Bakarr Bangura, following the discovery of extensive irregularities. At an emergency meeting on 27 March 2026, the Council identified allegations of unauthorised admissions, financial misconduct, procurement violations, academic malpractice, including grade manipulation and unauthorised online examinations, unlawful staff appointments, an unauthorised commercial bank loan, and sexual harassment of female students. The Council accepted Dr. Bangura’s resignation effective 30 June 2026, placed him on immediate leave, and

²Council of Legal Education Act, No. 1 of 1989, as amended by the Council of Legal Education (Amendment) Act, 2021.

³Council of Legal Education (Amendment) Act, 2021, s. 1 (amending s. 4 of the 1989 Act): the Council is chaired by the Chief Justice and includes the Attorney-General, a Supreme Court Justice, Bar Association representatives, and others.

⁴Council of Legal Education (Amendment) Act, 2021, s. 2 (amending s. 6 of the 1989 Act), sub-ss. (a)–(m), setting out the Council’s exclusive functions over legal education.

formally referred the matter to the ACC. The ACC publicly confirmed receipt of the complaint and launched a probe on 30–31 March 2026.

It is in this context, where the Council had already exercised its statutory powers and the ACC had already commenced an independent criminal investigation, that the President announced his own investigation committee on 7 April 2026. The constitutional propriety of this intervention is the subject of this Brief.

II. THE ABSENCE OF LEGAL AUTHORITY FOR THE PRESIDENTIAL INVESTIGATION

The State House press release of 7 April 2026 does not cite any constitutional provision, statute, or executive instrument authorising the President to establish an investigation committee into the Sierra Leone Law School. This omission is not merely a drafting oversight; it reflects a fundamental legal difficulty. There is, in our respectful submission, no such authority.

A. The Constitution

Section 53(1) of the 1991 Constitution vests executive power in the President, to be exercised “by him directly or through members of the Cabinet, Ministers, Deputy Ministers or public officers subordinate to him.”⁵ This is not a blanket licence to investigate any institution the President chooses. The Constitution carefully distributes powers among the three branches. Section 120(1) vests judicial power in the Judiciary, headed by the Chief Justice.⁶ The Law School is not a Ministry, department, or agency of the Executive. It is a statutory body created by Parliament, placed under the governance of a Council chaired by the head of another branch of government. The President’s executive power does not extend to directing investigations into bodies that fall within the judicial sphere.

Section 53(5) states that “Nothing in this section shall prevent Parliament from conferring functions on persons or authorities other than the President.”⁷ This implies that where Parliament has conferred a specific function on a statutory body, such as the Council of Legal Education’s function of regulating legal education under the Legal Education Act of 1989 (as amended in 2021), the President is excluded from exercising parallel functions. This position is supported by the rule of statutory interpretation *expressio unius est exclusio alterius*, meaning “the express mention of one thing excludes all others.”

⁵Constitution of Sierra Leone, 1991, s. 53(1): “The executive power of Sierra Leone shall vest in the President and, subject to the provisions of this Constitution, shall be exercised by him directly or through members of the Cabinet, Ministers, Deputy Ministers or public officers subordinate to him.”

⁶Constitution of Sierra Leone, 1991, s. 120(1): “The judicial power of Sierra Leone shall be vested in the Judiciary.”

⁷Constitution of Sierra Leone, 1991, s. 53(5): “Nothing in this section shall prevent Parliament from conferring functions on persons or authorities other than the President.”

Parliament expressly conferred the governance of legal education upon the Council chaired by the Chief Justice; the President is thereby excluded.

B. The Council of Legal Education Act

The Council of Legal Education Act 1989, as substantially amended in 2021, establishes a comprehensive self-governing framework. The Council has exclusive statutory responsibility for the Law School’s administration, staffing, examinations, and discipline. It has the power to appoint and dismiss staff,⁸ to make regulations for admissions and examinations, and to set up an independent examination committee. Nowhere does the Act confer upon the President any power of direction, control, or investigation over the Council or the Law School. The omission is deliberate. Parliament entrusted legal education to a body chaired by the Chief Justice, not the Executive.

C. The Commissions of Inquiry Act

Sierra Leone’s law does provide a mechanism for executive investigation of matters of public concern, namely the Commissions of Inquiry Act (Cap. 54).⁹ Under that Act, the President may, by constitutional instrument, establish a formal commission with coercive powers, including the power to subpoena witnesses, administer oaths, and punish contempt. The President did not invoke Cap. 54. No constitutional instrument was gazetted. Instead, a press release announced an ad hoc “Independent Investigation Committee” with no identifiable legal basis. This committee has no statutory powers, no legal framework governing its procedures, no rules of evidence, and no mechanism for enforcing compliance. Its findings will carry no legal weight beyond whatever political authority the Executive chooses to assign them.

The question naturally arises: if the President wished to conduct a lawful investigation, why was Cap. 54 not used? The answer may lie in the fact that a Commission of Inquiry under Cap. 54 would require a formal legal instrument, defined terms of reference, and procedural safeguards, all of which would be subject to legal scrutiny and potential judicial review. An ad hoc press-release committee avoids all of these constraints.

III. SEPARATION OF POWERS AND EXECUTIVE ENCROACHMENT

The 1991 Constitution establishes a tripartite system of government with a clear separation of powers. All organs of government and all persons exercising legislative, executive, or judicial powers are required to “conform to, observe and apply” its

⁸Council of Legal Education Act, 1989, s. 21: “[The Council may] appoint such officers as are deemed necessary by the Council for the proper discharge of its function upon such terms and conditions of service as the Council may determine.”

⁹Commissions of Inquiry Act, Cap. 54, Laws of Sierra Leone. This Act provides the formal statutory mechanism for the President to establish commissions of inquiry with coercive powers (subpoena, oath, contempt).

provisions. The principle is not ornamental. It is the structural foundation of constitutional governance.

A. The Law School Falls Within the Judicial Sphere

The Council of Legal Education is chaired by the Chief Justice. The Attorney-General and Minister of Justice, a member of the Executive, sits on the Council, but as one member among many, not as the governing authority. The Council's primary function, controlling who may be called to the Bar, is intimately connected with the administration of justice. The persons whom the Law School trains and certifies go on to appear before the courts, serve as state counsel, and eventually sit on the bench. Legal education is not an executive function; it is a pillar of the judicial system.

For the President to direct an investigation into this body is to assert executive authority over an institution that Parliament deliberately placed under the Chief Justice's chairmanship. It is an encroachment upon the judicial sphere that sets a dangerous precedent. If the Executive can investigate the Law School today, it can investigate the Judicial and Legal Service Commission tomorrow, and the courts themselves thereafter.

B. The Council Had Already Acted

The presidential intervention was not prompted by inaction. On the contrary, the Council had already taken every appropriate step. It convened an emergency meeting, identified the irregularities, suspended the Director, accepted his resignation, commissioned an independent review, and referred the matter to the ACC. The press release itself acknowledges that the President met with the Chief Justice and the Attorney-General, both Council members, on 31 March 2026. If additional measures were needed, the constitutional route was for the Council to strengthen its own investigation, not for the Executive to supplant it.

C. The “Sub-Vented Institution” Characterisation

The press release describes the Law School as “a sub-vented institution” to justify presidential intervention.¹⁰ This framing is misleading. The legal character of an institution is determined by its enabling legislation, not its funding source. The Judiciary itself receives government subvention through the Consolidated Fund; this does not make the courts answerable to the Executive. The Sierra Leone Police receives government funding; this does not authorise the President to investigate individual police stations outside the chain of command. By the logic of the press release, any institution that receives public funds, including the Judiciary, Parliament, the Electoral Commission, the Bar Association, the Sierra Leone Association of Journalists, and the Human Rights

¹⁰State House Press Release, 7 April 2026 (supra n. 2): “As a sub-vented institution, the President emphasized the essential need for a fair, impartial and comprehensive investigation.”

Commission, would be subject to ad hoc presidential investigation committees. This proposition is constitutionally untenable.

IV. THE COMPROMISE OF THE ACC'S STATUTORY INDEPENDENCE

Perhaps the most alarming aspect of the 7 April press release is the statement that “the Commissioner of the Anti-Corruption Commission has informed the President that the current ACC investigation will be suspended pending the outcome of the Committee’s work so as to avoid parallel processes and ensure a coherent, independent and holistic review.”

Section 9(1) of the Anti-Corruption Act, 2008, provides in unequivocal terms that “the Commission shall act independently, impartially, fairly and in the public interest.” Section 9(2) provides that “Subject to this Act, the Commission shall not, in the performance of its functions, be subject to the direction or control of any person or authority.”¹¹ These provisions exist precisely to prevent the Executive from interfering with ongoing corruption investigations for political or other purposes.

The press release presents the suspension as a voluntary decision by the ACC Commissioner. If that is so, it raises the question of whether the Commissioner has the statutory power to suspend an investigation into serious corruption allegations, including allegations of financial misconduct, procurement fraud, and abuse of office, at the request of the very Executive whose own committee has no legal authority to investigate. If, on the other hand, the suspension was directed or influenced by the meeting with the President, it constitutes a direct violation of section 9.

Either way, the effect is the same. An ongoing criminal investigation by the ACC, initiated at the request of the Council of Legal Education and supported by documentary evidence, has been halted to make way for a non-statutory, non-coercive, ad hoc presidential committee. The implications for the ACC’s credibility and independence are severe. If the ACC can suspend corruption probes whenever the President establishes a parallel committee, the statutory guarantee of independence is rendered a dead letter.¹²

V. THE CHAIR'S PRIOR INVOLVEMENT

The Committee comprises five members:

¹¹Anti-Corruption Act, 2008, s. 9(1): “The Commission shall act independently, impartially, fairly and in the public interest.” Section 9(2): “Subject to this Act, the Commission shall not, in the performance of its functions, be subject to the direction or control of any person or authority.”

¹²See Africa-Press, 27 February 2026: “Entrenching the Anti-Corruption Commission in Sierra Leone,” arguing for constitutional entrenchment of the ACC to protect its independence from political interference.

- (i) Dr. Priscilla Schwartz, former Attorney-General and Minister of Justice — Chair;
- (ii) Mrs. Mariama Anthony-Williams, Accounting and Public Sector Expert;
- (iii) Ms. Elizabeth Kamara, Educator and Assistant Deputy Vice-Chancellor, Fourah Bay College;
- (iv) Ms. Nicky Spencer-Coker, Legal Practitioner; and
- (v) Mr. Victor I. Lansana, Secretary of the General Legal Council.

Dr. Priscilla Schwartz, as Attorney-General in 2019, directly intervened in the Law School by directing the then-Acting Director, Pamela Davies, to proceed on leave pending investigation into the 2019 examination malpractice crisis.¹³ That directive was contested by Pamela Davies as *ultra vires*, triggering a governance clash between the Attorney-General and the Council. Dr. Schwartz is therefore not a neutral figure in the affairs of the Law School. Her appointment as Chair raises reasonable apprehension of bias.

The case of Pamela Olufunmilayo Davies offers a sobering illustration of what happens when the Law School's governance failures are compounded by institutional bad faith, and why independent oversight mechanisms, not ad hoc presidential committees, are needed.

Ms. Davies was appointed Assistant Director of the Sierra Leone Law School on 2 September 2014, under terms and conditions of service that stipulated a retirement age of 65. In 2019, as Acting Director, she found herself at the centre of the Bar Final examination malpractice crisis. Attorney-General Priscilla Schwartz directed her to proceed on leave pending investigation. Davies refused, correctly arguing that under section 6(b) of the 1989 Act, only the full Council, not the Attorney-General acting unilaterally, had the power to issue such a directive. Her insistence on legality did not endear her to the powers that be.

On 2 November 2022, Ms. Davies received a letter from the Law School informing her of compulsory retirement effective 9 November 2022, upon reaching the age of 60. This was based on the National Social Security and Insurance Trust (NASSIT) Act, 2001, which sets the pension age at 60. Davies challenged her termination, pointing out that her contract of employment, drafted by the Council itself under section 21 of the 1989 Act, expressly provided for retirement at 65.

¹³The 2019 malpractice crisis involved Attorney-General Priscilla Schwartz directing Acting Director Pamela Davies to proceed on leave; Davies refused, arguing only the full Council had such authority under s. 6(b) of the 1989 Act.

In his judgment of 3 June 2024, Hon. Justice Unisa Kamara ruled in Ms. Davies’s favour.¹⁴ The Court held that the NASSIT Act does not directly govern the terms of employment or retirement age of the Law School, which is an institution created by statute with its own conditions of service. The employment contract, agreed upon by both parties, was binding. The Council’s own terms fixed retirement at 65; the Council could not unilaterally resile from those terms to force Ms. Davies out at 60. The Court emphasised that it would be “unfair and unjust” for the employer to disregard conditions that the employer itself had drafted.

The Davies case is instructive for three reasons. *First*, it demonstrates that the Law School’s governance problems are not limited to the current Director; they are systemic and long-standing. An institution that unlawfully terminated its own Acting Director — and was found by a court to have done so — cannot credibly claim to have had adequate governance structures at any recent point. ***Second*,** it illustrates the personal cost borne by individuals who insist on legality and due process within the institution. Ms. Davies stood on the law in 2019 and was sidelined; she stood on her contractual rights in 2022 and was unlawfully forced out. Her vindication came only through the courts, after years of litigation and personal hardship. ***Third*,** it underscores the irony of Dr. Priscilla Schwartz now chairing an investigation into the Law School. It was Dr. Schwartz who, as Attorney-General, issued the contested 2019 directive against Ms. Davies, and it is the Council’s own systemic failures, of which the Davies maltreatment was a symptom, that the current investigation purports to address.

VI. EXECUTIVE ENCROACHMENT

In each instance, the pattern is the same: the Executive establishes an investigation mechanism whose composition, terms of reference, and reporting lines are entirely within the Executive’s control, while existing independent institutions, like the ACC, the Judiciary, Parliament, are sidelined or suspended. Applied to the Law School, this pattern takes on a particularly troubling dimension. Legal education determines who enters the legal profession. The legal profession produces the judges, prosecutors, and defenders upon whom the rule of law depends. If the Executive captures the process of training lawyers, it captures a foundational element of judicial independence.

The 2021 Amendment to the Council of Legal Education Act already reinforced the Law School as “the only law school in Sierra Leone.” Parliament chose to vest that monopoly under the Chief Justice’s oversight, not the President’s. The presidential investigation committee effectively overrides that parliamentary choice.

¹⁴Pamela Davies v. Council of Legal Education, Sierra Leone Law School, judgment delivered by Hon. Justice Unisa Kamara on 3 June 2024. Reported at ILRAJ (www.ilraj.org/case-law).

VII. CLASS SIZE, ACCESS, AND THE DEPOLITICISATION OF ADMISSIONS

A recurrent issue at the heart of the Law School’s controversies is class size and admissions policy. The 2015 admissions scandal involved over 50 rejected applicants alleging nepotism and favouritism. The 2026 allegations include unauthorised admissions and the creation of a “parallel” system granting virtual access to unapproved persons. Beneath these controversies lies a structural problem: demand for places vastly exceeds supply, creating enormous pressure that invites corruption, politicisation, and patronage.

The solution is not to allow the Executive to control admissions through investigation committees, but to depoliticise the process entirely through transparent, digitised, merit-based procedures governed by clear statutory rules. Political interference in admissions — whether by the Director, the Council, the Bar Association, or the Executive — must be eliminated by structural design, not by replacing one set of political actors with another. This is precisely what the recent reforms in Ghana and Kenya have sought to achieve and precisely what the presidential investigation committee, by its nature, cannot deliver.

VIII. COMPARATIVE PERSPECTIVE — HOW OTHER JURISDICTIONS HAVE REFORMED

Ghana’s Legal Education Reform Bill 2025, passed on 26 March 2026, ended the Ghana School of Law’s monopoly, empowered accredited universities to deliver professional training, created an independent Council for Legal Education and Training, and introduced a National Bar Examination.¹⁵ Kenya’s 2025 reforms ended the Kenya School of Law’s monopoly through a Court of Appeal ruling and new regulations while preserving rigorous quality-assurance oversight.¹⁶ In both jurisdictions, reform was achieved through legislation, judicial rulings, and institutional redesign, not through executive investigation committees bypassing existing statutory bodies.

The lesson is clear: sustainable reform of legal education requires structural legislative change, not episodic executive intervention. Investigation committees come and go; statutory frameworks endure.

IX. RECOMMENDATIONS

ILRAJ calls upon all stakeholders, including the President, the Chief Justice, Parliament, the Bar Association, civil society, and the legal community, to consider the following concrete recommendations:

¹⁵Legal Education Reform Bill, 2025 (Ghana), passed by Parliament on 26 March 2026, awaiting Presidential assent.

¹⁶Kenya: Court of Appeal ruling, March 2025, ending the Kenya School of Law’s monopoly over the Advocates Training Programme; Legal Education (Accreditation and Quality Assurance) Regulations, 2025.

A. Immediate Measures

1. **Dissolution or reconstitution of the Presidential Committee on a proper legal footing.** If the President considers an investigation necessary beyond the Council's and the ACC's existing processes, it should be established under the Commissions of Inquiry Act (Cap. 54), with a gazetted constitutional instrument, formal terms of reference, procedural rules, and the power to compel evidence. The current ad hoc committee should be dissolved or reconstituted accordingly.
2. **The ACC should resume its investigation forthwith.** Its statutory independence must be respected. The ACC's criminal investigation and any presidential inquiry, if properly constituted, can proceed in parallel, as they address different functions. The ACC investigates criminal liability; a commission of inquiry examines systemic governance issues. The suggestion that "parallel processes" must be avoided conflates two fundamentally different legal processes and serves as a pretext to shelve the criminal probe.
3. **Reconstitution of the Committee's membership** to include persons with direct institutional knowledge of the Law School, including at least one current or former lecturer and one recent graduate. The Chair should be a person with no prior involvement in the Law School's governance disputes.

B. Structural Reforms to the Council of Legal Education Act

4. **Comprehensive review of the Council of Legal Education Act 1989 as amended 2021.** Parliament should mandate a technical review committee, including Bar representatives, legal academics, and civil society, to propose amendments within 90 days addressing the following:
 - (a) transparent, digitised, and merit-based admissions procedures;
 - (b) standardised examination processes with external moderation;
 - (c) clear qualifications and terms of appointment for the Director, Registrar, and all key staff, with mandatory term limits;
 - (d) explicit separation of the Director's management functions from the Council's oversight role;
 - (e) an independent statutory grievance mechanism for students and staff;
 - (f) clear penalties for examination malpractices and transparent resit eligibility rules; and
 - (g) mandatory recording of all Council decisions in a centralised register.

5. **Breaking the monopoly through controlled liberalisation.** Following the models of Ghana (2025) and Kenya (2025), Parliament should consider amending the Act to allow accredited universities to deliver the professional training component under strict Council oversight, while introducing a single, externally moderated National Bar Final Examination as the sole gateway to the Bar. This would eliminate the risks inherent in the single-institution monopoly that has repeatedly generated the abuses documented since 2014.
6. **Establishment of a standing Legal Education Oversight Panel** comprising a retired Justice, a Bar Association nominee, an ACC representative, and a civil-society member, mandated to conduct annual independent audits of admissions, examinations, procurement, and finances, and to report to the Chief Justice and Parliament.

C. Safeguards for Staff and Students

7. **Statutory protection against unlawful termination.** The maltreatment of Pamela Davies must not be repeated. The amended Act should include express provisions protecting Law School staff from arbitrary dismissal, guaranteeing due process (including the right to a hearing before the Council), and providing for compensation where termination is found to be unlawful. The Davies judgment should be formally noted and its principles incorporated into the Council's conditions of service.
8. **Zero-tolerance sexual harassment policy.** The Council should adopt a standalone Code of Conduct with an independent reporting hotline, mandatory annual training, swift disciplinary procedures, and whistleblower protection.
9. **Independent financial audits.** An external auditing firm should be engaged for annual audits of all Law School finances, with results published within 60 days.

D. Broader Constitutional Safeguards

10. **Constitutional entrenchment of the ACC.** The ease with which the ACC's investigation was suspended underscores the fragility of an institution that exists by ordinary Act of Parliament. ILRAJ reiterates its support for the constitutional entrenchment of the ACC, as has been advocated by multiple stakeholders in the context of the ongoing constitutional review.
11. **Legislative clarification of executive investigatory powers.** Parliament should legislate to clarify that the President's power to establish investigation committees is limited to the mechanisms provided by the Commissions of Inquiry Act (Cap. 54) and any other statutory framework and that ad hoc committees created by press

release without a legal basis have no coercive power and cannot displace or suspend ongoing statutory investigations.

X. CONCLUSION

Nobody disputes that the Sierra Leone Law School requires reform. The allegations of corruption, academic malpractice, and sexual harassment are grave. But the answer to institutional failure is not the substitution of one unchecked authority for another. The answer is the rule of law.

The Council of Legal Education Act provides a framework. The ACC provides an independent criminal investigation mechanism. The Commissions of Inquiry Act provides a lawful route for executive investigation where needed. Parliament provides the ultimate oversight authority. Each of these institutions has a defined role, defined powers, and defined limits.

What the press release of 7 April 2026 proposes is something different. An investigation with no legal basis, displacing an institution with a legal basis, and suspending an independent investigation that has a legal basis. This is not accountability; it is the concentration of power. And it sets a precedent that, if unchallenged, will be available to every future president, against every independent institution, whenever a sufficiently compelling pretext can be constructed.

Sierra Leone deserves a Law School that is a model of excellence, transparency, and professionalism. It also deserves a constitutional order in which the separation of powers is respected, the independence of anti-corruption institutions is sacrosanct, and the Executive does not investigate bodies that Parliament placed under the Chief Justice's care. These two aspirations are not in tension. They are inseparable.

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