



Case No. SCSL-2004-15-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ISSA SESAY  
MORRIS KALLON  
AUGUSTINE GBAO

FRIDAY, 11 MAY 2007  
11.30 A.M  
TRIAL

TRIAL CHAMBER I

Before the Judges:

**Bankole Thompson, Presiding**  
**Pierre Boutet**  
**Benjamin Mutanga Itoe**

For Chambers:

**Mr Matteo Crippa**  
**Mr Chris Boies**

For the Registry:

**Ms Advera Kamuzora**

For the Prosecution:

**Mr Peter Harrison**  
**Ms Penelope-Ann Mamattah**  
**Ms Shyamala Alagendra**

For the accused Issa Sesay:

**Mr Wayne Jordash**  
**Ms Sareta Ashraph**

For the accused Morris Kallon:

**Mr Melron Nicol-Wilson**

For the accused Augustine Gbao:

**Mr John Cammegh**

For Detention:

**Mr Robin Paul**

Medical Officer:

**Dr Harding**

OPEN SESSION

1 [RUF11MAY07A - MC]

2 Friday, 11 May 2007

3 [Open session]

4 [The accused Sesay not present]

5 [Upon commencing at 11.40 a.m.]

6 PRESIDING JUDGE: The trial is resumed. Counsel for the  
7 first accused?

8 MR JORDASH: I understand some news has been circulated --

9 PRESIDING JUDGE: Well communicate it to us from the Bar.

10 MR JORDASH: It is an application for an adjournment until  
11 Tuesday. Mr Sesay had an accident --

12 PRESIDING JUDGE: On the grounds, right.

13 MR JORDASH: -- last night, which involved a fall into a  
14 drainage ditch, which led to him striking his leg and injuring  
15 himself. He is in a great deal of pain. He is laid in bed and  
16 he has seen the doctor. The doctor thinks he will be okay by  
17 Monday or Tuesday, and he is not, at the moment, fit to come to  
18 court.

19 PRESIDING JUDGE: Okay. In the circumstances, it is  
20 usually the procedure for us to have a report, orally or in  
21 writing, from the chief of the detention unit or his  
22 representative and also a doctor, narrating the circumstances  
23 leading to the non-attendance of the accused person. In those  
24 circumstances, I would in fact like to invite the chief of the  
25 detention unit or his representative, and the doctor, to give us  
26 a statement or statements. May I then invite who is -- who is  
27 here from the detention unit?

28 MR PAUL: I am, Your Honour, Robin Paul, the deputy chief  
29 of detention.

1           PRESIDING JUDGE: You're deputy chief?

2           MR PAUL: Yes, sir.

3           PRESIDING JUDGE: Please apprise the Chamber of the  
4 circumstances leading to the non-attendance of the first accused  
5 at this trial proceeding.

6           MR PAUL: Yes, Your Honour. At approximately 20:00 hours  
7 last night, I received a call from the detention supervisor who  
8 was on duty that Mr Sesay had fallen and injured himself while  
9 answering a phone. And he told me that the circumstances were  
10 that Mr Sesay was standing by the dining room and, when he turned  
11 to answer a phone call, he placed his foot in a drainage ditch  
12 and fell and injured himself.

13           The officer told me that, when he was called on to the  
14 block, Mr Sesay was in his room laying on the floor. The officer  
15 attended him and then contacted the doctor, and the doctor  
16 arrived and treated Mr Sesay. Then I told the officer to report  
17 to me what his condition was, in the morning.

18           When I arrived in the morning, I received a report from the  
19 officer on duty and he gave an explanation of what happened, the  
20 same as I received the night before. I went into the block and  
21 talked with Mr Sesay, who was in the exercise yard at 08:00  
22 hours. He was sitting in a chair and I asked him if he could  
23 tell me what took place, and he described the incident, the same  
24 as the officer did. And I asked him if he was going to be going  
25 to Court this morning and he said he wanted to but his leg was  
26 hurting too much. And I told him that that was all right, and  
27 that I would go and talk to the Defence about not attending  
28 Court, and that I would go talk to the doctor and see what the  
29 doctor had to say about his injury.

1           So, at about 10.00, I went to see Dr Harding and discussed  
2 the injury with him. Also, I informed counsel, Defence counsel,  
3 of what had taken place, and the Registrar.

4           PRESIDING JUDGE: Thank you. Any questions for Mr Paul?

5           MR JORDASH: No, thank you.

6           PRESIDING JUDGE: Any questions?

7           MR HARRISON: No.

8           PRESIDING JUDGE: Dr Harding, do you have a report for us  
9 on the condition of the first accused?

10          DR HARDING: Yes, Your Honour.

11          PRESIDING JUDGE: Please give us the report.

12          DR HARDING: Mr Sesay inadvertently fell last night and hit  
13 his hip, and, as we know, he has got a bad right hip joint. He  
14 is in some amount of pain, which is left with him to tell us,  
15 because his pain is subjective. But he is being vigorously  
16 treated and I think he should be able to be in Court on Monday,  
17 maybe Tuesday, but I really think he should be able to be in  
18 Court on Monday. That is all I have to say. There are no  
19 evidences of external injuries, there is no fracture. It's just  
20 that he has this hip problem and hitting it did not help the  
21 situation. That is all I have to say.

22          PRESIDING JUDGE: Thank you, Dr Harding. Any questions for  
23 Dr Harding?

24          MR JORDASH: No, thank you.

25          PRESIDING JUDGE: The Prosecution, any questions?

26          MR HARRISON: No, thank you.

27          PRESIDING JUDGE: Well, based on the reports of the deputy  
28 chief of the detention unit and Dr Harding, on the condition of  
29 the first accused, the application is granted for an adjournment

1 and this proceeding is adjourned to Tuesday, 15 May 2007 at  
2 9.30 a.m.

3 [Whereupon the hearing adjourned at 11.56 a.m., to be  
4 reconvened on Tuesday, the 15th day of May, 2006, at  
5 9.30 a.m.]

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