# MAPPING AND ANALYSIS OF THE CHILD PROTECTION SYSTEM IN SIERRA LEONE

FINAL REPORT

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**Child Frontiers Ltd.**
Room 1401, 14 F, World Commerce Centre,
Harbour City, 7-11 Canton Road, Tsimshatsui,
Kowloon, HONG KONG

# Preamble and Acknowledgements

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## ACRONYMS

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| CBO | Community-Based Organization |
| CPA | Child Protection Agency |
| CPC | Child Protection Committee |
| CPN | Child Protection Network |
| CRA | Child Rights Act |
| CRC | Convention on the Rights of the Child |
| CRC – SL | Child Rights Coalition – Sierra Leone |
| CSO | Civil Society Organisations |
| CWC | Child Welfare Committee |
| DCI | Defence for Children International |
| DDR | Disarmament, Demobilization and Reintegration Programme |
| DHMT | District Health Management Team |
| DMO | District Medical Officer |
| DPP | Director of Public Prosecutions |
| ECOMOG | Economic Community Monitoring Group |
| ECOWAS | Economic Community of West African States |
| FAAST | Faith Alliance against Slavery and Trafficking |
| FGD | Focus Group Discussions |
| FGM/C | Female Genital Mutilation/Cutting |
| FTRC | Family Tracing and Reunification Subcommittee |
| FSU | Family Support Unit (Sierra Leone Police) |
| GBV | Gender-Based Violence |
| HRC | Human Rights Commission |
| ICCs | Interim Care Centres |
| ILO | International Labour Organization |
| IRC | International Rescue Committee |
| JSDP | Justice Sector Development Programme |
| LAWCLA | Lawyers Centre for Legal Assistance - Sierra Leone |
| MDGS | Millennium Development Goals |
| MSWGCA | Ministry of Social Welfare, Gender and Children's Affairs |
| MODEP | Ministry of Development and Economic Planning |
| MoH | Ministry of Health |
| NCWAC | National Commission for War-Affected Children |
| NCPC | National Child Protection Committee |
| PRSP | Poverty Reduction Strategy Paper for Sierra Leone |
| PHU | Peripheral Health Unit |
| RUF-SL | Revolutionary United Front - Sierra Leone |
| SDOs/SDWs | Social Development Officers/Social Development Workers |
| SLANGO | Sierra Leone Association of Non-Governmental Organizations |
| SLP | Sierra Leone Police |
| SSI | Semi-Structured Interview |
| TIP | Trafficking in Persons |
| TRC | Truth and Reconciliation Commission for Sierra Leone |
| UNAMSIL | The United Nations Mission in Sierra Leone |
| UNDP | The United Nations Development Programme |
| UNICEF | The United Nations Children's Fund |
| UNHCR | Office of the United Nations High Commissioner for Refugees |
| VEP | Vulnerable and Exploited Children |

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# CONCEPTS AND DEFINITIONS

**Child:** Consistent with the United Nations Convention of the Rights of the Child 1989, a child is a person under the age of 18.

**Family:** The term 'family' is used to refer to those within the caring circle of a child. This caring circle varies according to culture and circumstance; thus, the use of the term 'family' recognizes that in many societies the care environment of a child is broader than the immediate family and includes the extended family. The term also recognizes that in some circumstances, children are primary caregivers. However, it is important to clarify that individuals from the community or service providers who are not providing daily emotional, physical and psychological care to children would not be considered family.

**System:** A system can be generally defined as a group of independent but interrelated elements that create a unified whole. In this sense, a system denotes an instrument that combines the interrelated, interacting elements that are designed to work as a coherent entity towards a common goal.

**Social Welfare System:** Social welfare refers to a sense of human well-being that exists where "social problems are managed, where human needs are met and when social opportunities are maximized". A social welfare system is the organization of services and supports to promote social welfare. The distinguishing factors of social welfare system for children and families are the specific objectives of promoting children's well-being and their protection while enhancing the capacity of the families and communities to perform their responsibilities.

**Child and Family Welfare System:** The child and family welfare system refers to those aspects nested[1] within the social welfare system (or social protection system where applicable) that are aimed at promoting children's well-being and protection, while enhancing the capacity of families and communities to fulfil their responsibilities.

UNICEF understands a 'child protection system consisting of a set of laws, policies, regulations and services needed across all social sectors – especially social welfare,

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[1] UNICEF, (2009) A System Approach to Child Protection, Chapin Hall at the University of Chicago.

education, health, security and justice – as well as community and faith-based groups and other private service providers. It is part of social protection, and also extends beyond it.'

This research focuses primarily on the child and family welfare system while still exploring connections with other sectors relevant to child protection, and how those sectors influence or determine the actual shape of the child and family welfare system.

**Formal System:** Refers to components of the child protection system being recognized or endorsed by and subject to supervision and regulation by the government, international organisations and local NGOs (including community and faith based organisations).

**Informal System:[2]** Refers to initiatives undertaken by families, communities and children themselves in promoting children's well-being and protection and to mobilize helping resources available in communities to strengthen families and to respond when children are mistreated.

It is important to note that **Formal and Informal** should be considered as the two ends of a continuum and that there are likely to be elements of crossover between the formal and informal systems. In several instances it might be challenging to define elements clearly due to ambivalent roles and mandates. Elaborating the nature of the relationship between these groups is an important part of the analysis and mapping and may well require revision as a result of this exercise.

**Child Protection:** Strives to prevent, respond and resolve the abuse, neglect, exploitation and violence experienced by children in all settings. It is often a specialist policy and service sector but of necessity works very closely and is sometimes integrated with other sectors.[3]

**Prevention Services:**  services that might include the promotion of knowledge and skills and strengthen the overall capacity of the community for keeping children safe and cared for. It also includes those services targeting families and children that are experiences difficulties in order to change those situations before they create actual harm to the child.

**Response Services:**  Child protection interventions respond to circumstances in which a chid is at risk of harm or has been abused, exploited, neglected, abandoned, or without

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[2] Please note that informal and non-formal are used interchangeably in this document.

[3] For Agency specific definitions, see: UNICEF: ww.unicef.org/protection/files/What_is_Child_Protection.pdf; Save the Children Alliance: http://www.savethechildren.net/alliance/what_we_do/child_protection/.

appropriate family care harming the child. These services seek to reduce the possibility that harm will be repeated and to restore a child's well-being.

**Congruence:** Congruence is generally understood as the quality or state of agreeing, coinciding. We refer to the importance for a system to be congruent with national, regional and local child caring and child protection realities. The term is used throughout this framework to underpin the positive dynamic between the population and the formal system, which allows the system to support and build upon positive beliefs and practices while promoting rights and challenging those cultural norms, beliefs and practices that are detrimental to children and family well-being. In the context of this exercise, congruence does not imply that a system would condone gross violations or ignore aspects of culture that have adverse affects on the well-being of children.

# EXECUTIVE SUMMARY

## Macro-Level Findings

The mapping and analysis undertaken in Sierra Leone in late 2009 reveals that the existing laws, structures and services for the protection of children are not achieving their intended impact on the lives of the youngest members of society. Although actors at several levels are committing considerable resources to child protection initiatives, indicators demonstrate that a large percentage of children still face abuse, violence, neglect, and exploitation in their daily lives. Strong leadership is required to bring together various efforts into a well-articulated and common national vision that is appropriate to and accepted by a range of different stakeholders, most notably children, families and communities. Key findings of this report demonstrate the urgent need to launch a more focused national dialogue and action plan for the development of a sustainable child protection and welfare system.

The current development context of Sierra Leone represents an opportune moment for making critical breakthroughs related to child protection. Major strategic initiatives that are currently underway, including the Poverty Reduction Strategies, against a backdrop of significant economic development and much-needed decentralization, offer opportunities for decision-makers to seize the opportunity to ensure that child protection and welfare concerns receive adequate attention. In doing so, the government of Sierra Leone can catalyze and capitalize upon the work of dedicated local, national and international actors to ensure that child protection and family welfare are integrated into initiatives such as the five-year Agenda for Social Protection.

In the past decade, efforts to strengthen the formal child protection system have been coordinated by the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), mostly notably through the spearheading of the National Policy for Child Well-being (2005) and the Child Rights Act (2007). These initiatives have provided the basic principles and practical framework for child protection and welfare advocates. The CRA has codified several important measures, including the dual prevention and response mandate of community-level Child Welfare Committees, as well as the inclusion of joint police-social worker Family Support Units for investigating and monitoring cases. While the promotion of an overarching legal and policy framework for child protection and welfare is welcome, there remains significant concern that the CRA relies too heavily upon voluntary mechanisms for preventing and mediating family crisis, while the response system tends towards an

adversarial approach, with greatest emphasis placed on law enforcement and court based interventions.

The formal child protection and welfare system does not sufficiently take into account long-standing childrearing practices and the often harsh realities faced daily by impoverished communities. In the majority of cases of abuse, neglect or exploitation, it appears that communities are more likely to turn to local mediation structures to resolve child protection incidents. Given the traditional role of the Chief as mediator within communities, the government's engagement with customary child protection mechanisms and resolution practices must be considered more strategically.

Another limitation facing the MSWGCA is an extremely small budget and consequently low capacity to manage its activities. The formal system established under the CRA redefines the responsibilities of the government in a manner that is unachievable under the current circumstances. Currently, key child protection and welfare funding comes primarily from the international community, which has become a kind of "surrogate" social welfare provider. According to respondents, this has tended to undermine the authority of the government and, at times, fosters an agenda that perhaps responds more to external pressures than to local concerns. Redressing this balance will require that the government articulate a clear child protection and welfare strategy that reflects local realities and traditions, as well as strengthens staff capacity to achieve the ambitious plans in place.

**Specific Priorities**

***Legal and Policy Framework***

In recent years, Sierra Leone has made significant progress towards incorporating the CRC and African Charter into the national legal and policy framework for child protection. However, because Sierra Leone's legal system incorporates both British common law and local customary law, the CRA faces significant limitations in its relevance and applicability for the protection of children. It is strongly recommended that the Child Rights Act be reviewed and amended only after some of the broader decisions about the model of the system have been agreed. The law should be re-designed to reflect that amended model. Some specific priorities to address include:

- Assessment of the appropriateness of colonial legislation that focuses on outdated concerns (such as children "found begging for alms") rather than current realities of

Sierra Leone such as exploitative labour, early marriage, street children, or child-headed households;

- Adoption of a more family focused, prevention oriented approach able to intervene earlier with families in crisis; this will require a review of the existing statutory and court based child protection response;

- Strengthen the interaction between community support mechanisms and more formal protective services, building upon positive local customs and practices for crisis resolution in communities. This should involve systematic appraisal of the CRA with ; traditional leaders and communities; and

- Development of necessary policies and regulations to guarantee standardized implementation of child protection legislation, based upon recognised international standards,

### *Structural and Institutional Arrangements*

A strategy of reform should include a series of measures to establish new structures, realign existing ones relationships and ensure their regulation:

- Establishment of the National Commission for Children to ensure broader oversight, decision-making and monitoring for the protection of children;

- Develop a more formalized and regulated role for the new district councils, including their own child protection committees: these councils are well placed to act as a bridge between various departments and sectors, enabling a more holistic and comprehensive approach to child protection and family welfare.

### *Coordination and Interagency Collaboration*

Central-level mechanisms for planning and coordination around child protection are generally weak. There are many issue based committees, but little opportunity for long term strategic planning with stakeholders. This is especially important for intersectoral planning and delineation of responsibilities. Due to limitations in capacity and coordination, it is not clear which agencies are driving the child protection agenda, and many of the decisions are made at the ground level. In order to increase coordination among the different sectors and agencies, it will be important to:

- Review the effectiveness of the many coordination mechanisms that currently exist, bringing a more integrated strategic role to the NCPC

- Develop more formalized linkages with the education, health and justice sectors. Due to the pivotal nature of these sectors – as recognised within communities themselves - for reducing vulnerability to abuse and exploitation;

- Harmonise the strategic direction and activities of the government with international agencies, ensuring that the government drives the agenda

### Services

Due in large part to the lack of resources allocated to the MSWGCA, service provision in Sierra Leone remains extremely weak. Despite the need to stem the high incidence of child maltreatment, prevention initiatives and services have not been prioritized, and tend to focus on broader child rights. The focus has been on responding to children who have already suffered abuse and exploitation. To redress this balance, it will be important to:

- Develop a clear strategy for addressing the social norms and behaviour that underpin child vulnerability, especially violence and neglect in the home environment;

- Support the CWCs to become an effective "early warning" or "early intervention" protection mechanism in communities;

- Develop long term care and protection services for families and children beyond the law enforcement role of the FSU and the court based provisions, enhancing the duties of SDWs to provide appropriate follow up to children and families; and

- Define more clearly the role of NGOs (within the framework of a wider system) in service provision and response.

### Human and Financial Resources

Despite the huge welfare need, both financial and human resources in Sierra Leone reflect a lack of prioritization by the government, which has resulted in dependence on the international community. An accurate costing and capacity development plan is required to achieve the ambitious goals set out in the MSWGCA strategic plan. Key priorities should include:

- Reinvigoration of a professional cadre of social welfare officers / social workers who are specialized and accredited in child and family welfare issues;

- A fully-costed human resource strategy to ensure that: positions are filled; staff are adequately remunerated; and sufficient physical resources are provided for staff to do their work; and

- A significant increase in the MSWGCA budget (currently 0.29% of the national budget) to achieve the ambitious plans agreed.

**Recommendations**

In recent years, significant effort has been committed to the development of the child protection system in Sierra Leone, and the introduction of the CRA has reshaped the framework for reducing the vulnerability of children to abuse, exploitation and neglect. However, implementation has been problematic due to many of the reasons outlined above. While resolution of these specific challenges will certainly help, it is important to consider the interdependence of these components within the framework of a broader system of protection. In order to coordinate, prioritise and adequately resource the different elements of the child protection system, a common, long-term vision is required.

To this end, it is recommended that the following immediate steps be taken:

1. The National Child Protection Committee should be redefined as the vehicle for the critical review of the existing protection system and should take greater responsibility for the long term conceptualisation and strategic planning of the sector. In order to achieve some of the recommendations in this report, the NCPC should develop a comprehensive process of consultation to conduct the activities in (1) and (2) below;

2. A comprehensive exercise should be undertaken to define a sustainable vision of a functioning system for child protection, located within a broader strategy of social welfare. This exercise would be supported by international best practices and standards, while founded upon the positive customs and practices of Sierra Leone to ensure a contextually appropriate system; and

3. A long-term strategic plan should be formulated, costed and agreed upon. To support this, all stakeholders, including other government sectors (health, education, justice), as well as international and local NGOs, should review their current and projected programmes of work / strategic plans of action, including an audit of financial and human resources, thereby enabling realistic and prioritized targets to be set. With recognition that this would be an evolving but enduring commitment, specific micro goals towards the realization of the wider framework should be defined.

**Key Findings of the Mapping and Analysis of the Child Protection System of Sierra Leone**

**Legal and Policy Framework:**

- The CRA relies too heavily upon British provisions for a formalized, statutory response to child protection concerns. There is currently neither the capacity nor resources to effectively maintain such judicial processes.

- The CRA has not been articulated within the social and cultural context of the country. There remains a lack of interaction between community support mechanisms and more formal protective services.

- The law has not been sufficiently promoted at the local level and does not appear to resonate with communities at the present time. There is confusion regarding the redefined relationship of the State and the family.

- Child welfare legislation has not been accompanied by the necessary policies and regulations to guarantee standardized implementation. This means that the law is not operational on many levels and agency responsibilities are not clearly delineated.

**Structural & Institutional**:

- The restructuring of the MSWGCA throughout 2010 offers the possibility to professionalize operations and accountability. However, the restructuring remains limited for achieving the ambitious goals of the Strategic Plan.

- Senior MSWGCA staff are conceptually aligning themselves with a 'systems building' approach and there is an understanding of the importance of addressing root causes of vulnerability, rather than symptoms alone. However, the new structure risks perpetuating a project and issue-focused approach.

- The proximity of the District Councils to the lives of ordinary people provides significant opportunity for more appropriate and targeted planning of child welfare provision. However, to be effective in policy development and implementation, rather than case management, those responsible will require guidance and capacity building from the national level.

- Community-based structures can provide a protective network for children and families. At present the mandates and practices of the Chiefs and the CWCs are not sufficiently harnessed and monitored in accordance with the policies of the MSWGCA. Many of the structures rely on volunteers who have not received sufficient training or guidance to effectively implement their mandated duties.

**Collaboration & Interagency Coordination:**

- The coordination mechanisms at the central level seem to rely upon the issue based taskforces. Although they are led by the MSWGCA, these taskforces do not include an integrated vision or plan for developing a comprehensive and integrated system of protection.

- There is limited intersectoral planning and coordination between different government agencies and, while there are some operational agreements between them, they tend to focus on activity or procedural linkages.

- Communities and frontline workers clearly identify the importance of greater intersectoral collaboration in order to effect real change in the protection of children.

- Local level coordination between village leaders, communities and NGOs appears to be stronger than at national level. This perhaps represents disconnect in the vision and strategy of central level agencies.

**Services**

- The demand for protective services is high in Sierra Leone. It will not be possible to respond to the huge numbers of vulnerable children and their families. Therefore, a clear strategy for addressing social norms and behaviour that propagate vulnerability will be required as a primary prevention measure.

- The new referral protocol is very welcomed as a first step to ensure that all agencies recognise their role in responding to children at risk. However, the role of the MSWGCA in the process will remain periphery while the numbers and skills of SDWs remain weak. In many cases, SDWs are marginal to the continuing informal response processes in the communities.

- The elaborate powers of intervention for assuring the long term care and protection as envisaged under the CRA (emergency powers and court based protection orders) cannot be fulfilled with existing capacity levels, and it is questionable whether they are appropriate measures within the Sierra Leone context at the present time.

- Government services currently tend to focus on providing judicial restitution to victims, but are unable to provide long-term care and protection options for vulnerable children. Local NGOs provide help and support for families but this tends to be broad welfare aid rather than actual protection services.

- The CWC have the potential to become the central early identification and intervention mechanism but this role is not being optimally fulfilled as yet.

- Chiefs strongly indicated that they wished to be part of the solution for ensuring children are well protected in their communities. In order to reduce the incidence of 'compromise' it will be important to ensure that formal services, such as the FSU, become more accessible and viewed as relevant to communities.

**Human & Financial Resources:**

- There is an increasing 'brain-drain' as the professional cadre of social workers leaves the service. In order to encourage young people to join, it will be essential to once again professionalise the social service sector. This will require accredited social / welfare courses, rather than the current reliance upon NGO training and capacity building programmes.

- Resource planning and management, as well as distribution of key staff, should develop to reflect the needs of the communities rather than based upon a set allocation per district.

- In early 2010, there has been a marked commitment towards setting agency standards. This will help to ensure that the proposed new structure is supported by a well qualified personnel and strong leadership. However, supervisory and evaluation process also need to be put in place to promote quality and accountability.

- The social service sector is largely funded by the international community, thereby reducing the ownership and authority of the MSWGCA of the system. A full review of central level allocation is required to even correspond to current plans, let alone systemic reform of the sector.

# INTRODUCTION: PROJECT BACKGROUND & RATIONALE

There is increasing recognition among international child protection agencies that traditional approaches do not sufficiently prevent or respond to child protection issues. Child protection actors now accept the need to shift away from issue-specific, responsive programming towards a systems approach that includes a strong focus on prevention. This new focus on systems aims to move the child protection sector away from small scale and isolated projects towards a more systematic, efficient approach that considers the child and family in a more holistic fashion. The systems approach is grounded in research that suggests comprehensive, tailored, well-organized set of measures to prevent and mitigate the incidence of child protection violations is a pre-requisite for supporting social and economic development.[4]

The current discussion on child protection systems raises a number of critical questions about how child protection systems fit within wider social protection or social welfare systems, whether current approaches to child protection actually lend themselves to integration into an 'umbrella system', and, in particular, how a child protection system might incorporate both formal and informal protection mechanisms. The current discourse opens a number of debates on just what is a child protection system, including what a child protection system looks like, as well as whether current models and approaches to child protection are appropriate. There is need for critical reflection about what has been effective and ineffective in terms of child protection, challenging many of the existing concepts, approaches and drivers of child protection agendas.

At the national level, a systems approach requires strong leadership, long-term investments, changes to established ways of approaching child protection, and greater consultation with other sectors (e.g. social protection, education, health, etc). Creating a national vision for protecting children requires moving past piecemeal, project-based, and localized initiatives towards a more holistic approach in which a set of core mandates and duties are established. To do this, systems-related evidence is required to create a common understanding of existing structures, build public consensus and guide national decision making.

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[4] Krueger & Delaney (2008), An Overview of the Role of a Social Welfare System for Child Protection and Promoting Children's Well-Being, in East Asia and the Pacific Region Child Protection Strategy: Toolkit, East Asia and the Pacific Regional Office UNICEF, Bangkok.

Although the new international discourse has advanced general systems thinking, an African perspective has not yet been integrated into the global dialogue. This is fuelled by the predominance of Anglo Saxon and European literature on systems and the lack of African research on the topic. Furthermore, the existing literature on child protection in Africa tends to focus on the negative aspects of cultural practices and traditions in relation to child protection. Little information is available on local definitions of child protection, positive cultural practices and protective mechanisms. This information gap has important implications for systems building in West and Central Africa.

Internationally, different approaches to protecting children and supporting families have evolved over time and are rooted in particular traditions and socio-political-cultural contexts.[5] By contrast, the origins of African child protection systems is based on imported colonial models and approaches that may or may not have incorporated more culturally appropriate practices and local values. As a consequence, many national child protection structures in Africa have failed to build on positive community practices and assets that foster child well-being.

The positive aspects and beliefs of families and communities are essential components of a systems approach and therefore must be understood in order to develop more effective protection approaches. Recognizing traditional protection mechanisms will also inform and generate effective linkages or build on existing ones between established formal and non-formal protection systems. For example, in some places traditional leaders play a role in both. Understanding and designing child protection systems in West and Central Africa needs to take into account local community and family child caring practices as well as unique governance and development challenges. Issues of congruence between traditional child protection practices, national government's protection approaches, priorities and commitments and the international community's child protection agenda are central to this enterprise.

To effectively support systems building efforts in West and Central Africa, an African specific conceptual and analytical framework needs to be adopted. Systems advocates need to understand the core elements and functions of a formal system and how these can be productively linked to the beliefs, practices and structures of traditional ways of promoting child welfare. The contemporary debate on systems, while remaining grounded in the Convention on the Rights of the Child (CRC), needs to also take into account specific realities of West and Central Africa and strike an appropriate balance among different

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[5] See the discussions in Fremont & Cameron, 2006; Hetherington, Cooper, Smith & Welford, 1997.

international, national and local priorities. Of crucial importance is the garnering of perspectives of both formal and informal actors about current child protection programs and practices and how more congruent child protection systems that build on positive traditional practices - while at the same time support fundamental rights - can be designed.

## Objectives and Outcomes of the Mapping and Analysis

The objective of the mapping and analysis of the child protection system in Sierra Leone is to provide national stakeholders with a descriptive profile of their existing system and an initial assessment of its functionality, effectiveness and contextual appropriateness. The mapping identifies the essential elements for the development of national child protection systems that resonate with formal authorities, service providers and service users based on a shared understanding of their respective expectations, roles, and responsibilities. Unlike many mapping exercises in industrialized and middle-income countries, the methodology is designed to focus on formal state and non-state structures, as well as community child protection mechanisms, to better capture the specific characteristics of the Sierra Leonean contexts.

This initiative provides a macro analysis of how the formal and non-formal systems for protecting children are functioning in Sierra Leone. It identifies strengths and gaps in the existing system and considers its congruence with the social, cultural and economic context in which it is operating. It also examines the connections between child protection and other relevant service sectors.

To build a solid child protection system, strong leadership, fresh perspectives and a long-term national vision are required. New resources and strategic partnerships are essential. National actors must work together to reach a common understanding of what a system is and agree upon joint frameworks for action to maximize impact and avoid parallel efforts.

It is hoped that the information and recommendations included within this report will provide the evidence base required to seize the opportunities and overcome the challenges of developing an appropriate and sustainable child protection system in Sierra Leone.

## OVERVIEW OF METHODOLOGY

The methodology utilized in this research incorporates two broad strategies:

1) a general mapping (description and assessment) of the formal and informal child protection system; and

2) the use of exemplar case studies in selected districts of Sierra Leone to examine how the system is operating in priority contexts.

This dual design was selected for several reasons. It is essential to have a broad profile of the national child protection system to understand its scope, priorities and functioning. To this end, the mapping focuses on the core components of the existing system, namely the legal framework, the structures and institutional arrangements, service delivery structures and processes, coordination and resources. However, it is increasingly recognised that this level of investigation cannot provide a fully comprehensive picture about how the various systems components are actually interacting and impacting upon different child populations.

Sierra Leone, like many African countries, has a tradition of strong local leadership in matters of child and family welfare that has more recently been bolstered by the introduction of more formal community mechanisms (see Wessells, 2009)[6]. The exemplar case studies allow a preliminary investigation of the functioning, both actual and perceived, of village level child protection mechanisms. They are designed to review the functioning of both the formal and informal systems at the local level and highlight the interface between the two. Through the use of a common investigatory framework, this multiple-site case study approach supports comparisons across all selected research sites (see Yin, 1994)[7].

The exemplar case studies are not intended to be representative of the entire child protection system in Sierra Leone. Rather, these case studies provide a national snapshot based upon specific findings about the functioning of the system in selected sites. To this end, five districts were chosen in Sierra Leone based upon regional location, namely:

- Western Urban (Freetown, capital city)
- Pujehun and Moyamba (southern region)

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[6] Wessells, M (2009), "What Are We Learning About Protecting Children in the Community? An Inter-agency Review of the Evidence on Community-Based Child Protection Mechanisms in Humanitarian and Development Settings".
[7] Yin, Robert K., 1994, Case Study Research, Design and Methods (2nd edition), Sage Publications, London.

- Koinadugu (northern region)
- Kailahun (eastern region)

In each district, information was gathered from government services from the principal town, while group discussions were organised in one selected village within each district. The villages were selected to represent communities living in both urban and rural settings, including a village on the border with Liberia, as well as other remote locations.

The approach outlined above required a series of different data collection methods. The tools used to collect the data were as follows:

**Literature Review**

Over 83 documents were reviewed and analysed for the purpose of this research; a full list of resources can be found in the bibliography. Many of these documents were sourced by the Steering Committee for the project. The literature review informed the adaptation of the generic tools to the Sierra Leonean context.

**Semi-Structured Interviews**

The research team interviewed a total of 39 individuals selected for their knowledge of, or involvement in, the child protection system. A full list of key respondents is provided in Annex I and includes key experts and specialists with particular knowledge on aspects of the system; senior level officials from the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA); paramount and town chiefs and religious leaders; senior district representatives from the health, education and justice sectors; and district councillors.

**Focus Group Discussions**

Several hundred people contributed to the research through a series of focus group discussions. In total, 38 focus group discussions (FGDs) were conducted with seven core groups of respondents: children between the ages of 8-12 (mixed groups of boys and girls); boys aged 13-17; girls aged 13-17; adult men; adult women; representatives of the Child Welfare Committees; and frontline workers. This latter group comprised over 100 direct

service providers from a range of disciplines including teachers, doctors, social workers, nurses, police officers, and psychologists. 85% of these service providers were community based.

FGDs were conducted in selected exemplar case study sites, namely in the villages and communities of the different districts. Some were urban based, some rural; some were in Muslim communities, while others were held in predominantly Christian areas.

**Surveys**

Two surveys were conducted to provide more detailed information about the child protection system. The first was targeted at the frontline workers participating in the FGDs: this survey not only provided more information about their individual roles within the system, but also captured qualitative perspectives on the actual functioning of the system. Despite the challenges involved in administering a written survey, forty-seven frontline workers completed the form.

The second survey was intended for managers of child protection programmes in Sierra Leone. Given the limited applicability of an electronic survey, the collection of information proved challenging. However, a total sample of thirteen agencies was collected, including responses from (I)NGOs, local NGOs and UNICEF.

**Limitations**

To better understand the findings, it is worth mentioning some of the constraints of the research. Firstly, due to the limited infrastructure and resources of the MSWGCA, it was not always possible to find up-to-date information and statistics. Across all departments and government sectors studied, records have not been systematically maintained. Many of the documents reviewed were hard copies and were either incomplete or in draft form. As electronic copies are not always filed, in some cases updated documents could not be located. For this reason, it is proposed that a comprehensive verification process be undertaken with partners following the dissemination of this report to confirm accuracy of the latest data.

Regarding the exemplar case studies, it is important to emphasize that this approach portrays localized illustrations rather than presenting a factual representation of the national situation. These case studies provide a snapshot of local trends, allowing for interpretation and supporting informed opinion only. The study revealed the perceptions and opinions of a range of actors and provides a hypothesis from which general observations and conclusions can be drawn.

**PART I: CONTEXT**

## THE SIERRA LEONE CONTEXT

Present day Sierra Leone is shaped by its indigenous and colonial history, post-independence struggle for autonomy, a devastating 11-year conflict, and recent post-conflict reconstruction efforts. This history strongly influences the situation of children and the social and legal systems that protect them.

Sierra Leone achieved independence in 1961, retaining a Parliamentary system of governance and membership of the Commonwealth. However, in 1991, Sierra Leone descended into civil war. Over an eleven year period, the war left one third of the population displaced and destroyed community and family relations. Sierra Leone today is a country struggling to develop a new society in the aftermath of conflict and to build social and legal systems appropriate to its culture and tradition within the context of rapid urbanization and modernization. Investing in human development and creating opportunities for children within the sectors of education, health and social welfare is one of the greatest challenges facing the country.

| Sierra Leone Country Overview | | | |
|---|---|---|---|
| Country economic classification (WB) | Low income | Social Protection strategy present | Yes, but nascent |
| Human development index | 180 | Child Protection Leading Agency | Ministry of Social Welfare, Gender and Children's Affairs |
| Country Corruption index (TI) | 158 | National child protection coordination mechanism | National Steering Committee |
| Political stability | Instable | International Conventions not ratified / reservations: | ILO 182 on Worst Forms of Child Labour |
| Judicial system | Pluralistic: Civil law and customary law | | ILO 138 on Minimum Age |
| Overall Child Protection law/policy | Existing - Child Rights Act | | Hague Convention on Inter-country Adoption |
| National Plans of Action | Poverty Reduction Strategy Paper | | Hague Convention on International Child Abduction |

Table 1 – Sierra Leone Country Overview

**Organisation of the Government**

Sierra Leone is a constitutional republic with an elected president. The system of government in Sierra Leone, established under the 1991 Constitution, is modelled on a structure comprised of a Legislature, Executive and Judiciary. Supreme legislative powers are vested in the Parliament, the law-making body of the nation.

The country is divided into four regions, which are subdivided into a total of fourteen districts and 149 Chiefdoms. The fourteen districts and five cities make up a total of nineteen Local Councils. Under the Local Government Act (2004), a general policy of decentralisation was adopted, empowering these councils to enact local laws and control resources.  However, building capacities at a district level to implement these in a systematic way remains a challenge.

The district councils run parallel to the chieftaincy system. The chieftaincy system that once acted as the source of customary law and as a social welfare safety net was weakened and undercut by colonial rule and the imposition of foreign legal and social systems. Yet it remains the primary social system for the majority of the population.  Each town or village has a Chief who (indirectly) reports to the Paramount Chief, the head of the Chiefdom. All Paramount Chiefs within a district sit on a Council, the head of which has a seat in the national House of Representatives. While the power of the Chiefs is limited at the national level, at the local level they remain the primary authority for the majority of the population and have the ability to enact traditional by-laws that are sometimes at odds with national law but are nonetheless widely followed[8].

**Governance**

In 2003, the government undertook a participatory planning process and set out a vision for Sierra Leone in 2025[9]. The vision is founded around common core components - that the people will be united, the nation progressive and the country attractive.  Four scenarios for possible development are laid out. The aim is to achieve "Sweet Salone", where good governance, sound economic policies and a favourable economic environment produce strong economic growth and social, cultural, technological and environmental strategies that are sensitive to the aspirations of the people. The building blocks for achieving Sweet Salone are leadership, reconciliation, reconstruction and peace-building, sound economic

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[8] Strengthening Research Capacity for Evidence Based Practice in Sierra Leone (2009), p. 9.
9 National Long-Term Perspectives Studies, 2003. Sierra Leone Vision 2025: Sweet Salone.

management, and democratic governance. Positive progress has been made since 2003, donor commitment is strong and Sierra Leone has climbed from the very bottom of the Human Development Index to third from last. Yet the country remains vulnerable to shocks from regional politics and the global economic climate, and therefore remains an extremely fragile state.

| Indicators 2008 | Côte d'Ivoire | Ghana | Niger | Senegal | Sierra Leone |
|---|---|---|---|---|---|
| Voice and Accountability | 12.5 | 59.6 | 34.6 | 42.8 | 38.5 |
| Political Stability | 5.3 | 46.9 | 20.6 | 36.8 | 35.4 |
| Government Effectiveness | 6.6 | 52.1 | 20.9 | 51.2 | 11.4 |
| Regulatory Quality | 17.4 | 54.6 | 32.9 | 44 | 20.3 |
| Rule of Law | 3.8 | 52.2 | 22.5 | 45.9 | 14.8 |
| Control of corruption | 7.2 | 56.5 | 20.3 | 38.6 | 12.6 |

Table 2 – Comparative Table of Governance Indicators (Source: World Bank)

**Poverty and Economic Development**

Since emerging from the immediate post-conflict period, the Government of Sierra Leone has set out its agenda for economic growth and human development in two Poverty Reduction Strategy Papers (PRSP), the first covering the two-year period from 2005-2007, and the second the four year span of 2008-2012. The government has committed to achieving the United Nations' Millennium Development Goals and these are integrated into the PRSP. The current PRSP frames its objectives around three pillars:

1.  Promotion of good governance, peace and security through support to governance, public financial management, decentralisation, anti-corruption measures and investment in peace and security;
2.  Promotion of pro-poor sustainable growth through macroeconomic stability, food security, investment in infrastructure and private sector development;
3.  Promotion of human development, including education and training, and health and nutrition services.

As Sierra Leone has become more politically stable, greater emphasis has been placed on social and economic development. While the country has enjoyed solid economic growth in recent years, it is still listed in the Human Development Index as the third poorest country in

the world. In 2006 gross domestic product (GDP) expanded by a brisk 6.4% and in 2007 even faster at 7.3%[10]. However, roughly 70% of Sierra Leoneans live below the national poverty line, which is set at SLL 2,111 or the equivalent of $0.70 per day.[11] Poverty is greatest in rural areas where 62% of the population resides and where chronic food insecurity is the norm for the majority. The average household spends around 52% of its income on food.[12] Food insecurity exacerbates problems faced by children and addressing this scarcity is a key factor to address for their improved welfare and protection.

At present, the Millennium Development Goals (MDGs) are not within reach for Sierra Leone. A 2007 joint UN-MDG needs assessment stressed the importance of economic growth and investment in agriculture, mining, fisheries and tourism, and estimated the necessary financial investment to achieve the MDGs at nearly $19 billion – an amount unlikely to be raised under current budgetary constraints.[13] UNICEF estimates that only Goal No. 6, on combating HIV/AIDS, malaria and other diseases, will be achieved at the current level of effort. UNICEF anticipates that Millennium Development Goal (MDG) 1, the eradication of extreme poverty and hunger, is one of the goals least likely to be achieved by 2015.[14] Goals No. 2, 3 and 7, respectively on achieving universal primary education, promoting gender equality and ensuring environmental sustainability, are within reach if current efforts are increased over the coming five years.[15]

**Education Sector**

Education policy in Sierra Leone is framed by the 2004 Education Act, which defines the structure of the education system and emphasises non-discrimination in access to education. In 2007, the Education Sector Plan set out the objective of providing quality basic education for all, starting with the realisation of the right of all children to access quality primary education. The second PRSP includes an evaluation against this objective and sets out a strategy for progressively addressing obstacles to its achievement, including increasing access to and completion of primary school, especially for girls and out-of-school children.

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[10] UNICEF Sierra Leone, Annual Report, 2008.
[11] Sierra Leone Demographic and Health Survey Report, 2008.
[12] UNICEF Sierra Leone, Annual Report, 2008.
[13] UNDP Sierra Leone Country website http://www.sl.undp.org/mdgsl.htm
[14] UNICEF Sierra Leone, Annual Report, 2008
[15] UNICEF Sierra Leone, Annual Report, 2008

The government introduced free primary education in 2001 and as a result enrolment in primary education soared. In 2004/5, there was a gross enrolment ratio of 162%[16] reflecting high repetition rates and the enrolment of older children who had earlier missed out on education. Despite this, the population census for 2004 showed that 240,000 children, or 25-30% of primary school age children, had never attended school. In 2005, only 65% of children completed Class 6. A UNICEF study on out-of-school children found that the children most at risk of dropping out are orphans, children living with extended family, children in forced marriages, disabled children and those exposed to sexual exploitation.[17] The hidden cost of education - for uniforms, books, tuition fees and transport - is prohibitive for many families. Even with a 19% government budget allocation, the shortfall for achieving universal primary education is still close to $80 million.

| Education Indicators | |
| --- | --- |
| Primary school enrolment ratio, net, female | 63% |
| Primary school enrolment ratio, net, male | 61% |
| Secondary. school enrolment ratio, net, female | 25% |
| Secondary school enrolment ratio, net, male | 31% |
| Youth (15-24) literacy rate male | 64% |
| Youth (15-24) literacy rate female | 44% |
| Adult literacy rate male | 49% |
| Adult literacy rate female | 29% |

The quality of education also remains very poor. Over 50%[18] of teachers are unqualified, infrastructure is inefficient and resources are used without transparency. Serious deficiencies in rural areas have led families to send children to urban areas for study, putting pressure on education systems there and exposing children to harm as a result of lack of parental care. Additionally, many schools do not offer children a safe environment to learn; the use of physical punishment is endemic. 80% of untrained teachers are male and there are widespread reports of sexual violence as a form of punishment and sexual exploitation for the award of grades and waiver of school-related costs.

Table 3: Sierra Leone Education Indicators

## Health Sector

In the initial years of post-conflict reconstruction, the Government of Sierra Leone rehabilitated 867 Peripheral Health Units and three tertiary hospitals, and constructed three maternity wards in district centres.[19] However, the health care system remains under-resourced and under-utilised. About 70% of health care costs come out of the pockets of

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[16] Education in Sierra Leone, Present Challenges, Future Opportunities, 2006, World Bank.
[17] UNICEF Sierra Leone, Annual Report, 2008.
[18] Ibid.
[19] Poverty Reduction Strategy Paper 2008-2012, p. 78.

users and cost exemption systems currently in place appear to be ineffective.[20] A Demographic and Health Survey undertaken in 2008 demonstrated that infants and under-5 mortality rates have declined by 26% over the last 15 years. But despite this progress, the country still has the highest maternal, infant and child mortality rates in the world. One in eleven children in Sierra Leone dies before their first birthday and one in seven die before the age of 5.

| Health Indicators | |
|---|---|
| % 1-year old children immunized against TB | 82% |
| % < 5 w/diarrhoea oral rehydration /con't feeding | 86% |
| % 1 receiving measles vaccinations (latest figure) | 60% |
| Nutrition Indicators | |
| % infants with low birth weight (latest figure) | 24% |
| % under-5 underweight moderate & severe | 21% / 7% |
| % under-5 suffering wasting: moderate & severe | 10% / 4% |
| % under-5 suffering stunting: moderate & severe | 36% / 21% |

Table 4: Health and Nutrition Indicators

An "Essential Health Care Package" was developed to define key interventions that the public health systems should provide within the available resources, with an emphasis on community participation. The current PRSP focuses on the provision of integrated reproductive and child health services, the promotion of good maternal and childhood nutrition, provision of impregnated nets to prevent malaria, condom distribution for sexually transmitted infection (STI) and HIV prevention and promotion of household hygiene.

**Justice Sector**

Sierra Leone has a pluralist legal system that combines British common law inherited from the colonial period and local customary law. Pursuant to the Constitution, the laws of Sierra Leone are comprised of the Constitution, statutory law, common law and customary law. These include laws enacted by the Sierra Leone Parliament, as well as British common laws and statutes directly applied or adopted during the colonial period.[21] As such, Sierra Leone continues to rely on antiquated British laws, such as the Offences against the Persons Act of 1816, which deals with crimes such as rape.

The formal justice system suffered significant devastation during the conflict. The war not only destroyed physical infrastructure of the justice system (courts, prisons, police stations),

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[20] UNICEF Sierra Leone, Annual Report, 2008.
[21] Constitution, Courts Act 1965

but also undermined the rule of law and the credibility of the institutions of justice.[22] Since then, much has been done to re-build the system through the work of the Justice Sector Development Programme (JSDP).

The JSDP has as its mandate the establishment of safety, security and access to justice for the people of Sierra Leone, especially poor, vulnerable and marginalised populations. A Justice Sector Harmonised Reform Strategy and Investment Plan has been developed under government leadership to provide a single framework for all significant funding for the sector, both recurrent and development and from government and donors. With support of donors, the formal justice system is being slowly rebuilt, with investment directed at building the capacity and efficiency of the court system and introducing new approaches such as community policing and a legal aid system. The JSDP also formed a sub-committee to look specifically at child justice issues, and in 2006 a five-year National Child Justice Strategy was introduced. The overall goal of the Strategy is to ensure commensurate, fair, effective and efficient justice for every child in contact or at risk with the criminal justice system. While the Strategy deals largely with children in conflict with the law, it also includes some provisions to strengthen the handling of criminal cases involving child victims.

In the countryside, where the majority of the population lives, the formal justice sector plays only a marginal role. The vast majority of disputes and conflicts never reach the formal justice system, which is inaccessible to an estimated 70% of the population.[23] Most disputes are therefore dealt with locally through traditional dispute resolution procedures relying on the authority of Chiefs, or through the semi-formal local (customary) courts presided over by traditional leaders. The local courts have been created to administer customary law and have jurisdiction to resolve minor crimes and disputes in relation to marriage, divorce, succession and land tenure, including issues affecting children.[24] These community justice mechanisms are more easily accessible to people, and many Sierra Leoneans prefer traditional systems of justice because they reflect local values and are faster, cheaper, more accessible and easier to understand. The chieftaincy remains the most legitimate and important system of authority in rural areas. Recent research has shown that chiefs often fill important governance and justice gaps between local communities and formal state structures; that "traditional" norms and systems are changing in relatively significant ways; and that "modern" interventions are engaging and interacting with other governance systems

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[22] Kane, M., 2004, Sierra Leone Legal and Judicial Sector Assessment, World Bank, Washington DC; Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010.
[23] Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010; Dale, P., 2008, 'Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC.
[24] Local Courts Act 1963.

in a rich and sometimes unpredictable manner.[25] However there are major concerns over the quality of customary practices, particularly for women and children, and in many cases the traditional and informal methods of customary law fail to meet the standards of the national Constitution and the international human rights treaties to which the nation is committed. Faith in chiefs has reportedly diminished since the end of the civil war and traditional practices are beginning to be questioned.[26]

In recognition of the significant role that these community justice mechanisms play in providing "primary" justice, the Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010 placed significant emphasis on strengthening semi-formal and informal justice systems at the community level. Activities are being undertaken to strengthen the quality of justice provided by local courts and Paramount and village Chiefs, and to strengthen the supervision of these bodies. However, it has been noted that there is an "uneasy relationship" between the received or English laws and the traditional or customary laws, and the role of customary justice remains contentious.[27] In particular, the discriminatory treatment of women and children under customary law has been identified as cause for concern.

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[25] Manning, R., 2009, The Landscape of Local Authority in Sierra Leone: How "Traditional" and "Modern" Justice Systems Interact, World Bank Justice and Development Working Paper Series, Volume 1, Issue 1; Dale, P., 2008, 'Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC.
[26] Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010; Dale, P., 2008, 'Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC
[27] Manning, R., 2009, The Landscape of Local Authority in Sierra Leone: How "Traditional" and "Modern" Justice Systems Interact, World Bank Justice and Development Working Paper Series, Volume 1, Issue 1; Dale, P., 2008, 'Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC

**Child Protection**

In addition to the issues outlined above, girls and boys are exposed to a number of serious protection concerns. A child protection participatory vulnerability assessment undertaken on behalf of UNICEF in 2006 identified sexual exploitation and abuse, teenage pregnancy, child trafficking, child labour and deprivation of care as some of the most widespread and inter-connected protection concerns. Chronic food insecurity and pervasive poverty, particularly in rural areas, underpin and exacerbate each of these issues. Of all these concerns, both community members and policy makers identify child labour and teenage pregnancy as the most widespread and serious.[28] Sexual

| Sierra Leone Child Protection Indicators | |
| --- | --- |
| **Child Labour (%)** | |
| Child labour (5-14 years) **total** | 31% |
| Child labour (5-14 years) male | 33% |
| Child labour (5-14 years) female | 30% |
| **Child marriage (%)** | |
| Child marriage, **total** | 58% |
| **Female genital mutilation/ cutting (%)** | |
| Female genital mutilation/ cutting, (15-49) urban | 85% |
| Female genital mutilation/ cutting, (15-49) rural | 95% |
| Female genital mutilation/ cutting, (< 15) total | 71% |
| **Domestic violence** | |
| Attitude towards domestic violence (MICS) | 85% |
| **Orphans** | |
| Children (0-17) orphaned -- all causes (000s) | 11 / 2% |
| **Institutional care** | |
| Children in institutional care (estimate) total | 1,871 |
| Children in institutional care (estimate) male | 1,070 |
| Children in institutional care (estimate) female | 801 |

Table 5: Sierra Leone Child Protection Indicators

abuse and exploitation follow the fault lines of poverty. Abusers are typically men in positions of power – including community leaders and teachers - and sexual exploitation as a means of survival may be tacitly condoned by parents and carers. High levels of teenage pregnancy result from sexual exploitation and abuse, risky pre-marital sexual behaviour and early marriage.[29]

Although 18 years old is the legal age for marriage, 58% of girls are married before then and the median age for the birth of a first child is 19.3 years. Almost nine in ten mothers receive ante-natal care from a health professional, but only 25% of babies are delivered in health facilities and only 42% are done with the help of a health professional. Almost half are delivered by traditional birth attendants. HIV prevalence is 1.5% in people aged between 15 and 49, but this percentage rises to 4.4% for pregnant women.[30] While the majority of people are aware of HIV/AIDS, only 14% of women and 25% of men have enough knowledge to be able to protect themselves from the virus.

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[28] Strengthening Research Capacity for Evidence based Action in Sierra Leone.
[29] Sierra Leone Demographic and Health Survey Report: 2008.
[30] UNICEF Sierra Leone, Annual Report, 2008.

Female genital mutilation/circumcision (FGM/C) is also a widespread practice in Sierra Leone, affecting 85% of girls in urban areas and 95% in rural areas. The majority of circumcisions are of WHO Type II, involving the cutting or excision of the clitoris, and/or the labia minora and majora. The practice is associated with social acceptance and marriageability, and 95% of circumcisions are performed by traditional practitioners during initiation ceremonies into secret societies.[31] 71% are performed on girls under the age of 15, with 23% are done before the age of 5.

Many children in Sierra Leone have lost their primary caregivers because of conflict, disease or family breakdown. Statistics show that 11% have lost one parent and 2% have lost both. Children in Sierra Leone are also commonly moved between households within extended kin structures so that they can access basic services such as education. As such 26% of children are not living with either of their parents even though both are living[32]. A mapping of organisations working with orphans and vulnerable children (OVCs) in 2007/8 identified a total of 1,871 girls and boys living in 48 residential care institutions, just over half of whom were admitted because of poverty and only 43% of whom were fully orphaned[33]. The MSWGCA did not have oversight of the children admitted or of the said organisations' adherence to minimum standards of care and protection. Children living in informal care arrangements are at increased risk of abuse and labour exploitation.

The US Department of State lists Sierra Leone as a source, transit and destination country for trafficking of women and children[34]. However, the majority of trafficking cases are of children being trafficked within the country to urban and mining centres, where they are often used for labour and prostitution. Trafficking is therefore closely linked to exposure of children to some of the worst forms of child labour. According to the Children's Act, 15 is the minimum age for full time work and 13 for light work. However, 31% of children below the age of 15 are engaged in some form of child labour, with a higher proportion in rural than urban areas.[35] Children who work in market areas for long hours, carrying heavy loads with little pay, may also be engaged in the worst forms of child labour.[36]

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[31] Sierra Leone Demographic and Health Survey, 2008
[32] Sierra Leone Demographic and Health Survey Report: 2008
[33] Improving the Care and Protection of Children in Sierra Leone, 2008
[34] US Department of State, Trafficking in Persons Report 2009. Sierra Leone is listed as a Tier 2 country, meaning that they are not compliant with Trafficking Victims Protection Acts minimum standards, but are making an effort to comply,
[35] Sierra Leone Demographic and Health Survey Report: 2008.
[36] Capacity and Vulnerability Assessment of Child Protection in Sierra Leone, 2006, pg 32.

**Social Protection and Social Security**

At the time that the PRSP was written, the Government of Sierra Leone did not have a social welfare or protection policy. There has been limited donor support for social protection schemes in recent years and conditional cash transfers schemes have tended to target educational enrolment and healthcare initiatives. Current direct annual budgetary allocation to Social Protection is less than 1% of GDP. As one official stated, 'social protection initiatives have been perceived as a humanitarian gesture rather than as poverty alleviation'.

However, under the strategic priority of sustaining human development, the PRSP sets out a social protection agenda aimed at addressing vulnerability, discrimination, exclusion and risk by implementing preventative social insurance schemes for pensions, health and unemployment; promoting livelihoods and productivity through cash transfers, public works and school feeding programmes; developing protective social assistance programmes such as child protective services, emergency response mechanisms, and food aid; and putting in place transformative policies such as minimum wages, maternity benefits, inheritance rights and anti-discrimination laws. Based on this, a more rights-based Agenda for Social Protection has been developed to be implemented between 2010 and 2014.

**Donor Support to Sierra Leone**

In 2006, overseas development assistance per capita in Sierra Leone was estimated at $61 – one of the highest ratios in Africa.[37] During 2004 and 2005, the total donor budget allocation to Sierra Leone was $639 million.[38] Given the global economic crisis and rise in global food prices, the country remains fragile and highly aid dependent.

The World Bank, African Development Bank (ADB), European Commission (EC), UK Government Department for International Development (DFID) and the United Nations are the key donors supporting the Government of Sierra Leone in the implementation of the PRSP and the achievement of the MDGs. Most aid is provided in the form of project support, but a significant amount is also provided in the form of direct support for government budgets.

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[37] OECD, Mapping External Resource Flows to Sierra Leone, Internal UN Peacebuilding Support Office Paper, August 2007.
[38] European Community Country Strategy Paper and National Indicative Programme for the period 2008-2013.

Since 2006, there has been a multi-donor budget support (MDBS) framework in place signed by the World Bank, ADB, EC and DFID, with contributions amounting to about 25% of government expenditure.[39] Donors have developed additional co-operative frameworks around specific targets, such as the Improved Governance and Accountability Pact (2006). Support through NGOs is also substantial, constituting 15% of Overseas Development Aid in 2005.[40] But weak government infrastructure has meant that their activities are often poorly co-ordinated.

Sierra Leone was one of the first two countries to receive funding from the UN Peace Building Fund established in 2006 to support post-conflict peace building initiatives. $35 million was allocated through this fund in 2007 and disbursed in 2007 and 2008. Of that amount, $3 million was used in support of reparations programmes for people affected by the conflict. UNDP was the main recipient of other funds, but a small amount was allocated to UNICEF to support child protection in recovery and peace building.

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**Context Key Findings:**

- Sierra Leone remains one of the world's poorest nations. Strategies for increasing security and human development have focused on poverty alleviation measures and the enhancement of the health, justice and education sectors. These initiatives should all impact upon the protection of children from abuse, neglect and exploitation. As the findings show, the enhancement of these sectors will directly affect the day-to-day realities of children.
- There has, however, been very limited focus on the development of child and family welfare, either through social protection initiatives or direct service provision for families in crisis. There remains a major gap in donor funding for the development of a welfare sector focused on the prevention of abuse and exploitation.
- The decentralisation process offers opportunities for more targeted allocation of resources to district councils but, given the extent of child protection issues, will need significant strengthening and support if these councils are to be effective.

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[39] Making Aid More Effective Through Gender, Rights and Inclusion: Evidence from Implementing the Paris Declaration. Sierra Leone Case Study.
[40] Oxford Policy Management, Making Aid More Effective Through Gender, Rights and Inclusion: Evidence from Implementing the Paris Declaration: Sierra Leone Case Study, June 2008.

# PART II: THE EXISTING CHILD PROTECTION SYSTEM IN SIERRA LEONE

## THE EXISITING CHILD PROTECTION SYSTEM IN SIERRA LEONE

### 1. Legal and Policy Framework

Based on the literature review conducted, this chapter will examine the existing laws and policies dealing with child protection, legal definitions of the child, as well as the international and regional child protection instruments Sierra Leone is party to. An overview of the primary national law governing child protection services, the Child Rights Act, 2007, and current child protection procedures is provided. As discussed previously, despite official legislation in place, traditional practices and the authority of tribal chiefs continue to play a significant role in day-to-day governance of village life and the protection of children.

### 1.1 Overview of the Legal and Policy Framework for Child Protection

Sierra Leone has ratified the Convention on the Rights of the Child (CRC) and is also a signatory to the African Charter on the Rights and Welfare of the Child. It has also ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography[41] and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict.[42] However, it has not ratified the ILO Minimum Age Convention 138 or ILO Convention 182 on the Worst Forms of Child Labour. It has also signed, but not yet ratified, the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

| INTERNATIONAL AND REGIONAL CHILD PROTECTION INSTRUMENTS | | | |
|---|---|---|---|
| | Signed Only | Ratified / Acceded | Date |
| **Convention on the Rights of the Child** | | ✔ | **18 Jun 1990** |
| **CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography** | | ✔ | **17 Sept 2001** |
| **CRC Optional Protocol on Involvement of Children in Armed Conflict** | | ✔ | **15 May 2002** |
| **African Charter on the Rights and Welfare of the Child** | | ✔ | **13 May 2002** |

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[41] Ratified September 2001.
[42] Ratified May 2002.

| | | |
|---|---|---|
| **ILO Minimum Age Convention 138** | | |
| **ILO Convention 182 on the Worst Forms of Child Labour.** | | |
| **Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime** | ✓ | **27 Nov 2001** |
| **Hague Convention on Inter-Country Adoption** | | |
| **Convention on the Elimination of All Forms of Discrimination Against Women** | ✓ | **11 Nov 1988** |
| **International Covenant on Civil and Political Rights** | ✓ | **18 Jun 1990** |
| **International Covenant on Economic, Social and and Cultural Rights** | ✓ | **23 Aug 1996** |
| **Convention on the Rights of Persons with Disabilities** | ✓ | **30 Mar 2007** |

Table 6: International & Regional Child Protection Instruments

In recent years, Sierra Leone has made significant progress towards incorporating the CRC and African Charter into the national legal and policy framework, and in establishing the basic legal framework for child protection. In 2006, a National Policy on Child Well-Being was introduced to outline the nation's vision for its children and the key strategies for promoting their well-being. The stated objective of the policy is to have a country where the best interests of the child are paramount in the progressive and maximum attainment of the survival, development, participation, and protection of every child in Sierra Leone. The Policy is firmly grounded in a rights-based approach and includes a commitment to abide by and advance child rights principles at all societal levels. It outlines some general strategies for achieving this objective, and also calls for the development of a more detailed five-year plan for the implementation of the Policy.

Other policies relevant to the protection of children include the recent Agenda for Social Protection, developed by a multi-agency Steering Committee under the leadership of the National Commission for Social Action (NaCSA). This agenda highlights the need to provide for a whole range of people living in crisis situations, including those living: in dire poverty; without employment; with chronic illness or disability; and in single headed households. The Agenda will be implemented through a partnership of government, civil society and the private sector, and will focus on reducing social and economic vulnerability trough livelihood programs and conditional cash transfers. The Agenda specifically recognizes the importance of protecting 'Vulnerable and Excluded Children'. To this end, and as part of the program to

develop human capital, cash transfers to vulnerable children worth USD 9.17m are anticipated.

This Agenda supports the National Youth Policy (2003) which aims to empower youth in the post-war setting. Through the development of youth associations and job creation schemes, it is expected that a non-violent and respectful culture will be developed among today's youth.

| LEGAL DEFINITIONS OF THE CHILD | |
| --- | --- |
| Definition of a child under the child protection / child welfare laws | 18 |
| Minimum age for marriage | 18 |
| Age for completion of compulsory education | 15 |
| Minimum age for employment | 15, 13 for light work |
| Minimum age for engaging in employment or work that by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons. | 18 |
| Age for consenting to sexual activity under criminal laws | 13 (girls only) |
| Age of criminal responsibility | 14 |
| Age for compulsory recruitment by governments and armed groups | 18 |
| Age for voluntary recruitment by governments and armed groups | 18 |

Table 7: Legal Definitions of the Child

Child protection has also been addressed through a number of national laws:

| CHILD PROTECTION LAWS | |
| --- | --- |
| Child and Family Welfare | Child Rights Act, 2007 |
| Birth Registration | Child Rights Act, 2007<br>Births and Deaths Registration Act, 1983 |
| Custody and Maintenance of Children | Matrimonial Causes Act<br>Child Rights Act, 2007 |
| Domestic Violence | Domestic Violence Act, 2007 |
| Inheritance Rights | Devolution of Estates Act, 2007<br>Registration of Customary Marriages and Divorce Act, 2007<br>Child Rights Act, 2007 |
| Adoption | Adoption Act, 1989 |
| Child Labour | Child Rights Act, 2007 |
| Juvenile Justice | National Child Justice Strategy, 2006<br>Child Rights Act, 2007 |

| Child Victims/Witnesses in Criminal Proceedings | National Child Justice Strategy, 2006 |
|---|---|
| Corporal Punishment | Child Rights Act, 2007 |
| Physical Abuse | Prevention of Cruelty to Children Act<br>Child Rights Act, 2007 |
| Sexual Abuse | Prevention of Cruelty to Children Act |
| Child Prostitution | Protection of Women and Girls Act, 1927<br>Prevention of Cruelty to Children Act |
| Child Pornography | |
| Trafficking in Children | Anti-Human Trafficking Act, 2005 |
| Involvement of Children in Armed Conflict | Child Rights Act, 2007<br>Recruitment Act, 2006<br>RSLAF Recruitment Policy, 2004 |
| Refugee and Migrant Children | |
| Child Protection in Emergencies | |

Table 8: Child Protection Laws

## 1.2 Legal Principles and Approach to Child Protection

The main national law governing child protection services is the Child Rights Act, 2007 (CRA). In accordance with the CRC, the CRA defines a child as any person under the age of 18. It includes a statement of children's rights; delineates roles, responsibilities and structures for promoting children's welfare, and provides procedures for handling both children in conflict with the law, as well as children in need of protection. The CRA also makes modifications to previous laws in order to improve compliance with the CRC, including the Corporal Punishment Act (repealed), the Prevention of Cruelty to Children Act and the Children and Young Persons Act.

The principle of the best interest of the child has been expressly incorporated into the Child Rights Act, which states that the fundamental principle to be applied in the interpretation of the CRA is that the short- and long-term best interests of the child is a primary consideration in any decision or action that may affect the child or children as a group. In determining the best interests of the child, a person, court or other authority must take into account the other core principles of the CRC, including non-discrimination, the right to life and maximum survival and development respect, respect for the views of the child, and the spirit of the CRC as a whole. The CRA does not include detailed criteria for best interest determinations. However it does require the National Commission for Children to undertake a progressive study and review of the best interest principle with a view to advising government and other State institutions on the criteria for the application of that principle.

The CRA is grounded in a rights-based approach and includes a general guarantee of children's right to life, dignity, respect, leisure, liberty, name and nationality, health (including immunization against diseases), education, shelter from their parents, inheritance (whether

or not born in wedlock), and protection from involvement in armed or any other kind of violent conflict. There is no explicit rights-based statement of the State's obligation to protect children from all forms of violence, abuse and exploitation. However, the section dealing with parental rights and responsibilities states that parents must protect children from neglect, discrimination, violence, abuse, and exposure to physical and moral hazards and oppression. The CRA also prohibits and sanctions exploitive and hazardous child labour, forced or early marriage, and all forms of torture or other cruel, inhumane or degrading treatment or punishment, including any cultural practice which dehumanises or is injurious to the physical and mental welfare of a child. Corporal punishment is not explicitly prohibited, though the CRA does state that "no correction of a child is justifiable which is unreasonable in kind or in degree according to the age, physical and mental condition of the child and no correction is justifiable if the child by reason of tender age or otherwise is incapable of understanding the purpose of the correction."

The Child Rights Act recognizes the primary responsibility of parents in the care and upbringing of their children. It includes a statement of parents' rights and responsibilities, including the obligation to protect children from all forms of neglect and maltreatment, to provide good guidance, care, assistance and maintenance for the child, and to ensure that in the temporary absence of a parent the child shall be cared for by a competent person. Recognizing the importance of the family environment, the CRA states that no child can be denied the right to live with his/her parents and family except by a Court order, and only where it has been proven that living with the parents would lead to significant harm to the child; would subject the child to serious abuse; or would not be in the best interests of the child.

While recognizing the primary responsibility of parents to ensure that children enjoy their rights, the CRA also includes an explicit statement of the government's obligation to support parents in their child rearing responsibilities. The CRA outlines the responsibilities of the central government, social workers, village and district authorities, Child Welfare Committees and other service providers in supporting parents and children, and makes it mandatory for any person with information on child abuse or a child in need of care and protection to report the matter to the district council. It also sets out the following detailed procedures for reporting and responding to cases of children in need of protection, including emergency powers for a welfare officer, accompanied by a police officer, to remove a child to a place of safety and to bring matters before a Family Court where decisions are made about protective interventions:

## CHILD PROTECTION PROCEDURES
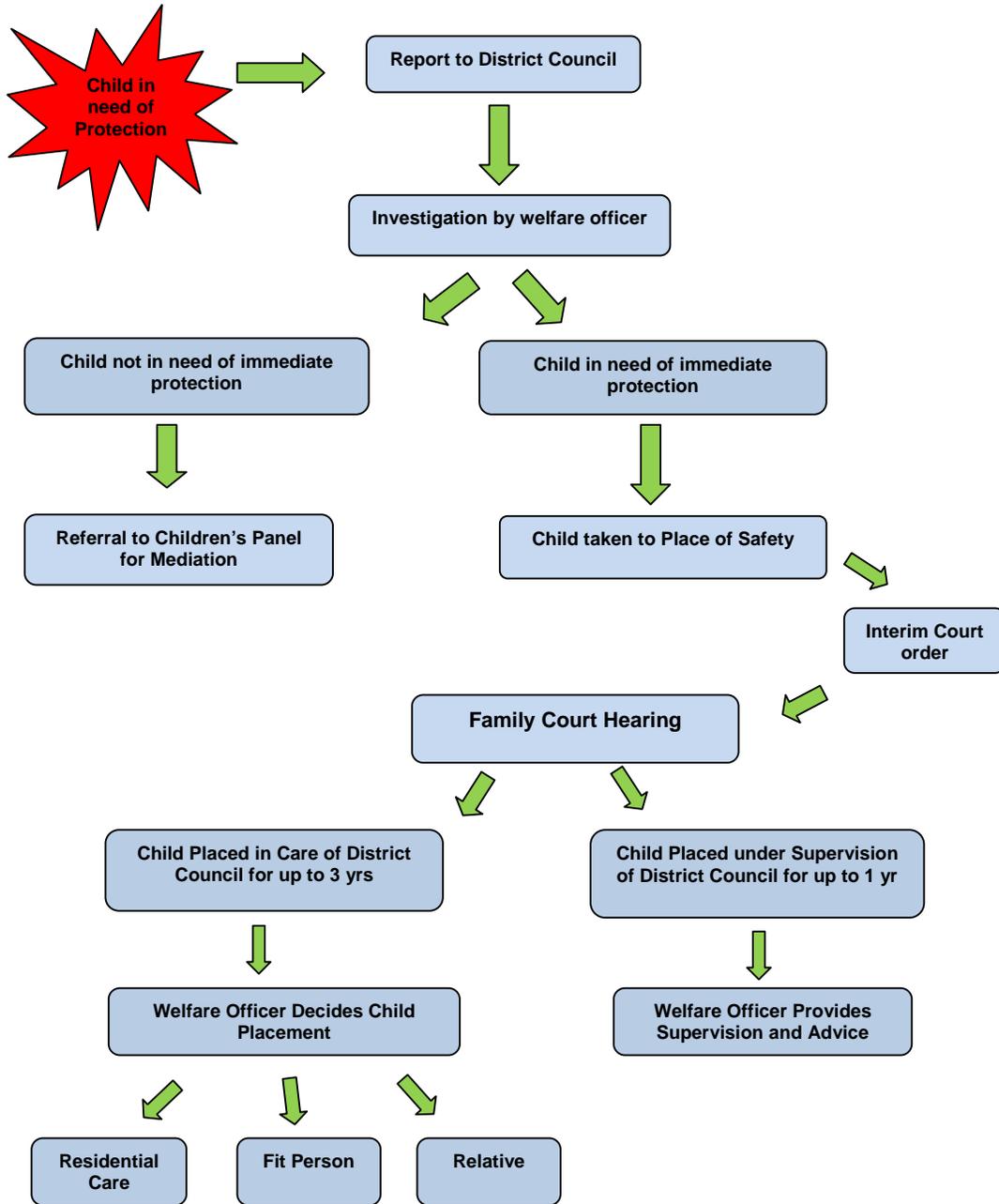


Diagram 1: Child Protection Procedures

In addition to the supportive role of formal government agencies, the CRA also acknowledges the important role that extended family members, traditional and religious leaders, and cultural values play in promoting children's well-being. In laying the foundations for the child protection system, the CRA sought to build on the strengths and legitimacy of chiefs and traditional authority figures, while at the same time ensuring respect for child

rights and the fundamental principles of the CRC. Chiefs and religious leaders are supposed to play a significant role in the Child Welfare Committees (CWC) and the Child Panels,[43] and traditional *bare* gatherings have been incorporated into the child protection system as a mechanism for discussing and resolving issues that are adversely affecting the welfare of children.

These customary practices are always subject to the best interest of the child, and the CRA states clearly that any customary or cultural practice which dehumanises or is injurious to the physical and mental welfare of a child, particularly early marriage and child betrothal, is strictly prohibited. The CRA also prohibits CWCs and local authorities from dealing with serious cases of child abuse, making it mandatory for all cases of murder, rape and other sexual offences, and felonies such as assault causing serious injury, to be reported to the police for investigation and criminal prosecution. The CRA also mandates a National Commission for Children to keep customary law practices relating to children under review, with a view to advising government to adopt legislation and other measures so as to ensure their compatibility generally with the principles and provisions of the CRC and the African Charter.

The legacy of colonial "indirect rule" remains strong in rural Sierra Leone and the local court system deals almost exclusively with by-laws passed by chiefdom authorities and general customary law. Local by-laws have long been the traditional way of maintaining a harmonious community. Despite the fact that the creation and enactment of by-laws has become more formal, they remain important codes of behaviour for all, including children. By-laws are prepared and presented by Chiefs and village elders. They must then be approved by the District Council following consultation with key stakeholders including Paramount Chiefs, the Chairperson of the Headmasters Council, and the District Medical Officer (DMO). Once reviewed and agreed, the by-laws are sent to the national level for consideration.

## 1.3 Regulation of Out-of-Home Care

The Child Rights Act makes provision for five types of out-of-home care for children in need of protection:

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[43]The Child Panels have yet to be established, the MSWGCA 2010-2012 Strategic Plan includes provision for their development from 2010.

1) **Place of Safety**: used as a temporary, emergency measure for up to seven days, for children being investigated as in need of protection.

2) **Approved Fit Person**: a child in need of protection who is placed under the care of the district council may be placed with an approved fit person. The Act does not include any criteria or procedures for recruitment, selection and approval of fit persons.

3) **Approved Residential Home**: children may be admitted to an approved home pending the determination by a Family Court of a protection order, on the recommendation of a probation officer or social welfare officer who has determined that the approved home is the most suitable place for the child; or if a child is an orphan and family care and fosterage are not available. The Act makes provision for both approved residential homes operated by the Ministry of Social Welfare, as well as private child care homes operated by NGOs and individuals. Any NGO or person wishing to operate a home for children must obtain a license from the district council. Detailed regulations for the Care and Protection of Children in Children's Homes have been drafted and Licensing and Approval Procedures for Children's Homes are in the process of being developed. An Inspection Guidance for "Approvals" and regular monitoring of Children's Homes has also been developed. Detailed Quality Care Standards for Children Living in Children's Homes have been developed by the Ministry, although they are voluntary.

4) **Foster care**: foster care placement is available only to children who are in residential homes. The Act states that a committee comprising a probation officer, social welfare officer, person in charge of the approved residential home and two other representatives from the community may place the child with a foster parent. Alternatively, an application to foster a child may be made to a probation officer, social welfare officer or to the person in charge of the approved residential home who shall forward the application to the district council. The Act states that any person above the age of twenty one who is of high moral character and proven integrity may be a foster parent, and gives Village CWCs responsibility for determining the suitability of a person to foster a child and to monitor all foster placements in the village.

5) **Adoption**: children in need of protection may be put up for adoption if the child has been subject to an order placing them under the care of the district council and the child's parent, guardian or relative does not show an interest in the welfare of the child within a period stipulated by the Family Court. Any child in a home for the care of children may also be put up for adoption at the discretion of the district council, after consultation with the management of the home. Adoptions are guided by the Adoption Act, 1989 which

requires formal adoptions to be authorised by the High Court. The Act allows non-citizens to adopt children, and does not include an explicit preference for in-country care options. Sierra Leone is not yet a party to the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption.

As a result of provisions recently introduced through the CRA and the Devolution of Estates Act 2007, wives and children under customary law have legal right to inheritance. The CRA has also clarified that a child born out of wedlock cannot be deprived of reasonable provision out of the estate of a parent.

The enactment of the CRA in 2007 has changed the landscape in terms of providing a legal framework for the protection of children. However, the findings of this study reveal a perceived disconnect from the reality of peoples' lives in Sierra Leone. In laying the foundations for the child protection system, the CRA sought to strike an appropriate balance between international standards, traditional customs and practices, and inherited colonial legislation. It incorporates some customary decision-making practices and acknowledges the importance of traditional and religious leaders, while simultaneously reinforcing respect for the best interests of children and the need to discontinue harmful customary practices. Emphasis has been placed on community support for children and parents and village-level support mechanisms, particularly with respect to prevention and early intervention services. However, the CRA essentially replicates outdated British colonial legislation that was grounded in a very different context and culture. This is well recognised in communities where the CRA is largely considered to be a western construct and a direct response to fulfil international obligations to protect children.

Although the process of developing the CRA was participatory and involved stakeholders (including Chiefs, civil society and children) at all levels, the law is perceived to emanate from an ethno-centric understanding of child rights and protection. Across all communities it was stated that the CRA articulated important rights for children, but that the law did not confer any duties or responsibilities on children.[44] There is a strong sense, especially among religious leaders, that the CRA is too permissive and has caused children to be 'out of control', most visibly demonstrated by the number of teenage pregnancies, alcohol use and lack of respect for parents and elders. Children are increasingly perceived as being disrespectful and disobedient, not least because they are now 'entitled' to voice their opinions and participate in decision-making, as well as to expect parents to provide for their

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[44] CRA Article 44 and 45 do confer responsibilities on children to respect their parents and elders: to study hard and contribute to the community in a positive way.

basic needs, despite their financial inability. Community leaders questioned the imposition of the rights and protection agenda by (I)NGOs within their communities and lamented that the organisations always seem to be disappointed with the progress made.

The CRA is at its weakest with respect to protective interventions. The process for reporting and responding to concerns about a child's well-being are based largely upon the UK crises intervention model, founded upon adversarial court procedures that tend to be punitive rather than supportive of parents. The CRA does not clearly articulate how these more formal, inherited protective procedures interact with the new community-based, family support focused mechanisms that it introduces. The borrowed definition of "children in need of protection" has not been sufficiently tailored to the child protection realities of Sierra Leone, for example by retaining outdated British language regarding children "found begging for alms", rather than addressing more current concerns such as street children, exploitive labour, early marriage, FGM/C, and child-headed households. The options for Court-ordered interventions where a child has been found to be in need of protection are limited, with no explicit emphasis on family preservation or community support mechanisms. While the Child Rights Act requires an order of the Family Court to remove a child in need of protection from his/her parents, decisions about what form of out-of-home care will be used are made by the probation officer or social welfare officer, who may choose to place a child in family-based or institutional care. The Act does not indicate a hierarchy or preference between these options, and there are no stipulated principles or criteria for decision-making, or a requirement that institutionalization be used only as a measure of last resort. All out-of-home care orders are for a defined period of time specified by the Court and there is no requirement for regular, periodic review of placements.

Sensitisation and capacity building on the CRA has been rolled out only in communities where child rights (I)NGOs are present. There is a perceived lack of government involvement in the sensitisation process and it seems that traditional leaders and CWCs are being tasked with promoting the new law in their communities. The findings of the study indicate that, because the State has assumed greater and formal legal powers for determining appropriate child-rearing practices and for crisis intervention, there appears to be considerable confusion among communities about their own roles and responsibilities towards children. For example, new boundaries are drawn in the CRA concerning the disciplining of children (notably with regard to corporal punishment). For many respondents, 'flogging' children is not considered abusive, but rather a means to protect children from other potential harm. In two different communities, it was stated that because physical

punishment or flogging has become less socially acceptable as a disciplinary measure, parents now withhold food from their children instead.

**Key Legal & Policy Findings:**

- The CRA relies too heavily upon British provisions for a formalized, statutory response to child protection concerns. There is currently neither the capacity nor resources to effectively maintain such judicial processes.
- The CRA has not been articulated within the social and cultural context of the country. There remains a lack of interaction between community support mechanisms and more formal protective services.
- The law has not been sufficiently promoted at the local level and does not appear to resonate with communities at the present time. There is confusion regarding the redefined relationship of the State and the family.
- Child welfare legislation has not been accompanied by the necessary policies and regulations to guarantee standardized implementation. This means that the law is not operational on many levels and agency responsibilities are not clearly delineated.

## 2   Structural and Institutional Arrangements

This section will examine the organizational and institutional structures in place to ensure the protection of children in Sierra Leone, from the central government level down to village and community systems. The Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) has the lead responsibility for promoting the rights and welfare of children, along with the Sierra Leone Police, Ministry of Health and Sanitation, Ministry of Health and Ministry of Justice, who also have specific mandates for child protection. The international community has made a considerable contribution to support government efforts for the care and protection of children and a core group of international agencies is now implementing child protection programmes in the country. Paramount and Village Chiefs play an important role in relation to child welfare and regularly deal with social issues including domestic disputes and violence, parental separation and child custody. Secret societies also retain considerable power and influence in Sierra Leone and have a direct impact on the lives of children, although due to their opaque nature, this can be difficult to assess.

### 2.1 Organisational Structure

In 1997, the Ministry of Gender and Children's Affairs of Sierra Leone was merged with the Ministry of Social Welfare to form a new Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA). However, the structures of the two institutions in reality have remained the same as they now operate from different locations but under one Minister. The 1991 Constitution and a number of laws provide the statutory framework and mandate for the MSWGCA. However, several laws are over 60 years old and provisions in these laws are obsolete and require significant revision to meet the present day needs of the Ministry.[45]

The CRA gives the national MSWGCA general responsibility for promoting the rights and welfare of children, in collaboration with other ministries. It is also responsible for monitoring, supervising and coordinating the activities of child welfare committees, for providing them with training, advice, guidance and support (administrative and logistical), and for issuing rules and regulations on the committees' functions and procedures. There is no reference to central-level authority for overall management and regulation of child protection services. However the CRA does give the Ministry responsibility for regulating foster care and for regulating approved residential homes for children.

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[45]DFID, Ministry of Social Welfare, Gender and Children's Affairs, Functional Assessment Report, 2006.

The present organization structure of the MSWGCA is based on a traditional civil service model, but lacks the procedures and conditions of service to effectively manage a system of welfare. The structure of the MSWGCA comprises five principal directorates, including:

- Directorate for Policy Development and Strategic Planning
- Directorate for Human Resource/Administration and Finance

The three remaining directorates are programme focused and include the:

- Directorate for Social Welfare
- Directorate for Gender
- Directorate for Children's Affairs

Within each of these directorates there is a structure of 'divisions', each with a mandate to cover certain aspects pertaining to welfare or protection, including divisions for: family casework; probation; adoption; trafficking in persons; and child welfare. However, the existing structure has been characterised by staff shortages that have resulted in a small pool of three staff being tasked with national oversight of all of these child and family welfare components. Indeed, one staff member is currently responsible for the management of both the Trafficking and Family Case Work divisions. Unfortunately, there is no official internal mechanism for planning or dialogue between the three divisions of the Social Welfare Directorate, meaning that they operate in relative isolation.

Spearheaded by the Governance Reform Secretariat, the Ministry has recently conducted a review of the structure of the MSWGCA.[46] The restructuring aims to create a clear distinction between the administrative wing of the Ministry and the 'professional' wing. However, concern remains that the new structure does not take into consideration previous recommendations for a closer alignment of the new Social Welfare Directorate and the Gender Directorate. [47] In the past, the two directorates have not conducted joint planning and policy development, not least because they are situated in different locations. Similarly, there is little cross-fertilisation of mainstream issues such as disability (both of adults and children) within the Gender Directorate and minimal harmonisation between the Family Casework Division (often dealing with issues of domestic violence) and the Gender Directorate. It is of concern that the proposed new structure does not appear to

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[46] At the time of writing, the new structure has been approved by Cabinet, but has yet to be implemented.
[47] It is not clear whether in the final structure the term division or directorate will be used. Different papers use the terms interchangeably.

comprehensively integrate welfare issues, but rather continues to establish divisions based upon single issues, such as adoption and trafficking.

The MSWGCA has a single central level planning officer based in Freetown responsible for the development of the ministry's annual strategy and budget. The fact that planning takes place on an annual basis, suggests that it may be difficult to see long-term goals and strategies. Due to lack of emphasis on capacity building for internal planning processes, this officer is tasked with integrating the different programmes of all directorates. This, by admission, has led to an overall fragmented action plan.

**District Level**

At the district level, all devolved District Councils are responsible for protecting the welfare and promoting the rights of children within their area of authority. The role of the district council planning officer is to ensure the development of an annual strategic plan and budget to present to Finance and Budgeting Department. It is interesting to note that councillors are sent to the wards to discuss the priorities of the local leaders and their communities. Once the district strategic plan (the Medium Term Expenditure Framework) has been developed, it is made public for comment before being submitted to the Ministry of Finance and Development. Once funds have been allocated to the different district line ministry offices, the district planning department is responsible for ensuring that funds are spent in line with the national priorities and plans of the individual ministry. The local office, under the leadership of the MSWGCA Social Development Officer, submits a quarterly report. At the present time, it appears that the councils are working closely with the MSWGCA, but their remit needs to be clearly defined to avoid the councillors becoming de facto social workers. The district councils are well placed to act as a bridge between the different departments and sectors, enabling a more holistic and comprehensive approach to the protection of children.

Each district has a small team of Social Development Workers, led by the Social Development Officer. This team is based in the district capital, but the SDW are predominantly located in the field. Their role covers all issues relating to children, including those in conflict with the law, orphans and vulnerable children. They are also responsible for managing the Family Case Work role. However, as shown later, the team of SDWs is significantly depleted and, as a result, the geographical scope of their area of responsibility is immense.

**Chiefdom and Village Level**

At the chiefdom and village levels, significant authority for child protection has been given to Child Welfare Committees. Informal village committees for the welfare and protection of children have long existed in Sierra Leone. However, with the introduction of the CRA, these committees at both the chiefdom and village have become more formalised structures. The role of the Chiefdom CWCs is to monitor the functioning of the village CWCs and to deal with cases that cannot be dealt with at village level. Chiefdom CWCs also have greater access to the district MSWGCA for support.

There are now approximately 260 functioning committees across the country at both chiefdom and village level.[48] A plan approved by the MSWGCA and district council was developed to ensure the implementation of village CWCs across equal geographical coverage, but it is apparent that some large districts still have very limited coverage in terms of CWCs (although populations in these areas are also smaller). Although the MSWGCA is technically responsible for facilitating the establishment and coordination of the committees, CWCs are actually supported by international NGOs. Indeed, according to the guidelines, specific NGOs are identified as 'focal agencies', responsible for establishing and building the capacity of CWCs. For example, all CWCs in the N'Jaluahun Chiefdom (Kailahun) were established by Child Fund, while in neighbouring Luawa Chiefdom, Plan Sierra Leone, Save the Children and Child Fund jointly support CWCs.[49] CWCs may also be financially supported by external agencies but these (I)NGOs are technically supposed to align support provided to the district MSWGCA plan and approach. In actual practice, the SDW (as members of the village and chiefdom CWCs) actually play a peripheral role in the life cycle of many CWCs; their numbers are too small to realistically play an active role.[50]

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[48] The information is only partial. In a recent assessment of the functionality of the CWCs around the country, many were described as established but not operating according to the guidelines. However, in some districts, including Kenema and Kono, CWCs have not been assessed.

[49] After the war, many (I)NGOs were supporting particular chiefdoms in the reintegration and rehabilitation process. In many cases, the (I)NGOs have expanded their initial role into longer-term interventions, including support for the CWCs.

[50] While this scenario seems to be the general case, there are exceptions where the SDW is very engaged with the CWC, and plays an active role in meetings and decision-making. However, these village level CWC are often described as a 'Plan CWC' or a 'IRC CWC', suggesting that the (I)NGOs are in fact the main driver of the committees.

| | CHIEFDOM CWC | VILLAGE CWC |
|---|---|---|
| **Members** | - Social welfare officer nominated by the Minister<br>- Traditional leader elected by tribal authorities in the chiefdom<br>- Two parents (male and female) elected by village CWCs<br>- Two elected children or young people (male and female)<br>- Three service providers elected from a list of service providers<br>- Two elected representatives from NGOs or CBOs in the chiefdom<br>- Three persons representing the religious sector in the chiefdom elected at a special forum | - Social welfare officer nominated by the Minister<br>- Traditional leader elected at a village *Bare* gathering<br>- Two parent representatives (male and female) elected at a village *Bare* gathering<br>- Three service provider representatives elected at a village *Bare* gathering<br>- Two children or young people (male and female) elected at a children's forum<br>- Two NGO or CBO representatives elected by a specially convened forum<br>- Three members from the religious community elected by a specially convened forum |
| **Responsibility** | - Give advice to the village or ward CWCs<br>- Receive and attend to cases and questions referred by the village or ward committees<br>- Monitor aherence to child rights within the chiefdom<br>- Refer to the district council any matters relating to child welfare that the chiefdom welfare committee is not able to deal with<br>- Submit regular observations, reports and concerns related to child welfare in the chiefdom to the district council and to the Ministry | - Promote awareness of children's rights<br>- Monitor the child rights situation in the village<br>- Submit regular reports concerning children's welfare to the chiefdom CWC and the Ministry of Social Welfare<br>- Determine the suitability of a person to foster a child and monitor all foster placements in the village<br>- Prevent domestic violence and all forms of gender-based violence<br>- Provide advice and instruction to children alleged to have committed a minor misdemeanour<br>- Provide advice to children, parents and other community members in the promotion of the best interests of the child<br>- Issue recommendations and instructions on the maintenance and support of a particular child or children within the village<br>- Consider complaints and concerns referred by any adult or child concerning the welfare of any child in the village<br>- Refer to a chiefdom child welfare committee any matters that a village child welfare committee is unable to deal with |

Table 9: CWC Membership and Responsibilities

## 2.2 Other Government Agencies

A number of other government agencies have a core mandate for the protection of children:

**Sierra Leone Police (SLP)**

Under the MOU between the SLP and the MSWGCA, since 2007 all police stations are required to maintain a Family Support Unit (FSU). These units are responsible for dealing with alleged juvenile offenders and child victims of domestic violence, as well as monitoring proven child abusers. There are now 40 FSU around the country, with approximately two per

district, dedicated to ensuring both justice and protection for victims of abuse, exploitation and violence. To this end, a SDW is supposed to be assigned to each FSU. The principal purpose of the FSU police officers is to investigate cases of abuse, arrest alleged perpetrators and prepare cases for the Director of Public Prosecutions (DPP).[51] The role of the SDW, on the other hand, is to ensure that: the interview procedures are child-sensitive; family liaison and assessments are conducted; referral processes are facilitated; and reintegration of the child is monitored.

Supported through the JSDP, each FSU is required to set up a separate interview room for children. While basic in nature, this offers some privacy while the child provides a statement. A training manual has been developed for the FSU providing detailed guidance and procedures for investigating cases involving child victims, including child-friendly interview techniques and referral procedures. However, there are no binding standing orders or guidelines governing the work of the FSU. Significant investment has been given to the training of specialised officers to respond in an appropriate manner to children at risk. Although there is no formal pre-service training on child abuse issues, there are plans to introduce a specialised course on GBV into the formal police training curriculum. Currently efforts are being undertaken to sensitise officers on the legal provisions as well as skills building for working with victims of GBV. It appears that those officers in Freetown have received more training than those in the districts. For example, the ten officers from Cabala Chiefdom FSU have received three separate training courses during 2009. These trainings have primarily been provided by external agencies such as JSDP, UNICEF and IRC.

**Ministry of Health and Sanitation**

The District Health Management Team (DHMT) has primary responsibility for safeguarding the health of children within the district. While hospitals are found in the major towns, the DHMT operates through Peripheral Health Units (PHU) at the community level. The PHU are the first point of contact for populations living outside the towns and operate as the primary health care providers for most of the population.

The role of Peripheral Health Units (particularly nurses) is to provide immediate and free treatment for child victims of sexual abuse and violence. Under the National Referral Protocol for Victims of Sexual and Gender Based Violence (2009), PHU staff are mandated

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[51] Or, alternatively, the Principal State Council, the representative of the DPP in the districts. If the case is not 'marginal' it will be referred directly to the court.

to make an initial medical assessment and to refer the case to the DHMT. If requested by the FSU, the chief medical officer will arrange for a forensic examination of the child at the hospital. Not all hospitals have such forensic facilities and children have sometimes been transferred from outlying districts to Freetown for this examination.

**Ministry of Justice**

At the district level, provision is made under the CRA for both quasi-judicial and judicial structures for handling civil and criminal matters involving children. Quasi-judicial **Child Panels** are mandated to be established in all districts, but to date do not exist.

The Act also gives the district **Family Courts** jurisdiction in all matters concerning parentage, custody, access and maintenance of children, including orders in relation to a child in need of protection. According to the law, the Court should be constituted by a panel made up of a Magistrate and between two and four lay members appointed based on their knowledge and experience in child rights matters, and must include a social welfare officer. However, at present, there are only four trained magistrates in Sierra Leone that preside over cases involving children in the district courts. This means that they remain inaccessible to the general population. For example, the magistrate from Bo presides in Pujehun only once a week; similarly, the magistrate from Makeni presides in Koinadugu once a week.

Criminal cases involving child victims are heard by either the Magistrates Court or the High Court, depending on the nature and seriousness of the crime. Neither court has established any special measures for handling cases involving child victims. There are currently no procedures or systems in place for child witness preparation prior to and after court proceedings, and the courts have yet to introduce special measures to facilitate children's testimony and reduce trauma and secondary victimisation.[52] The National Juvenile Justice Strategy calls for the development of a protocol for the Judiciary on handling children's matters during court proceedings, but this has yet to be implemented. The Court system reportedly suffers from an acute shortage of judges and magistrates and limited resources, resulting in significant delays and backlogs in handling criminal cases.

While progress has been made in the handling of child abuse and sexual assault cases in recent years, the detection, investigation and successful prosecution of these crimes

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[52] National Child Justice Strategy.

remains a challenge. Despite provisions of the law to the contrary, crimes such as sexual abuse are often treated as a civil matter between families and resolved locally by traditional leaders rather than being reported to the police. Victims and witnesses are often reluctant to testify in court due to the stigma, transportation constraints and frequent adjournments and delays.[53]

## 2.3 Civil Society and NGO Structures

The international child rights / welfare community has made a considerable contribution to support government efforts for the care and protection of children in Sierra Leone. Many organizations were instrumental in protecting children throughout the war in camps for internally displaced people in the east of the country. Some of these agencies have remained in the country during reconstruction and there is now a core group of international agencies implementing child protection programmes, including members of the reference group for this study:

- Save the Children UK
- International Rescue Committee
- Plan Sierra Leone
- Defence for Children International
- Child Fund
- UNICEF

Of the 13 agencies or agency programme departments that responded to the survey, only 30% work exclusively on child protection issues. [54] Most agencies have a broader child rights focus and are concentrated on a range of issues including education, health, HIV/Aids, gender, and community development. Many agencies are national chapters of larger international organisations; these local chapters work through local partners in certain districts. None of these agencies has complete national coverage and programmes in Freetown are over-represented. It was not possible to clearly determine how agencies select the districts to work in, but very few have entire coverage of any district, leading to the suggestion that select communities are chosen in different districts.

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[53] Ibid.
[54] Save the Children UK; International Rescue Committee; Plan Sierra Leone; Defence for Children International; Child Fund Sierra Leone; UNICEF; Faith Alliance against Human Trafficking; Council of Churches Sierra Leone; Christian Brothers Project; Future for Children; Family Life Mission Sierra Leone; Advocacy Movement Network.

**Number of NGO**

- 1 - 3
- 4 - 6
- 7 - 15
- 16 - 19

**Provincial Poverty Levels 2004**

- Very Poor
- Poor
- Moderately Poor
- Rich
- Very Rich
- Country Outlines

Projection: Geographic WGS84
Source: http://www.fao.org
Data Production: 2003
Map Produced: 24/02/2010
By: ChildFrontiers (http://www.childfrontiers.org)

Disclaimer: The population data is an estimation for 2008, based on 2004 census. Child Frontiers do not accept liability for any errors that might occur when using the data.

Map 1: NGO Distribution and Poverty Levels

Although the sample size is small, Diagram 2 below indicates that the primarily focus of the NGOs surveyed is directed towards advocacy and capacity building. Only five agencies reported that their primary focus was to provide direct services to children. This emphasis on advocacy programmes may also explain why many agencies work primarily in Freetown.

**What are the main strategies of your programme?**
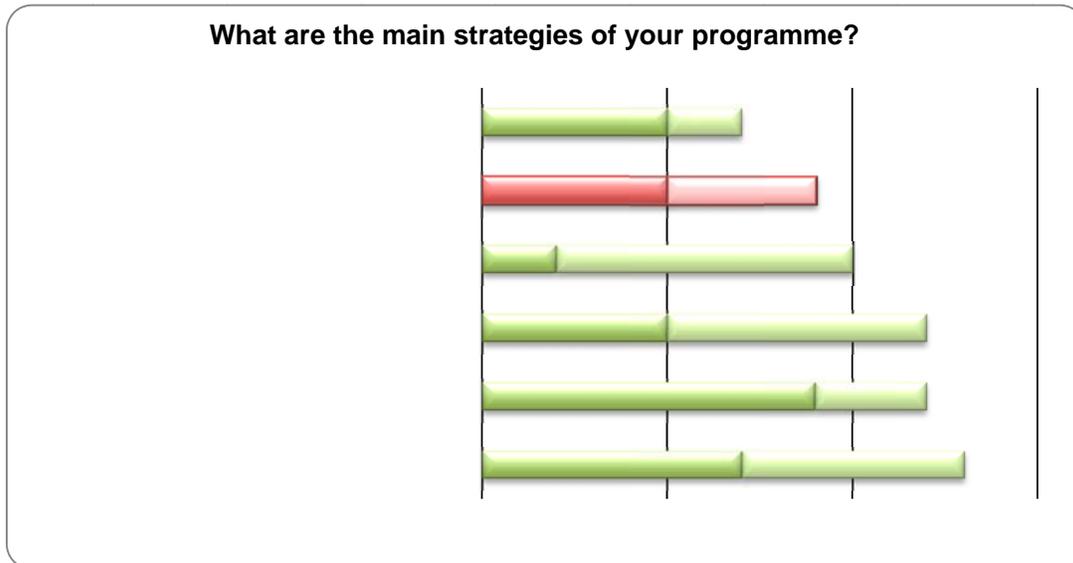


Diagram 2: NGO Child Protection Programme Strategies (Source: Child Protection Sector Survey 2009)

The MSWGCA maintains a contact list of local NGOs working on child protection issues, although this has not been updated since 2008. The list contains fourteen agencies,[55] many apparently faith-based. Unfortunately, this list does not include information on the principal mandate, services or activities of these agencies and provides only one district of operation for each agency. It is not clear whether this represents each agency's full geographical scope or the principal focus of operations. All have headquarters in Freetown. These NGOs appear to be poorly represented on the national taskforces and few were mentioned during the study.

## 2.4 Informal Community Structures

Paramount and Village Chiefs retain a special role in the community for ensuring children's broader welfare needs. Through traditional *bare* meetings, as well as informal mediation

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[55] Child Rescue Centre –SL; Council of Churches SL; Pikin to Pikin; Ben Hirsch Child Care Centre; Cooperazione International; Hands of Charity; Mathew 6 Foundation; Children of the Nations; Plan Sierra Leone; YouthNet Children under the Sun Sierra Leone; Global Rescue Committee Sierra Leone; Children Associated with the War; Orphans Outreach Evangelism International Ministries; and Agricultural Productivity Extension and General Services.

processes, Chiefs are responsible for promoting harmony and well-being within families. The Chiefs, supported by their Village Elders, regularly receive complaints concerning domestic disputes and violence, parental separation and child custody issues, as well as matters of abuse of power. The latter includes complaints against teachers and civil servants who demand financial or sexual 'favours' from vulnerable children. The interviews revealed that Chiefs generally seem to understand the importance of changing community practices and behaviour. Some Chiefs are, therefore, actively involved in community seminars and discussions on child welfare and protection issues such as FGM, early marriage and child labour. The role of the Chiefs, beyond the formal procedures of the CRA, should not be overlooked: they can have a great impact upon the way children are perceived and treated in their communities.

The Chiefs seemed to recognize, however, a dichotomy between the expectations of their role and the resources that are required to fulfill it. As part of the formal system for protecting children, Chiefs (among others) stated that specialised training and a minimum budget to resource activities was required. For example, based upon the principles of the CRA, Chiefs have supported the development of by-laws, yet they have not received budgets to implement or enforce these laws. It was also suggested that Chiefs should be remunerated for their role consistent with government officers.

## 2.5 Secret Societies

Secret societies are ancient cultural institutions prevalent in West Africa. The secret societies have become intertwined with modern life in Sierra Leone and retain considerable power and influence. Secret societies induct new members by means of initiation and initiates must observe a range of laws and protocols. In most villages of Sierra Leone, there is a leading men's and women's society supervising rites of passage into adulthood that prepare individuals for initiation into these societies. Women's societies, known as Sande in the south and Bondo in the north and Freetown, are general to Sierra Leone. There are several leading men's societies, but in any given community the society that supervises boys' rites of passage into manhood always takes the leading role in religious and political life.

According to 2007 research commissioned by the United Nations High Commissioner for Refugees (UNHCR), Sande is "a women's secret society that initiates girls into womanhood

and makes them eligible for marriage".[56] For many Sierra Leoneans, initiation into secret societies is part of the normal process of social maturation. Circumcision/excision are the central element in rites of passage into adulthood for both males and females. Women who have not undergone initiation are still considered children, unworthy of marriage or any position of leadership in society. The process also serves as preparation for future roles as wives and co-wives living and working together in their husbands' compounds.[57] Traditional marriage typically involves payment of dowry to a new wife's family, which is of critical importance for poor rural families. Women's society leaders are also known to receive significant income from payment of initiation fees by families.[58]

In focus group discussions during the research process, frontline workers were asked the following question:

### *What beliefs and customary practices make children vulnerable to abuse, neglect and exploitation?*

The response of these frontline workers indicated that early initiation into secret societies, early marriage and FGM/C were leading contributors to children's vulnerability. It was stated that many initiations are still forced and that through the process children were exposed to sexual abuse, pornography, physical violence and alcohol use. It is substantiated through this study whether these statements are aberrations of the normal rites process, or an intrinsic function of it.

The importance of understanding and recognizing the relationship between the secret societies to the child protection system cannot be underestimated. It is suggested that these long-standing institutions have been forced to defend themselves against western ideas, enshrined in the child rights agenda, which are perceived as being imposed upon the traditional cultural paradigm. While debate will continue about specific practices involved in initiation rituals, it is nonetheless important to recognise this institution for its actual and potential role in promoting the welfare and protection of children.

*'The secret society is not bad because it is universal and acceptable in our community and serves everyone. It is from God'. (Priest)*

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[56] Fanthorpe, Richard, Sierra Leone: The Influence of the Secret Societies, with Special Reference to Female Genital Mutilation, commissioned by the United Nations High Commissioner for Refugees Status Determination and Protection Information Section (DIPS), August 2007.
[57] Fanthorpe, Richard, Sierra Leone: The Influence of the Secret Societies, with Special Reference to Female Genital Mutilation, commissioned by the United Nations High Commissioner for Refugees Status Determination and Protection Information Section (DIPS), August 2007.
[58] Ibid.

**Key Structural & Institutional Findings:**

A series of opportunities exist in Sierra Leone regarding the structures and institutional arrangements of government:

- The restructuring of the MSWGCA throughout 2010 offers the possibility to professionalize operations and accountability. However, the restructuring remains limited for achieving the ambitious goals of the Strategic Plan.
- Senior MSWGCA staff are conceptually aligning themselves with a 'systems building' approach and there is an understanding of the importance of addressing root causes of vulnerability, rather than symptoms alone. However, the new structure risks perpetuating a project and issue-focused approach.
- The proximity of the District Councils to the lives of ordinary people provides significant opportunity for more appropriate and targeted planning of child welfare provision. However, to be effective in policy development and implementation, rather than case management, those responsible will require guidance and capacity building from the national level.
- Community-based structures can provide a protective network for children and families. At present the mandates and practices of the Chiefs and the CWCs are not sufficiently harnessed and monitored in accordance with the policies of the MSWGCA. Many of the structures rely on volunteers who have not received sufficient training or guidance to effectively implement their mandated duties.

**3. Collaboration and Interagency Coordination**

In order to achieve the priority goals envisioned in the CRA, a high level of coordination is required between the MSWGCA and the other agencies responsible for child protection. A recent concept note, the Community Wellness and Development Initiative (CWDI), has been developed that outlines a more strategic vision of welfare to support families in raising their children. The operational structure of the MSWGCA, however, is currently designed to focus on specific child protection issues. This section will discuss the collaboration and interagency coordination between the various agencies, sub-committees and taskforces involved in the protection of children, as well as the management of information and accountability.

**3.1 Strategic Coordination**

The work of the MSWGCA is currently guided by its Strategic Plan 2010-2012. At the time of the study, the plan was in draft form and had only a rudimentary costing framework. Unfortunately, the Strategic Plan does not outline the vision of the Ministry, except through the series of activities contained within the document. From these activities, it is apparent that the priority for the coming years is to promote and ensure the implementation of the CRA throughout Sierra Leone.

Some key areas of priority include:

1. Establishment of key structures outlined in the CRA, namely the National Commission for Children, the Child Panels and Family Courts;
2. Strengthening the role and functioning of the CWC through training on operational standards,
3. Establishment of protective services for children, including four regional interim care homes
4. Enhancement of the justice sector for children, including the establishment of bail homes and provision of education and reintegration packages for children in remand homes
5. Development of collaboration with other sectors (education, justice, health, labour)

Despite the focus on broad systems building to realise implementation of the CRA, there will remain an emphasis on some core child protection issues, and training will take place on child labour, trafficking, GBV and early marriage. However, a recent concept note has been developed that outlines a more strategic vision of welfare: the Community Wellness and Development Initiative (CWDI). This document outlines a more holistic approach for supporting families in raising their children. The document acknowledges that children's protection will not be assured until issues such as poverty, adult literacy, hygiene and health, gender imbalances and family welfare are addressed. To this end, more formal collaboration would be sought with line ministries such as the Ministry of Health and Sanitation (MoHS), Ministry of Education, Youth and Sports (MEYS), Ministry of Justice (MoJ) and other relevant line ministries. While still a draft document, the CWDI is an initial attempt to address the source of vulnerability rather than responding to categories of children at risk.

At the national level, the CRA calls for the creation of a National Commission for Children. Unfortunately, this Commission has yet to be established. In principle, it would be responsible for monitoring and coordinating the implementation of the CRC and the African Charter, as well as for advising the government on policies aimed at the improvement of the welfare of children in Sierra Leone.

In the absence of the Commission, there is nonetheless a National Child Protection Committee (NCPC). The NCPC is a multi-agency group chaired by the MSWGCA to ensure the implementation of its Strategic Plan, as well as oversee the functioning of the sub-committees and taskforces. The NCPC is represented by all line ministries with child protection responsibilities, as well as (I)NGOs and local civil society and religious bodies. The main function of the bi-monthly meetings is for the PSDOs to update the committee on the implementation of activities in the regions, and for the different sub-committees to report back on their progress.

Each district of Sierra Leone is mandated to establish a Child Protection Committee under the leadership of the district council. The composition of the district committee reflects that of the national level, but includes: implementing agencies working directly in communities and with children in crisis, as well as paramount chiefs and other key welfare and legal professionals. The committee is responsible for collating data and information on emerging trends and ensuring that the registration and activities of local CBOs are in line with the national strategy. Monthly child protection meetings are held in preparation for the national meeting.

To support the work of the NCPC, there are a series of sub-committees and taskforces designated to tackle some specific child protection issues. The various committees are designated by 'issue' and are generally headed by the MSWGCA officer responsible for that issue. All the committees have developed terms of reference for their functioning and membership, but unfortunately none have progressed towards developing comprehensive strategic directions for their key focus issue. To date, only the committee for trafficking has developed a plan of activities for 2010 and beyond.

The **Child Rights Act Committee** was developed to promote a common understanding of the new CRA and to plan awareness raising activities within communities for its implementation. The committee has sub-groups for developing training and awareness raising activities.

The **National Alternative Care Committee** was established to find solutions for children that are already, or at risk of, becoming separated from their families. Through the work of the committee, including its NGO representatives[59] in recent years, a number of new policies and standards have been agreed.

The **National Child Justice Taskforce** aims to ensure that all children who come into contact with the law are protected through the development and application of relevant national legislation and standards. Representatives include:  Ministry of Justice; National Human Rights Commission; UNICEF; UNDP; Justice Sector Coordination Office; and a number of international and local NGOs.

The mandate of the **Trafficking in Persons Taskforce** is to ensure the implementation of the Anti-Human Trafficking Act (2005). This taskforce developed a Plan of Action to Combat Trafficking in Persons (2008-2010) and involves key stakeholders such as the MoJ, SLP, Caritas, IOM, IRC, and Faast.

The **National Commission on Gender Based Violence** (NaCGBV) meets every month and consists of 5 thematic groups looking at specific areas related to GBV.

The **Taskforce on Vulnerable and Excluded Children** recently replaced the Taskforce on Orphans and Vulnerable Children, signalling a move away from the issue based approach

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[59] Family Homes Movement (FHM); St Georges Foundation; SOS villages; Child Integrated Services (CIS); HANCI; Christian Brothers; Don Bosco.

towards children without parental care. Instead, the aim of the taskforce is to look more broadly at the concept of vulnerability and the impact of social marginalisation for children[60].

These committees are undoubtedly useful for ensuring that representatives from a broad range of sectors are kept informed about the plans and activities of the MSWGCA. However, the committees are limited by their inability to move beyond issue and activity based collaboration towards a wider national process of coordination, planning and strategic visioning for child welfare and protection.
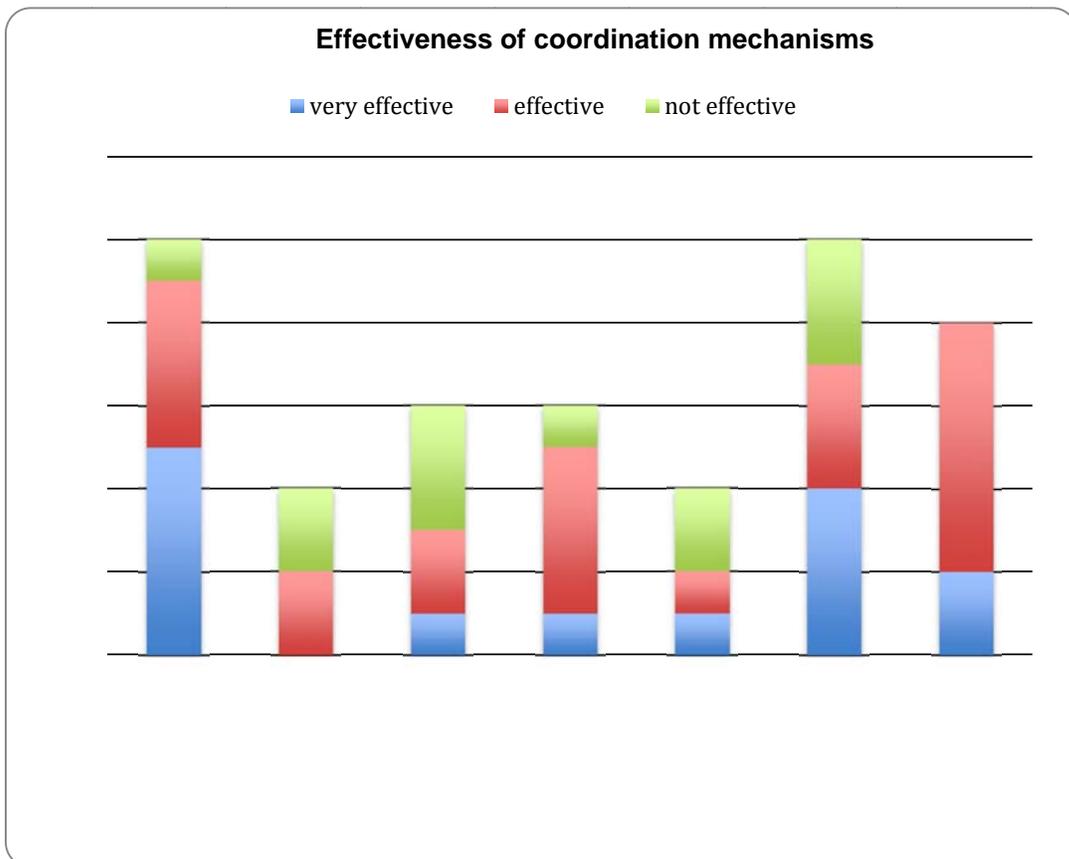


Diagram 3: Effectiveness of Child Protection Coordination Mechanisms (Source: Child Protection Sector Survey 2009)
Note: information ranking the importance of the coordination mechanisms unavailable for Sierra Leone.

## 3.2 Coordination between Government and NGOs

Perhaps because the formal collaboration and coordination between government agencies is so weak, partnerships between the child rights/welfare (I)NGO community in Sierra Leone and the government are especially important. There seems to be a universal and realistic recognition that, for the foreseeable future, the MSWGCA will rely upon the resources and

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[60] No terms of reference available for this taskforce.

capacity of the international community to support the establishment and management of a comprehensive system for protecting children. The nature of that cooperation was said to be generally very cordial, but a number of key issues have been raised with respect to the collaboration and cooperation between the central level government and the NGO community.

All international agencies are required to register with the Ministry of Foreign Affairs and all local NGOs with the district councils in their locale of operations. However, some agencies working on child welfare issues apparently do not also register with the MSWGCA. This means that they are not recorded on the very basis register that the MSWGCA maintains (but which was not available for the purposes of the research). As a result there is a lack of coordination between government and NGOs, and no formal mechanisms of monitoring and accountability. This was considered to be especially problematic when NGOs establish children's homes without the prior notification or consent of the Ministry. Furthermore, the problem of non-registration means that there is little possibility for integrated planning processes, and there is a real risk that unregistered agencies work contrary to the stated aims and direction of the MSWGCA.

The study suggests that solid strategic coordination between the government and NGOs is weak primarily due to the different priorities of actors. As Diagram 4 below shows, NGOs are driven by the principals and provisions of the international and local legal frameworks for child protection. However, it is interesting to note that, in their responses to the survey, NGOs ranked the agendas of a) their individual agency, b) their donors and c) their focus communities, as more important references for their work than d) the agenda of the government. It is not clear why this is the case, but perhaps explains the frequent references to the apparent operational autonomy of both international and local NGOs. There is a certain paradox in that the government would prefer NGOs to be more aligned and accountable to a common vision for child protection, but NGOs are not necessarily aware of this conceptual framework, perhaps because it has not been fully articulated or shared.
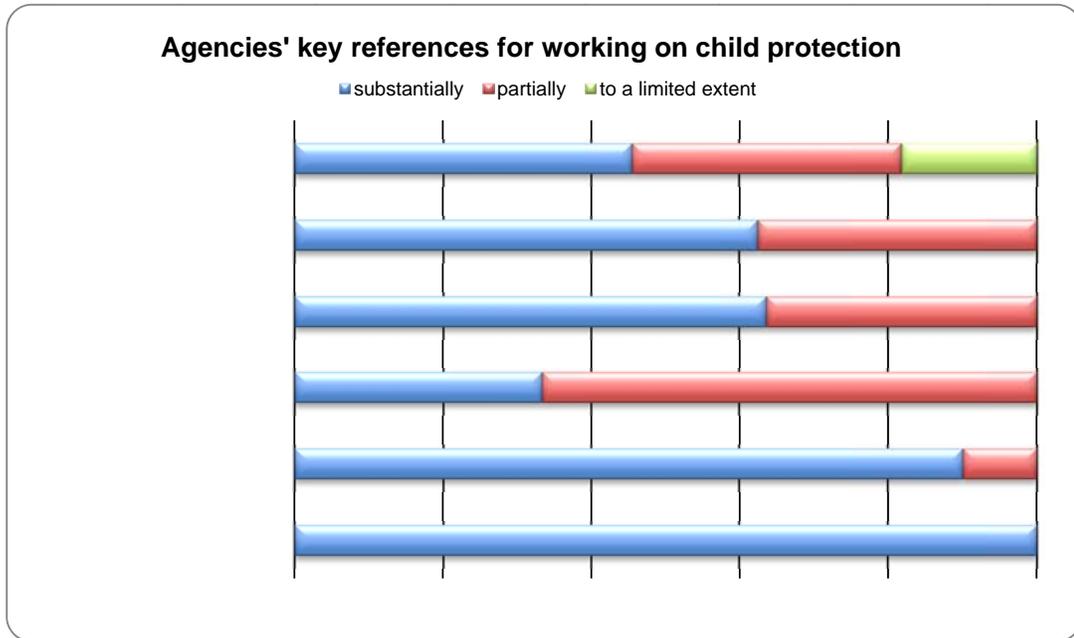
**Agencies' key references for working on child protection**

■ substantially  ■ partially  ■ to a limited extent

Diagram 4: Key References in Developing NGO Child Protection Programmes
(Source: Child Protection Sector Survey 2009)

The MSWGCA appears to accept that NGOs do have specific mandates, areas of expertise and have to manage donor expectations and trends. However, senior officials did express the commitment to the development of a more holistic and comprehensive system, thereby reducing reliance on more individual 'issue-based' projects and categorisations of children based upon current circumstances.

Concern was raised that despite the numerous initiatives and interventions being undertaken, there has been little measurable impact for the majority of children and the core sources of their vulnerability are not being addressed. As some officials stated, children with multiple 'issues' have naturally learned how to obtain a more comprehensive package of services from unrelated agencies by establishing 'eligibility' under the titles of 'orphan', 'street-child', 'victim of sexual violence' and 'beggar'. According to several respondents, the tendency to deal with issues in isolation has limited the ability to respond to emerging trends, such as teenage pregnancy. By focusing on their own mandates, one senior official stated,

*'they (INGOs) start with the answer to the sum....'*

### 3.3  Operational Coordination

The evidence strongly suggests that at the community level, there is a real understanding of the connection between education, health and poverty as they impact on child protection issues. For example, the lack of access to education was identified as a major source of child vulnerability and insecurity. [61] Children and young people were able to clearly articulate the consequences of not going to school:

*‘When parents do not pay school fees, you are removed and taken to work on the farm.’*

*‘Children in this community are walking...fourteen miles along a bushy and hilly road to attend secondary school.  They are exposed to the dangers of harmful men who might rape them or sexually abuse them along the road.’*

*‘If children are not allowed to go to school, they might be forced into early marriages...and working for her survival at a time when she is supposed to be cared for.’*

Similarly, the direct links between poverty and vulnerability were repeatedly cited. From children's testimonies, it is evident that poverty is a root cause of children leaving school, of child labour patterns, as well as high levels of family tension and stress. Food security is a major source of concern. Assuring children's basic needs within the family is considered fundamental to promote their well-being and safety. As the quotes from children below indicate, the need to contribute to family income is pervasive and as a result, many children are forced into exploitative and abusive situations:

*‘Poverty can make the girl child to be exposed to sexual abuse and prostitution... girls beg elderly men for money and in return these men request for sex.’*

*‘Parents should not starve children as this makes children run away to the streets and go from home to home to beg for food or work for people.’*

*‘When girl children are asked by parents to provide for themselves... this will expose them to prostitution.’*

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[61] Commonly cited reasons for poor school attendance included: physical inaccessibility to school, hidden school fees and costs of uniforms, abuse and discrimination in school settings, as well as the requirement that children support their families financially by working.

These statements from children strongly demonstrate the need for closely integrated planning and strategic collaboration cross a broad range of sectors. These statements are supported by the surveys of frontline workers. As Diagram 5 below indicates, in order for there to be improved coordination within service provision, there is a perceived priority need to develop stronger strategic planning.



**The most important way to improve collaboration among frontline services**
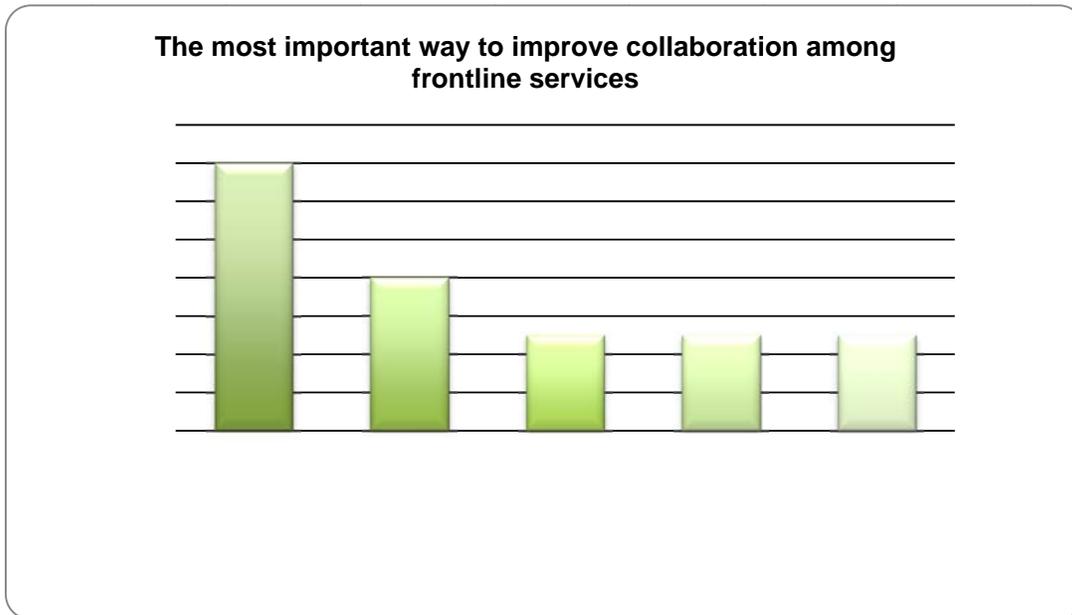
Diagram 5: Recommendations for Improving Frontline Collaboration (Source: Frontline Workers Survey 2009)

Although the different sectors (education, health, justice, social protection) are represented on the NCPC, this is not a suitable formal platform for a more elevated dialogue on long-term cooperation.  Progress has, however, been made in bilateral and multi-lateral discussions between different ministries regarding 'issues of the moment': for example, it is noteworthy that the National Referral Protocol for Victims of Sexual and Gender Based Violence came about as a result of the coordination of key child protection actors. In its Strategic Plan 2010, the MSWGCA demonstrates its commitment to closer cooperation through the development of advocacy briefs and workshops for other sectors with responsibilities under the CRA. This will be an important step to bring closer planning and operational collaboration for child welfare.

Through the enactment of the CRA in 2007, there has already been closer alignment of responsibilities of the MEYS and the MSWGCA. There is, for example, on-going bilateral coordination between the MSWGCA and the MEYS on the provision of special educational grants for disabled children to remain in school – not only to ensure them equal access to higher levels of study, but as a deliberate action to prevent their increased vulnerability to

exploitation in begging. It is a positive signal that some schools have begun to address issues of abuse, violence and exploitation (within and outside the school compound) through a series of school structures, including: the School Management Committee (SMC) to receive complaints about abuse of children in schools; the Community Teachers Association (CTA); the Parents Teachers Association (PTA); and the Children's Club.

*'When teachers flog children, the child becomes very afraid to come to school. Instead they leave home, putting [casual] clothes in their bag to change from their school uniform. They change into clothes without reaching to the school and roam the streets.'*

At the national level, there is little formal collaboration between the MSWGCA and the MoH. The draft Strategic Plan of the MSWGCA 2010-2012 does not outline any joint initiatives to be undertaken and current dialogue seems to be based upon immediate issues to be addressed. For example, while some districts have passed by-laws to ensure all medical treatment is free (as per the National Referral Protocol) of charge for victims of abuse, it was consistently reported that children and their families were being charged up to SLL 30,000 to receive medical services. Some DHMT (in Kenema and Koinadugu, for example) have established procedures for treating child victims of sexual violence. In the latter district, the DHMT has collaborated with Plan International to develop a code of conduct for staff, as well as a reporting and referral procedure. These are welcomed measures for ensuring the ethical standards required when dealing with vulnerable children. However, they relate to procedures to be undertaken within the hospital itself and have not been designed in coordination with wider procedures and external services. There were several indications that the district health sectors view their role as a medical intervention only:

*'Health workers on the ground do visit new mothers, but dealing with families in crisis is the responsibility of staff from the MSWGCA'*

*'DHMT is not actually focusing on child protection: we only provide medical treatment.'*

While there is a general lack of coordination between the formal structures of government and NGOs at the central level, there is evidence of closer collaboration with leaders at the local levels. This is certainly symptomatic of the lack of direction – and demand for collaboration - from the MSWGCA towards NGOs. Given the lack of government child protection services in the districts, many communities are dependent upon the support of international and local NGOs. Traditional leaders stated that NGOs (such as Save the Children UK, Plan Sierra Leone) are generally very consultative in planning child

development activities in their focus communities. This is highly appreciated, especially as there is perceived to be much less consultation with local leaders by government counterparts. When the Chiefs are by-passed by government officers or NGOs, their leadership is said to be undermined and this causes tension within community dynamics.



**How well do these individuals and agencies work together?**

Series1, Not at all, 6.7%, 7%

Series1, Poorly, 15.6%, 15%

Series1, Very well, 48.9%, 49%

Series1, Quite well, 28.9%, 29%
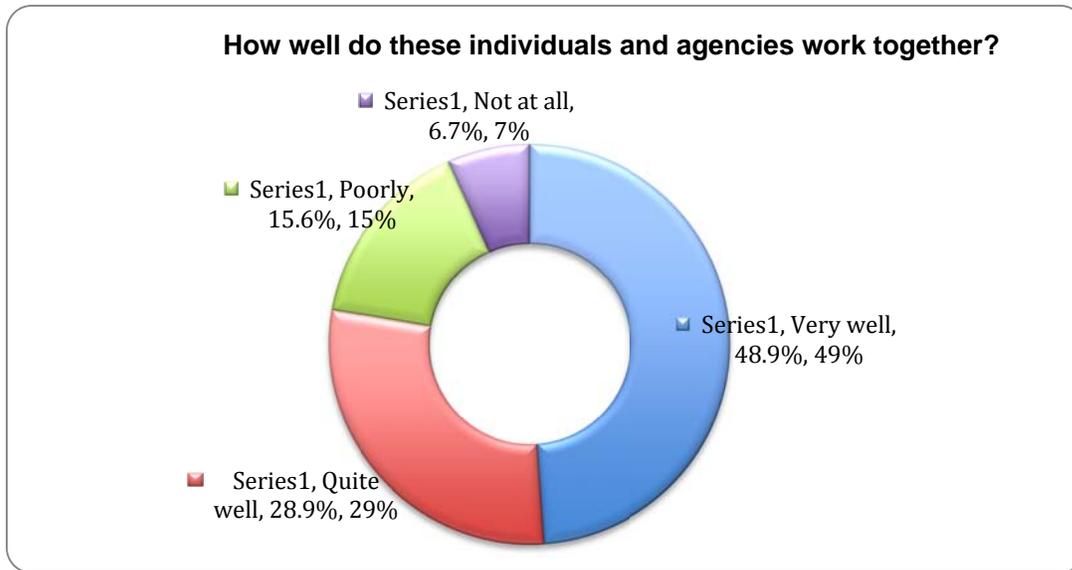
Diagram 6 - Collaboration among Service Providers (Source: Front line Workers Survey 2009)

The relationship between communities and the supporting NGOs is generally positive: educational grants, micro-credit schemes, vocational training and food provision are all usually welcomed for the direct impact they bring. However, in terms of child welfare projects, there is a perceived disconnect between the needs of the community and the priorities of the NGOs, not least because the economic and social realities of communities are not fully considered. It is well recognized that communities and their leaders do not always understand the rationale or motivations of child protection agencies and there is a need for clearer sensitization to bridge the divide. It was frequently stated that NGOs tend to push an agenda that conflicts with traditional child-rearing practices and they often seem to consider local traditions as *'backward'*. NGOs are perhaps considered to focus only on the negative aspects of local child-rearing practices (such as initiation and FGM/C), while communities really want support to strengthen the positive aspects of their culture.

*'Sometimes the NGOs overlook our ability to care for our own children even in difficult times. We can still feed and clothe our children' (Chief)*

**3.4 Information Management Systems & Accountability**

There is no formal system for collecting statistics and data about the overall situation of children vulnerable to abuse, exploitation and violence. Neither is there an official system of recording the numbers of child protection cases. It is welcomed that an information systems officer will be appointed under the new structure to collate all data on children in need of protection, including those in detention and those in children's homes.

A new division, 'Research and Statistics' is proposed under the restructured Policy Development and Strategic Planning Directorate. This division will be responsible for the development of a new centralized information management system. It is anticipated that, through its own research and data collection processes, the MSWGCA will be able to generate the necessary evidence to inform national policy on children's welfare. Staff in this division will act as advisors to the technical directorates. A new template excel file has been created for recording data on children who are trafficked, children in conflict with the law, children in alternative care and children in need of protection services. The child protection file is designed for the SDW to record information such as the numbers of: reported cases; cases referred to court; child labour cases; cases of reported abuse in schools; and children living on the street. However, considerable guidance and accountability mechanisms will be required to ensure their effective implementation.

FSU do not have a formal recording system and records are maintained manually in a simple registry. This makes it difficult to disaggregate the cases reported by type, although they might be categorized under headings such as trafficking, domestic violence, child abuse, cruelty and rape. However, the registers examined do not always differentiate between women and girls. In the Freetown based FSU of Cabala, there were 225 documented cases[62] reported with 25 cases proceeding to court. In the Kissy area of the national capital, there were approximately 300 documented cases of which around 50 were taken to court. These numbers are significantly reduced in the districts with the FSU in Pujehun town recording approximately only four cases per month. All cases are supposed to be reported to national headquarters on a monthly basis. An evaluation of each FSU is supposed to take place every six months, but it is not clear whether this standard is applied rigorously in all districts.

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[62] The timeframe of these cases and whether they represent reported cases or cases sent for prosecution was unclear from the data.

**Key Collaboration & Interagency Coordination Findings:**

- Coordination mechanisms at the central level appear to rely primarily upon the issue-based taskforces. Although they are led by the MSWGCA, these taskforces do not include an integrated vision or plan for developing a comprehensive and integrated system of protection.

- There is limited intersectoral planning and coordination between different government agencies and, while there are some operational agreements between them, they tend to focus on activity or procedural linkages. .

- Communities and frontline workers clearly identify the importance of greater intersectoral collaboration in order to effect real change in the protection of children.

- Local level coordination between village leaders, communities and NGOs appears to be stronger than at national level. This perhaps represents a disconnect in the vision and strategy of central level agencies.

## 4. Services for Families and Children

This section focuses on the existing services available to families and children in need of support. At present, there is a lack of coordinated action at the national level, despite MSWGCA initiatives designed to strengthen families to better care and protect children. While the principles of the CRA are strong, the series of formal processes for intervention and provision of essential services once a child is identified as being in need of care and protection have yet to be developed. The role of the CWCs remains weak and their full potential with regard to effective early intervention has yet to be realized. There remains a significant level of community responsibility towards children who are in crisis or at risk of violence, abuse and exploitation and community discussions revealed a pragmatic approach to dealing with cases of abuse and exploitation.

### 4.1 Overview of Child Protection Services

### Prevention Initiatives

High numbers of children are at risk of abuse, exploitation and neglect in Sierra Leone, and there is a lack of resources to respond to individual families and children in crisis. It is, therefore, essential to try to reduce vulnerability to abuse and exploitation through comprehensive, inter-sectoral prevention strategies. In the long term, vulnerability will be significantly reduced through solid poverty reduction strategies, progressive educational reform and improved health.  In terms of direct prevention strategies for child protection, there is a noticeable lack of coordinated action at the national level and efforts appear to be characterised by a piecemeal approach. Throughout the country there are billboards warning about the issues of sexual exploitation, teenage pregnancy and child labour; however, it was not evident how these sensitisation programs were coordinated and it is clear that harmful attitudes and behaviours must be addressed through sustained advocacy and practical actions.

The MSWGCA is responsible for two key initiatives that aim to strengthen families to better care and protect their children, thereby reducing the risk of harm:

Firstly, recognising that family dispute and conflict presents a major risk to children in their homes, the Social Welfare Directorate has established a specialised division called 'Family

Case Work'. As supported by the findings of the study, children in violent households are prone to being expelled from the home, running away to the streets or being sent to live with relatives (*men pikin*). All three of these scenarios are prevalent in Sierra Leone and expose children to labour and sexual exploitation, among other abuses. The aim of the program is to resolve parental dispute to a) maintain the family unit, but b) if the unit dissolves, to ensure that fathers pay maintenance for their children and provide for them under the new Inheritance and Estates Act. The division in Freetown has a staff of three SDWs responsible for designing and managing the national program. Every district MSWGCA office has SDWs trained in Family Case Work, although it is not clear how formal or effective the program is beyond Freetown.

Secondly, the role of the CWCs can be considered to be an early intervention program. Although there is perhaps an over-emphasis on dealing with troublesome children, the CWC should become the principal community body for monitoring the welfare of children within the village and for identifying particular families and children who are at risk of abuse and exploitation. These committees tend to be focused upon children's general rights, although they do have specific authority to intervene and mediate when families or children are in crisis. Through discussions with communities, it was apparent that CWCs are not yet playing a central role in the resolution of family conflict. Neither children nor adults interviewed seemed to consider CWC members to be decision-makers within their communities, although they may have the capacity to mobilise welfare resources in lieu of government care services. Rather, families in crisis still appear to be referred to the Chief and traditional authority mechanisms for mediation.

The operational guidelines for establishing the Child Welfare Committees, including the formal appointment of members, seems unnecessarily complex. Although statutory duties are imposed by the CRA, these committees are managed by volunteers. Indeed, members receive no incentives (apart from community status) from being elected to the CWC. Such formal procedures seem to run contrary to the spirit of community mobilisation – this could potentially impede effective implementation, not least because the leaders will need external support to be able to establish and manage a CWC according to the strict criteria. With the extreme lack of support by the MSWGCA, formal monitoring of implementation will remain a challenging. A full costing of long-term support to the CWC is required to assess their long-term viability.

## 4.2 Response Services

Response services refer to the help that children receive when they are in need of special protective measures. The CRA stipulates in detail a series of formal processes for intervention and essential services once a child is identified as being in need of care and protection, but overarching protocols and guidance have still to be developed for enacting the provisions. However, a **National Referral Protocol for Victims of Sexual and Gender Based Violence** has been developed through a collaboration of key agencies in 2009.[63] This important protocol is the first of its kind in Sierra Leone to unite so many different agencies to respond to children suffering sexual violence, and elaborates the duties and commitments of all agencies to report and respond to cases. Although the protocol applies specifically to victims of sexual and gender based violence, it does appear that it is, fortunately, being used for a wider range of child abuse and exploitation situations.

A referral pathway has been agreed and requires all NGOs to abide by and support the formal government system of response. The protocol outlines the responsibilities of different service providers and requires the district council to ensure service level cooperation between agencies. According to the referral pathway, children suffering sexual violence will be immediately referred to the PHU or DMHT (depending upon the severity of the case), or to the FSU if medical treatment is not required. The hospital is required to provide free treatment and to provide a forensic examination if requested. Counselling may also be provided at the hospital. The FSU is then responsible for interviewing the victim and for pursuing prosecution of the alleged perpetrator.

Under the CRA and protocol, the SDW is responsible for facilitating the reporting and referral process between agencies, and for holding a weekly case conference to support the long term recovery of the victim. According to the protocol, the SDW is also supposed to develop a case file and ensure confidential storage of information.

Unfortunately, while the principles of the CRA and new protocol are strong, challenges remain to operationalise the system. The FSU and PHU do seem to provide emergency services in the most severe of cases, but further detailed guidance is required for key actors to assess the on-going risk to the child and to effectively manage a long term care plan. Beyond this police and medical response, government services for abused and exploited children remain extremely limited, as demonstrated in Map 2 below.

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[63] MSWGCA; MOHS; MEYS; SLP; DECSEC; MOJ; Council of Paramount Chiefs; Sierra Leone Association of Non-Governmental Organizations.

As described previously in Diagram 1 on Child Protection Procedures, emergency powers do exist for a SDW, accompanied by a police officer, to remove a child to a place of safety, including with a relative, a 'fit' person or a residential institution. In such instances, the case should be brought before the Family Court. According to the law, a magistrate is then required to make a decision about the placement of the child, including measures such as care and/or supervision orders.

However, there is a universal absence of interim and emergency service provision for children in crisis, including in the capital Freetown. This reality is epitomised by the fact that most of the child welfare staff at the MSWGCA are currently or had previously been caring for abandoned or unplaced children in their own homes. In the two months preceding the study, four children had been abandoned at the MSWGCA offices and taken home by staff due to lack of interim care arrangements. Similarly, none the Family Support Units studied had a facility for ensuring the physical post-interview safety of the child and, in the absence of a 'safe-house' for children, most are sent back to their homes. Officers in Freetown reported that they respond to many cases of children trafficked to the capital. They are mostly found on the streets begging or trading illegally, but the police are often forced to return the child to the alleged exploiting adult with a simple warning and a requirement to bring the child to the station every week for monitoring. In most cases, it appears that.

It is a positive sign that there are now services and processes in place for ensuring that children are able to seek justice for the crimes committed against them. However, these offer only legal redress and remain unconnected to the social services that are required to support the well-being of victims in the longer term.

Stakeholder consultations revealed that, in communities where a SDW is represented on the Child Welfare Committee, there was a much greater likelihood of involvement in the response processes. In general, however, the responses from children overwhelmingly confirmed that they are not familiar with the function of the SDWs and would not think to report to them. Because SDWs are based at the chiefdom level, they remain peripheral to community decisions and would only be called upon to facilitate the reporting and referral process, as well as coordination of support with NGOs. There was little indication that the SDW was able or even expected to provide any longer term rehabilitation services.
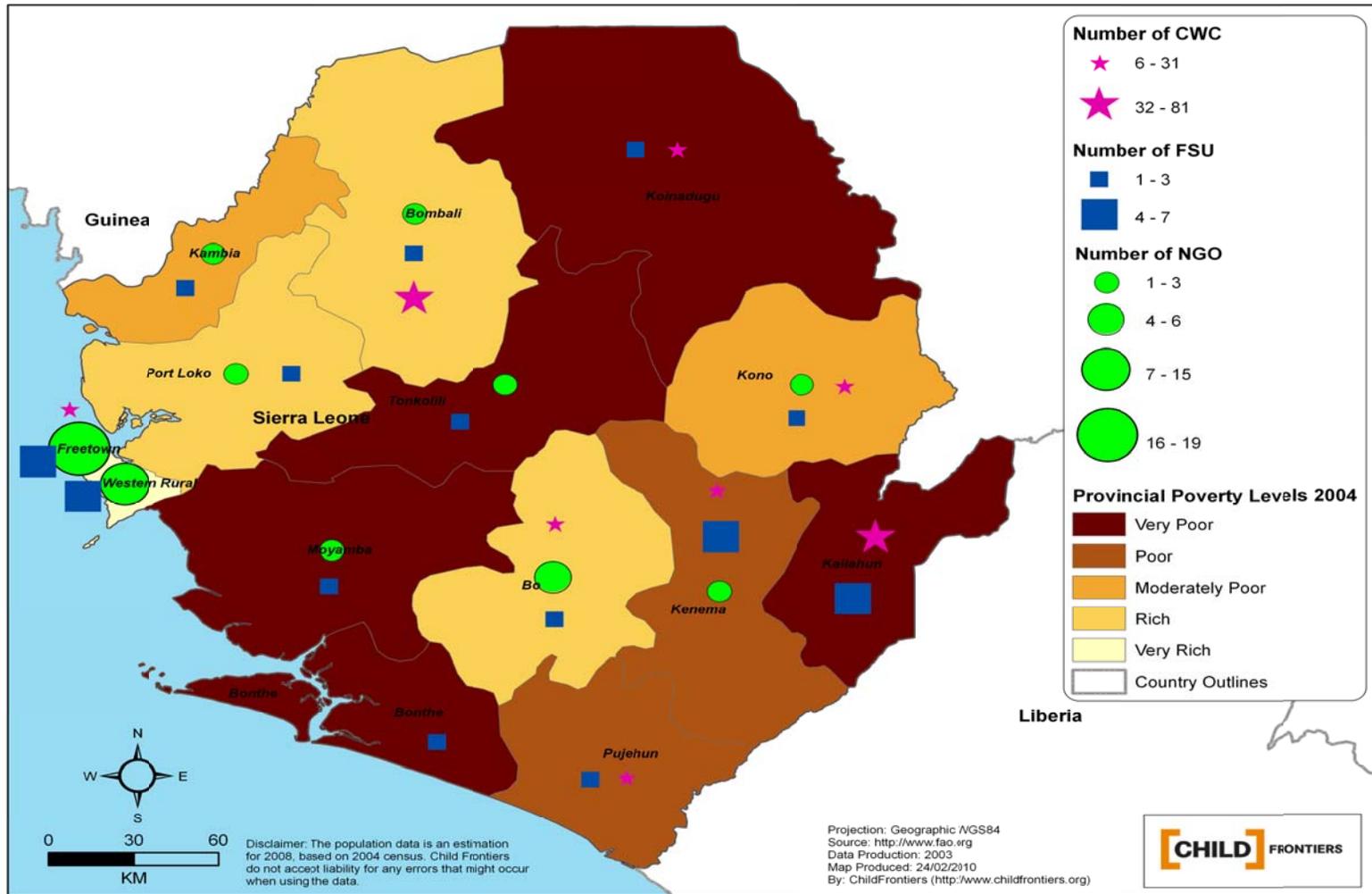
MAP 2: Number of CWC / FSU / NGO and Poverty Levels (2004)

**NGO Response Services**

The NGO community in Sierra Leone provide an essential, if limited, set of services for victims of abuse and exploitation. It was not possible to obtain a full register of NGOs, but some key services are especially notable.

Diagram 7 below identifies the types of child protection issues addressed by different NGO programmes, as identified through the child protection sector survey conducted. There is a strong consortium of NGOs based in Freetown that provide specialist, free legal aid services to children in contact with the law, including those who are victims of crimes such as rape and domestic violence. They are all members of the National Child Protection Committee's sub-committee on Child Justice. The Society for Democratic Initiatives provides legal aid services in four districts for child victims of abuse, particularly cases of rape. Through their networks and clinics across Sierra Leone, lawyers are engaged to ensure that cases are brought to trial and to support children through the criminal process. Similarly, LAWCLA has a community-based team of 84 paralegals working part-time in four provinces to bring cases of GBV to court.[64] Other NGO agencies such as Timap work closely with international agencies to provide legal aid and advice to children in conflict with the law.[65] It is noticeable that these agencies focus their efforts on ensuring, through the courts, that legal provision is put in place for the proper care and maintenance of these children by their families. This is said to be in recognition of the fact that so many of the children come into conflict with the law because they have been abandoned and neglected by their families.

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[64] The main work of LAWCLA is to document cases in order to support legal and policy reform, especially in relation to children in contact with the law, as well as monitoring the implementation of the CRA.
[65] Established under the Open Society Justice Initiative.

**Types of CP issue addressed by programmes (non government)**
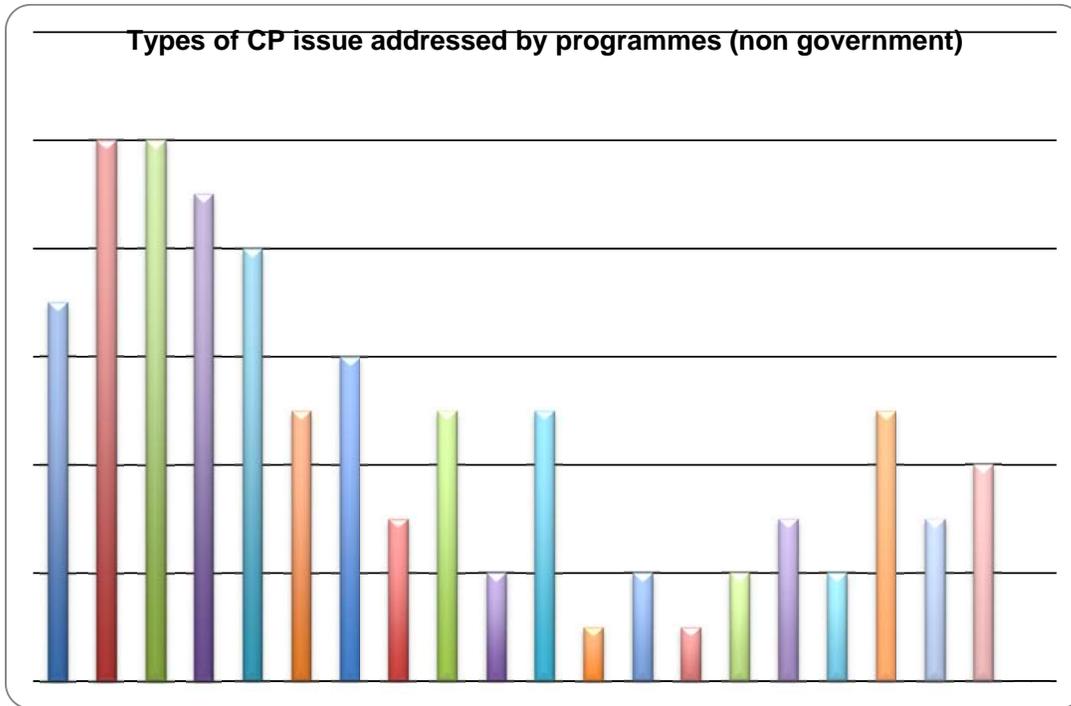
Diagram 7 – Types of Child Protection Issues Addressed by NGO Programmes
(Source: Child Protection Sector Survey 2009)

A number of advocacy agencies focus on changing behaviours that harm children. Through their work in the communities, alongside traditional leaders and with Child Welfare Committees (CWCs), they are promoting better parenting and community responsibility towards children. Many of these NGOs, such as the 'Moyamba District Children's Awareness Radio' (supported by Plan Sierra Leone) educate communities about new laws and host discussion panels on subjects such as GBV, trafficking and child labour.

In terms of rehabilitation and recovery services, there are very few direct protection providers. Children who cannot safely be returned home might be sent to one of the two IRC Rainbo Centres. These centres act a temporary shelter for victims and provide medical treatment, counselling and family reunification services. Alternatively, children who have been victims of trafficking might be referred to Faast,[66] an agency providing both a rapid response to victims of trafficking and longer term services for reunification of children with families and communities.

Many other local NGOs, often supported by INGOs, play a significant role in the provision of material support and counselling for children in crisis. In some cases, they may simply be asked to transport children to places of safety, the courts, or the FSU. In the community of

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[66] Working through its local partner agency World Hope International.

Jendema, for example, a hypothetical case study revealed that in cases of abuse and exploitation, various NGOs would come together, at the request of the village leaders, to provide a holistic package of services for the family or child. The Rehabilitation and Development Agency or ACT, would be called upon to provide counselling services; the Children's Network Sierra Leone (KNSL) would support educational scholarships; and the Network Movement for Justice and Development would provide financial assistance to the family of the child. While these are not direct protection services, they are perhaps seen as addressing issues within the family (education, poverty) that precipitate abuse and violence.

**Out of Home Care**

Secondly, deciding care arrangements for a child who can no longer live with his/her biological parents is often done spontaneously. Children were considered to belong to the community and would be sent to live with the relative most able to provide for the care and welfare of the child. There is often a fluidity of these arrangements and a child might live (often according to their own wishes) with different households over the course of their childhood. While such informal kinship arrangements appear to still exist across the country, there is increasing demand in Freetown, at least, for the establishment of more formal, legal foster care arrangements.

It was suggested that, given the reported cases of abuse and exploitation of children living with relatives, signing formal papers might be a way to bring the child closer to the heart of the new family and motivate a greater commitment to care for them. However, the foster care system, based on the order of a Family Court, is not being used at all. In cases where a child is in a crisis situation and no relatives are able to take immediate responsibility for the child, the options are limited.[67] Throughout the study, it was repeatedly stated that relatives are now less likely to take responsibility of caring for non-biological children due to the expense incurred for food and schooling. As described earlier, a more individualistic culture has evolved where an increased sense of accountability and duty is placed upon parents, but where – conversely – the expectations of kinship and community networks have diminished. Similarly, whereas the wider community was responsible for the disciplining of 'naughty' children, even scolding the child of another family may be frowned upon.

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[67] This partially explains why MSWGCA staff find themselves caring for children for whom they are unable to find interim placements. There is no roster or database of prospective foster carers in the country. There used to be an incentive package, "Aid to the Abandoned', to encourage foster parents to sign up, but this was discontinued several years ago.

Formal adoption is rare in Sierra Leone. During the conflict, many thousands of children were taken on by others and remained in these arrangements post-conflict. In these cases, the children essentially had new parents, but there has never been a culture of formal exchange of papers to make the relationship official. However, there have been approximately 50 cases of intra-familial adoption in 2009. The most common scenario is for relatives living overseas, especially in the US and UK, to legally adopt a child with the full consent of the parents and towards the purpose of providing greater opportunities for the child. It was stated that in such scenarios, the adoptive parents are really 'guardians' of the child, but among the family parental rights and long-term responsibilities are not transferred. There is currently a moratorium on international adoption in Sierra Leone.

Children's homes were virtually unknown in Sierra Leone before the outbreak of war, with only four institutions in the whole country. Since 1991, and despite massive resettlement of separated children, the number of homes has grown to 48. While many of these homes are small-scale, there emergence nonetheless represents a major shift in the approach to the protection of children. A UNICEF report highlights that, in fact, many of these children are placed in homes and orphanages due to the increased educational opportunities provided, including at SOS Villages. Although all homes are officially registered, concerns remain that the homes are unregulated and lack appropriate standards. This despite the fact that the government has introduced a Code of Conduct for staff, Quality of Care Standards, Inspections Guidance and regulations for the licensing of all homes (2008). These latter regulations were to prevent the practice whereby international or local community agencies would establish a home for children and apply subsequently. The MSWGCA recognises that it is unable to monitor the activities of NGOs, not least because they are not part of the formal child protection networks in the districts and therefore operate independently.

## 4.3 Community Perceptions Regarding Child Protection Issues

As depicted in Diagram 8 below, young people and adults in all locations surveyed consistently ranked access to basic needs (food, shelter), education and medical care as among the most important factors for ensuring that children feel secure in their communities. Parental guidance and love, as well as a peaceful home environment, were also identified as being of high importance. Food security is clearly an issue of concern and many children, especially boys, emphasized the negative consequences of children being forced to beg for food on the street or do odd jobs in exchange for a meal.
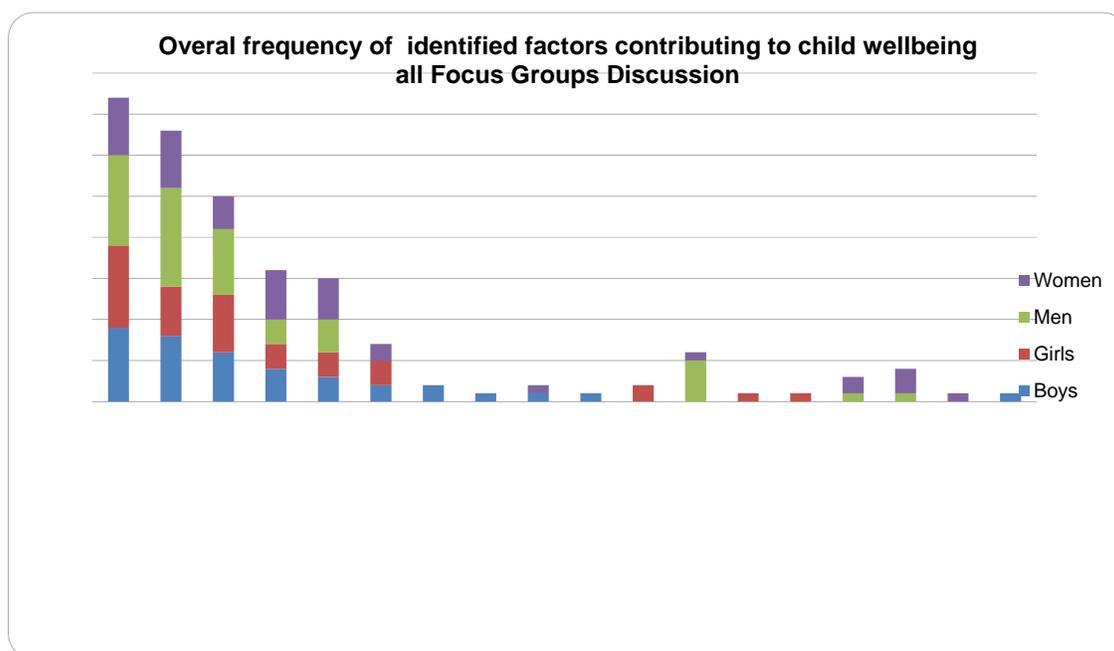


Diagram 8 – Frequency of Identified Factors Contributing to Child Well-being
(Source: Focus Group Discussions with Communities)

Factors identified as making children feel insecure were more diverse, although positive parental care, access to basic needs and quality education were ranked as most important, as evidenced in Diagram 9 below. Early marriage and pregnancy were cited as having a negative impact on the security of children, as well as rape. Girls in Freetown stated that when children enter into early marriage, they usually lose most of the rights they are supposed to enjoy as children and are often maltreated.

Adults interviewed in focus group discussions consistently highlighted availability of medical facilities and ensuring that basic needs are met as the top factors influencing children's security. Both adults and children emphasized the impact of family dynamics on children's sense of wellbeing. Conflict in the home and parental separation were described as common problems that have negative effects on child protection.

**Overall frequency of identified child protection factors**
**All Focus Groups Discussion**
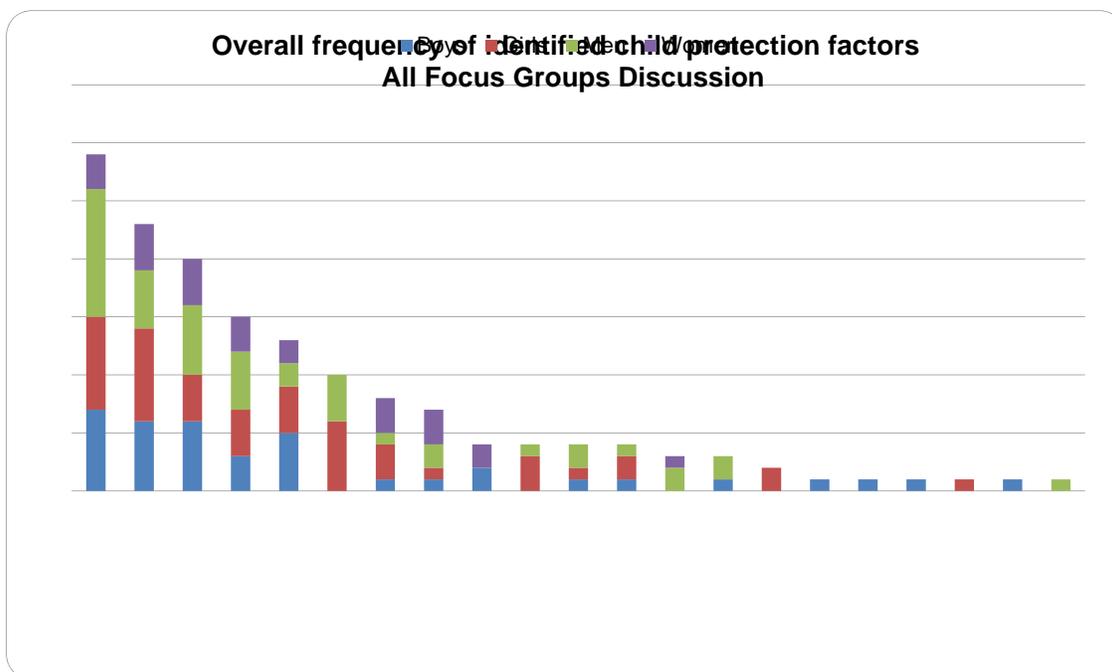
Diagram 9 – Frequency of Identified Child Protection Factors
(Source: Focus Group Discussions with Communities)

An issue raised by both adults and children during focus group discussions was in relation to concerns about the specific vulnerabilities of children who have lost one or more parent. Kinship, alternative care and living in polygamous households under the care of a non-biological parent were not perceived as positive options for children. Children in these situations are reportedly often taken advantage of and made to do excessive amounts of domestic work or may be prohibited from attending school and as a consequence run away.

**Community Response Processes**

The CRA remains a relatively new piece of legislation and it cannot reasonably be expected that its service provisions would be fully operational by this time. However, the study focused upon the community responses to children in crisis and it is clear that traditional resolution of cases continues to take precedence over the new formal arrangements. It is essential to understand the reasons for this in order to shape and plan a national system of protection.

In order to assess the kind of support and/or services available for abused and exploited children, two contextualized case studies[68] were designed to elicit the community response:

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[68] These case studies were developed by the research team based upon their experiences of child protection issues in the field in Sierra Leone. Case Study 1 (Abu) was used in FGDs with: children between the ages of 8 and 12; boys aged 13-18; and men in the community. The second case study (Hawa) was used with girls aged 13-18 and women in the community. The CWCs and the Frontline Workers were provided the case studies at random.

Despite a perceived breakdown in community structures, both children and adult respondents indicated that there remains a significant level of community responsibility towards children who are in crisis or at risk of violence, abuse and exploitation. Traditionally, the child 'belongs' to the whole community and everyone has a responsibility for ensuring the well being of every child, including the resolution of crimes perpetrated against that child by one the community members.

Community discussions revealed a very strong pragmatic approach to dealing with cases of abuse and exploitation. The general approach seems to be one that a) minimises the stigma and shame felt by the child and its family and b) provides immediate and practical restitution to the victim.

When discussing a case study of a child who had been sexually abused, respondents clearly defined the consequences for the child and were able to articulate the precarious nature of her situation. It was stated that he shame resulting from the abuse may lead her to: leave or be expelled from her community; drop out of school; and/or turn to prostitution. To avoid public scrutiny, families may agree upon a private financial arrangement. In cases where it is not possible to hide the abuse, as when a girl becomes pregnant, it was viewed as important to publicly explain the circumstances of the pregnancy to avoid bringing disrepute to herself and her family.

**The Chief**

Once communities learn that a child has been abused, there appears to be a strong and practical mobilisation to provide help and support. Across all study sites, it became quite apparent that, under any such circumstances, the Chief will become quickly alerted to a case of abuse through community networks. The role of the Chief could be best described as a 'mobiliser' in that they continue to take the lead responsibility for organising resources for families and children in crisis. For example, they will arrange with the community and local CBOs for the provision of food, financial aid, school uniforms and better shelter for the family. However, as one Chief described, there are so many welfare cases in his community that:

*'I sometimes provide money to help solve some of the problems,*
*but I cannot do everything…'*

Of course, according to the CRA, the Chief has no mandate or authority to make decisions in severe abuse cases or those involving sexual violence. Before the introduction of the law, all alleged cases of child abuse, neglect and exploitation were resolved by the Chief himself, or through the *bare* forum. The Chief would be supported in the mediation process by a group of Village Elders and would decide upon a fitting punishment for the perpetrator. This process is still used in less serious cases, and village leaders will often impose a fine against the alleged perpetrators. In some cases, the perpetrator might also be asked to make restitution by paying for his victim's school fees.

According to respondents, there is now considerable scrutiny upon village leaders and communities to ensure that serious cases, such as rape, are reported to the CWC and for subsequent investigation by the FSU. In the communities studied, there was a strong sense that Chiefs were abiding by the law and reporting cases beyond their decision-making powers to higher authorities. However, many other respondents reported that Chiefs continue to 'compromise' cases by taking decisions within the village. In deciding a course of action, a Chief may take into consideration, for example, the role of the perpetrator as sole breadwinner for their family or that the village reputation will become tarnished by a conviction. It was also reported that bribes are sometimes also paid to Chiefs for their intervention. In summary, it seems as though only the most egregious abuse was reported to the police, and often then only when the perpetrator reneges on the compensation agreement that has been agreed.

Chiefs do seem to understand the new boundaries of their intervention under the CRA, but perhaps see the restrictions as undermining their traditional authority. As a means of complying with the law, some Chiefs seem to adopt a dual process. One Chief stated that in his village, there is a new by-law that decrees that people who rape or sexually abuse children will pay a fine of SSL 500,000 in the local court, and then be reported to the police. These by-laws are seen as a way to protect the community and ensure that the victim receives immediate justice through financial restitution. In another village, it was suggested that the Chief might fine any person who reported abuse to the police without his knowledge. Such reporting would invite unwelcome attention and interference into village life.

**Community (Neighbours & Relatives)**

Respondents indicated a sense of community mobilization to respond to cases of child maltreatment. The case studies revealed that children and adults felt that there were community 'safety nets' for children at risk, especially for those that were 'deserving'. For example, there was a clear indication that orphans would not be left without shelter and

care. Children indicated that they knew where to get help within their communities; most often they cited relatives and neighbours as potential sources of assistance. Some of the men's groups suggested that the perpetrator in the case studies would be reprimanded verbally by other community members and admonished for his behaviour.

In terms of providing care and support for an abused or exploited child, respondents stated that immediate and practical solutions would be found to ensure that a child was treated and made safe. Neighbours may ensure that a child is taken for medical treatment by a nurse at the clinic or hospital, or alternatively by the traditional birth attendant. Despite the lack of protection services per se, community members do appear to respond to the most pressing needs of the child and the family. Recognising that poverty leads to family discord and violence, as well as increasing the likelihood of a child dropping out of school to work, communities might mobilise or work with CBOs to secure financial support to enable a child to remain in school.

**Religious Leaders**

While religious leaders play an important role in the life of communities, there was little mention of their role within the response to child abuse, neglect and exploitation. Rather, religious leaders act as the 'moral compass' of the community; they are more likely to be called to offer moral or spiritual guidance to children that have been exploited, especially girls that had suffered sexual abuse or exploitation or were pregnant. Because many children are perceived as personally culpable for their predicament, religious leaders are considered to guide children towards becoming better citizens.[69]

**Police**

When asked to identify the primary actors with the greatest responsibility for protecting children from abuse and exploitation, frontline workers identified police (FSU) as having primary responsibility (61.2%). There was a strong indication that in the serious case of a sexually exploited girl, a report would be made to the FSU. However, there appears to be little confidence in the formal judicial process and it is generally felt that seeking justice through formal channels would only exacerbate the stigma and shame for both the child victim and the family. In addition, FSU services are often geographically inaccessible to many victims and so families tend to prefer traditional resolution mechanisms. Although over half of the frontline respondents currently work for government agencies at the community

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[69] Religious leaders were found to be quite peripheral to the child protection response. However, they do play a role through the church or mosque in educating the community about good parenting and appropriate behaviour. It is noteworthy that children who have broken the law or social norms are referred to religious leaders not only for guidance, but also for punishment. Several leaders stated that they flogged children who needed to be disciplined. There was a real sense social norms are breaking down due to rife illicit activities such as drinking, discotheques and pornography, even HIV and sex education.

level, less than a quarter (20%) felt that local SDWs were primarily responsible for the protection of children. The fact that police were instead ranked highest may indicate that child protection services are primarily viewed by frontline workers as a legal response, based upon the CRA, to harm that has already occurred, rather in terms of preventing harm from occurring in the first place.

**Services for Families & Children Key Findings:**

- The demand for protective services is high in Sierra Leone. It will not be possible to respond to the huge numbers of vulnerable children and their families. Therefore, a clear strategy for addressing social norms and behaviour that propagate vulnerability will be required as a primary prevention measure.

- The new referral protocol is very welcomed as a first step to ensure that all agencies recognise their role in responding to children at risk. However, the role of the MSWGCA in the process will remain periphery while the numbers and skills of SDWs remain weak. In many cases, SDWs are marginal to the continuing informal response processes in the communities.

- The elaborate powers of intervention for assuring the long term care and protection as envisaged under the CRA (emergency powers and court based protection orders) cannot be fulfilled with existing capacity levels, and it is questionable whether they are appropriate measures within the Sierra Leone context at the present time.

- Government services currently tend to focus on providing judicial restitution to victims, but are unable to provide long-term care and protection options for vulnerable children. Local NGOs provide help and support for families but this tends to be broad welfare aid rather than actual protection services.

- The CWC have the potential to become the central early identification and intervention mechanism but this role is not being optimally fulfilled as yet.

- Chiefs strongly indicated that they wished to be part of the solution for ensuring children are well protected in their communities. In order to reduce the incidence of 'compromise' it will be important to ensure that formal services, such as the FSU, become more accessible and viewed as relevant to communities.

- Services at the present time are very limited and offer only immediate help, primarily through judicial restitution, whether formal or informal. There needs to be a clearer series of support services to ensure the longer term care, recovery and protection of vulnerable children.

## 5. Human and Financial Resources

Many children and their families in Sierra Leone face extreme difficulties and current levels of both human and financial resources allocated to address these are insufficient, particularly in rural areas. The MSWGCA currently has no official strategy for the development of human resources and capacity or human resource management. This section will look at the existing human and financial resource capacity in terms of child protection, in an effort to identify solutions and changes required.

## 5.1 Human Resources

### Human Resources (MSWGCA)

The MSWGCA currently has no official strategy for the development of human resources and capacity. It is not clear how, or on what competency framework officers are recruited, but resource development has not been aligned to the strategy or planning of the Ministry. Each directorate is responsible for its own recruitment of personnel. According to respondents, this lack of coordination has resulted in considerable disconnect within the agency and creates the potential for duplication of roles and efforts. There is no policy on human resource management and staff do not receive formal appraisals or evaluations of their work.

At present, Ministry staff do not have formal job descriptions and it appears that permanent staff in Freetown are allocated new responsibilities as programs arise. At the present time, there are three principal officers for child welfare and protection issues based in the central Ministry. Their roles and responsibilities are very much delineated by specific welfare issues and programs: child justice; trafficking; alternative care; family case work; and child protection. Fortunately, with the impending restructuring of the MSWGCA, official responsibilities will be agreed for each position and at all levels. Based upon first drafts, these new job descriptions will outline: the job purpose; key duties; reporting structure; educational requirements; experience and competencies; and personal qualities and skills. All MSWGCA will be required to re-apply for positions based upon suitability to perform the new official duties. In order to fulfil the new job specifications, however, incumbent staff members recognised that essential requirement for the development of operational skills, including: proposal and report writing; program management; data analysis and assessment; monitoring and evaluation.

It was not possible to obtain a full and current register of social welfare staff across the country, and, because there is no system of staff management, information about staff levels becomes very quickly outdated and unreliable. The last audit of MSWGCA staffing levels was in 2006; these figures are the only reference but it seems to be well accepted that actual staff numbers have significantly reduced since then.

In each district there is supposed to be one SDW, a total of 149 across the entire country. Already this is a very small number given the magnitude of the problems, but at the time of the visits to the selected districts, a significant percentage of unfilled positions were found. In Pujehun, for example, four of the twelve chiefdom SDW positions were vacant while in Moyamba six of fourteen similar positions remained vacant. The two deputy DSO positions in the latter district were also not occupied, rendering the office void of management. The result of vacant positions is that SDWs are obliged to cover vast distances to cover extra chiefdoms, and this has perhaps exacerbated the sense of dislocation from the concerns of the communities[70]. Although unverifiable due to lack of data, it seems that many SDW are either on temporary contracts or daily waged. It was noted in the 2006 study that the MSWGCA was bolstered by about 20 social welfare volunteers, but it does not seem as though a formal process of recruiting volunteers still applies.

It is a concern that the formula for staff deployment is not aligned to the identified needs of communities. There is no clear rationale for staffing levels, or for responsibilities assigned. Rather, one SDW position per district has been created, regardless of the population or the levels of poverty and vulnerability. As can be seen from Map 1 below, there seems to be a greater abundance of SDW in the southern region and the western area. Of course, the density of the population is much greater in the capital, but it is especially concerning that so few government officers are located in the districts of Koinadugu and Kailahun. These are especially poor and remote parts of Sierra Leone yet access to services remains inaccessible for the majority; this perhaps explains why the formal government system has so little relevance in the day-to-day resolution of child protection cases.

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[70] This information is not reliable due to lack of official records. However, new data has recently emerged that suggests that the actual numbers of SDW is significantly less now than was officially recorded in 2006.
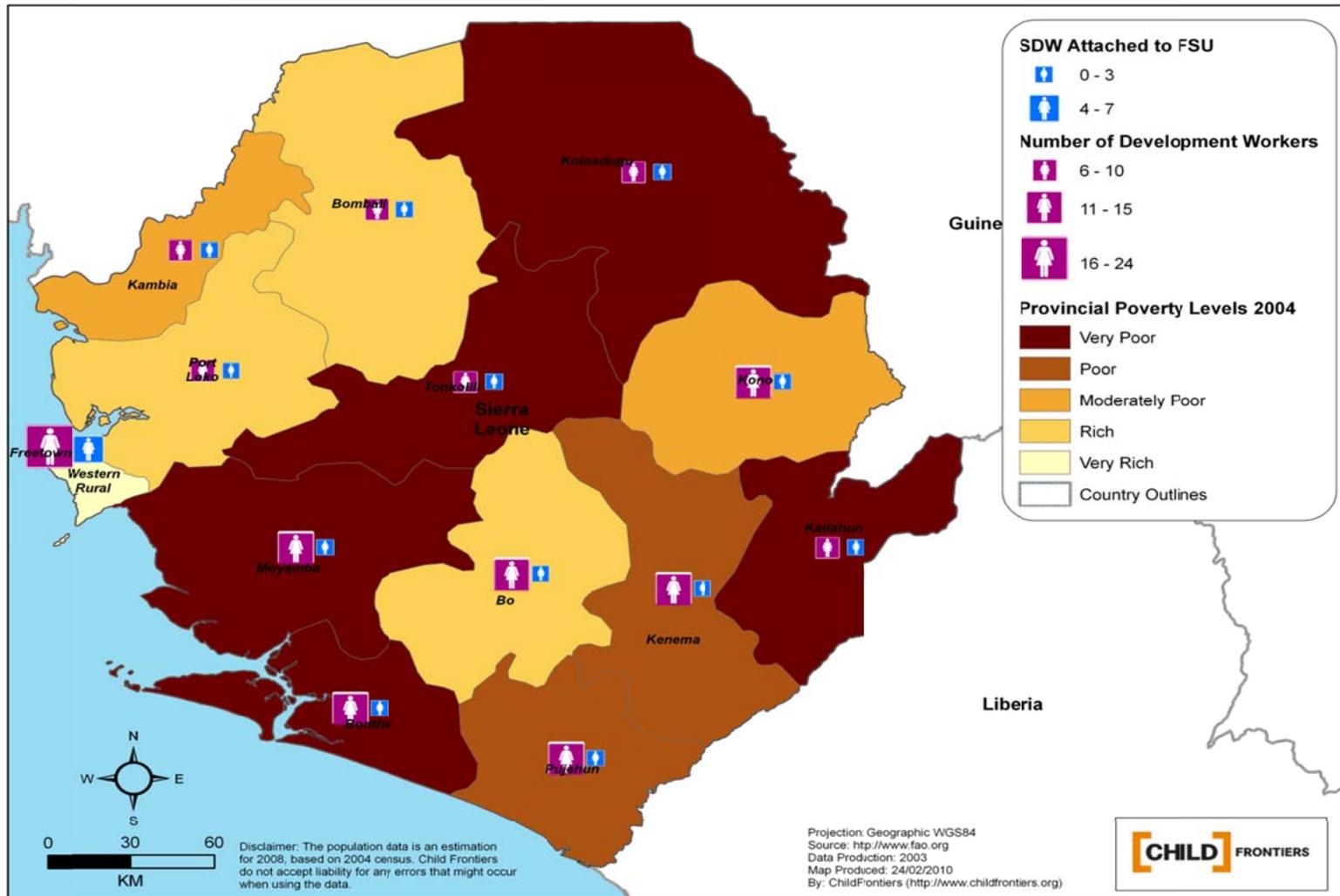
Map 1: Provincial Poverty Levels & Number of Social Development Workers

It is interesting to note that the average length of service of a SDW is over 20 years, with many in service for over 30 years. It was suggested that many of the SDW are already beyond retirement age, but remain in post. Presumably this means that there are very few new recruits into the localities, and that retiring staff members are not being replaced. During the 1970s and 1980s, there was a much higher percentage of staff with degrees; at present it is reported that, while many of the previous generation had diplomas, there are now only ten university graduates in the entire MSWGCA. Many junior SDWs are reportedly paid a monthly salary of approximately SLL 200,000 (USD $60). It was frequently noted that, in order to meet their work duties, staff are obliged to subsidise their transport and expenses from their own wages.

As Diagram 10 below indicates, there remains a residual cadre of frontline workers in Sierra Leone who have significant experience of working on child protection issues: 68% of respondents have over five years experience, with 39% of the total respondents having more than ten years experience. This extensive experience should enhance the quality of practice in the field and set professional standards; however, it is concerning to note the lack of young professionals entering child welfare and protection services. It appears that, because of the very limited number of posts, there is little turn-over of staff. When officers retire, the positions are perhaps not filled due to financial constraints. If a professional sector is to develop to implement the government strategies, it will rely on young, dynamic staff across a range of disciplines.

**Experience working in child protection (frontline workers)**

- Series1, None, 4.3%, 4%
- Series1, Less than 1 year, 2.1%, 2%
- Series1, More than 1 year, 10.6%, 11%
- Series1, More than 3 years, 14.9%, 15%
- Series1, More than 5 years, 29.8%, 30%
- Series1, More than 10 years, 38.3%, 38%
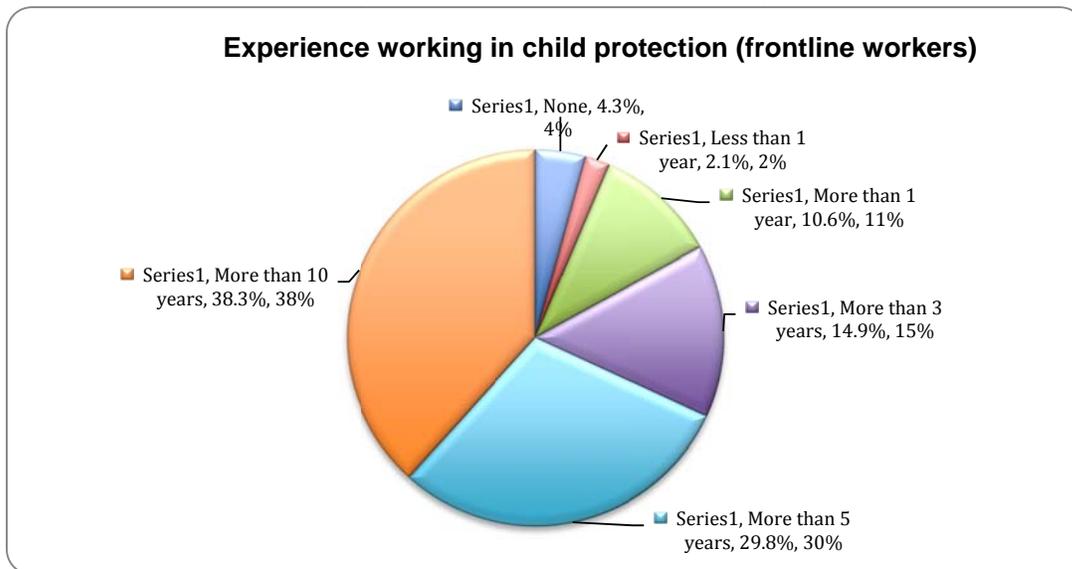
Diagram 10 – Experience Working in Child Protection (Frontline Workers)
(Source: Frontline Workers Survey 2009)

On a positive note, it is seen that of the total number of frontline worker respondents, 85% state that they are mostly community or outreach based, rather than in administrative roles. Given that many government officers are quite detached from the field, it is essential that trained workers are able to support at the field level. The majority (73%) of frontline workers interviewed cited the potential to help children as the most rewarding aspect of their work, followed closely by the potential to help people in the community (48%). Salary and status were ranked as the least rewarding aspects of their work as child protection frontline workers. Working with other agencies was another factor ranked highly (39%) as a rewarding aspect of their work. These figures perhaps demonstrate that there is a real desire to help people in difficult situations, but that unless the accompanying rewards and recognition are improved, it will become difficult to recruit new and younger staff.

## 5.2 Physical Resources

A full-scale audit of the physical resources of the Ministry has not been conducted since 2006,[71] but there are clear indications that the ability to perform essential tasks is considerably restricted by the lack of hardware. Even at central level, there are considerable constraints in terms of IT resources, transportation and basic office equipment. However, at the local level the issue causes paralysis in operations, especially the ability to access remote communities, let alone to respond to children in crisis.

The last full audit revealed that each region had one vehicle, apart from Western area which had 5. Two of the regions (Eastern and Western) had only three motorbikes to cover all districts. Apart from in Western area, computers were located only in the regional office; all work in the districts is done manually. In the Northern region, the audit revealed, the electricity supply was 100% powered by generator. Although some offices had access to a motorbike, maintenance and fuel costs were cited as prohibitive.[72] These statistics provide a clear indication why the MSWGCA is only able to sustain such very limited operations across the country. There is significant need for hardware, but as one staff member candidly noted, this should be provided by the government itself because:

> '*We cannot go begging to international agencies all the time....*'

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[71] DFID, 2006.
[72] It should be noted that there is some dispute about the allocation of hardware: some agencies stated that they had provided infrastructure (computers, motorbikes) but that they were not used or maintained. There appears to be a reluctance on the part of donors to invest in hardware until it can shown that such support will directly benefit children and families. However, government agencies state that they have received the hardware but no budget to maintain it. After a short time, motorbikes and computers are therefore redundant.

Of the frontline workers surveyed, the majority of respondents identified lack of financial resources and materials (60% and 50%, respectively) as the most difficult or challenging aspects of their work. While the challenges of dealing with the problems that people have, limited staff and lack of capacity and training were mentioned, these factors were ranked as significantly less important. Traditional community structures and lack of uptake of services by communities were noted as difficulties of greater magnitude but less challenging that the limitations presented by insufficient financial resources.

## 5.3 Professional Capacity and Training

Prior to the war in Sierra Leone, officers were trained in Bo at the Social Welfare Training Institute.[73] This institute was funded through UNICEF and UNESCO and included an eighteen-month compulsory training for all ministry staff. The course focused on skills building for community development and was highly respected. Throughout the 1970s and 1980s, this course trained a considerable cadre of community workers in Sierra Leone and taught vital practical skills (such as agricultural development and sanitation), as well as bringing social development issues (on gender and children) to the forefront of the civil society movement. Alongside the course on rural development, there was a basic six month social work course. At the end, graduates would receive a formal qualification in Social Work.[74] However, it seems that many of the graduates have now retired, and the institute was destroyed during the conflict.

In its place, a National Training Centre in Freetown has been established to build the in-service capacity of SDWs. However, it was stated that the courses are neither specialised nor skills based, but rather offer training on broad welfare issues. As demonstrated by Diagram 11 below, perceptions of the quality of training are generally poor (46%) or satisfactory (31%), with only 23% of respondents stating they felt that the training and professional development opportunities available were of good quality.

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[73] This training centre was managed by the Ministry of Rural Development (now the MSWGC) which explains why many of the current and former staff have a 'Diploma in Rural Development'.
[74] Information on the status of the qualifications was unclear.

**Perception of quality of training and professional development opportunities**

- Series1, Good, 23.1%, 23%
- Series1, Satisfactory, 30.8%, 31%
- Series1, Poor, 46.2%, 46%
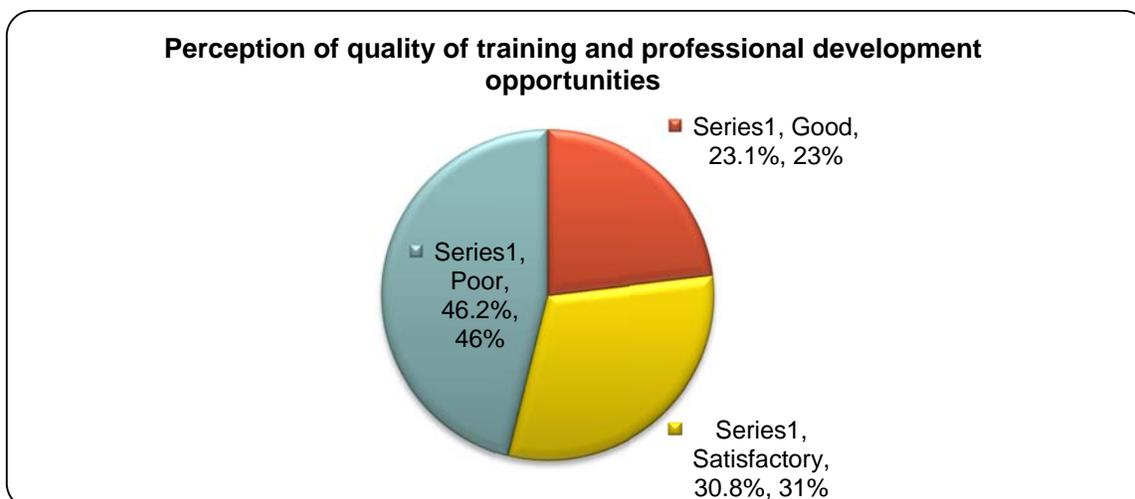
Diagram 11 - Perception of Quality of Training & Professional Development in Sierra Leone
(Source: Child Protection Sector Survey 2009)

In order to rectify this situation, there is a move (under the CDWI) to establish a more professional platform for the delivery of services for children and families. Not only is there a plan to implement a more rigorous recruit process for senior directors within the MSWGCA, but there will also be a training needs assessment for the SDWs. In collaboration with UNIFEM and UNICEF, it is proposed to re-establish the training centre in Bo and develop a new social work curriculum. It is hoped that the first student intake will take place in late 2011. It is hoped that these advances will lead to a more professionalised workforce.

## 5.4 Budget and Financial Resources

The MSWGCA was allocated only 0.29% of the national budget in 2009.[75] This is the equivalent of SLL 1.34m (or USD 447,333)[76]. A budget of SLL 4 billion of projected spending was presented for consideration for all activities, but as the figures demonstrate, only just over 25% was actually awarded for the year.  In 2010-2012, the total projected budget of the Children's Affairs Division is estimated at SLL 8.34m (USD 2,448,000), representing a considerable increase from previous years. At the time of the research, a budget had not been prepared and it was not clear how many of the activities outlined in the Strategic Plan were to be funded. Of this total amount required, about 12% is dedicated to office management and institutional strengthening.

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[75] UNICEF, Sierra Leone Annual Report, 2008.
[76] Figures are from December 2009 and as a result of recent currency fluctuations, are now reduced considerably.

Between 2008 and 2010, UNICEF committed a total of USD 19.5 million for its country programme. The UNICEF Child Protection Programme designated USD 1 million to support the MSWGCA in 2009.[77] While these funds are substantial considering the government level of allocation for social affairs, the amount has decreased in recent years as support issues related to the welfare of child affected by the conflict have decreased. For example, UNICEF funding in 2006 was approximately USD 2.5 million. It was also suggested that budget advisors and decision-makers within the Ministry of Finance tend to overestimate the level of international, bilateral funding to the MSWGCA and as a result allocate from government reserves only a fraction of that requested. Respondents also indicated that these advisors do not always understand that the external funding is designated to partners and local programmes and is rarely provided for the development of the ministry and its staff. This creates a situation where, due to insufficient internal capacity, the MSWGCA struggles to manage and monitor the limited funding it does receive.

Complete national government budget information was unavailable and it was therefore unfortunately not possible to obtain a full breakdown of financial resources provided to each district social welfare office, but according to one district council planning officer, an explanation for why so little funding is allocated to the implementation of the child welfare laws is that local leaders are presumed to be able to resolve social issues. In Koinadugu, one of the poorest districts of Sierra Leone, only SLL 4 million (approximately USD 15,000) is allocated for social welfare and children's affairs per quarter.

In summary, a simple review of the resources of the MSWGCA indicates the priority accorded by the national government to social welfare and children's issues. The CRA defines the approach to child protection for the foreseeable future. However, at a time when the efforts demand significant scaling up, the capacity of the MSWGCA to implement the envisioned processes and manage the services required has diminished. The Ministry is noticeably absent in the more rural areas, such as Kailahun and Koinadugu.

Given the current financial situation, it will be important for the government of Sierra Leone to review the strategic plans of the MSWGCA and provide an appropriate budget. At the same time, unless international funding is forthcoming, the MSWGCA will have to reprioritise its three year plan. The irony is that, despite the small funding the MSWGCA receives, it is not equipped to manage the programmes is it currently responsible for and often has residual funds left over at the end of each year.

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[77] In partnership with other agencies including, MEYS, MoHS, MoJ, MoL, Dec Sec, Local Councils, Statistics SL, NAS, SLP/FSU, and NGOs.
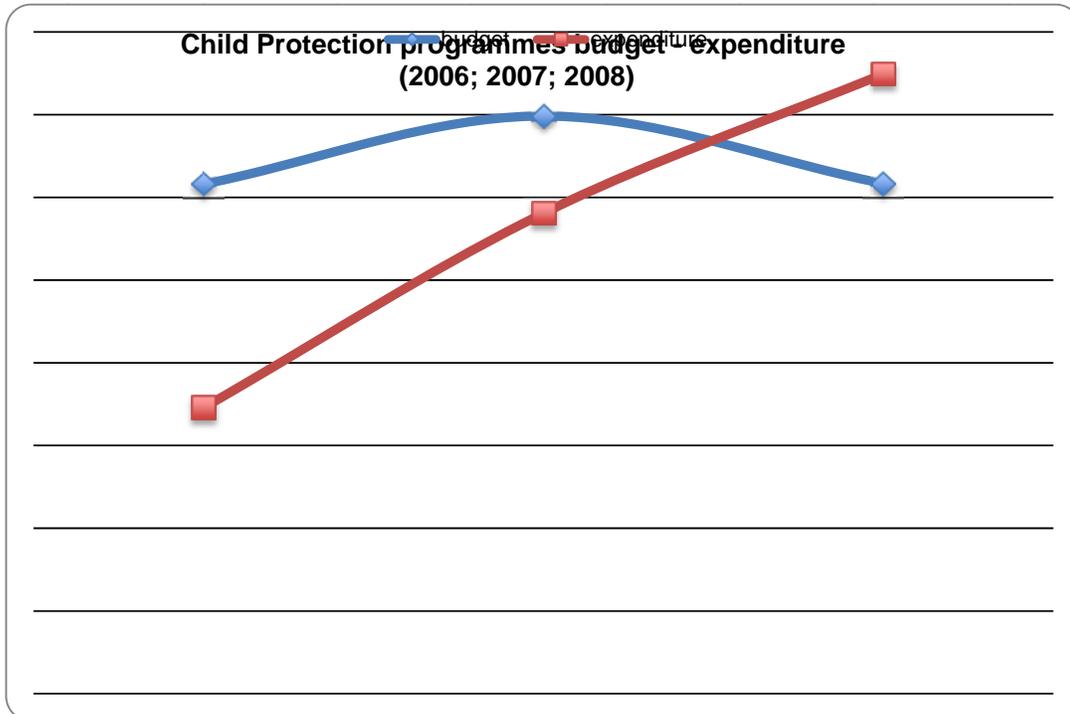
**Child Protection programmes budget - expenditure (2006; 2007; 2008)**

budget — expenditure

Diagram 12 - NGO Budget & Spending on Child Protection Programmes (Source: Child Protection Sector Survey 2009)

Findings from the Child Protection Sector Survey conducted indicated NGO budget levels and expenditure on child protection programmes, as depicted in Diagram 12 above. While budgetary allocations appear to have declined between 2007 and 2008, according to respondents, actual NGO expenditures on child protection programmes have reportedly steadily increased between 2006 and 2008.

**Key Human & Financial Resources Findings:**

- There is an increasing 'brain-drain' as the professional cadre of social workers leaves the service. In order to encourage young people to join, it will be essential to once again professionalise the social service sector. This will require accredited social / welfare courses, rather than the current reliance upon NGO training and capacity building programmes.

- Resource planning and management, as well as distribution of key staff, should develop to reflect the needs of the communities rather than based upon a set allocation per district.

- In early 2010, there has been a marked commitment towards setting agency standards. This will help to ensure that the proposed new structure is supported by a well qualified personnel and strong leadership. However, supervisory and evaluation process also need to be put in place to promote quality and accountability.

- The social service sector is largely funded by the international community, thereby reducing the ownership and authority of the MSWGCA of the system. A full review of central level allocation is required to even correspond to current plans, let alone systemic reform of the sector.

# PART III: MACRO ANALYSIS & CONCLUSION

**MACRO ANALYSIS OF THE NATIONAL CHILD PROTECTION SYSTEM
IN SIERRA LEONE**


This chapter will review the child protection system in Sierra Leone from a macro perspective, providing a short overview of the fundamental approaches that currently influence the way the system is designed and functions. The findings of this study reveal that existing laws, structures and services for the protection of children are not having a tangible impact on the lives of the youngest members of society. As indicators demonstrate, a large percentage of children face abuse, violence, neglect and exploitation of different kinds in their daily lives. Through an examination of the foundations of the system through to its actual implementation, it is apparent that a common national vision has yet to be articulated and accepted. It is recognised throughout that considerable commitment and effort is being made at all levels, however a collective sense of purpose has yet to evolve. As one senior official stated:


*'It is difficult to have a vision when there are so many problems.'*


Recognizing this sentiment, it is all the more imperative that dialogue begins and solutions be found.


**The Context**


Since emerging from a decade of war, Sierra Leone has set an ambitious agenda to achieve steady economic growth and enhanced human development, as laid out in its two Poverty Reduction Strategy Papers. The core pillars of the strategy include targets for improved food security, education standards and health services. As this study shows, the achievement of these aspirations is crucial if children are to grow up in safe and healthy environments: without significant change in these key areas, children will continue to resort to begging on the streets for food, drop out of school to generate income for their families and face high rates of teenage pregnancy. However, alongside these core pillars, there has been relatively little attention attributed to the development of a social welfare system for children and families. Despite the fact that there are now many international and local actors working on welfare issues, development of the sector has been limited.

**The National Child Protection System**

It is within this context that the Government of Sierra Leone, through the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), has initiated the establishment of a formal child protection system. The approach adopted is exemplified in the Child Rights Act (2007); the system is based upon a British model commonly found in developing countries of the Commonwealth. It is essentially an adversarial approach based upon a system of 'crisis intervention' and relies heavily upon courts to intervene when children are found to be at significant levels of risk in their families. Through the inception of the Child Welfare Committees, there is a welcome focus on prevention strategies, but the protection emphasis of the CRA favours the establishment of a formal response system for victims. After the war, however, the infrastructure of the justice system and social services has not been fully re-established and the formal provisions of the new system cannot be implemented without a large investment in reconstruction. The formal system that has been established in law reframes the responsibilities of the State in a manner that is unachievable under the current circumstances. While significant investment has gone towards legal and judicial processes, epitomized by the establishment of the Family Support Units, the relative lack of investment in human capacity and infrastructure means that the provisions of the law cannot reach the vast majority of the population. While there was a cadre of trained social workers in the country prior to the 1990s, the formal system has been introduced at a time when the MSWGCA receives an allocation of only 0.29% of the national annual budget and relies almost exclusively upon the international community for support to manage its reform agenda. This has meant that the MSWGCA risks becoming a recipient rather than a partner, a follower rather than a leader, which is problematic, as here is already a sense that the Ministry no longer has 'ownership' of the system.

While the goals envisioned are well-intended, the system that has been created in many ways meets the external requirements of the international community, but often lacks cultural relevance for the majority of the population. While it is important to recognize that the CRA was enacted only in 2007 and change is a long-term endeavour, it is already acknowledged at national levels that both the principles and provisions of the law need to be reviewed.

**Traditional Structures**

The findings of the study seem to demonstrate that, at best, the formal system is tolerated and, at worst, considered an imposition. Admittedly, the CRA has not been well

disseminated or explained to all communities, but the new approach to child rights and protection does not appear to be universally welcomed. Although there is perhaps a general consensus within communities that children should not suffer from violence and abuse, there is also a perception that the government, spurred by the agenda of the international community, is not sufficiently taking into account long-standing traditional child rearing practices and the often harsh realities faced daily by impoverished communities. For example, children have worked on farms to supplement family incomes for centuries. But even though Sierra Leone remains near the bottom of the Human Development Index, communities now feel unfairly scrutinized with regard to the appropriateness of allowing their children to work.

Chiefs play a central role as mediators within the community, through established traditional community mechanisms (such as the *bare* forums). These leaders formerly had the authority to resolve cases of abuse and neglect; however, those traditional powers are now perceived to be under threat with the introduction of the statutory procedures under the CRA. It seems clear, however, that the Chiefs, despite their limited legal mandate, are still intervening (or 'compromising') in many cases, or at least running a dual system of justice through the preservation of local by-laws.

Due to the cultural reverence of secret societies in Sierra Leone, the legal measures in place to restrict initiation of children under the age of eighteen are not strictly followed. It is well known that the CRA did not explicitly prohibit the practice of FGM/C, ostensibly to permit the continuation of traditional rituals. This study was unable to discuss child protection issues within the framework of the secret societies, but their inherent presence has a marked impact on the child welfare practices across the country.

Finally, the formal system's provisions are not accessible to the majority of people due to practical limitations. With the current operational and financial capacity of the formal services, it makes no sense for child victims or their families to pursue legal restitution or services from the State. The distances to reach FSUs are prohibitive for most people, as are the costs of transport and leaving farms unattended. It seems clear from the study that while people expect to receive education and healthcare, there is little expectation of the government to provide welfare services. Rather, these are perhaps perceived as the function of NGOs and the international community.

**The International Community and Civil Society**

As in other countries with similar development indicators, the lead welfare agency (MSWGCA) has an extremely limited budget and low capacity to manage a comprehensive child protection system. The void in State justice sector development and legislative reform for children has been filled by international donors and UN agencies, while international NGOs, supported in turn by local field operational partners, continue to deliver social services to communities. Interviews show that the government has a genuine appreciation and respect for the work being undertaken by the international community; however, NGOs tend to operate with relative autonomy in their selected geographical regions, often with a set mandate and agenda that is more accountable to their own funders than to their government counterparts. In effect, due to the perceived paralysis of government direction and functioning, the international community has become the 'surrogate' social welfare provider. This undermines the authority of the MSWGCA and further increases the 'westernisation' of the child protection system.

At the community level, there is an acknowledgement that social welfare and protection projects supported by the international community to bolster the education, health, justice, and social protection sectors are essential. However, the enactment of the CRA has reframed the paradigm of roles and rights of parents and communities in child caring and is seen to infringe upon the traditional norms and practices for protecting children. The international community is perhaps perceived as the vanguard in the effort to bring the 'child rights agenda' to Sierra Leone, but in the process has not sufficiently respected the relevance of positive community beliefs and practices.

The current system in Sierra Leone is disjointed on account of the prevailing approaches outlined above. There is a disparity in the resources allocated to the capital city, leaving some of the poorest districts in the country without government services and personnel. This, in turn, increases reliance on NGO actors in rural areas, but many of these programs are broadly child rights based rather than necessarily protection oriented. Due to the inaccessibility of and frustration with response processes and services, as well as the hidden costs, communities often deal with issues of child abuse and exploitation according to their own means. Despite general appreciation for the attempts to bring perpetrators to justice, cases continue to be 'compromised' through the mechanisms of community leadership. Although this approach might bring more immediate resolution and restore the harmony of the community, it does not necessarily create greater safety and protection for individual children or address more general patterns of abusive behaviour.

There is an increasing acknowledgement among all stakeholders that the child protection system in Sierra Leone needs to be underpinned by a common approach and framework for action. The purpose and objectives of the reformed government system, international programs and projects, and traditional community mechanisms require reconciliation. Recognizing that neither the formal statutory based approach to child protection, nor reliance upon the local community mechanisms are appropriate or tenable to ensure real impact on children's experiences, it is crucial that a common vision be established. To this end, a series of recommendations are made at the end of this report. These are intended to guide dialogue among all stakeholders to ensure that the reform of the child protection system is realistic and appropriate and that transition processes recognize the context and positive traditions of Sierra Leone.

# PART IV: Recommendations

## RECOMMENDATIONS

This series of recommendations aims to address some of the more pressing priorities for the development of a coherent and appropriate child protection system in Sierra Leone. Because the existing system lacks the vision, coordination and resources to operate effectively and efficiently, these recommendations do not attempt to address or rectify specific aspects of the system. Through the findings presented in the report, an analysis of the core strengths and weaknesses of the current system have been highlighted. Given that there are core questions to be addressed with regard to the role and responsibilities of different actors and fundamental decisions to be taken (within the finite capacity and resources of the present system), these recommendations attempt to outline the main issues and actions to be taken so that stakeholders can, using the findings of the report, begin the process of dialogue.

This approach recognizes the importance of stakeholder validation of the findings. With agreement on the key findings, stakeholders at all levels will be able to begin a wider process of visioning: this will help define and guide the transition towards a system that has direction, is evolving in a planned and incremental way and is sustainable in the long term.

### General Recommendations

1. A comprehensive exercise should be undertaken to define a long-term, sustainable vision for a functioning system for child protection, located within a broader strategy of social welfare. This exercise would be supported by international best practices and standards, but founded upon the positive customs and practices of Sierra Leone to ensure a contextually appropriate system; and

2. A long-term strategic plan should be formulated and agreed. With recognition that this would be an evolving but enduring commitment, micro goals towards the realisation of the wider framework should be defined.

### Specific Recommendations

Once the processes outlined above have been decided, it is recommended to focus on some key strategic outputs for the reform process. Until the basic vision and approach for the development of a child protection system is agreed, it is not be appropriate to decide in

great detail the specific components of that system. However, based upon the findings of the study, the following recommendations will need to be debated:

**Structures and Institutional Arrangements**

- Establishment of the National Commission for Children to ensure broader oversight, decision-making and monitoring for the protection of children;
- Develop a more formalized and regulated role for the new district councils, including their own child protection committees: these councils are well placed to act as a bridge between various departments and sectors, enabling a more holistic and comprehensive approach to child protection and family welfare

**Coordination and Collaboration**

- Review the effectiveness of the many coordination mechanisms that currently exist, bringing a more integrated strategic role to the NCPC
- Develop more formalized linkages with the education, health and justice sectors. Due to the pivotal nature of these sectors – as recognised within communities themselves - for reducing vulnerability to abuse and exploitation;
- Harmonise the strategic direction and activities of the government with international agencies, ensuring that the government drives the agenda

**Services**

- Develop a clear strategy for addressing the social norms and behaviour that underpin child vulnerability, especially violence and neglect in the home environment;
- Support the CWCs to become an effective "early warning" or "early intervention" protection mechanism in communities;
- Develop long term care and protection services for families and children beyond the law enforcement role of the FSU and the court based provisions, enhancing the duties of SDWs to provide appropriate follow up to children and families; and
- Define more clearly the role of NGOs (within the framework of a wider system) in service provision and response.

**Human and Financial Resources**

- Reinvigoration of a professional cadre of social welfare officers / social workers who are specialized and accredited in child and family welfare issues;

- A fully-costed human resource strategy to ensure that: positions are filled; staff are adequately remunerated, mentored and evaluated; staff distribution is accorded to need; and sufficient physical resources are provided for staff to do their work; and

- A significant increase in the MSWGCA budget (currently 0.29% of the national budget) to achieve the ambitious plans agreed. A comprehensive costing of the system might be recommended.

**Legal and Regulatory**

*It is strongly recommended that the Child Rights Act be reviewed and amended only after some of the broader decisions about the model of the system have been agreed. The law should be re-designed to reflect that amended model:*

- Assessment of the appropriateness of colonial legislation that focuses on outdated concerns (such as children "found begging for alms") rather than current realities of Sierra Leone such as exploitative labor, early marriage, street children, or child-headed households;

- Adoption of a more family focused, prevention oriented approach able to intervene earlier with families in crisis; this will require a review of the existing statutory and court based child protection response;

- Strengthen the interaction between community support mechanisms and more formal protective services, building upon <u>positive</u> local customs and practices for crisis resolution in communities. This should involve systematic appraisal of the CRA with ; traditional leaders and communities; and

- Development of necessary policies and regulations to guarantee standardized implementation of child protection legislation, based upon recognised international standards.

In order to achieve these principal goals, the recommendations below are directed at specific stakeholders to ensure their constructive role in moving the initial dialogue forward.

| ACTION | RESPONSIBILITY |
|---|---|
| **Next Steps and Planning Processes** | |
| **1.** Develop and approve a plan for the dissemination of this report to all key stakeholders, including new partners:<br><br>• Donor agencies<br>• District Councils<br>• District MSWGCA offices<br>• Traditional leaders | Inter-agency Steering Group |
| **2.** Develop and agree a process for these stakeholders to provide comment on the findings and/or: | Inter-agency Steering Group |
| **3.** Devise and agree upon a process of validation of the findings through a consultative process. | Inter-agency Steering Group |
| **4.** Define and agree how the inter-agency advisory group will be structured to collaboratively take the findings of this report to the next level of strategic thinking and implementation. This should include consideration of resource implications to ensure the above measures are feasible and funded.<br><br>. | Inter-agency Steering Group |
| **5.** Promote an interagency dialogue to create a common understanding of a child protection system in the Sierra Leonean context | Inter-agency Steering Group |
| **6.** Facilitate a dialogue with government counterparts (MEYS, MOHS, MoJ, NACSA) to strengthen understanding of their potential role and engagement in the dialogue on systems development for child protection. | MSWGCA |
| **7.** Conduct internal agency dialogue on the findings of this report, focusing on the potential for realignment of current approaches and priorities for child protection systems building. | MSWGCA / NGOs / UN agencies |

| | | |
|---|---|---|
| | | |
| **8.** | Conduct internal agency dialogue with other programme departments (e.g. education, health) to promote coherence through a common understanding of sector convergence. | NGOs / UN agencies |
| **9.** | Conduct internal agency mapping of all current and projected programs of work / strategic plans of action, including an audit of financial and human resources for child protection strengthening. | MSWGCA / NGOs / UN agencies |
| **10.** | Promote an inter-agency consultation to map and assess the broad roles and contributions of different agencies towards a sustainable child protection system. | NGOs / UN agencies |
| **11.** | Conduct a consultation with local leaders on their perceptions of the existing framework of protection for children. | MSWGCA / NGOs / UN agencies |

# BIBLIOGRAPHY

**Primary References**

- Cresswell John W., 2007, Qualitative Inquiry & Research Design (2nd edition), Sage Publications, London

- Freymond & Cameron, 2006, Towards Positive Systems of Child and Family Welfare: International Comparisons of Child Protection, Family Service, and Community Caring Systems, University of Toronto Press, Toronto.

- Hetherington, Cooper, Smith & Wilford, 1997, Protecting Children, Messages from Europe, Russel House Publishing, Dorset.

- Krueger & Delaney, 2008, An Overview of the Role of a Social Welfare System for Child Protection and Promoting Children's Well-Being, in East Asia and the Pacific Regional Child Protection Strategy: Toolkit, East Asia and the Pacific Regional Office UNICEF, Bangkok.

- Yin Robert K., 1994, Case Study Research, Design and Methods (2nd edition), Sage Publications, London.

- Save the Children (2009). A 'Rough Guide' to Child Protection Systems. [Brochure]. United Kingdom: Save the Children.

- UNICEF, (DRAFT), A System Approach to Child Protection, Chapin Hall at the University of Chicago, 2009.

- UNICEF (2008). UNICEF Child Protection Strategy. Annual Session, 2008.

- UNICEF (2008). East Asia and Pacific Region Child Protection Programme Strategy: Toolkit. East Asia and Pacific Regional Office. Bangkok: Thailand.

- UNICEF (2007), Guide to Child Protection System Assessment / Mapping, 2007, CEE-CIS, Geneva.

- Wessels M (2009 DRAFT) What Are We Learning About Community-Based Child Protection Mechanisms? An Inter-Agency Review of the Evidence From Humanitarian and Development Settings, Inter-Agency Report.


**Laws & Regulations**

- The Adoption Act, 1989

- Anti-Human Trafficking Act, Act. No. 7, 2005

- Bastardy Laws Amendment Act 1872

- Bastardy Laws (Increase of Payments) Act No 2, 1988

- The Child Rights Act (CRA) 2006

- The Children & Young Persons Act

- The Children and Young Persons Act (Juvenile Courts Order)

- The Children and Young Person's Act (Establishment of Remand Homes)

- The Constitution of Sierra Leone, 1991

- The Corporal Punishment Act

- The Courts Act, 1965

- The Devolution of Estates Act, 2007

- The Domestic Violence Act, 2007

- The Education Act No. 2, 2004

- The Human Rights Commission of Sierra Leone Act, 2004

- The Legitimacy Act No. 7, 198

- The Local Government Act, 2004

- The Prevention of Cruelty to Children Act

- Prevention to Cruelty to Children (Amendment Act) Act 9, 1963.

- The Protection of Women & Girls (Amendment) Act No 29, 1972

**Strategies, Guidelines and Regulations**

- Trafficking in Persons 3-Year Plan 2008 – 2010

- National Child Justice Strategy

- Remand Home Rules

- Justice Sector Development Programme, National Strategy for Child Justice in Sierra Leone, July 2006.

- Ministry of Social Welfare, Gender & Children's Affairs, Child Welfare Committee Operational Guidelines, August 2009.

- The Republic of Sierra Leone, Poverty Reduction Strategy 2008-2012: An Agenda for Economic and Social Empowerment.

- Ministry of Social Welfare, Gender and Children's Affairs, Draft Policy on Child Well-being, Freetown, March 2005.

- Ministry of Justice, Government of Sierra Leone, Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010, September 2008.

- Sierra Leone Police / Ministry of Social Welfare, Gender and Children's Affairs, The Family Support Unit Training Manual, September 2008.

- UNICEF Technical Note, Coordinated Strategy to Abandon Female Genital Mutilation/Cutting in One Generation, June 2007.

- National Long Term Perspectives Study Steering Committee, Strategies for National Transformation, UNDP Sierra Leone, August 2003.

- Ministry of Social Welfare, Gender & Children's Affairs and UNICEF, Quality Care Standards for Children Living in Children's Homes in Sierra Leone, August 2008.

- Ministry of Social Welfare, Gender & Children's Affairs, Regulations for the Care and Protection of Children in Children's Homes in Sierra Leone, August 2008.

**Documents and Reports**

- Azimi, Tara and Syon Bhanot, Improving Evidence-Based Policy for Child Protection: Lessons from Sierra Leone, Harvard Kennedy School for UNICEF Sierra Leone, March 2009.

- Cantwell, Nigel, The Relationship between Inter-country Adoption, Trafficking and Child Protection, UNICEF, October 2006.

- Child Rights Coalition Sierra Leone, NGO Complementary Report on Implementation of the Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict in Sierra Leone, August 2009.

- Child Rights Coalition Sierra Leone, NGO Complementary Report on Implementation of the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in Sierra Leone, August 2009.

- Coinco, Emily, The Out-of-School Children of Sierra Leone, UNICEF Sierra Leone, August 2008.

- Dale, P., Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC, 2008.

- DFID, Ministry of Social Welfare, Gender and Children's Affairs, Functional Assessment Report, 2006.

- European Community, West Africa Regional Strategy Paper and Regional Indicative Programme 2008 – 2013, July 2008.

- Fanthorpe, Richard, Sierra Leone: The Influence of the Secret Societies, with Special Reference to Female Genital Mutilation, commissioned by the United Nations High Commissioner for Refugees Status Determination and Protection Information Section (DIPS), August 2007.

- Gruenbaum, Ellen. Patterns of Female Genital Cutting in Sierra Leone: A Preliminary Study, UNICEF Sierra Leone, April 2008.

- Harvey, Rachel. Juvenile Justice in Sierra Leone: An Analysis of Legislation and Practice. Children and Armed Conflict Unit, September 2000.

- Kane, M., 2004, Sierra Leone Legal and Judicial Sector Assessment, World Bank, Washington DC; Harmonized Justice Sector Reform Strategy & Investment Plan 2008 – 2010.

- King, Jamesina E.L. and Susan G. Sisay, Justice Sector Development Programme, Consolidated Laws of Sierra Leone, Vol 1.

- Lamin, David F.M., Mapping of Residential Care Institutions in Sierra Leone, UNICEF, June 2008.

- Mannah, Millicent. Anomalies in National Legislation Affecting Children in Sierra Leone, January 2007.

- Manning, R., 2009, The Landscape of Local Authority in Sierra Leone: How "Traditional" and "Modern" Justice Systems Interact, World Bank Justice and Development Working Paper Series, Volume 1, Issue 1; Dale, P., 2008, 'Access to Justice in Sierra Leone: A Review of the Literature', Justice for the Poor Programme, World Bank, Washington DC.

- Manning, Ryann Elizabeth, How "Traditional" and "Modern" Justice and Governance Systems Interact in Rural and Peri-Urban Sierra Leone, Justice for the Poor / Campaign for Good Governance, September 2008.

- Ministry of Justice, Justice Sector Reform Strategy & Investment Plan 2008 – 2010, Government of Sierra Leone, December 2007.

- Ministry of Social Welfare, Gender & Children's Affairs, United Nations Secretary-General's Study on Violence against Children Questionnaire to Governments, Response from the Government of Sierra Leone, January 2005.

- Ministry of Social Welfare, Gender & Children's Affairs, DFID, Functional Assessment Report, 2006.

- NGO Coalition, Complimentary Report by NGOs to the State Party Report of Sierra

Leone on the Implementation of the Convention on the Rights of the Child, 2005.

– OECD, Mapping External Resource Flows to Sierra Leone, Internal UN Peacebuilding Support Office Paper, August 2007.

– Overseas Development Institute, Promoting Synergies between Child Protection and Social Protection in West and Central Africa, Briefing Paper on Strengthening Social Protection for Children, sponsored by the West and Central Africa Regional Office of UNICEF, February 2009.

– Oxford Policy Management, Making Aid More Effective Through Gender, Rights and Inclusion: Evidence from Implementing the Paris Declaration, Sierra Leone Case Study, June 2008.

– Pa-Momo Fofanah, Mohamed, Challenges of Juvenile Justice, Defence for Children - Sierra Leone, 2000.

– Parry-Williams, John and Andrew Dunn, Improving the care and protection of children in Sierra Leone, UNICEF, 2008.

– Pihl, Tara and David Lamin, Capacity & Vulnerability Assessment of Child Protection in Sierra Leone, UNICEF, 2006.

– Rossi, Andrea, Strengthening research capacity for evidence based action in Sierra Leone, December 2009.

– Statistics Sierra Leone, Sierra Leone Demographic & Health Survey Report, Government of Sierra Leone, 2008.

– Teale, Lotta, The Devolution of Estates Act 2007: A Guide. The International Rescue Committee.

– United Nations Children's Fund, Changing a Harmful Social Convention: Female genital mutilation/cutting, Innocenti Digest, UNICEF Innocenti Research Centre, Florence, 2005.

– United Nations Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, June 2009.

– United Nations Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 8(1) of the Optional Protocol to the Convention on the Involvement of Children in Armed Conflict, March 2008.

– United Nations Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, 48th Session Concluding Observations: Sierra Leone, June 2008.

– United Nations Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Reports of States Parties, Sierra Leone Additional and Updated Information on the 2nd Periodic Report, August 2007.

– UNICEF, Sierra Leone Annual Report, 2008.

– US Department of State, Trafficking in Persons Report 2009.

– World Bank, Education in Sierra Leone, present challenges, future opportunities, 2006.

**Websites Used:**

– www.africaneconomicoutlook.org

- www.worldbank.org
- www.chilinfo.org
- www.devinfo.org
- www.unicef.org
- www.sl.undp.org/mdgsl.htm
- www.sierra-leone.org

## ANNEX I: Research Respondents

SSI= semi-structured interview, FGD =Focus Group Discussion

| Category / Location | Description | Method | | Total |
|---|---|---|---|---|
| Central Authorities & Policy Stakeholders | Ministry of SWGCA<br><br>1. Deputy Permanent Secretary<br>2. Chief Social Development Officer<br>3. Social Development Officers<br>4. Planning Officers | SSI<br><br>SSI<br><br>SSI<br><br>SSI | | 1<br><br>1<br><br>3<br><br>2 |
| | International Child Protection Advisor | SSI | | 1 |
| | National Commission for Social Action | SSI | | 1 |
| | Justice Sector Development Programme, DFID | SSI | | 1 |
| | Chief of Child Protection, UNICEF | SSI | | 1 |
| | (I)NGOs: Save the Children, Plan Sierra Leone, DCI, IRC, Child Fund | FGD | | 1 |
| Regional / District Level Authorities | District Council Chairmen<br>District Director, Ministry of Education, Youth & Sports<br>District Social Welfare Officers, SWGCA<br>District Medical Officers | SSI<br>SSI<br><br>SSI<br>SSI | | 2<br>3<br><br>3<br>3 |
| **Category** | **Description** | **Method** | | **Total** |
| Local Level Authorities | Court Magistrate | SSI | | 1 |
| | Child Welfare Committees<br><br>Councillors, Chairpersons<br><br>CWC Members | <br><br>SSI<br><br>FGD | | <br><br>3<br><br>5 |
| | Directors of Institutions | SSI | | 1 |
| | Head of Family Support Units (Police) | SSI | | 6 |

| | | | |
|---|---|---|---|
| | Front Line Workers | FGD | 10 |
| | Decentralisation Secretariat Coach | SSI | 1 |
| | Local NGO Heads | SSI | 5 |
| Religious Leaders & Chiefs | Religious Leaders | SSI | 6 |
| | Paramount Chiefs | SSI | 3 |
| | Village / Town Chiefs | SSI | 3 |
| Community Members | Men in the Community | FGD | 5 |
| | Women in the Community | FGD | 4 |
| | Boys & Girls (Age: 8-17) | FGD | 13 |

Table 15: Research Respondents

## ANNEX II: PRSP-Aligned Donor Objectives

Table 16 summarises the focus areas of each of the main donors to Sierra Leone, and draws out their social welfare focus. Whilst the majority of donors demonstrate a focus on achievement of the MDGs and human development through service provision, a rights-based focus and engagement with grassroots civil society are tangibly lacking from the overall strategy. It should be noted that during 2008, USAID and DFID gave funding to specific child protection initiatives through UNICEF to address, respectively, trafficking in persons and work with orphans and vulnerable children.[78]

| PRSP-Aligned Donor Objectives, Sierra Leone | | | | | |
|---|---|---|---|---|---|
| **Donor** | **Years** | **Pillar 1** | **Pillar 2** | **Pillar 3** | **Social Services / Welfare / Protection** |
| **PRSP** | 2008-2012 | Promotion of good governance, peace and security | Promotion of pro-poor sustainable growth | Promotion of human development | Social protection through social insurance, social assistance, livelihoods development and protective policy |
| **World Bank** | 2006-2009 | Governance, decentralisation and financial management | Sustainable growth, food security and job creation | Human development | Education (REBEP) and health (maternal/infant and HIV) and social protection strategy |
| **African Development Bank** | 2005-2009 | Promoting economic growth by improving governance | | Promoting human development | Health (maternal/infant & childhood immunisation) |
| **European Commission** | 2008-2013 | Good governance | Infrastructure development | | |
| **DFID** | 2007-2012 | Improving governance and state building | Promoting broad-based economic growth | Achievement of MDGs | Health and education |
| **United Nations** | 2008-2010 | Governance and human rights | Shared growth, food security and livelihoods | Achievement of MDGs through health and education | Maternal and child health care; basic education for all; HIV/AIDS, TB & malaria; Improved respect for women and children rights, Monitoring & reporting and GBV. |

Table 16: PSRP-Aligned Donor Objectives, Sierra Leone

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[78] UNICEF, Draft Annual Report Sierra Leone, 2008.

## ANNEX III: Ministry of Social Welfare, Gender & Children's Affairs Organogram

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                              ┌──────────────┐
                              │   Minister   │
                              └──────┬───────┘
                                     │
                          ┌──────────────────────┐
                          │   Deputy Minister     │
                          └──────────┬────────────┘
                                     │
  ┌────────────────┐      ┌────────────────────────┐      ┌──────────────────────────┐
  │ Internal Audit │      │  Permanent Secretary    │      │ Public Information Unit   │
  └────────────────┘      └────────────────────────┘      └──────────────────────────┘
```

| Human Resources, Administration & Finance Directorate | Policy Development & Strategic Planning Directorate | Gender Issues Directorate | Social Welfare Directorate | Children's Affairs Directorate |
|---|---|---|---|---|
| Human Resource Division | Policy Planning Division | Gender Policy Division | Family Casework Division | Child Welfare Division |
| Procurement | M&E Division | | Disability / Elderly Division | Probation |
| Finance Division | Research & Statistics Division | | Trafficking in Persons | Adoption |
| Records Management Division | Legal & Regulatory Framework Division | | Regional Office Coordination Division | |

Research conducted by:

**[CHILD] FRONTIERS**

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