

Contempt Proceedings against Hon. **Christiana P. Tah**, Minister of Justice and Counsellor
Beyan D. Howard

LRSC 2

HEARD: October 16, 2013 DECIDED: January 10, 2014

MR. CHIEF JUSTICE KORKPOR DELIVERED THE OPINION OF THE COURT.

These contempt proceedings grow out of an action of damages for wrong. Here is a brief summary of the facts that gave rise to these proceedings.

On May 10, 2010, Dr. J. Chris Toe, former Minister of Agriculture, Republic of Liberia, appellee, filed a complaint with the Civil Law Court, 61 Judicial Circuit, Montserrado County, against FrontPage Africa Newspaper, FrontPage Internet News Organ, Rodney D. Sieh and Samwar S. Fallah, appellants. The complaint alleged that the appellants, with malicious intent to injure the image and reputation of the appellee, published in the FrontPage Africa Newspaper and on the FrontPage Internet News Organ a number of deliberately false and malicious stories accusing the appellee of corruption and serious acts that partake of criminality of the level of first degree felony. The complaint further alleged that the allegations and accusations contained in the news stories published in the local media and on international websites lacked any iota of truth; that the appellee had never been accused, charged, arrested, tried or convicted of any crime; that the publication by the appellants were solely designed to damage the good name and reputation of the appellee, which he had developed over the years and expose him to local and international humiliation, ridicule and disgrace; and that the publications did have the effect of damaging his good image and reputation. The appellee prayed the Civil Law Court to enter judgment in his favor and award him the amount of US\$2,000,000.00 (Two Million United States Dollars) plus payment of all costs and expenses incurred by him growing out of and traceable to the appellants' publication of the false and malicious stories.

Responding to the complaint, the appellants, FrontPage Africa, Rodney D. Sieh et al., on May 20, 2010, filed a three-count answer which was withdrawn and amended. In the amended answer, the appellants reaffirmed the accusations made in the publications and maintained that the acts attributed to the appellee did occur and hence the appellants could not be held liable in damages.

Pleadings rested and the case was ruled to trial following disposition of law issues. Trial was regularly conducted and after listening to testimonies from witnesses on both sides, the empaneled jury deliberated and returned a unanimous verdict of liable against the appellants and awarded the appellee the amount of US\$1.5 Million Dollars as damages. A motion for new trial was filed, heard and denied. Thereafter, the trial judge entered judgment on the verdict of the jury confirming and affirming the said verdict.

Counsels representing the appellants excepted to the verdict of the jury as well as the final judgment of the trial judge based on the said jury verdict and announced an appeal to the Supreme Court. The records showed that bill of exceptions were filed by the counsels representing the appellants, but thereafter no further steps were taken to perfect the appeal in keeping with statute. Under Civil Procedure Law, Rev. Code 1:51.4, a party announcing an appeal must do the following acts necessary for the completion of an appeal:

- a) Announcement of the taking of an appeal;
- b) Filing of the bill of exceptions;
- c) Filing of an appeal bond;
- d) Service and filing of notice of completion of appeal.

Failure to comply with any of the foregoing requirements within the time allowed by statute shall be ground for dismissal of the appeal.

On August 26, 2011, the appellee, through his counsel filed with this Court, a motion to dismiss the appeal on the grounds that the appellants had failed to file an appeal bond and to serve and file notice of completion of appeal. When the case was called for hearing before us on October 18, 2012, the counsels for FrontPage Africa, Rodney D. Sieh et al., responding to the motion to dismiss the appeal, made submission on the minutes of this Court as follows:

SUBMISSION: At this stage, one of counsels for the Respondent says that they concede to the legal soundness of the Movant's Motion to Dismiss the appeal because Appellant/Respondents failed, neglected and refused to procure the Appeal Bond, a necessary and required process, despite all efforts exerted by the lawyers. And respectfully submits.

Based on the foregoing submission by the counsels for the appellants to which the counsels for the appellee interposed no objections, and having taken recourse to the certified records before us which showed that indeed the appellants did not file an appeal bond and did not serve and file notice of completion of appeal, the two last mandatory requirements for the completion of appeal, this Court, on July 15, 2013, handed down an opinion dismissing the appeal announced by FrontPage Africa, Rodney D. Sieh et al. And in keeping with the law and practice in this jurisdiction, the Clerk of this Court was ordered to send a mandate to the judge of the lower court in which the case was tried to resume jurisdiction over the case and enforce its ruling. Accordingly, on July 19, 2013, a mandate was sent over the signature of Martha Bryant Henries, Clerk of the Supreme Court, to the Civil Law Court, 6th Judicial Circuit Montserrado County, where this case was tried, ordering His Honor J. Boima Kontoe, Assigned Circuit Judge presiding,

to resume jurisdiction over the case and carry out the mandate of the Supreme Court to enforce the judgment from which the appeal was announced.

The Civil Law Court duly resumed jurisdiction of the case and when the appellants failed to pay the judgment amount, a writ of execution was issued, commanding the Sheriff of the Civil Law Court to seize and expose for sale the lands, goods and chattels of the appellants to satisfy the judgment amount. Upon service of the writ of execution on co-appellant Rodney D. Sieh, he refused and/or failed to identify any property whatsoever. According to the returns of the Sheriff, which was never challenged, co-appellant Rodney D. Sieh refused to either pay the amount or to show any property, the sale of which would wholly or partly satisfy the judgment amount but instead, "elected to go to jail." Based on his refusal to identify any property as stated above, he was held in contempt of court and ordered imprisoned at the Monrovia Central Prison on August 21, 2013 to be released only upon the full satisfaction of the judgment amount. After the incarceration of co-appellant Rodney D. Sieh, FrontPage Africa Newspaper and FrontPage Africa Internet News Organ were ordered closed down on August 22, 2013 until the money judgment was satisfied pro rata by each of the named appellants.

Following one week of time in prison, co-appellant Rodney D. Sieh reportedly felt sick and was taken to the John F. Kennedy Memorial Hospital for examination and treatment. He remained at the hospital for about three weeks and was discharged on September 17, 2013. His attending physician, Dr. Billy Johnson, Chief Medical Officer of the John F. Kennedy Memorial Hospital, issued a medical report which states in part that: "Mr. Sieh is medically fit and well enough to be discharged..." He was taken back to the Monrovia Central Prison, but he reported that he was sick the following day, whereupon he was again admitted at the John F. Kennedy Memorial Hospital.

While co-appellant Rodney D. Sieh was still at the hospital his lawyer, Counsellor Beyan Howard, on September 27, 2013, wrote a letter to the Minister of Justice, Honorable Christina P. Tah, requesting her to grant compassionate leave to co- appellant Rodney D. Sieh under Section 34.20(1) of the Criminal Procedure Law, and stating the following reasons: a) that co-appellant Rodney D. Sieh had not been convicted of a criminal offense and is not a danger to the general public; b) that co-appellant Rodney D. Sieh had apologized to the Supreme Court for the disrespect he had shown in his attitude, writings and utterances; c) that co- appellant Rodney D. Sieh has no dealing and has not written for the Frontpageafricaonline.com website; d) that co-appellant Rodney D. Sieh's continued confinement may likely lead to a lapse of debilitating mental illness; e) that the lawyers for both parties were working to resolve the case for which co-appellant Rodney D. Sieh was in prison; and f) that several constitutional issues regarding the incarceration of co-appellant Rodney D. Sieh have been raised with the Supreme Court of Liberia. Counsellor Howard concluded his letter to the Minister of Justice by requesting her to honor his

request under terms and conditions as she deemed fit according to law and allow co-appellant Rodney D. Sieh to serve his time under home confinement.

On October 7, 2013, Counsellor Howard wrote a follow-up letter to his letter of September 27, 2013 requesting the Minister of Justice to grant "compassionate leave" to his client and advanced additional reasons as follows: a) the persistent illness of his client; b) substantial progress which according to him, had been made in dialogue with Dr. Chris Toe and his legal team; and c) an opportunity for his client to participate in the said dialogue.

On October 7, 2013, the Minister of Justice, Christina P. Tah wrote a letter to Counsellor Beyan Howard granting the Counsellor's request to have Rodney D. Sieh released on compassionate leave. For the benefit of this opinion, we have deemed it necessary to quote the letter written by the Minister of Justice:

REPUBLIC OF LIBERIA

MINISTRY OF JUSTICE

9th Street, Sinkor

Monrovia, Liberia

OFFICE OF THE MINISTER

ATTORNEY GENERAL

October 7, 2013

Cllr. Beyan D. Howard

Legal Consultants, Inc.

Garnett Building, Adjacent Sheila Cinema

Carey Street

Monrovia, Liberia

Dear Cllr. Howard:

I present my compliments and refer to your letter dated September 27, 2013, requesting for compassionate leave for your client, Mr. Rodney Sieh, Editor-In- Chief, of the FrontPage Africa Newspaper, in keeping with Chapter 34, Section 34.20 of the Criminal Procedure law, 1LCLR.

I have reviewed the documents that we requested in our letter of September 30, 2013, which were not received until October 3, 2013, hence the delay in our response.

Based upon your request, and that of Atty. J. Fonati Koffa, we hereby grant the request for compassionate leave for a period of thirty (30) days effective October 8, 2013. During this period,

your client is advised not to leave the City of Monrovia without first seeking the permission of the Assistant Minister for the Bureau of Corrections and Rehabilitation (BCR).

With kind regards, I remain,

Sincerely,

Cllr. Christiana P. Tah

MINISTER/ATTORNEY GENERAL

On the strength of the letter of the Minister of Justice, copy of which was forwarded to the Superintendent of the Monrovia Central Prison, Bureau of Corrections, Ministry of Justice, Rodney D. Sieh was released from the Monrovia Central Prison on October 8, 2013 on what was termed as compassionate leave. It is interesting to note, however, that at the time of the release, Rodney Sieh was not in prison, but rather at the John F. Kennedy Memorial Hospital where he had been for a period, said to be undergoing medical treatment.

The foregoing are the events that precipitated these contempt proceedings. This Court considers the roles played by both Counsellor Beyan Howard and the Minister of Justice in releasing Rodney D. Sieh who was ordered imprisoned by the Civil Law Court for contempt of that court, a disrespect and an affront not only to the Civil Law Court, but also to the Supreme Court whose mandate was being executed by the Civil Law Court. The Supreme Court further believes that the actions of the two Counsellors who are members of the Supreme Court Bar are intended to impugn the dignity of the Supreme Court and bring the entire Judiciary in disrepute.

Thus, on October 8, 2013, this Court ordered its Chief Clerk to cite Counsellor Beyan D. Howard and the Minister of Justice Christiana P. Tah, to appear and show cause why they should not be held in contempt of this Court for their respective roles in the release of Rodney D. Sieh from prison. Three Counsellors of the Supreme Court were appointed to serve as amici curiae or friends of the Court, they are: Counsellor T. Negbalee Warner, Counsellor Cyril Jones and Counsellor David A.B. Jallah.

The contemnors/respondents appeared and filed their respective returns to the contempt proceedings. Co-respondent Counsellor Beyan Howard withdrew and filed amended returns. We will first quote the returns filed by co-respondent Christiana P. Tah, Minister of Justice.

"Respondent Christiana P. Tah most respectfully requests Your Honors and this Honorable Court to purge her of contempt for the following reasons to wit:

1. That on the 27th day of September A.D. 2013, Co-Respondent/Cllr. Beyan D. Howard, for and on behalf of Rodney Sieh, a prisoner committed by the Sixth Judicial Circuit Court, at the Monrovia, Central Prison on charges of Contempt of Court, applied to Respondent/the Minister of Justice for compassionate leave consistent with Section 34.20 of the Criminal Procedure Law.

2. That the Respondent/Minister of Justice of Justice acting under the firm belief that Section 34.20 of the Criminal Procedure Law was applicable to the circumstances of this case, did grant unto the prisoner compassionate leave for a period of thirty (30) days.

3. That following the Respondent's grant of compassionate leave to prisoner Rodney Sieh, Your humble Respondent was cited by Your Honours to show cause if any, why she should not be held in contempt for releasing Mr. Rodney D. Sieh, Publisher of the Front page Africa Newspaper in disregard of the court's order.

4. That upon receipt of the citation for contempt issued out of this Honorable Court, it became apparent that Your Humble Respondent's construction of the law is different from the interpretation given by this Honourable Court.

5. Respondent however submits that the compassionate leave granted prisoner Rodney Sieh was a temporary leave under specific conditions which conduct of Respondent was in no way intended to bring disrepute to the Judiciary, or to undermine and disregard the order of committal from the Civil Law Court.

6. Respondent further says that as the Dean of the Supreme Court Bar with twenty five (25) years of practice, she has never had any disciplinary proceedings brought against her as a lawyer, neither has she had any confrontation with any officer of the Judiciary or made any statements against any officer of the Judiciary and the Judiciary itself, that would bring disrespect to the Judiciary and the legal profession as a whole. That she has never and would never knowingly, intentionally, and purposely take any action or make any statement as a lawyer and particularly as the Dean of the Supreme Court Bar that would undermine or bring disrepute to the Judiciary.

7. Respondent therefore defers to the wisdom of this Honorable Court which has the constitutional mandate to interpret and say what the law is, to give the appropriate interpretation to Section 34.20 of the Criminal Procedure Law, for the sake of posterity.

WHEREFORE AND INVEW OF THE FOREGOING, Respondent prays Your Honors and this Honorable Court, to purge Respondent of Contempt, and to grant unto Respondent any further relief that Your Honours deem just, legal and equitable in the premises.

RESPECTFULLY SUBMITTED

Cllr. Christiana P. Tah,/Respondent

By and thru the Ministry of Justice, R. L.

Cllr. Christiana P. Tah
Attorney General, Pro Se

Cllr. Benedict F. Sannoh

Deputy Minister for Economic Affairs

Cllr. Augustine C. Fayiah

Assistant Minister for Litigation

Cllr. Betty Lamin-Blamo

Solicitor General, R.L.

In Association with:

Cllr. M. Wilkins Wright

Dated this 18th day of October, A.D. 2013."

We now quote the returns filed by co-respondent Counsellor Beyan Howard.

Respondent humbly requests your Honour and this Honourable Court to purge him of contempt for the following reasons to wit.

1. That upon his reliance on Article 21 (i) of the Liberian constitution of 1986, Second Co-Respondent, counselor Beyan D. Howard undertook to represent the interest of Mr. Rodney Sieh to ensure that he benefits from Compassionate leave as provided by law while in prison at the Monrovia Central Prison due to the deteriorating health condition of Mr. Rodney Sieh, the prisoner. Hence, this humble request of Second Co-Respondent to be purged of contempt.
2. That based on the deteriorating health condition of Mr. Sieh as evidenced by the attached medical certificate marked Exhibit R/1; Second Co-Respondent was compelled to take advantage of section 34.20 of the Criminal Procedure Law of Liberia. Hence, this humble request of Second Co-Respondent to be purged or contempt.
3. That further as to count 1 above, Second Co-Respondent says that for the reason stated above, he wrote the Minister of Justice/Attorney General of the Republic of Liberia, First Co-Respondent three (3) letters, all of which are attached and marked Exhibit R/2 in bulk. Also attached and marked Exhibit R/3 in bulk, are copies of the responses to Respondent's letters. Hence, this humble request of Second Co-Respondent to be purged of contempt.
4. That Second Co-Respondent wrote the letters to the First Co-Respondent, requesting compassionate leave based on his understanding and interpretation of section 34.20. Second Co-Respondent's action was not intended in any way to disrespect this Honourable Court. Hence, this humble request of Second Co-Respondent to be purged of contempt.

5. That Second Co-Respondent submits that this is the first time in his more than 20 years of practice as a lawyer, has been confronted with the issue of requesting compassionate leave for a client. So, when he read section 34.20 of the criminal procedure law, which among other, provides that The Attorney General shall formulate rules or regulations governing compassionate leave from institutions and in accordance with such rules and regulations, may permit any prisoner to leave his institution for short periods of time. He (Second Co-Respondent) understood this to mean that it is the Minister of Justice, First Co-Respondent, who has the authority to grant a prisoner a compassionate leave. Based on this understanding, Second Co- Respondent wrote the Letters requesting compassionate leave. Hence, this humble request of Second Co-Respondent to be purged of contempt.

6. That letters were written to the office of the Minister of Justice, First Co- Respondent based on Second Co-Respondent's understanding and interpretation of Deluxe Black's Law Dictionary's definition of the word Prisoner found at page 1194. In that dictionary, the word prisoner is defined as "One who is deprived of his liberty." At the time the Letters were written and up to and including today's date, Mr. Sieh is still deprived of his liberty. He was only granted compassionate leave for a period of 30 days effective October 8, 2013. Mr. Sieh has not left the place where he was taken to since he left J.F. Kennedy Hospital on October 10, 2013. In the last sentence of the Minister's letter of October 7, 2013 in which she granted the compassionate leave, the Minister stated that during this period your client is advised not to leave the city of Monrovia without first seeking the permission of the Assistant Minister for Bureau of Corrections and Rehabilitation (BCR). Hence, this humble request of Second Co-Respondent to be purged of contempt.

7. Second Co-Respondent submits that whilst it is his first time dealing with matter of compassionate leave for a client, he is aware that the court is charged with the responsibility to commit and release persons found in violation of laws of Liberia. However, in the instant case, Mr. Rodney Sieh is still in the custody of the Monrovia Central Prison under the supervision of the Ministry of Justice and can only be released upon the order of the Judge of Civil Law Court. Hence, this humble request of Second Co- Respondent to be purged of contempt.

WHEREFORE AND IN VIEW OF THE FOREGOING Second Co-Respondent, Counsellor Beyan D. Howard prays Your Honours and this Honourable Court to purge him of contempt and grant unto Second-Co-Respondent all other reliefs that seem just, legal and equitable in the premises.

Respectfully submitted:

Second Co-Respondent, by and thru his Counsel

ZOE AND PARTNERS

Zoe Compound, S.D. Cooper Road

Paynesville, Monrovia, Liberia

C. Alexander B. Zoe

COUNSELLOR-AT-LAW

Dated this 18th day of October, A.D. 2013

\$5.00 Revenue Stamps Affixed on the original copy hereof.

The Amici Curiae appointed by this Court filed a brief in which they raised four Issues:

- 1) Whether or not the Supreme Court of Liberia, having rendered a judgment in a case before it and issued a mandate which was served and returned served, can exercise original jurisdiction for contempt over any act impending or tending to frustrate enforcement of its judgment and/mandate?
- 2) Whether or not Section 34.20(1) of the Criminal Procedure Law is applicable to civil cases and assuming it is, any of the reasons provided thereunder for releasing a prisoner was satisfied in the instant case?
- 3) Whether or not co-respondent Counsellor Beyan Howard's September 27, 2013 letter to the Minister of Justice requesting that his client be granted compassionate leave to allow him serve his indefinite term of imprisonment at home had no reasonable legal basis and can be fairly construed as intended to circumvent enforcement of the Court's judgment and order?
- 4) Whether or not co-respondent Counsellor Christiana P. Tah is in contempt of Court for her conduct in releasing, without reference to the Court, a person imprisoned as a result of contempt of Court?

The Amici Curiae discussed the issues in the context of the facts and applicable laws to this case and concluded that Section 34.20(1) of the Criminal Procedure Law which the contemnors relied on as the basis for their actions was not applicable; that the contemnors were in gross error and their actions were purposely designed to avoid reference to the Judiciary and instead act through the Executive Branch of Government to secure the release of a prisoner, who had been declared liable in a proper judgment by a court of competent jurisdiction in a civil proceeding. Based on the position taken by the Amici Curiae, they recommended as follows:

The facts and circumstances of this case are clearly established. There is no question of the intent of the parties summoned for contempt. It is for them to acknowledge their wrong, show remorse and plead to the consideration of the Judiciary, through this Honourable Court, for forgiveness.

Should the Contemnors show contrition and plead with this Court for forgiveness, especially the Co-Respondent, Minister of Justice, who holds an appointment at the instance of the President of Liberia, the Amici Curiae implore the Supreme Court to take their action into consideration, in handing down its judgment in this case.

Should the Contemnors elect to continue to challenge the authority of the Judiciary and this Court and show justification for their subterfuge to remove it of its authority in this instant case, the Court should impose the highest possible punishment against them.

WHEREFORE and in view of the foregoing, the Amici Curiae, pray this Honourable Court to render judgment in keeping with their recommendations stated above and to include in its Judgment a clear warning and notice to parties intending to bring conflict between and among the Branches of Government, especially for matters growing out of lawful judicial proceedings that it will not take such future action lightly and lightly.

Co-respondent Christiana P. Tah, Minister of Justice, raised one issue in her brief- whether or not Section 34.20 (1) of the Criminal Procedure Law is applicable to the facts and circumstances of this case? In addressing this lone issue this is what she said:

Based on all of the facts and circumstances of the case obtaining at the time, and upon further inquiry which included consultations with the Bureau of Corrections, and unsuccessful attempts to have Rodney Sieh submit to psychiatric examination Co-respondent Honourable Christiana P. Tah, firmly believed that Section 34.20 of the Criminal Procedure Law was applicable. However, it is apparent that Your Humble Co-respondent's construction of the law is different from the interpretation given by this Honourable Court.

Co-respondent submits that as the Dean of the Supreme Court Bar with twenty-five (25) years of practice, she has never had any disciplinary proceedings brought against her as a lawyer, neither has she had any confrontation with any officer of the Judiciary or made any statements against any officer of the Judiciary and the Judiciary itself, that would bring disrespect to the judiciary and legal profession as a whole. That she has never and would never knowingly, intentionally, and purposely take any action or make any statement as a lawyer and particularly as the Dean of the Supreme Court Bar that would undermine or bring disrepute to the Judiciary, or disregard an order of any court of this Republic.

Your humble Co-respondent therefore defers to the wisdom of this Honourable Court which has the constitutional mandate to interpret and say what the law is, to give the appropriate interpretation to Section 34.20 of the Criminal Procedure Law for the sake of posterity.

WHEREFORE AND IN VIEW OF THE FOREGOING, Co-respondent Christiana P. Tah prays Your Honours and this Honourable Court, to purge her of Contempt, and to grant

unto to her any further relief that Your Honours deem just, legal and equitable in the premises.

On opening arguments, the Solicitor General of Liberia, Counsellor Betty Lamin-Blamo, one of counsels representing the Minister of Justice and Attorney General, maintained the position stated in the Minister's returns to the citation. However, when Counsellor Micah Wilkins Wright, also one of counsels representing the Minister took the stand to close the arguments, and apparently in response to prodding from the Court when the Solicitor General was giving the opening arguments for the co-respondent Minister, he offered an apology to this Court for the role the Minister of Justice played in releasing Rodney D. Sieh from prison, urged the Court to purge her of contempt, and "promised to return Rodney D. Sieh to the common jail and assured the Honourable Supreme Court that the Attorney General will not undertake any conduct that will undermine this Court." (See minutes of Court, 3rd Day's Session, October 21, 2013, sheet 5)

For his part, co-respondent Beyan D. Howard raised three issues: 1) Whether or not the granting of a compassionate leave amounts to the release of a prisoner? 2) Whether or not chapter 34, Section 34.20(1) of the Criminal procedure Law is applicable in the instant case? 3) Whether or not a lawyer can be punished for providing legal services to his client?

The co-respondent Counsellor Beyan D. Howard answered the question of whether or not the granting of compassionate leave to Rodney D. Sieh amounts to release from prison, in the negative and contended that the letter granting compassionate leave to Rodney D. Sieh does not contain the word "release." He further contended that the word release, as defined by Black's Law dictionary, Eighth Edition, means "liberation, discharge or setting free from restraint or confinement." He said as a lawyer, he is quite aware that only the court which commits an individual has the authority to release that individual. According to co-respondent Counsellor Beyan D. Howard, the granting of compassionate leave for 30 days by the Minister of Justice/Attorney General does not amount to a release because the last paragraph of the letter from the Minister of Justice/Attorney General clearly states that "during this period your client is advised not to leave the City of Monrovia, without first seeking the permission of the Assistant Minister for the Bureau of Corrections and Rehabilitation.

On the question of whether or not Chapter 34, Section 34.20(1) of the Criminal Procedure Law is applicable in the instant case, co-respondent Counsellor Beyan D. Howard said after reading the aforementioned section, he was of the conviction that that law was applicable to his client's case. He argued that the Minister of Justice/Attorney General has the authority under the law to grant compassionate leave to a prisoner; that Rodney D. Sieh was a prisoner who was deprived of his liberty. He further argued that "the law may not have anticipated such punishment for a civil wrong and that even where the penalty for such a wrong required that one be imprisoned, it would [not] be conceived that one imprisoned for murder could benefit from the compassion

of the state while one imprisoned for a civil wrong would never benefit from any kind of compassion from the state." He reiterated his conviction that Section 34.20(1) of the Criminal Procedure is applicable in this case; that the Minister of Justice /Attorney General, as custodian of prisoners, has the authority to grant compassionate leave and since Rodney D. Sieh was a prisoner in confinement within the facilities under the Ministry of Justice, he was entitled to compassionate leave. He however submitted that if in the mind of this Court, the action taken by him is not in conformity with the law, he "begs for mercy and humbly requests that this Honourable Court will purge him of contempt because his action was not intended to disrespect this Honourable Court.

With respect to the question of whether or not a lawyer can be punished for providing legal services to his client, co-respondent Beyan D. Howard answered in the negative and relied on Article 21 (i) of the Constitution of Liberia (1986) which states:

The right to counsel and the rights of counsel shall be inviolable. There shall be no interference with the lawyer-client relationship. In all trials, hearings, interrogatories, and other proceedings where a person is accused of a criminal offense, the accused shall have the right to counsel of his choice; and where the accused is unable to secure such representation; the Republic shall make available legal aid services to ensure the protection of his rights.

There shall be absolute immunity from any government sanctions or interference in the performance of legal services as a Counsellor or advocate; lawyers' offices and homes shall not be searched or papers examined or taken save pursuant to a search warrant and court order; and no lawyer shall be prevented from or punished for providing legal services, regardless of the charges against or the guilt of his client. No lawyer shall be barred from practice for political reasons.

Co-respondent Counsellor Beyan D. Howard argued that a lawyer can be punished for misleading a court or administrative agency on an issue of fact, but no lawyer should be punished for his/her interpretation or understanding on law issue in this jurisdiction because, according to him, "the court does not always agree with the lawyer's interpretation on the point of law. Notwithstanding the position of co- respondent Counsellor Beyan D. Howard contained in his brief as summarized herein above, when Counsellor J. Lavela Supuwood took the stand in his behalf, he offered an unconditional apology to the Supreme Court for the role Counsellor Howard played in the release of Rodney D. Sieh.

As can be seen, there is one common issue raised by the parties to these contempt proceedings; the same issue was also raised by the Amici Curiae appointed by this Court. That common issue is - whether or not the actions of the contemnors are justifiable under Section 34.20 (1) of the Criminal Procedure Law? We agree that this is the decisive issue to this case. For if that section of our criminal statute is applicable to justify the action of the contemnors, then they are

vindicated and there is no need to attach them in contempt. On the other hand, if the contemnors' actions do not find support in the law they relied on, then their actions are illegal, reprehensible and contemptuous.

But before addressing the deciding issue in this case, we have deemed it necessary to first comment on the collateral issue raised by the Amici Curiae, which is, can the Supreme Court of Liberia, after having rendered a judgment in a case and issued a mandate which was served and returned served, exercise original jurisdiction for contempt over an act tending to frustrate and impede enforcement of its judgment and mandate? The Amici Curiae answered yes, and we are in full agreement with them.

The Constitution of Liberia, at Article 65, vests the judicial power of this nation in the Supreme Court and such subordinate courts as the Legislature may from time to time establish. One of the most important and essential powers of a court is the authority to protect itself against those who disregard its dignity and authority or disobey its orders, and this authority is appropriately administered through the court's power to punish for contempt. 17 AM JUR 2d, Section 1, Contempt. The Supreme Court, a creature of the Constitution and head of the Judiciary, has the authority to determine what constitutes contempt against it and against the Judiciary as a whole and administer appropriate punishment for it. In this regard, this Court has held that the power to punish for contempt is intrinsic to the court as an incident necessary to its existence under an orderly form of government. *Meridien BIAO v. Torpor*, 38 LLR 174, (1966). This Court has also held that "a contempt proceeding is a sui generis action. Thus, the Court, without a complaint, may, on its own motion, institute proceedings to punish for offenses against its own dignity and authority." *Glassco v. Thompson*, 30 LLR 670 (1983.)

In the case: *International Trust Company v. Weah*, 15 LLR 406, 412 (1972), this court held that it is as much the duty of the inferior courts to demand and compel obedience of their orders as a first step to upholding the dignity of the judiciary and the authority of the courts of Liberia, as it is the responsibility of the Supreme Court to see that said dignity and authority are preserved. Thus while the actions of the contemnors by releasing Rodney D. Sieh from prison which necessitated these contempt proceedings actually took place when the main suit involving Dr. Chris Toe and Rodney Sieh was before the Civil Law Court for the enforcement of its judgment and the Civil Law Court could have, on its own, commenced contempt proceedings against the contemnors, this does not preclude the Supreme Court, the head and parent body of the Judiciary from instituting these contempt proceedings to protect the dignity and authority of the Civil Law Court, the Supreme Court and the Judiciary as a whole. In such cases, the Supreme Court exercises original jurisdiction. *In re Contempt against Flomo*, 40 LLR 575 (2001); *In re Honorable Prince Quaye Toe*, 39 LLR 802, 812 (1990).

Thirty-eight years ago, this Court held as unconstitutional a legislative enactment which limited and interfered with the contempt power of this Court. [See *In Re: The Constitutionality of Sections 12.5 and 12.6 of the Judiciary Law*, approved May 10, 1972 24 LLR 37 (1975).] Sections 12.5 and 12.6 of the Judiciary Law delineated the acts constituting criminal contempt of courts, including the Supreme Court, and the maximum punishment to be imposed therefor. In declaring Sections 12.5 and 12.6 of the Judiciary Law unconstitutional insofar as it related to the Supreme Court, this Court held: "Indeed, a careful scrutiny of the Liberian Civil and Criminal Procedure Laws reveals that the sections thereof which affect the Supreme Court are mainly those which relate to the appellate jurisdiction of this Court, whether it be by ordinary appeal or by the remedial writs of certiorari, prohibition, mandamus, and error. In no instance is there any regulation of this Court's original jurisdiction. As a matter of law the original jurisdiction of the Supreme Court is independent of legislative action. The Legislature can neither subtract from nor add to it. That being the case, the power of the Supreme Court to punish for contempt does not fall within its appellate jurisdiction which is subject to regulation by the Legislature; rather it is a power inherent in the Supreme Court." *Id.* at 44-45.

We must now address the deciding issue, whether or not the actions of the contemnors are justifiable under section 34.20 (1) of the Criminal Procedure Law.

Section 1.1 of the Criminal Procedure Law sets forth in clear and unambiguous terms as a way of presenting the scope of the entire Criminal Procedure Law, that the provisions of the Criminal Procedure Law "govern the procedure in criminal proceedings in all courts of the Republic of Liberia except where a different procedure is expressly provided by statute or rule of court". We note that where in this jurisdiction our criminal statute is also applicable to the civil statute, it is so expressly stated. For example, Section 21.1 of the Criminal Procedure Law provides:

Rules of evidence applicable in criminal proceedings.

The admissibility of evidence and the competency and privileges of witnesses in all criminal proceedings, except as otherwise provided by statute shall be governed by:

- (a) The rules of evidence set forth in the Criminal Procedure Law in so far as the same are applicable;
- (b) The applicable rules of evidence in civil actions as set forth in the Civil Procedure Law when the rules set forth in the Criminal Procedure Law are not applicable and;
- (c) The principles of the common law of evidence as they may be interpreted by the courts of the Republic of Liberia in the light of reason and judicial experience, if there are no applicable provisions in either the Criminal Procedure Law or the Civil Procedure Law.

Section 13.3 of the Criminal Procedure Law provides:

Form of bail; deposit of property.

A person allowed by order of the court to be released on bail shall execute a bond for his appearance. Such bond shall be secured by one of the means provided by Section 63.1 of the Civil Procedure Law for security of bonds given under that title and any surety on the bond shall be qualified as required by Section 63.2(1) of the Civil Procedure Law.[Emphasis supplied].

The foregoing are two examples of provisions of the Criminal Procedure Law which are also applicable to the Civil Procedure Law. That these sections of the Criminal Procedure Law also apply to the Civil Procedure Law is expressly stated by the sections themselves. But Section 34.20(1) of the Criminal Procedure Law upon which the contemnors relied does not state, on its face, that it is also applicable to a civil case; and we know of no statute, rule or decisional law of this Court that says that Section 34.20(1) is also applicable to civil cases. The text of the cited provisions of the Criminal Procedure Law, therefore, belies the Contemnors' argument that Section 34.20(1) is applicable to civil cases. To the contrary, Section 34.20(1) only authorizes the Minister of Justice/Attorney General to formulate rules or regulations governing compassionate leave for prisoners who are sentenced to terms of imprisonment in criminal cases to which the Republic of Liberia, represented by the Ministry of Justice, is or was a party. This conclusion is supported by the fact that the Republic of Liberia has no vested interest in a civil contempt imposed by a court to force compliance with its order, mandate or ruling.

Notwithstanding, this Court recognizes that where, growing out of actions of contempt of court or any civil matter, compelling reason(s) exist for the provisional release of a prisoner from a detention center, an application may be made in every such case to the court by the Minister of Justice, as custodian of the prisoner, or by the prisoner himself or herself. The application may be granted under conditions laid down by the court.

The case involving Dr. Chris Toe and FrontPage Africa Newspaper, Rodney D. Sieh et al., out of which these contempt proceedings grew is a civil case, hence, a criminal procedure, not directed by law, cannot apply in such case. It is an elementary principle of law that what is not expressly stated is deemed withheld. We therefore hold that the law did not contemplate that Section 34.20(1) would be applicable to civil cases. We hold further that Section 34.20(1) represents a legislative act of leniency intended to grant temporary reprieve to prisoners who are suffering from serious illnesses or whose immediate relatives are suffering from serious illnesses, to allow prisoners to attend the funerals of their relatives or to allow prisoners "to return to [their] homes for other compelling reasons which strongly appeal to compassion." Indeed the position we have taken in this case is supported by our research of similar laws in a number of common law jurisdictions, including the United States of American, which permit the "compassionate release" of criminal defendants from prison if there are "extraordinary or compelling

circumstances," but has no analogous laws or provisions for the release of persons imprisoned for civil contempt of court. See 18 USC 3582(c)(1)(A) and 4205.

But even assuming *arguendo* that Section 34.20(1) of the Criminal Procedure Law is applicable to civil cases, the reasons advanced by the contemnors and upon which Rodney D. Sieh was released from prison do not conform to the requirements of that section. We quote Section 34.20(1):

The Attorney General shall formulate rules or regulations governing compassionate leave from institutions and, in accordance with such rules and regulations, may permit any prisoner to leave his institution for short periods of time, either by himself or in the custody of an officer, to visit a close relative who is seriously ill, to attend the funeral of a close relative, to return to his home during what appears to be his own last illness, or to return to his home for other compelling reasons which strongly appeal to compassion. The rules or regulations shall provide for the manner in which compassionate leave shall be granted, for its duration, and for the custody, transportation, and care of the prisoner during the leave. They shall also provide the manner in which the expense connected with such leave shall be borne, and may allow the prisoner or anyone in his behalf to reimburse the state for such expense.

As evidenced by its text, Section 34.20(1) establishes a two-step process which the Minister of Justice/Attorney General must implement as a pre-condition for granting compassionate leave to a prisoner: (1) the Minister of Justice/Attorney General must formulate rules or regulations governing compassionate leave; and (2) after the formulation of, and in accordance with rules or regulations governing compassionate leave, the Minister of Justice/Attorney General may grant compassionate leave to a prisoner to: a) visit a close relative who is seriously ill, b) attend the funeral of a close relative, c) return to his home during what appears to be his own last illness, d) or to return to his home for other compelling reasons which strongly appeal to compassion. The statute admits of no other ground for granting compassionate leave. In our opinion, the framers of our law intended compassionate leave to afford a prisoner the opportunity to attend a pressing matter of serious or critical nature involving himself or his family for a short period. The duration of compassionate leave which should be based on the gravity of the situation, as we see it, should be for a few hours unless the condition necessitating the granting of compassionate leave requires a longer duration of the leave.

Neither in her returns filed with this Court nor during oral arguments before this Court did the Minister of Justice/Attorney General argue that she has formulated or caused to be formulated rules or regulations to govern the granting of compassionate leave as required by Section 34.20(1) and that she granted Rodney D. Sieh compassionate leave pursuant to such rules or regulations. In fact, there is no showing that such rules or regulations have been formulated by the Minister of Justice/Attorney General to govern the granting of compassionate leave as required by Section 34.20(1). Since the Minister of Justice/Attorney General has not formulated or caused to be

formulated rules or regulations to govern the granting of compassionate leave, as required by Section 34.20(1), how did she determine that Rodney D. Sieh was entitled to thirty days of compassionate leave or that thirty days of compassionate leave was appropriate in this case?

Further, if as claimed by the Minister of Justice/Attorney General, Rodney D. Sieh was granted compassionate leave for medical reasons, why was he sent home instead of being sent to a medical facility where he could receive appropriate medical treatment pending his return to prison? The Minister of Justice/Attorney General's inability or failure to answer these questions convinces us that her real purpose in granting Rodney D. Sieh compassionate leave was to circumvent and obstruct the execution of the mandate of this Court. We are also of the opinion that the Minister of Justice/Attorney General's conduct in this case constitutes a deliberate and calculated violation of the doctrine of separation of powers enshrined in the Constitution of this Republic; and that if such conduct is allowed to continue with impunity would hazard the dignity, independence, impartiality and neutrality of the Judiciary of this Republic and bring the Judiciary into disrepute.

We reaffirm this principle and hold that Section 34.20(1) of the Criminal Procedure Law is not applicable to individuals imprisoned by the Supreme Court or the trial courts of this Republic, for civil or criminal contempt, as the power of the Supreme Court and the trial courts to impose punishment for contempt is an inherent power.

Here are the reasons stated by co- respondent Counsellor Beyan D. Howard based upon which Rodney D. Sieh was released from prison: a) that Rodney D. Sieh has not been convicted of a criminal offense and is not a danger to the general public; b) that Rodney D. Sieh has apologized to the Supreme Court for the disrespect he has shown in his attitude, writing and utterances, c) that Rodney D. Sieh has no dealing and has not written for frontpageafricaonline.com website, d) that Rodney D. Sieh's continued confinement may likely lead to a lapse of debilitating mental illness, e) that the lawyers for both parties were working to resolve the case for which Rodney D. Sieh was imprisoned, f) that several constitutional issues regarding the incarceration of Rodney D. Sieh have been raised with the Supreme Court of Liberia, g) that Rodney D. Sieh was persistently ill, h) that substantial progress has been made in the dialogue with Dr. Chris Toe and his legal team; and i) that Rodney D. Sieh should have an opportunity to participate in said dialogue.

Clearly, none of the reasons stated above conform to any statutory grounds for which a prisoner may be granted a compassionate leave. The only reason that could have supported a case in compassion is the claim of illness. In the letter of September 27, 2013 to the Minister of Justice co-respondent Counsellor Beyan D. Howard asserted that Rodney D. Sieh's continued confinement may likely lead to "a lapse of debilitating mental illness." This claim is speculative and not supported by any medical report. Moreover and as noted above, Rodney D. Sieh was treated at the John F. Kennedy Memorial Hospital and the doctor that attended him, Dr. Billy C.

Johnson, who is also the Chief Medical Officer at that Hospital, declared that he was medically fit and well enough to be discharged. No opinion was given by Dr. Johnson or any other physician that the continued detention of Rodney D. Sieh may likely lead to "lapse of debilitating mental illness.

Further, the records show that upon his discharge from the John F. Kennedy Memorial Hospital, he reported that he was sick the very next day and was again taken to the same Hospital. He was at the John F. Kennedy Memorial Hospital when co-respondent Counsellor Beyan D. Howard wrote a follow-up letter to the Minister of Justice to grant compassionate leave to him. New reasons were given in the follow-up letter amongst which was "persistent illness." The question is, if Rodney D. Sieh was persistently sick, and was indeed sick and in the Hospital at the time, why was he granted compassionate leave to go home? Why was he not allowed to remain at the Hospital where he would be treated?

In his letter of September 27, 2013, addressed to co-respondent Christiana P. Tah, Minister of Justice/Attorney General requesting compassionate leave, co-respondent Counsellor Beyan D. Howard stated: "It is my desire that you will honor this request under the terms and conditions as you deem fit according to law and allow Mr. Sieh to serve his time under home confinement." A request for a prisoner to serve time at home is not one of the statutory grounds permitted under Section 34.20(1). So, co-respondent Counsellor Beyan D. Howard's real intent was to bypass the courts and have the Ministry of Justice release his client to serve prison time at home, although the Civil Law Court did not sentence his client to home confinement. This was no normal legal service of a lawyer to a client as the Counsellor has urged and impressed us to believe. Rather, we believe his intent was to avoid the enforcement of the mandate of this Court. Therefore, Article 21(i) of the Constitution of Liberia (1986) upon which co-respondent Counsellor Beyan D. Howard relied cannot properly be invoked. While it is true that Article 21(i) of the Constitution grants to all accused persons the right to counsel, that subsection of Article 21 of the Constitution neither expressly nor by necessary implication, permits a lawyer and his client, in collaboration with the Ministry of Justice, to circumvent or obstruct normal procedures and processes established for the administration of justice, as was done by co-respondent Counsellor Beyan D. Howard and the Minister of Justice/Attorney General in this case. We are therefore of the opinion that co-respondent Counsellor Beyan D. Howard's conduct in this case is a deliberate and calculated attempt to circumvent and render ineffectual the doctrine of the doctrine of separation of powers enshrined in our Constitution.

In the case: *In re P. Amos George and Joseph Findley*, 26 LLR 435 (1978) two counsellors of this Court wrote the President of this Republic, criticizing the Court's decision and falsely charging that the case was decided without copies of the record transmitted from the trial court and that they had been denied their day in court. The two Counsellors were held in contempt for trying "to influence and bring disharmony between the Judiciary and the Executive Branch of

Government..." Co-respondent Counsellor Beyan D. Howard's conduct in this case is similar to the conduct of Counsellors P. Amos George and Joseph Findley, in that his act of requesting the Minister of Justice/Attorney General who is a member of the Executive Branch of Government to intervene in and interfere with execution of the mandate of this Court, has the tendency to bring disharmony between the Judiciary and the Executive Branch of Government. Co-respondent Counselor Beyan D. Howard knew or should have known that the power of Supreme Court and the trial courts to punish for contempt is an inherent power that can neither be questioned by either of the other two branches of our Government or by anyone else. Yet, with such knowledge he chose to have the Executive Branch of Government, through the Minister of Justice/Attorney General, intervene in and interfere with execution of the mandate of this Court. Such conduct, we hold, is grossly contemptuous.

Because we are in full agreement with the analysis and conclusion reached by the Amici Curiae that the conduct of co-respondent Counsellor Beyan D. Howard was intended to circumvent the enforcement of this Court's mandate, we incorporate and reproduce herein below, that portion of their brief which addresses the point:

We submit that the September 27, 2013 letter of Cllr. Beyan Howard to Minister Christina P. Tah constituted instituting of proceedings which he knows or should know are in defiance of or an effort to circumvent a judgment of the Supreme Court because he knew that (i) his specific request for his client to serve his imprisonment at home is not legal and has no precedence in Liberia, and (ii) the underlying case was a civil action in which the Ministry of Justice was not a party and the said Ministry had repeatedly, publicly declared not to be a party.

Further, his argument that the Minister releases Sieh from prison on compassionate leave because several Constitutional issues regarding his incarceration have been raised with the Supreme Court of Liberia shows that he was not genuinely seeking compassionate leave for his client, but was finding contrived, irregular means to avoid his client obeying an incarceration order that he and/or others have challenged as illegal or unconstitutional. About half a century ago this Court, speaking through Justice James Pierre held that refusal to obey an order of ...court constitutes contempt, and is punishable as such, regardless of the legal soundness of the order, which may properly be contested only by resort to legal remedies. *Intl. Trust Company v. Weah*, 15 LLR 568 (1964). Applied to the facts of this case, the letter of Cllr. Beyan Howard speaking of constitutional challenges to the Civil Law Court's incarceration order was Improper.

The letter also constitutes contempt of court because it seeks to subordinate the Court to the Executive Branch of government in total disregard for the separation of powers established by the Constitution. A person who engages in acts and conduct in violation of the constitutional doctrine of separation of powers and/or in violation of the constitutional immunities reserved for judicial officers in the performance of their duties and powers, and/or in usurpation of the

authority and powers of the Supreme Court to affirm, reverse or modify the judgment of a lower court is guilty of contempt of the judiciary.

In re Counsellor C. Abayomi Cassel, 28 LLR, 207 (1979) the Supreme Court held as follows:

- a) A lawyer, who institutes and prosecutes proceedings which he knows or should know are in defiance of or circumvent a judgment of the Supreme Court, is guilty of contempt;
- b) An attempt to prevent the execution of a lawful order, judgment, decree or mandate of a court is such an interference with or attempt to obstruct the due administration of justice, as to constitute contempt, no matter where the act of contempt was committed;
- c) Any person who with knowledge of the decisions and mandates of the Supreme Court directly or indirectly disturbs, disobeys or disregards them, or, in any manner aids and abets contemptuous acts against the Supreme Court, is guilty of contempt.

The Minister of Justice, in granting the request for compassionate leave indicated that her decision was based on the request made by co-respondent Counsellor Beyan D. Howard and Attorney J. Fonati Koffa. She further indicated that her decision was also based on the review of two documents. The two documents are: a) Rodney D. Sieh's letter of apology to the Supreme Court, and b) an affidavit which purports to show that Rodney D. Sieh has no relationship with frontpageafricaonline.com.

Firstly, other than the assertion made in the Minister of Justice's letter that Attorney J. Fonati Koffa also made request to her to release Rodney D. Sieh from prison on compassionate leave, we see no proof of the involvement of Attorney Koffa in this case, as the records before us are silent on what role he played. Hence, we did not see the need to cite Attorney Koffa in contempt.

Secondly, we fail to see any connection between the reasons given by co-respondent Beyan D. Howard for the release of Rodney D. Sieh from prison and the documents reviewed by the Minister of Justice based upon which she granted compassionate leave to Rodney D. Sieh. This Court had not demanded any apology from Rodney D. Sieh and had certainly not posed any query about his connection to frontpageafricaonline.com.

Based on the facts and circumstances of this case, the laws applicable and all we have said, we hold that the respondents, Christiana P. Tah, Minister of Justice/Attorney General and Counsellor Beyan D. Howard committed contempt against the Judiciary. Their actions were not in consonance with Section 34.20 (1) of the Criminal Procedure Law of Liberia. The actions of the respondents were intended instead, to proceed through the Executive Branch of Government and release a prisoner who had been imprisoned for contempt of court without any reference to the Judiciary, in utter violation of the doctrine of separation of powers as enshrined in our constitution. Their actions therefore constitute contempt against the Judiciary and punishable as such.

As mentioned above, during arguments before us, the contemnors, through their respective counsels, offered apologies to this Court for their actions. Co- respondent Christiana P. Tah's apology was made on her behalf by Counsellor M. Wilkins Wright.

We note that, however, it was only upon the Court expressing its disappointment at the attitude of the Minister in maintaining the position that she had powers and could circumvent penalties imposed by the Court for transgression committed against the Court, that her counsel, in closing arguments belatedly admitted to the wrongfulness of the Minister's action and extended apologies to the Court. We hold that the belated regrets expressed by counsel for the contemnor was not made with sincerity as the Minister continued to have Rodney D. Sieh out of prison. As a matter of fact, Rodney D. Sieh continued to be freed by the Minister until the thirty-day period granted to him by the Minister had expired.

Similar position was taken by Counsellor J. Lavela Supuwood who represented co-respondent Counsellor Beyan D. Howard. Counsellor Supuwood, while closing argument, offered apology on behalf of co-respondent Beyan D. Howard.

This Court has held that in a contempt proceeding, a disavowal or disclaimer of intent is not a ground to purge a contemnor. In the case *In re: Jenkins K.Z.B. Scott and Aletha J. Roberts*, 32 LLR 313, 324 (1984), we stated that it is the prerogative of the Court, based on all the surrounding circumstances, to determine whether a contemnor has been purged. Generally however, contrition and apology do not absolve a contemnor but merely suffice to ameliorate the offense and to mitigate the punishment therefor. We reaffirm this well established principle of law and hold that the apologies offered by Counsellors M. Wilkins Wright and J. Lavela Supuwood on behalf of their respective clients do not absolve co- respondents Christiana P. Tah, Minister of Justice/Attorney General and Counsellor Beyan D. Howard of the contempt committed by them against this Court and the Judiciary as a whole. In determining whether or not to purge them of contempt, however, we have considered all the surrounding circumstances, including the gravity of their actions, the sincerity and substance of their apologies and their prior conduct as Counsellors of the Supreme Court Bar, and have hereinafter imposed an appropriate punishment, which we believe should serve as a deterrent to future contumacious conduct on their part.

WHEREFORE, and in view of the foregoing, the respondents are adjudged guilty of contempt of this Court. For her role in releasing Rodney D. Sieh from prison as well as her persistent affront to this Court demonstrated in her refusal to reverse the action which formed the basis for the contempt proceedings, notwithstanding her Counsel's promise to return Rodney D. Sieh to prison, co-respondent Christiana P. Tah, Minister of Justice/Attorney General, is hereby suspended from the practice of law in the Republic of Liberia directly or indirectly for the period of six (6) months; while, for his role played in the release of Rodney D. Sieh from prison,

Counsellor Beyan D. Howard is suspended from the practice of law directly or indirectly for a period of three (3) months.

The Clerk of this Court is ordered to communicate with the respondents informing them of the judgment of this Court. IT IS SO ORDERED.

Adjudged guilty of contempt.

COUNSELLORS T. NEGBELEE WARNER, CYRIL JONES AND DAVID A.B. JALLAH APPEARED AS AMICI CURIAE. COUNSELLORS BETTY LAMINE BLAMO, SOLICITOR GENERAL AND M. WILKINS WRIGHT APPEARED FOR CO-RESPONDENT CHRISTIANA P. TAH, MINISTER OF JUSTICE. COUNSELLORS C. ALEXANDER B. ZOE AND J. LAVELA SUPUWOOD APPEARED FOR CO-RESPONDENT COUNSELLOR BEYAN D. HOWARD.