

## Prosecution of Sexual Violence and Child Abuse cases in the Western Area



# Annual Situation Report

## January to December 2018

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Annual SitRep date : February 2019

### **Activity: Monitor ,collect data and report on the situation of prosecution of Sexual Violence and Child abuse cases in the Western Area**

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**Introduction** -The Girls Advocacy Alliance Project team of Plan International during one of its meetings with its partners required that YACAN prepares and submits a yearly report for 2018 on the situation of sexual violence and child abuse cases in the Western Area. To this end, the purpose of this annual SitRep is to provide specialized information to our targeted audience on the situation of prosecution of Sexual Violence and abuse cases throughout 2018 and to help Plan International and its partners adequately report on this activity. This report by extension also helps government review its data collection and management with regards the subject of sexual violence and child abuse. One thing we are happy about is that the data now comes directly from the centralized database at the Family Support Unit ( FSU) which lends more credence to the report.

Our audience benefitting from this information includes staff of the Girls Advocacy Alliance, Plan International Sierra Leone, the Sierra Leone Police, Civil Society Organizations, YACAN-SL, parents, Ministry of Social Welfare, Gender and Children Affairs, Ministry of Basic and Senior Secondary Education, project communities, Ministry of Foreign Affairs of Denmark and the general public

In this report the data is based on sexual offence cases reported, kept in view and under investigation in the 13 Police Stations in the Western Area and also contains data on cases prosecuted and committed at both the magistrate and high courts of Sierra Leone.

Data in this report is reported in both tables and charts. In the table format, it is easily delivered and gives some readers easier and quick understanding while in the chart format, readers are also given the opportunity for further understanding and visualization of the data. Following each of the formats, the reports shares interesting and useful analysis to further provide needed information on the subject.. In the charts as well, basic and self explanatory information is shared to keep the reader at ease and add value to the presentation.

## Sexual violence and Child abuse at a glance

### Background:

In Sierra Leone, women and girls are subjected to structural discrimination by practice, custom and law. Both customary law, which governs the majority of the population, and general law, which was inherited from the United Kingdom and is primarily applied in Freetown, discriminate against women and girls in terms of family law as well as property and inheritance rights. In addition, the provisions pertaining to rape under general and customary law offer inadequate protection. The misinterpretation of the complicated provisions of general law by the police and courts means for example, that those who are alleged to have sexually assaulted a minor are generally charged with "sexual penetration of a child," for which the sentence is lighter, rather than rape.

"Evidence shows that sexual violence can have serious short- and long-term physical, psychological and social consequences not only for girls or boys, but also for their families and communities. This includes increased risks for illness, unwanted pregnancy, psychological distress, stigma, discrimination and difficulties at school " (UNICEF 2018)

The Girls Advocacy Alliance (GAA) is a joint initiative of Plan Nederland, Terres des Hommes Netherlands and Defense for Children – ECPAT Netherlands. The project is executed in a well planned partnership with the Dutch Ministry of Foreign Affairs under the Dialogue and Dissent framework (2016–2020). The goal of interventions in GAA is to build up the capacity and sway policies at country and regional levels. It is an 'advocating for girls' project. The project is executed in the Western Area by YACAN and in Mbyamba District by DDI Sierra Leone and Plan International. The Sierra Leone programme of GAA aims to support four long term strategic goals but key to this activity for which this report is produced is 'effective/improved implementation, enforcement and monitoring by government at central, district and local level of the Child Rights Act and the Memorandum of Understanding between Paramount Chiefs, the Family Support Unit of the Police and Child Welfare, Sexual Offences Act, Registration of Customary Marriages and Divorce Act, and the Teacher's Code of Conduct '.

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Table 1: Report of Child Abuse cases including reported and charged

Month	Dom Viol		Cruelty		Child Trafficking		Harboring		Early marriage		Abandonment	
	# Reported	# Charged	# Reported	# Charged	# Reported	# Charged	# Reported	# Charged	# Reported	# Charged	# Reported	# Charged
January	14	0	3	0	1	0	0	0	0	0	0	0
February	31	4	4	1	1	0	0	0	0	0	0	0
March	30	3	3	1	2	0	1	0	0	0	0	0
April	29	7	2	1	0	0	2	0	0	0	0	0
May	26	0	3	0	8	0	4	0	0	0	0	0
June	21	0	1	1	5	0	2	0	1	0	0	0
July	9	0	4	0	0	0	2	0	0	0	0	0
August	26	0	0	0	0	0	4	0	7	0	0	0
September	18	0	3	0	0	0	0	0	0	0	0	0
October	15	0	4	0	0	0	0	0	0	0	0	0
November	17	3	1	0	0	0	0	0	0	0	0	0
December	16	1	3	0	3	0	0	0	0	0	0	0
<b>Total</b>	<b>252</b>	<b>18</b>	<b>31</b>	<b>4</b>	<b>20</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>

Table 2: Sexual offences at 14 Police Stations

Station	Charges	Kept in View	Under Investigation
Waterloo	16	1	20
Mirt	8	6	22
Calaba Town	41	15	56
Kissy P Div	23	8	68
Harbor	11	5	18
Eastern Police	12	4	31
Central	25	4	29
Regent	8	2	5
Mountain Police	16	19	17
West P. Station	7	0	7
Congo Cross	28	39	39
Aberdeen	6	0	12
Lumley	12	13	45
Adonkia	22	18	29
<b>Total</b>	<b>235</b>	<b>134</b>	<b>398</b>

Month 2018	Sexual Penetration						Sexual Harassment						Rape									
	Charged	Kept in View	Under Investigation	0-12 years	13-18 years	0-18 yrs School Going	18-35 Y Women	Charged	Kept in View	Under Investigation	0-12 years	13-18 years	0-18 yrs School Going	18-35 Y Women	Charged	Kept in View	Under Investigation	0-12 years	13-18 years	0-18 yrs School Going	18-35 Y Women	
January	24	10	35	15	54	57	0	0	0	1	0	0	0	1	2	0	1	0	0	0	0	3
February	12	8	31	15	36	43	0	0	0	0	0	0	0	0	0	0	2	0	1	1	1	2
March	14	9	22	13	32	43	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
April	30	9	27	19	47	63	0	1	0	0	0	0	1	1	0	1	0	0	0	0	0	1
May	32	12	36	30	50	70	0	0	0	1	0	0	0	1	0	1	3	0	0	0	0	3
June	28	8	26	18	44	56	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	2
July	22	16	21	12	47	54	0	0	1	0	0	1	1	0	1	0	0	0	1	0	1	1
August	18	11	36	20	45	59	0	0	0	0	1	0	0	0	1	0	3	0	0	0	0	4
September	17	15	33	17	48	62	0	0	0	2	0	2	2	0	1	4	1	0	0	0	0	5
October	11	9	37	18	39	49	0	0	0	2	0	1	1	1	2	8	0	2	2	2	11	11
November	12	7	37	14	42	54	0	0	0	0	0	0	0	0	1	3	0	1	1	1	2	2
December	5	9	26	13	27	37	0	0	0	0	1	0	0	0	1	1	1	0	0	0	0	3
<b>Total</b>	<b>225</b>	<b>123</b>	<b>367</b>	<b>204</b>	<b>511</b>	<b>647</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>6</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>10</b>	<b>25</b>	<b>0</b>	<b>5</b>	<b>4</b>	<b>38</b>	

Table 3 : Profile of sexual offence cases received and actions taken

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Sexual Penetration	24	12	14	30	32	28	22	18	17	11	12	5	225
Sexual Harassment	0	0	0	1	0	0	0	0	0	0	0	0	1
Rape	2	0	1	1	0	0	1	1	1	1	0	1	9
<b>Total Sexual Violence</b>	<b>26</b>	<b>12</b>	<b>15</b>	<b>32</b>	<b>32</b>	<b>28</b>	<b>23</b>	<b>19</b>	<b>18</b>	<b>12</b>	<b>12</b>	<b>6</b>	<b>235</b>
Domestic Violence	0	4	3	7	0	0	0	0	0	0	3	1	18
Cruelty	0	1	1	1	0	1	0	0	0	0	0	0	4
Child Trafficking	0	0	0	0	0	0	0	0	0	0	0	0	0
Harboring	0	0	0	0	0	0	0	0	0	0	0	0	0
Early marriage	0	0	0	0	0	0	0	0	0	0	0	0	0
Abandonment	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Child Abuse</b>	<b>0</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>22</b>

Table 4 : Comparative view of sexual violence and child abuse in 2018

During this period under review for the 13 police stations data received and analysed shows as below:

#### Child Abuse

- 321 child abuse cases were reported with highest (40) or 12.5% in May and lowest (15) or 4.7% in July
- 22 charged with the highest (8) or 36.4% in April
- 53 cases were kept in view with the highest (10) in view or 18.9% in June and lowest (1) in February.
- 398 cases were under investigation with highest (47) or 11.8% in October and lowest (22) or 5.5% in March
- 206 occurred to girls 0-12 years with highest (30) or 14.6% in May and lowest (12) or 5.8% in July
- 520 occurred to girls 13-18 years with highest (54) or 10.4% in Jan and lowest (27) or 5.2% in Dec.

#### Sexual offence

- In 2018, 235 sexual offence cases were charged with the highest charge in April and May (32) or 13.6% and lowest in Dec (6) or 2.6%.
- 42 occurred to young women 18-35 years with highest (12) or 28.6% in Oct and lowest (1) or 2.4% in March and July
- Western Rural charged 88 sexual offence cases; highest (41) or 46.6% in Calaba Town and lowest (8) or 9.1% in Regent
- Western Urban charged 140 sexual offence cases, highest (28) or 20.0% in Congo cross, lowest (6) or 4.3% in Aberdeen.

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### Profile of child abuse cases, 2018

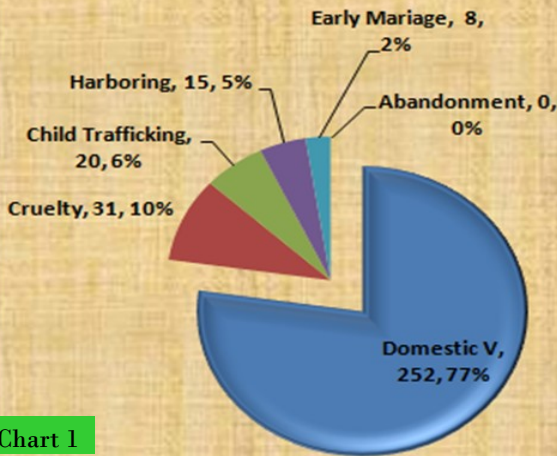


Chart 1

### Profile of sexual offence cases, 2018

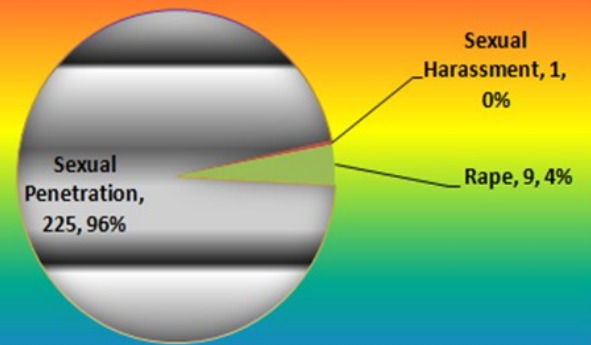
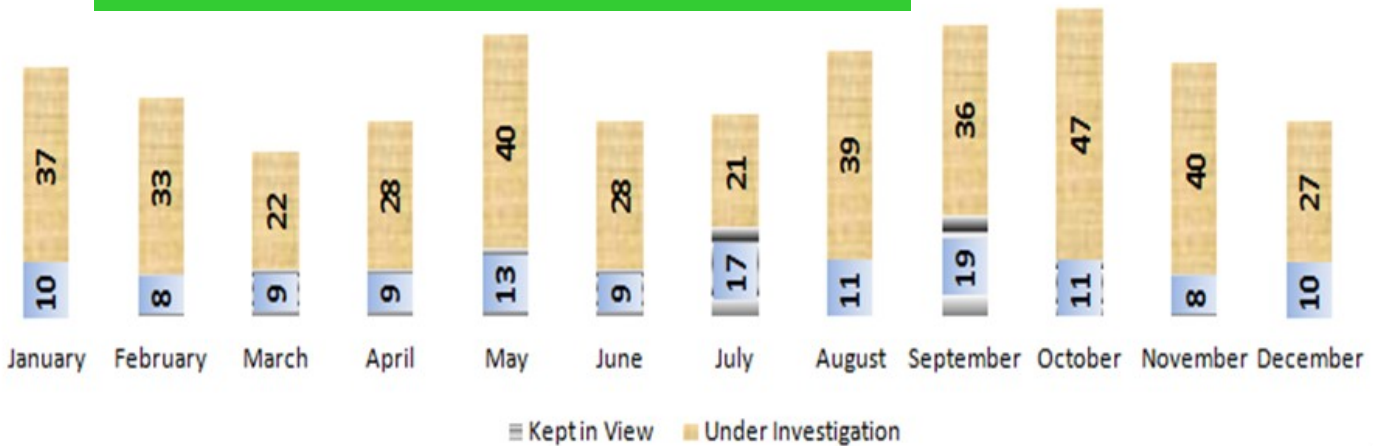


Chart 2

Chart 3 : Status of sexual offence cases at the Police Stations



### SP of school going girls 0-18, 2018

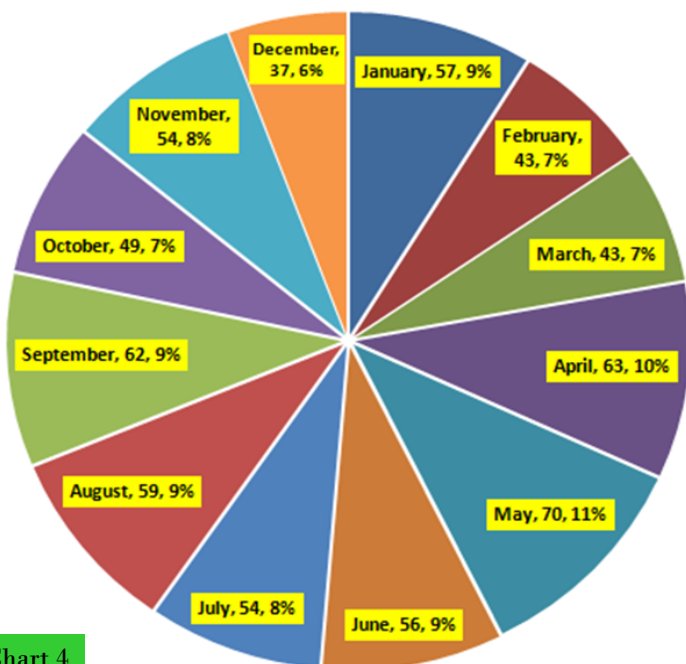


Chart 4

### Profile of Rape cases, 2018

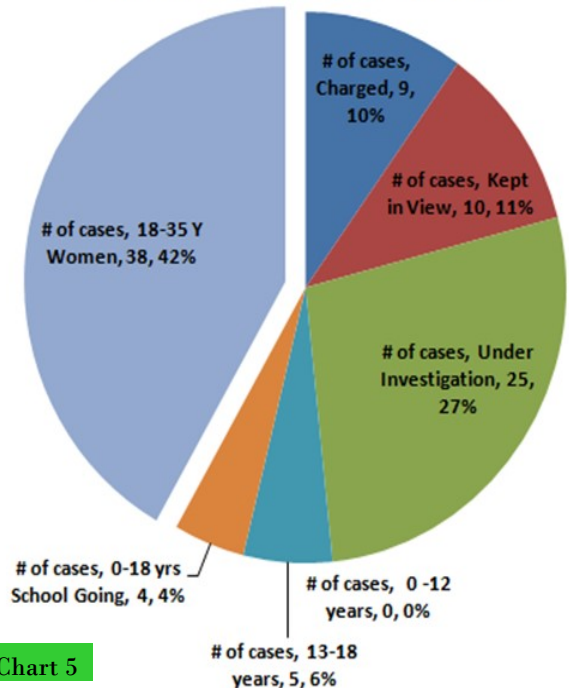


Chart 5

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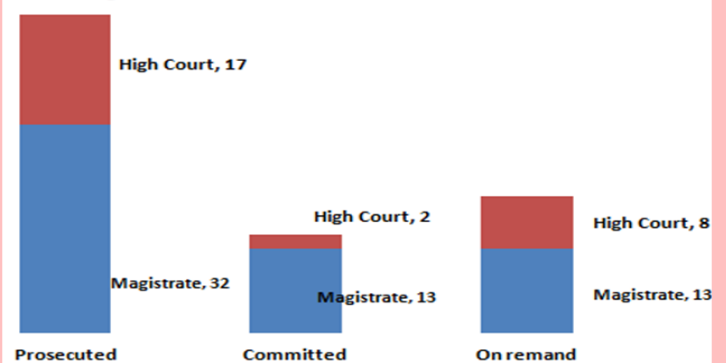
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**The Situation**

- 326 cases of child abuse reported with 22 or 6.7% charged 235 sexual offences charged of which 134 or 57.0% are kept in view
- 655 sexual penetration of School going girls 0-18 years occurred with the highest (70) or 11.0% in May and lowest (37) or 5.6 % in December.
- 5 girls aged 13-18 years were raped with 1 in Feb, 1 in July, 2 in Oct and 1 in Nov, refer to chart 5
- Prosecution of sexual offence and child abuses cases should be given increased momentum given its present status.

Trending at the Courts on sexual &amp; child abuse cases, 2018

**Significant achievements and challenges****S**ignificant achievements

- Improved access to court data and information
- Increased corporation from the Family Support Unit of the Sierra Leone Police through access to centralized data
- Rainbow Centre increased availability of medical report on child abuse cases
- Girls are now making report relating to domestic violence and other related cases
- Children themselves are now making report of abuses
- YACAN is able to produce comprehensive annual report

**Challenges****POLICE**

- Obtaining witness protection. Witnesses should be protected and secured in especially sexual offence cases according to Section 40, sub 2 of the Sexual Offences Act Of 2012.
- Absence of birthday certificate of victims to ascertain age
- Lack of advance technology that gives forensic evidence to facilitate prosecution
- Inability to secure lawyers to prosecute the cases
- There is high disparative between cases in court and those under investigation

**YACAN GAA Team**

- Limited access to girls who are out of YACAN Project area
- Compromise emanating from either the communities or family members themselves
- In most cases victim's/survivor's parents are poor
- Victims are stigmatized

**Recommendations**

- FSU endeavors to provide data on perpetrators to enhance analysis or profiling on those who caused maltreatment of children
- Encourage the FSU to capture data aggregated as substantiated or unsubstantiated. Where there is also lack of evidence i.e 'unfounded' and where the abuse has occurred based on medical evidence i.e 'indicated' be highlighted for public consumption.
- For better outcomes for children and families, there is need for a four-tier finding determination model (substantiated, not established, established and unfounded) which allows for more specific look into the categories to adequately show specific conditions present in each investigation
- Introduce a Child call line to report suspected sexual offence or child abuse cases
- A citizen's review panel to evaluate the current condition of child abuse and to include such aspects like reporting procedures, reporting requirements, and distribution of information.
- Given the low number of child abuse cases charged, more support is needed to facilitate speedy charging of the child abuse cases.

*As this is the first annual report produced on this activity, it is difficult to make multi-year comparison but there is an expressed need for such initiative.*

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