

Assessing the Family Support Unit
Centre for Accountability and Rule of Law



**ASSESSING THE RESOURCE GAP IN THE FIGHT
AGAINST SEXUAL AND GENDER-BASED VIOLENCE
IS THE FSU HAMSTRUNG?**



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During the civil war in Sierra Leone, sexual and gender-based violence (SGBV) were used systematically by combatants who *inter alia* raped women and subjected them to other forms of sexual violence. Since the end of the conflict, the prevalence rate of these crimes remains unacceptably high. Many of the sexual-based crimes still go unreported and unpunished, thus creating an impunity gap for perpetrators. While the enactment of the three Gender Laws of 2007, namely the Domestic Violence Act, the Registration of Customary Marriages and Divorce Act and the Devolution of Estates Act, as well as the Sexual Offences Act of 2012 improved the legal environment for the protection of victims and survivors of SGBV crimes, other obstacles to access the justice system continue to deter victims from reporting crimes. These include limited access to courts, ill-affordable transport costs, limited knowledge about the laws, fear of stigmatisation, out of court settlements as well as underfunded and ill-staffed law enforcement institutions.

In 1999, the first Domestic Violence Unit (DVU) was established at Kissy Police Station in order to address the underreporting of SGBV crimes. It was later transformed into the Family Support Unit (FSU) which today has a broad mandate to handle SGBV cases as well as cases involving child victims or child offenders. The proper functioning of the FSU in investigating and prosecuting SGBV crimes is paramount for an effective law enforcement system in order to close the impunity gap for perpetrators.

This report assesses the effectiveness of the FSU as a law enforcement institution of SGBV crimes with a view to identifying shortcomings and to making actionable recommendations. It was compiled by the Centre of Accountability and the Rule of Law (CARL) Sierra Leone.

AIG: Assistant Inspector General
CARL : Centre of Accountability and the Rule of Law
CID: Criminal Investigation Department
DVU: Domestic Violence Unit
FSU: Family Support Unit
IGP: Inspector General of Police
IRC: International Rescue Committee
JSDP: Justice Sector Development Programme
MSWGC: Ministry of Social Welfare, Gender and Children's Affairs
SGBV : Sexual and Gender-Based Violence
SLP: Sierra Leone Police
UNDP SL: United Nations Development Programme in Sierra Leone
UNICEF: United Nations Children's Fund
UNIOSIL: United Nations Integrated Office in Sierra Leone

This report assesses the Family Support Unit (FSU) of the Sierra Leone Police (SLP) as a law enforcement institution of sexual and gender-based violence (SGBV) crimes. It examines the training of FSU officers, the staffing and accessibility of FSU stations, the funding and spending of the unit, as well as the effectiveness of its activities. The report finds that while most FSU officers receive special training for handling SGBV cases, the FSU in general is inadequately staffed and lacks sufficient funding and equipment to properly dispense of its mandate. As a result, the FSU is unable to properly function as a law enforcement institution of SGBV crimes and inadvertently presides over an impunity gap for perpetrators of SGBV crimes.

1. INTRODUCTION

The report, produced by CARL, assesses the effectiveness of the Family Support Unit (FSU) as a law enforcement institution of SGBV crimes in order to identify issues which may hinder or which actually affect the proper functioning of the FSU and to make respective recommendations to the Government of Sierra Leone (Gosl), the SLP, the FSU, as well as civil society and international organisations.

The first section gives a summary of the FSU's history, its composition and mandate. The second part examines the FSU in respect of the recruitment and training of officers, stations personnel, budget, expenditure and activities carried out by the FSU in order to identify shortcomings and to make relevant recommendations.

1.1 Methodology

The report is based on data collected from online resources on the SLP and the FSU, as well as from reports on SGBV issues in Sierra Leone. The online resources used for the data collection were produced by the SLP, the Sierra Leone Government, the Sierra Leone press, as well as by international organisations working on SGBV issues in Sierra Leone. Key word searches including the words 'Family Support Unit', 'Sierra Leone Police' and 'SGBV in Sierra Leone' were conducted. Moreover, CARL interviewed the Director of the FSU Mira Y. Koroma who provided CARL with additional information on the resources and equipment of the FSU.

1.2 Formation of the Family Support Unit (FSU)

In 1999, the DVU was established at Kissy Police Station as a response to the surge in offences against women and children after the war, such as rape, abduction and assault. Two years later the DVU was transformed into the FSU as part of the Criminal Investigation Department (CID) of the SLP. It was mandated to deal with domestic violence, sexual offences and

child abuse cases. In 2004, the Ministry of Social Welfare, Gender and Children Affairs (MSWGCA) partnered with the FSU, and since then has provided it with social workers/probation officers for joint investigations and for services to victims/survivors and juvenile offenders. In 2007 the FSU was disintegrated from the CID and became an independent unit of the SLP.

The enactment of the Gender Acts, comprising the Domestic Violence Act of 2007¹, the Devolution of Estates Act of 2007² and Registration of Customary Marriages and Divorce Act of 2007³, as well as the enactment of the Child Rights Act of 2007 broadened the mandate of FSU such as to include *inter alia* the handling of all offences committed by and against children. In 2012 the Parliament of Sierra Leone adopted the Sexual Offences Act 2012⁴, which updated the Sierra Leone law in respect of SGBV crimes in line with international standards to address the high prevalence rate of such crimes. The Sexual Offences Act 2012, however, fails to prohibit out-of-court settlements for SGBV crimes and thus maintains an impunity gap for SGBV offenders.

The mandate of the FSU today includes investigating and assisting with the prosecution of SGBV crimes, child abuse, child trafficking and juvenile offenders. At present, there are a total of 62 FSU stations in Sierra Leone which are manned with a total of 403 trained SLP FSU personnel and 20 social workers of the MSWGCA⁵.

1. The Domestic Violence Act 2007 criminalises domestic violence and protects women and children who have been abused. It is available at <<http://www.Sierra Leone.org/Laws/2007-20p.pdf>> accessed 11 May 2014.
2. The Devolution of Estates Act 2007 provides for inheritance rights of women and children married under customary law and co-habiting parents. It is available at <<http://www.Sierra Leone.org/Laws/2007-21p.pdf>> accessed 11 May 2014.
3. The Registration of Customary Marriage and Divorce Act 2007 protects girls from early and forced marriages and facilitates the registration of customary marriages. It is available at <<http://www.Sierra Leone.org/Laws/2009-01.pdf>> accessed 11 May 2014.
4. The Sexual Offences Act 2012 is available at <<http://www.Sierra Leone.org/Laws/2012-12.pdf>> last accessed 11 May 2014.
5. Koroma, Mira Y. Interview. 24 July 2014.

1.3 Structure and Composition of the FSU In the following, the structures of the FSU within the SLP as well as the composition of FSU stations are outlined:

1.3.1 Structure of the FSU

The head of the SLP is the Inspector General of Police (IGP). The Director Gender Affairs, Hospitality and Protocol, under whose responsibility the FSU falls is directly accountable to the IGP. The FSU Directorate, including the⁶ National Head and Deputy National Head of the FSU, answers to the A Gender Affairs and oversees all FSU stations nationwide which are each headed by a Regional Coordinator/Line Manager, and comprises Junior Police Officers/ Non Commissioned Officers, and Crime Investigators.

1.3.2 Composition of the FSU

Each FSU station is supervised by a Line Manager and is staffed with police officers as well as social workers from the MSWGCA. Police officers are assigned to deal with the criminal aspects of investigations, while social workers/probation officers focus on protection issues.

According to FSU National Head, Superintendent Mira Koroma, most FSU stations are currently staffed with ten to twelve police officers working in two shifts with female officers at each FSU station⁷. There is a total of 20 social workers employed at FSU stations nationwide, which means that most of the FSU posts do not have social workers⁸.

1.3.3 Mandate of the FSU

As part of the SLP, the FSU is mandated with traditional policing roles, i.e. to maintain law and order, to prevent and detect crime, to arrest, detain and refer cases, to duly enforce all laws and regulations, to provide

6. The Current Director is Mira Y. Koroma, Superintendent of Police, Head of Family Support Unit, SLP.

7. Koroma, Mira Y. Interview. 24 July 2014.

8. Koroma, Mira Y. Interview. 24 July 2014.

testimonies in court, as well as to protect life and property⁹. The scope of the FSU's mandate comprises the investigations and referral of rape, sexual assault, indecent assault, domestic violence, missing persons, child abuse, child trafficking, juvenile offenders, and of related matters on specific instructions of the IGP or AIG Gender Affairs¹⁰.

As a specialised unit of the SLP, the FSU has additional responsibilities to protect victims/survivors of SGBV and child abuse as well as alleged offenders. These responsibilities encompass receiving, scrutinizing and recording reports. It is also responsible for issuing police medical reports for referral and medical treatment of victims/survivors, investigating, recording and referring cases, offering counselling services to victims/survivors, referring victims/survivors to service providers, arresting suspects, monitoring court proceedings and following up with victims/survivors¹¹.

Next to its reactive activities, the FSU's role also includes proactive activities such as carrying out awareness and sensitisation activities in the form of workshops, seminars, dialogues or radio, television discussions, among others.

In carrying out its mandate the FSU seeks to be representative, responsive and accountable. This means that it should adequately represent the public, including minority groups and women; adopt non-discriminatory recruitment policies; protect, and promote human rights. The FSU should be able to promptly respond to public needs and expectations; attain its objectives lawfully and humanely; understand the needs and expectations of the community, and respond to public opinion

9. SLP/MSWGCA, The Family Support Unit Training Manual, September 2008, available at < http://www.britishcouncil.org/fsu_training_manual.pdf>, accessed 17 July 2014, 8.
10. UNDP/FSU, Guidelines on SGBV Case Management: A Reference Handbook for the FSU, available at < http://www.sl.undp.org/content/dam/sierraleone/docs/focusareadocs/undp_sle_SGBVCaseManagementGuidelines.pdf>, accessed 17 July 2014, 8.
11. SLP/MSWGCA, The Family Support Unit Training Manual, September 2008, available at < http://www.britishcouncil.org/fsu_training_manual.pdf>, accessed 17 July 2014, 11 and UNDP/FSU, Guidelines on SGBV Case Management: A Reference Handbook for the FSU, available at < http://www.sl.undp.org/content/dam/sierraleone/docs/focusareadocs/undp_sle_SGBVCaseManagementGuidelines.pdf>, accessed 17 July 2014, 9.

and constructive recommendations. The institution should also demonstrate willingness to be held accountable to the law, and by the public for the way it utilizes resources allocated to them.

1.3.4 Role of the Ministry of Social Welfare, Gender and Children's Affairs

The MSWGCA is responsible for the provision of adequate services to socially marginalised and abused groups such as street children and victims of sexual violence. It also performs a key role in promoting and advocating for the needs and rights of these groups through ensuring an adequate legal framework and formulating and implementing respective policies.

The MSWGCA is divided into two main divisions, including the Social Welfare and the Gender Division. The Gender Division, which includes the Child Justice and Probation Unit, the Family Casework Unit, the Child Welfare Secretariat and Social Welfare Division, as well as the Gender Units handle issues concerning women and children and thus work closely with the FSU.

The Child Justice and Probation Unit works with children in contact and conflict with the law. It provides probation officers who, *inter alia*, investigate incidents of child abuse with the FSU and ensure safety and protection for such children. The Family Casework Unit processes complaints and threats by abandoned children and within families and homes. Finally, the Child Welfare Secretariat coordinates, monitors and evaluates all child protection activities within Sierra Leone.

Moreover, the MSWGCA has to provide for juvenile offenders, who are detained at the Remand Home (a temporary detention facility for juvenile

12. SLP/MSWGCA, The Family Support Unit Training Manual, September 2008, available at <http://www.britishcouncil.org/fsu_training_manual.pdf>, accessed 17 July 2014, 8-9.
13. SLP/MSWGCA, The Family Support Unit Training Manual, September 2008, available at <http://www.britishcouncil.org/fsu_training_manual.pdf>, accessed 17 July 2014, 16.
14. The Child Rights Act 2007, available at < <http://www.sierra-leone.org/Laws/2007-7p.pdf>>, accessed 17 July 2014, s62 (i), s62 (4).

offenders pending trial) food, medical services, recreational activities, etc. The Ministry must also provide juvenile offenders who have been committed to the Approved School, a post-trial institution for juvenile offenders, with rehabilitation programmes.

2. ASSESSMENT OF THE FSU

Having outlined the history, structure, composition and mandate of the FSU, as well as the role of the MSWGCA, the remainder of this report examines how the FSU's formal role is translated into practice. In particular, an assessment of the recruitment and training of the FSU officers, of the staffing of FSU stations, the funding and expenditure of the FSU, as well as of the FSU's activities and equipment will be conducted.

2.1 Recruitment and Training of FSU Officers

FSU stations are manned by police officers from the SLP as well as social workers/probation officers from the MSWGCA. While the police officers are primarily responsible for the investigation and prosecution of SGBV crimes and crimes involving children, the role of social workers/probation officers is to ensure the safety and well-being of the victim/survivor. This section provides an account of the recruitment and training of FSU officers in order to examine the qualification of the officers for the work within the FSU.

2.1.1 Recruitment Qualifications and Basic Training

The following paragraphs outline the recruitment qualifications and training of police officers and social workers/probation workers within the FSU respectively:

a) Police Officers

The general SLP recruitment qualifications are to have citizenship of Sierra Leone; to be between 18 and 30 years of age; to have completed senior secondary school; to be physically and medically fit; to pass the recruitment examination in English and Mathematics; to satisfy the

interviewing panel for recruitment and not to have a criminal record¹⁵. The general training for SLP recruits at the training school, i.e. the basic training, covers courses on routine duties, traffic rules and human rights. This training also includes family support investigations of sexual exploitation and abuse¹⁶.

Positions with the FSU are advertised within the SLP. Ideally every FSU recruit has at least passed the GCE ordinary or WASSCE level¹⁷. In order to qualify as a FSU recruit, a candidate should have served as a police officer in the SLP for at least five years¹⁸. In addition, candidates have to pass an examination on crimes in general, comprehension and essay writing¹⁹. All new recruits then receive additional training²⁰. If an officer is deemed to be unfit or unsuitable for service in the FSU she or he will be transferred to general duty²¹.

b) **Social Workers/Probation Officers**

The recruitment and training of the social workers/probation officers is the responsibility of the MSWGCA. Every applicant is required to show evidence of having passed at least two subjects at the GCE O' level or WASSCE examination. The MSWGCA does not always advertise vacancies for social workers. However, persons who meet the minimum requirements are encouraged to visit the Ministry and fill out an application form. The form is then taken to the Human Resource Management Office (HRMO) for verification. Following the verification process and recruitment, the successful candidates are then attached to the FSU. The MSWGCA has been trying to get social workers in every

15. SLP, Recruitment, available at <<http://police.gov.sl/information/recruitment/>>, accessed 30 July 2014.

16. Fakondo, Kadi. Interview. Innovations for Successful Societies, Oral History Program, Series: Policing, Interview no.:

15. By Arthur Boutellis. 5 May 2008. Available at

<http://www.princeton.edu/successfulsocieties/content/data/oral_history/I5_Kadi_Fakondo_id229/Kadi_Fakondo.pdf>, accessed 29 July 2014, 3.

17. Koroma, Mira Y. Interview. 24 July 2014.

18. Koroma, Mira Y. Interview. 24 July 2014.

19. Koroma, Mira Y. Interview. 24 July 2014.

20. See B. I. 2. Additional Training below

21. Koroma, Mira Y. Interview. 24 July 2014.

chiefdom, even though it has not been successful. The Ministry also organizes in-service training for social workers, using a manual that was developed in collaboration with the Family Support Unit (FSU). The performance of a social worker is reviewed on a yearly basis, but the yearly reviews have been put on hold at the moment because "it's not very effective". Instead, "we monitor them through our senior service officers, including by the Director of Children's Affairs"²².

2.1.2 Further Training

Next to the basic training for police recruits and social workers/probation officers, it is crucial for FSU officers to have an in-depth understanding of the law pertaining to the FSU's mandate and to be trained on the investigation and prosecution techniques relevant for SGBV and child-related crimes and on how to handle victims, suspects and witnesses of such crimes. The Human Resources Officer at MSWGCA said a result-based management training and orientation had been scheduled to take place later in June 2014, however, as a result of the Ebola crisis these trainings have now been suspended indefinitely. The HR officer indicated that the training sessions will focus on child protection issues such as trafficking and sexual exploitation. The HR officer further stated that since recruitment in April there have been no trainings. She said that there were about ninety social workers and social services assistants presently located at the different FSU posts. These social workers and social services assistants were only given an introduction of what they will be undertaking – an introduction of what their jobs entail.

In September 2008, the Justice Sector Development Programme (JSDP), the United Nations Integrated Office in Sierra Leone (UNIOSIL), the SLP and the International Rescue Committee (IRC) developed a Training Manual for the SLP and MSWGCA²³. It comprises ten modules on (1) the roles and responsibilities of the SLP, (2) the role of the MSWGCA, (3)

22. Interview with Head of Human Resource, MSWGCA

23. SLP/MSWGCA, The Family Support Unit Training Manual, September 2008, available at <http://www.britishcouncil.org/fsu_training_manual.pdf>, accessed 17 July 2014.

international human rights standards, (4) relevant domestic laws, (5) the principles of abuse, (6) domestic and gender-based violence, (7) the investigation process, (8) service provision for victims and survivors, (9) the protection of child victims, witnesses, and offenders and (10) the monitoring process. The then Ministers of Internal Affairs, Dauda Kamara, and Social Welfare, Gender and Children's Affairs, Musu Kandeh, in the foreword of the Training Manual, expressed their hope for the Training Manual to become part of the curriculum of the police training. However, as of July 2014 only some topics of the training manual are part of the SLP's curriculum²⁴.

Moreover, the United Nations Development Programme in Sierra Leone (UNDP SL) 'Access to Justice Programme', in consultation with national and international stakeholders, developed Guidelines on SGBV Case Management and related training²⁵.

Between 2011 and 2012, a total of 359 police officers (163 males and 196 females) participated in the training²⁶. The Guidelines on SGBV Case Management encompass six sections on (1) mandate and ethics of the FSU, (2) understanding SGBV, (3) caring for victims of SGBV, (4) laws on SGBV, (5) conducting effective investigations and (6) bringing cases to court.

In December 2010 the SLP conducted two two-day training sessions on gender-based violence for SLP wives and women at the Berlin and Kingtom Barracks respectively. At each session 150 female officers were trained²⁷. In August 2013 the SLP provided training on the standard operation procedures aimed at the professional handling and investigation

24. Koroma, Mira Y. Interview. 24 July 2014.

25. Guidelines on SGBV Case Management: A Reference Handbook for the FSU, available at <http://www.sl.undp.org/content/dam/sierraleone/docs/focusareadocs/undp_sle_SGBVCaseManagementGuidelines.pdf>, accessed 17 July 2014.

26. UNDP SL, Improving the Rule of Law and Access to Justice Programme, available at <http://www.sl.undp.org/content/sierraleone/en/home/operations/projects/democratic_governance/improving-the-rule-of-law-and-access-to-justice-programme/> accessed 10 July 2014.

27. SLP, Training department embark on capacity development, available at <<http://police.gov.sl/training-department-embarks-on-capacity-development/>> accessed 10 July 2014.

of SGBV cases reported to police stations. This training included the training of 25 trainers selected country wide at the Police Training School in Hastings; a five-day training of 40 participants from the FSU and general duty and social workers in the Western Area; as well as hands-on training in the Western Urban and Rural Areas. Moreover, five trainers monitor and evaluate the handling of SGBV cases particularly at police stations in the Western Area where there are no FSU stations. This training was funded by International Rescue Committee (IRC)

According to a report by Child Frontiers Ltd of 2010, officers in Freetown received more specialised training than in other districts. These trainings have primarily been provided by external agencies such as the JSDP, the United Nations Children's Fund (UNICEF) and the IRC. The FSU Director, Mr. Koroma, in an interview with CARL, however, confirmed that presently all FSU officers have received specified training on the Training Manual, the SGBV Case Management Guidelines and the relevant laws. Moreover, Koroma said that every FSU officer receives a copy of the Training Manual as well as of the Guidelines and undergoes regular refreshers training. Most of these training sessions are funded by international organisations, like UNDP, ASJP and IRC

It seems from the foregoing that FSU officers in general are trained well for handling SGBV cases. An international organisation, Concern Worldwide, in June 2014, reportedly tested a simulation of an SGBV report to assess the quality of services. The report found that FSU staff make

28. SLP, Training department embark on capacity development, available at <<http://police.gov.sl/training-department-embarks-on-capacity-development/>> accessed 10 July 2014.

29. SLP, Training department embark on capacity development, available at <<http://police.gov.sl/training-department-embarks-on-capacity-development/>> accessed 10 July 2014.

30. SLP, Training department embark on capacity development, available at <<http://police.gov.sl/training-department-embarks-on-capacity-development/>> accessed 10 July 2014.

31. Child Frontiers Ltd., Mapping and Analysis of the Child Protection System in Sierra Leone, Final Report, April 2010, available at <http://www.unicef.org/wcaro/english/Child_Protection_Systems_Sierra_Leone_Report.pdf>, accessed 14 July 2014.

32. Koroma, Mira Y. Interview. 24 July 2014.

33. Koroma, Mira Y. Interview. 24 July 2014.

judgmental comments and generally manage a problematic intake and response service³⁴. This included the request for fees for transportation and not respecting the privacy of the victim/survivor by having non-assigned staff present. It will be illustrated below that some inappropriate responses such as the request for transportation fees may be traced back to insufficient funding. Other problematic responses such as judgmental comments, on the other hand, should not be made by well-trained FSU personnel.

34. Rancourt, Noelle, Concern Worldwide, Sierra Leone, Sexual Violence and Response: A combined baseline of community gender norms and prevalence of sexual and domestic violence, and capacity assessment or response services in Tonkolili District, June 2014.

3. STAFFING, ACCESSIBILITY AND FINANCING OF FSU STATIONS

In order to be able to dispense its mandate effectively, there must be sufficient FSU stations spread over the country, which must be staffed with sufficient personnel representing the respective communities appropriately.

3.1 Number of FSU Stations

There are 32 police divisions in Sierra Leone. In addition, there are 62 FSU stations nationwide, with 32 of them in the Western Area. Eight of them are in the Southern Province, while the Eastern Province and Northern Province each has 11 stations. Ideally every police station should have an FSU station. This is not yet the case, though.

3.2 FSU Personnel

Currently, there are a total of 403 FSU officers employed at 62 FSU stations nationwide³⁵. Thus, there is an average of seven FSU personnel who work in two shifts per FSU station. According to FSU Director Koroma, however, a minimum of 20 officers per station, i.e. ten officers per shift are required to have sufficient staff to handle the work load³⁶. Consequently, FSU stations are currently understaffed so that people who come to report a crime may be sent away and asked to come again on a later date³⁷. This has serious consequences for the investigation and prosecution of crimes as well as for the welfare of the victims/survivors.

Pursuant to the Guidelines on SGBV Case Management, victims/survivors should be referred for medical treatment within 72 hours after the offence for both medical and evidentiary reasons³⁸. Since SGBV crimes are generally committed in private without witnesses to the crime, the collection of forensic evidence as well as the collection of evidence at the

35. Koroma, Mira Y. Interview. 24 Jul 2014.

36. Koroma, Mira Y. Interview. 24 July 2014.

37. Koroma, Mira Y. Interview. 24 July 2014.

38. Guidelines on SGBV Case Management: A Reference Handbook for the FSU, available at

<http://www.sl.undp.org/content/dam/sierraleone/docs/focusareadocs/undp_sle_SGBVCaseManagementGuidelines.pdf>, accessed 17 July 2014, 22.

crime scene is particularly important. Delaying the collection of such evidence may compromise the evidence for presentation in court.

Moreover, sending away people who want to report a crime may discourage victims/survivors and witnesses from reporting. They may consider the FSU to be unresponsive to their concerns. Moreover, residents from more distant parts of a district may not be able to travel to the FSU station again due to poor road conditions and travel costs. The Line Manager of FSU station in Magburaka, Sylvester Aruna, for example, noted that his FSU station was not easily accessible for everyone under its jurisdiction³⁹. The FSU station in Magburaka is in charge of eight chiefdoms which have difficult terrains⁴⁰. Some of these chiefdoms are only accessible with motorbikes⁴¹. Furthermore, the Samayai Bendugu Chiefdom, for instance, is over 60 miles away from Magburaka⁴².

While the FSU is understaffed, the community it serves is considered in its composition. Out of the 403 FSU officers 170 are female and 233 are male. Since victims/survivors of SGBV crimes are predominantly women, it is particularly important to staff FSU stations with female officers to whom female victims/survivors may relate better. Moreover, the FSU takes ethnicity in the recruitment process into account by conducting regional exams⁴³.

Ideally, each FSU station should have one female and one male social worker/probation officer amounting to a total of 124 social officers spread over the current 62 FSU stations⁴⁴. However, as of July 2014 there are

39. Mohammed Kabba Awoko, Sierra Leone News: No FSU Office in Magburaka, available at < <http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

40. Mohammed Kabba Awoko, Sierra Leone News: No FSU Office in Magburaka, available at < <http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

41. Mohammed Kabba Awoko, Sierra Leone News: No FSU Office in Magburaka, available at < <http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

42. Mohammed Kabba Awoko, Sierra Leone News: No FSU Office in Magburaka, available at < <http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

43. Koroma, Mira Y. Interview. 24 July 2014.

44. Koroma, Mira Y. Interview. 24 July 2014.

only 20 social workers employed at FSU stations nationwide, according to the Director of the FSU. Therefore, the MSWGCA only provides the FSU with a sixth of the number of social workers/probation officers needed. As a result only a third of all FSU stations are staffed with a social worker/probation officer who may deal with protection issues of the victim.

3.3 Funding and Spending

The FSU receives its funding through the SLP, which disburses an operational support of one million Leones (approximately \$270) per quarter for the whole FSU. The FSU is expected to use this amount to cover operational costs such as communication and stationery. The FSU is therefore economically accountable to the SLP to which they submit regular accounts. Moreover, international organisations have only funded specific projects for the FSU, such as the drafting of the Training Manual and training sessions of FSU officers.

Since the operational budget of the FSU is very limited, FSU stations do not receive any money directly. Instead, FSU stations are provided with materials and equipment necessary for their work, including calling cards, internet, vehicles, motorbikes, furniture, fuel, computers, laptops, cameras and mobile phones. The budget is almost exclusively spent on calling cards which are distributed amongst the various FSU stations. However, even if the entire operational budget would be spent only on calling cards, with 62 FSU stations nationwide, it would still leave each station with only little over 5,000 Leones calling credit per month which is far from what is needed. The FSU therefore lacks essential funding.

The FSU Directorate has no money to provide the stations with the necessary equipment for carrying out their mandate. As a result, FSU officers frequently use their own calling credit or ask victims/survivors as

45. Koroma, Mira Y. Interview. 24 July 2014.

46. Koroma, Mira Y. Interview. 24 July 2014.

well as NGOs for money for fuel in order to conduct searches or arrests. FSU Director, Koroma estimated the ideal running budget for the FSU to amount to US\$ 30,000 per month⁴⁸.

3.4 FSU Equipment and Activities

As outlined above, the FSU is charged with proactive as well as reactive activities within the scope of its mandate. This section examines how the FSU manages these activities and whether it has the necessary equipment to carry out these activities.

3.4.1 General Equipment

Basically, 20 out of the 62 FSU stations are provided with a formal structure in the form of an assigned office space with appropriate storing facilities for confidential files⁴⁹. Ten of 32 FSU stations in the Western Area, five of eight stations in the Southern Province, four out of eleven stations in the Eastern Province and one out of eleven stations in the Northern Province have such a formal structure⁵⁰. The Line Manager of FSU in Magburaka, Sylvester Aruna, for example, complained that his unit was not provided with an assigned office but had to share an office with the Operational Commander of the Magburaka Police Division⁵¹. This poses a problem to the confidentiality of FSU cases because the documentation and paper work is kept within the same office space. As of July 2014, the FSU has just two cars, one at the headquarters in Freetown and one in Pujehun, which are in operation and four other cars which are out of service because of mechanical problems⁵². The FSU also has a total of twelve functional motorbikes nationwide, plus another 20

47. Koroma, Mira Y. Interview. 24 July 2014.

48. Koroma, Mira Y. Interview. 24 July 2014.

49. Koroma, Mira Y. Interview. 24 July 2014. See Appendix I.

50. Koroma, Mira Y. Interview. 24 July 2014. See Appendix I.

51. Awoko, Mohammed Kabba, Sierra Leone News: No FSU Office in Magburaka, available at <<http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

52. Koroma, Mira Y. Interview. 24 July 2014. See Appendix I.

which are out of service⁵³. Four of the motorbikes in service are in the Western Area; two are in the Southern Province and six in the Eastern Province⁵⁴.

The Northern Province is particularly poorly equipped with no functioning cars (two with mechanical problems) or motorbikes (nine with mechanical problems) and only one FSU station with a formal structure.

3.4.2 Reactive Activities

The FSU's reactive activities comprise the prosecution and investigation of crimes within the scope of its mandate. The case load, as well as the types of cases reported, varies from district to district⁵⁵. At the FSU station in Magburaka, 123 cases of sexual violence, 65 cases of physical abuse, 28 cases of sexual penetration and eleven cases of threatening language were reported between 1st January and 31st December 2013⁵⁶. 37 of these cases were processed and charged to court, with 21 leading to a conviction⁵⁷. At the FSU station in Kissy there were approximately 300 documented cases, 50 of which were taken to court, while in Pujehun town an average of four cases were recorded per month⁵⁸. Line Managers of FSU stations are under an obligation to report all reported cases to the national headquarter on a monthly basis⁵⁹.

The reactive activities of the FSU are compromised by the lack of sufficient personnel and funding. As indicated above, the lack of personnel affects the number of reports and complaints FSU stations may process.

53. Koroma, Mira Y. Interview. 24 July 2014. See Appendix I.

54. Koroma, Mira Y. Interview. 24 July 2014. See Appendix I.

55. Koroma, Mira Y. Interview. 24 July 2014.

56. Awoko, Mohammed Kabba, Sierra Leone News: No FSU Office in Magburaka, available at <<http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

57. Awoko, Mohammed Kabba, Sierra Leone News: No FSU Office in Magburaka, available at <<http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

58. Awoko, Mohammed Kabba, Sierra Leone News: No FSU Office in Magburaka, available at <<http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

59. Awoko, Mohammed Kabba, Sierra Leone News: No FSU Office in Magburaka, available at <<http://awoko.org/2014/06/18/sierra-leone-news-no-fsu-office-in-magburaka/>> accessed 10 July 2014.

Moreover, only few FSU stations have assigned social workers/probation officers, who may provide emotional and psychological support, as well as assistance with social reintegration of victims/survivors and child perpetrators.

In addition, the lack of vehicles, motorbikes and fuel hinders FSU stations from visiting crime scenes, conducting searches, arresting suspects as well as picking up victims/survivors and witnesses for interviews. Insufficient investigation equipment, such as cameras, further affects the collection of evidence. FSU stations without structure also often lack a separate interviewing room in which they may interview victims/survivors or witnesses in a confidential and private setting. This may discourage victims/survivors further from reporting crimes.

The FSU's policing activities are also affected by the lack of sufficient calling credit necessary to notify victims/survivors and witnesses of dates for court hearings and to follow-up with the reintegration of the victim/survivor.

Furthermore, medical services including testing victims/survivors for transmissible sexual infections and unwanted pregnancies, examining and treating victims/survivors, collecting forensic evidence and providing psychological support are often not provided free of charge. Pursuant to Section 39 of the Sexual Offence Act 2012 and Section 7(3) of the Domestic Violence Act 2007, however, medical reports must be issued for free. When victims/survivors are faced with charges they cannot afford, and they often refrain from further pursuing the case.

In the provinces, the unavailability of Magistrates also compromises the proper adjudication of SGBV cases. There are still many judicial districts without Resident Magistrates. Therefore, Rotating Magistrates (circuits) are assigned to visit once per month. However, according to FSU National

60. Koroma, Mira Y. Interview. 24 July 2014.

61. Koroma, Mira Y. Interview. 24 July 2014.

Head, Mira Koroma, these Rotating Magistrates in some cases do not fulfil their duty, so that it may take sometimes up to two months for a Magistrate to come to a judicial district and to deal with pending cases⁶². Considering that suspects may only be kept for 72 hours for less serious offences and up to ten days for serious offences, such as rape, without a search warrant issued by a Magistrate, the lack of readily available Magistrates affects the law enforcement process as suspects are either kept in prison too long without a warrant or are released, jeopardising the safety of the victim/survivor or witness⁶³.

3.4.2.1 Proactive Activities

Part of the FSU's mandate is to carry out proactive activities. The FSU has developed two operations, both of which have not yet been implemented due to lack of funding⁶⁴. Operation Dusk addresses child prostitution and sexual exploitation while Operation Dawn addresses the issue of children selling in the streets during school hours. .Operation Dawn has three phases: community outreach and data collection, presentation and report, and the operation proper. Already, the first and second phases have been done; the third phase is yet to be done because there is no fund. Both operations are geared towards combating child trafficking, sexual penetration and illegal child labour and aim to reintegrate children into the education system. If implemented, they would benefit children nationwide. However, since the FSU does not have sufficient funding even for its general equipment and responsive activities, these operations are put on hold until sponsors are found. According to FSU Director Koroma, the funding required for Operation Dawn amounts to US\$ 15,000 and for Operation

62. Koroma, Mira Y. Interview. 24 July 2014.

63. Constitution of Sierra Leone, 1991

64. Koroma, Mira Y. Interview. 24 July 2014.

65. Koroma, Mira Y. Interview. 24 July 2014.

4. CONCLUSION AND RECOMMENDATIONS

The foregoing assessment illustrates that the FSU is insufficiently staffed, equipped and funded to properly dispense its mandate. Although its officers are generally well trained (primarily by international organisations), it lacks sufficient stations, staff and funding in order to fulfil its mandate as a well-functioning law enforcement institution of SGBV crimes. As a result, even well trained FSU officers are unable to carry out their jobs adequately.

In order to overcome the lack of equipment and funding, FSU officers often ask victims/survivors or witnesses of SGBV crimes to pay for fuel in order to proceed with investigations or to arrest a suspect. Such practices may discourage people from reporting crimes or from collaborating with the FSU in ongoing investigations, and further create an image of a corrupt law enforcement unit. Reluctance to report crimes or to cooperate in investigations does not only hinder the proper administration of justice but maintains an impunity gap for perpetrators.

To function also as a law enforcement institution, it is paramount that the people of Sierra Leone can trust the FSU to properly investigate, to keep cases confidential and to secure the safety of the victims/survivors and witnesses. This is particularly so within the scope of the FSU's mandate as law enforcement institution of SGBV crimes and crimes related to children. SGBV cases are very sensitive and victims/survivors of such crimes often fear stigmatisation within their communities. Effective and confidential handling of such cases is therefore essential in order to create the necessary confidence to report such crimes and to cooperate during the investigation. The FSU is, however, unable to establish trust within the community if it is not provided with the staff, funds and equipment to keep cases confidential and to carry out effective investigations. It is, therefore, necessary to increase the number of FSU officers and social workers/probation officers as well as the number of FSU stations in

the country, and to provide the FSU with adequate funding and equipment.

4.1 Recommendations

In light of the foregoing assessment, CARL makes the following recommendations:

4.1.1 Recommendations to the Government

CARL recommends to the Government of Sierra Leone to isolate the budget of the FSU from the budget of the SLP in order to ensure the allocation of necessary funding for the FSU.

CARL further recommends to the Government of Sierra Leone to increase the budget of the FSU and to provide it with essential equipment, such as offices, vehicles, motorbikes, cameras, phones, stationary, etc.

Finally, CARL recommends to the Government of Sierra Leone to provide all districts with the sufficient complementary institutional structure for the law enforcement of SGBV crimes. This, in particular, includes the provision of safe houses, magistrates and enforcement of the law regarding free medical services. It is also critical that the public hospitals are provided with the capacity to undertake forensic tests.

4.1.2 Recommendations to the SLP

CARL recommends to the SLP to increase the number of FSU stations nationwide to at least one FSU station per police station, taking the size of the area FSU stations are responsible for, the population and crimes statistics into account.

Furthermore, CARL recommends to the SLP to increase the number of FSU officers to at least 20 per FSU station, taking the respective case load of the FSU stations into account.

4.1.3 Recommendations to the MSWGCA

CARL recommends to the MSWGCA to increase the number of social workers to at least two per FSU station, one male and one female, who are trained for handling SGBV cases and cases related to children.

4.1.4 Recommendations to the FSU

CARL recommends to the FSU to implement a monitoring procedure in order to identify deficiencies in the functioning of the FSU as a law enforcement institution of SGBV crimes and crimes related to children. Such a monitoring procedure should be suited to identify (1) the lack of staffing, (2) incompetent FSU officers and social workers/probation officers who do not deal with SGBV cases and cases related to children in sensitive and responsive manner, (3) the lack of equipment of FSU stations and (4) opportunities for development. The monitoring procedure may be conducted through simulation of reports of SGBV cases.

4.1.5 Recommendations to Civil Society and International Organisations

CARL recommends to civil society and international organisations to join its efforts in advocating the better staffing, funding and equipment of the FSU.

Finally, CARL recommends to civil society and international organisations to shift their focus from the training of FSU personnel to the donation of much needed equipment, such as vehicles and stationary, with the expressed term to be strictly for the use of the FSU only.

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