

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 Alagenda
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

SESAY ET AL

11 MAY 2007

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

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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  
26 a statement or statements. May I then invite who is -- who is  
27 here from the detention unit?

us

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

chief

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OPEN SESSION

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  
5 at this trial proceeding.

accused

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

turned 10 that Mr Sesay was standing by the dining room and, when he  
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.

discussed  
counsel,

1           So, at about 10.00, I went to see Dr Harding and  
2           the injury with him. Also, I informed counsel, Defence  
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.

us

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

10          DR HARDING: Yes, Your Honour.

11          PRESIDING JUDGE: Please give us the report.

hit

12          DR HARDING: Mr Sesay inadvertently fell last night and  
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.

for 22 PRESIDING JUDGE: Thank you, Dr Harding. Any questions  
23 Dr Harding?  
24 MR JORDASH: No, thank you.  
25 PRESIDING JUDGE: The Prosecution, any questions?  
26 MR HARRISON: No, thank you.  
deputy 27 PRESIDING JUDGE: Well, based on the reports of the  
of 28 chief of the detention unit and Dr Harding, on the condition  
29 the first accused, the application is granted for an  
adjournment

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11 MAY 2007

OPEN SESSION

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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