United Nations Convention on the Rights of the Child (CSO Report- List of Issues) for Sierra Leone

Submitted by Child Rights Coalition – Sierra Leone (CRC-SL)

June 2021

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A. Introduction

The United Nations Convention on the Rights of the Child (UNCRC) Adult report of Sierra Leone explores a comprehensive evaluation of how the Government of Sierra Leone is implementing the CRC through its actions, policies and national legislation. The report covers the period from 2016 to July 2021 and it represents the views of CSOs on the situation of children's rights in Sierra Leone. The reporting process includes desk review, national consultation, and validation exercises.

Civil Society Organizations (CSOs) and NGOs working on child rights issues that are members of the Child Rights Coalition Sierra Leone (CRC –SL) participated in the preparation of the report as follows:

- 1. Defence for Children International (DCI)
- 2. Equality Now
- 3. Advocacy Movement Network (AMNet)
- 4. Foundation for Rural Transformation (FoRUT)
- 5. Youth and Child Advocacy Network (YACAN)
- 6. Plan International Sierra Leone
- 7. Save the Children International (SCI)
- 8. Network Platform for Peace and Democracy (NEPAD)
- 9. Centre for Advocacy and Sustainable Empowerment (CASE-SL)
- 10. Community Planning and Development Drive (CPDD)
- 11. Women's International League for Peace and Freedom (WILPF-SL)
- 12. Disability Rights and Inclusion Matters (DRIM-SL)
- 13. Youth Action for Self-Development (YASD-SL)
- 14. Network Movement for Youth and Children's Welfare (NMYCW)
- 15. Advocacy for Marginalized Children and Youth Programme (AMCYP)
- 16. Sierra Leone Rescue Foundation (SRF)
- 17. Action for Women and Children in Crisis (AWCC)
- 18. Education for All Coalition-SL (EFA)
- 19. Gender and Youth Network (GYN)
- 20. Pekin to Pekin Movement
- 21. Action for Youth and Children's Network (AYCN)
- 22. Save our Souls (SOS)
- 23. Concern for Vulnerable Children (CVC)
- 24. Comforti Community Aid Children's Organization
- 25. Action for Community Task Sierra Leone (ACT-SL)

B. Situational Analysis - Country Context

Sierra Leone has an estimated population of 7 million, of which more than 50% are aged 18 or under and 18.4% of the population is less than 5 years old. The majority of the population live on less than \$2 a day and 70% of the population lives below the poverty line. The country's Human Development Index value for 2019 is 0.452, which put the country in the low human development category (182 out of 189) countries and territories². The 2018 Sierra Leone Integrated Household Survey estimated overall poverty incidence at 56.8 percent and extreme poverty at 12.9 percent.

Sierra Leone signed and ratified the United Nations Convention on the Rights of the Child (UNCRC) in 1991 to which it is now legally bound and has enacted into law through the national Child Rights Act 2007. Sierra Leone has also ratified the following international and regional human rights instruments relating to the protection of children: the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the African Charter on the Rights and Welfare of the Child.

C. Substantive Analysis on List of Issues

Child Rights Coalition members identified the following list of issues to share their views on the situation faced by children at national level and the measures the Government needs to take to fulfill its obligations to uphold children's rights as follows:

General Principles

The Child Rights Coalition is concerned that the Government of Sierra Leone has not done much to implement previous recommendations of the last (2016) UNCRC Concluding Observations for Sierra Leone³ on General Principles. Government institutions are still unaware of the General Principles and do not apply them in their work.

¹ Statistics Sierra Leone (2015) Population and Housing Census

² Human Development Report 2020

³ CRC/C/SLE/CO/3-5 (2016)

Though Section 3 (1) of the Child Rights Act 2007 emphasizes that "the fundamental principle to be applied in the interpretation of the Act shall be that the short-and long-term best interests of the child shall be a primary consideration in any decision or action that may affect the child or children, as a group", this is not done in practice. For example, in 2019, the Parliament amended the Sexual Offences Act and opened prosecution of alleged sex offenders to any age and since then several boys as young as eleven years have been prosecuted and kept in penal custody without access to school or due consideration to their overall development.

Similarly, the COVID-19 regulations and response package do not adequately consider critical child welfare needs. During Lockdowns in 2020, children had limited access to pipe borne water supply. Initial humanitarian supplies to families that were quarantined lacked baby food and sanitary pads for girls, and children affected by Covid-19 have not benefitted from psychosocial support services such as counseling and bereavement support to help them cope with separation from their parents, stigmatization, discrimination, and mental health challenges associated with COVID-19.

The Government has still not yet reviewed the 1991 Constitution of Sierra Leone, hence all the discriminatory clauses particularly against girls remain active. Discrimination against children in most vulnerable situations particularly girls, children with disabilities, street children, orphans and children in rural communities is still a normal practice that is not monitored by the Government. Despite the introduction of the Free Quality School Education-(FQSE), many children can still be seen in the streets selling, or in the farm or other places working during school hours without any intervention by the Government.

Moreover, since the ECOWAS Court ruling in December 2019, lifting the ban on pregnant girls returning to school, gaps have been identified with respect to the implementation of the ECOWAS Court ruling as learning opportunities have not improved for pregnant girls and girl mothers in schools.

In effect there are still several barriers that prevent equal treatment and access to public goods and services by all children across the country.

Recommendations:

- Government to review the 1991 Constitution and the Child Rights Act 2007, address all discriminatory clauses and ground them on the principle of equality for all;
- Government must ensure that the application of General Principles of Child Rights becomes a culture for all Ministries, Departments, Agencies

- and Local Councils and there is a monitoring mechanism in place to ensure consistent compliance;
- Government and partners to support the full implementation of the ruling of the ECOWAS Court on the case of ban on pregnant girls from attending mainstream school, in order to reduce discrimination and stigma affecting pregnant girls in schools and communities;
- Government to remove all barriers that discriminate against children in most vulnerable situations including children with disabilities, children in rural areas, girls, street children, orphans and other vulnerable children;
- Government to raise more awareness targeting communities and other stakeholders to have a better understanding of the meaning of "In the best interest of the child", to promote harmony amongst partners seeking the safety and welfare of the child.

Civil Rights and Freedom

The Coalition acknowledges actions by the Government to enhance the civil rights of its citizen through the establishment of the National Civil Registration Authority (NCRA) and the undertaking of Civil Registration. Children are now included in an integrated birth register, and this will promote their civil rights.

The Coalition point out that the right of freedom of expression of children was limited during the last reporting period (2016- 2021), compared to now when there is increased awareness through the press and social media on child rights issues following implementation of the Child Rights Act in 2007.

Child participation is much more felt at Government's events and projects of NGOs and UN agencies. For example, children engage in role modeling activities during the "Day of the African Child" (June 16 annual events) and this has motivated thousands of children especially when they mimic high ranking officials including the President, Cabinet Ministers and First Lady of the Republic of Sierra Leone. However, meaningful participation can only be achieved if child participation is ensured by policy and practice at major decision-making process such as budgeting, policy formulation, construction of public buildings and roads, and other developmental interventions.

It is worth noting that challenges to the participation of children in decision making is rooted in cultural beliefs, traditional values, and perceptions of adults that children are not matured, sensible and are not capable of making decisions that affect them. In some cultures, in rural communities for instance, children are not allowed to speak loudly when adults are engaged in conversations with them.

The Coalition is concerned about the growing reports of commercial child sexual exploitation such as internet related sexual harassment including cyber bully against girls in Sierra Leone. It is evident that information and communication technologies (ICTs) have become a fundamental part of children's lives giving them access to unlimited connections and information (OHCHR, 2021). However, the coalition is mindful that ICTs also expose children to new forms of abuses resulting in an alarming growth of new forms of child sexual exploitation online. This is worrying especially when one considers that online sexual violence puts parents and children at risk of harm and serves as an impediment to active participation of girls in public domain.

In view of addressing online child sexual exploitation, Parliament of Sierra Leone passed the Cyber Crime Bill into law, titled "The Cyber Security and Crime Act 2021". The act which is introduced in Sierra Leone for the first time will provide prevention on the abusive use of computers and provide a timely and effective collection of electronic evidence for investigation and prosecution of cybercrime. It is envisaged that once this Act is fully implemented nationwide, the safety of children online will be guaranteed.

The Coalition are of the opinion that children have limited access to information from a variety of sources. This also requires improvement.

Recommendations:

- Government and partners to promote effective implementation of provisions in the Child Rights Act 2007 and UNCRC with specific reference to Article 12 which recognizes that children have a right to be heard;
- More awareness raising on the civil registration to promote efficient government planning for children;
- Children to be offered opportunities to influence laws, policies, services and major decisions affecting their lives especially during the commemoration of the Day of the African Child and other local and international celebrations:
- Full implementation of the Cyber Security and Crime Act 2021 and to make it child friendly;
- Promote participation of children in a wide range of areas, including public health promotion, education, environmental campaigns, disaster risk reduction, research and consultations, in the media and in governance;
- Provision of legal identity including birth registration for all children, and especially those in rural areas;

- Engage with parents, cultural heads and community stakeholders on the significance of child participation and how it enhances their growth and development;
- More funding to be provided to promote participation of children at national and local level;
- Children's Parliament to be established to promote opportunities for children to influence laws, policies, services and major decisions affecting their lives;
- Provision of legal identity including free birth certificate to every child for the first time, and especially those in rural areas.

Violence against Children

Violence against children remains common and widespread and corporal punishment is still considered one of the best ways to correct children at school and homes. The Code of Conduct for Teachers and other Education Personnel prohibit the use of physical punishment against children in schools, but no measures have been put in place to monitor and reprimand teachers who are still practicing corporal punishment.

Most appalling is the fact that, public institutions that provide services for children lack safeguarding measures for children and young people and their personnel abuse children in different ways including sexual abuse, intimidation, discrimination and display of poor attitudes with impunity.

The Coalition is concerned about the safety and welfare of children that are exposed to harmful traditional practices including female genital mutilation (FGM) considering the many social and health implications for girls.⁴ The prevalence of FGM and early and forced marriages in Sierra Leone has exposed thousands of children to violence and abuse and it is a gross violation of their human rights.

In Sierra Leone, the prevalence of FGM in women aged 15-49 is 89.6%. 40.2% of women in this age bracket were cut between the ages of 10-14 years (Sierra Leone: The Law and FGM – Thomas Reuters Foundation, September 2018). UNICEF (2019) reports also suggest that 9 in 10 women and girls have undergone FGM in Sierra Leone.

AMNet (a coalition member) and other partners facilitated community dialogue amongst stakeholders to put an end to child FGM. At the local level, paramount chiefs and local practitioners (soweis) signed 'Memoranda of Understanding'

⁴ Sipsma, Heather L., et al. "Female Genital Cutting: Current Practices and Beliefs in Western Africa." Bulletin of the World Health Organization 90.2 (2012),

(MOUs) to ban FGM for girls under the age of 18 years and to seek the consent of women over the age of 18. However, these MOUs are entirely voluntary and though a positive step forward in the community dialogue, the MOUs have no legal standing.

In similar view, The Coalition and other human rights organizations recognized that early forced marriage is still practiced extensively in Sierra Leone and children become victims of the practice. It is evident from research that child early and forced marriage deny children their childhood and it disrupts their education. The registration of Customary Marriage and Divorced Act 2007 maintains the minimum age of consent for marriage at 16.

Sierra Leone has one of the highest child marriage rates in the world with 39% of girls married before their 18th birthday (UNICEF 2016).⁵ Further evidence from research has inextricably linked early child marriage to adolescent pregnancy (UNICEF Report, 2021). In Sierra Leone, girls that are forced into marriage have experienced other forms of exploitation including domestic abuse, sexual exploitation and violence. In 2018, the National Strategy for the Reduction of Adolescent Pregnancy and Child Marriage (2018 – 2022) was launched with support from UNICEF but implementation has been slow.

Whilst the coalition applauds Government for their recent outstanding efforts in addressing sexual violence (for example, the amendment of the Sexual Offences Act and recruitment and deployment of more judicial personnel across the country), it is worth noting that more needs to be done and the government must not be complacent because of increase in rate of prosecution and convictions of sexual perpetrators and reducing figures of reported cases. The culture of sex with minors and gender-based violence is still prevalent among Sierra Leoneans across the country and the fight against sexual violence must be intensified.

Drug and alcohol abuse and violence among children and young people which often results to inter gang fights and deaths are common across the country.

The Coalition perceive poverty to be a crucial factor leading to child abuse and neglect especially considering that 70% of the population live below the poverty line⁶. It is observed that financial and economic hardship on families continues to trigger child abuse within families and this is evident in the high rate of physical chastisement, sexual abuse, child labor, and neglect, coupled with domestic abuse subjecting thousands of children and young people to emotional and psychological harm.

⁵ Girls not brides-Sierra launches Africa Union campaign on Child marriage (2016)

⁶ Human Development Report 2019

It is observed that there is limited budget allocation from government to the Ministry of Social Welfare and the Ministry of Gender and Children's Affairs to support child welfare, safeguarding and gender empowerment programs described in the Gender Empowerment Policy. More resources are also required to build the capacity of departments and agencies including the National Commission for Social Action (NACSA) to be able to promote the physical and psychological recovery and social reintegration of child victims of abuse.

Recommendations:

- Government to review and harmonize all recommendations from treaty bodies and human rights mechanisms including the Human Rights Council, Universal Periodic Review (UPR), UNCRC Committee, CEDAW, and Voluntary National Review of Sustainable Development Goals that concern violence against children (and women)⁷ and put holistic and comprehensive strategies in place to address them through interministerial and departmental coordination;
- Strengthen the capacity of the Family Support Unit and ensure that they
 have separate budget allocation to be able to handle all cases of violence
 against children
- Ensure that all public institutions that provide services for children including educational institutions, health care services, security and other social service providers adopt safeguarding policies and codes of conduct for their personnel
- Scale up and enhance life skills programs and anti-drug and anti-violence campaigns for both boys and girls in schools and communities
- Human Rights Commission Act (2004) to be fully enforced to ensure effective monitoring and implementation of the UNCRC
- The National Commission for Children should be completely independent to monitor ministries, departments, and agencies of Government.
- Ministry of Gender and Children's Affairs to develop an operational strategy reflecting domestication and implementation of the CEDAW.
- Government to amend the Child Rights Act of 2007 to unequivocally prohibit FGM and early marriage for anyone under the age of 18.
- Monitor and enforce implementation of the National Code of Conduct for Teachers and Other Education Personnel and take appropriate action against teachers that go against the provisions
- Establish or strengthen community-based mechanisms such as Child Welfare Committees, Village Development Committees, Mothers Clubs, Local Teachers Unions and referral pathways to identify and assist child

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⁷ Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation. (Target 5.3)

victims of violence, to receive psychological and recovery support and encourage them to report cases of abuse, violence and neglect. This must include measures to detect and prevent violence against children.

Family Environment and Alternative Care

The Coalition acknowledges that the best place for a child to grow up is in the family environment. However, the coalition is concerned that some children are subjected to abuse and neglect in toxic family home environments where parental mental health, domestic abuse, and substance/drug misuse co-exist. The multiplicative impact of these factors has been found to increase the risk of harm to children thereby posing family disharmony (Brandon *et al*, 2010).

Children have experienced harm in the care of their parents and care givers who have not demonstrated capacity to provide children with basic care, emotional warmth, stability, stimulation, and guidance and boundaries. This has impacted on the health and development of children.

In Sierra Leone, family systems are mostly extended and are characterized by poverty and overcrowded households. Overcrowded housing hinders the health and developmental needs of children who deserve to live in spacious and safe housing.

The high rate of unemployment in Sierra Leone, which is over 4 % (Macrotrends, 2019), also limits parents and carers capacity to provide basic care for children. This has exposed thousands of children to danger and compromised their developmental needs.

Additionally, children that are temporarily or permanently deprived of their family environment due to poverty, behavioral issues, homelessness, being in conflict with the law, engaged in delinquency are exposed to risk of harm.

The lockdowns and curfews resulting from the Covid-19 crisis have placed adolescent girls and children at heightened risk of domestic violence and other forms of gender-based violence due to increased tensions in the household and communities.

A study by UNFPA during the Ebola outbreak, indicates that more than 14,000 teenage girls became pregnant, including 11,000 who were in school before the outbreak. It is already reported that girls have experienced disruptions in their family planning services due to the COVID-19 pandemic, but no assessment has been done as yet to determine the number of teenage girls that became pregnant during the lockdown of schools during the COVID-19 pandemic although a similar trend is expected.

Alternative care facilities such as remand homes, orphanages and foster care facilities are limited in the country and cannot meet the growing demands of deprived children. Safe spaces for victims of abuse are also inadequate.

Conversely, the Multidimensional Child Report in Sierra Leone (2018) does not disconnect financial and material poverty as reasons why children miss out on effective family environment. The report clearly shows that to better understand the drivers of child poverty, the socioeconomic situation of the children and their families has been analyzed. The findings show that, counter intuitively, boys (67.0 per cent) are more deprived than girls (64.9 per cent). In addition, children living in a household headed by a man are more likely to be multidimensionally poor (66.3 per cent) than those living in women-headed households (65.4 per cent).

Therefore, policies and programs need to be deliberate in addressing inequalities in service provisions that affect children in different districts. A holistic approach is required to reduce child poverty.

Recommendations:

- Government to fully implement the alternative care policy.
- Government to support family-based care with social safety net programs
- Government to provide social safety net to fragile families
- Provision of medical attention for children in remand homes, orphanages, and alternative care should be prioritised;
- Government and partners to implement positive parenting programs and activities for families, and maintain family planning services.

Disability, Basic Health and Welfare

Disability issues affecting children with various forms of disability and special needs remains a challenge. Even though Government and partners have taken measures to ensure dignity, self-reliance, and active participation in the community for children with disabilities, there are huge gaps to be filled.

According to the Sierra Leone 2015 Population and Housing Census (Thematic Report), there were around 23,000 children (0 -18 years) recorded with disabilities and majority falls within the age group 15–19 years (7,161).8

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⁸ The Sierra Leone 2015 Population and Housing Census

As a progressive move, the Government of Sierra Leone adopted the Persons with Disabilities Act 2011 and established the National Commission for Persons with Disabilities. There are provisions in the Persons with Disabilities Act 2011 for free health care and inclusive education for persons with disabilities. However, specific provisions need to be clearly spelt out for children with disabilities.

The Coalition also notes the adoption of the Radical inclusion Policy by the government of Sierra Leone, which provides policy framework for equal access to education for at risks groups including children with disabilities. This is however an aspiration yet far from reality. For example, there are some primary schools for blind children in Freetown, Makeni and Kabala but no secondary school for them and the available secondary schools in the country do not have facilities to integrate blind children, so most often these children do not progress through secondary schools. Similarly, the schools for the hearing impaired (deaf) in Freetown, Makeni and Bo lack secondary education programs and are poorly funded. Teachers and care givers are hardly paid and do not work consistently, so the students often drop out of school due to degeneration of their interest over time.

The Coalition is concerned that health care facilities, schools, public transport and Government departments do not have disability friendly facilities. Staff at these institutions do not have the requisite skills and capacity to address the needs of children with disabilities especially children with multiple needs such as autism, epilepsy, and Attention deficit hypersensitivity disorder (ADHD). It is noted that some children with visual impairments have not been allowed to take public exams because there are no facilities available for this category of children.

Moreover, availability of data on children with disabilities is obsolete and the current data is not disaggregated.

Recommendations:

- Government to fully implement the Radical inclusion Policy, ensuring that children with disabilities are among the first priority targets of implementation;
- Ensure sufficient funding for the National Commission for Persons with Disability and towards the Development Fund for Persons with Disabilities, and ensure that children with disabilities are adequately supported to acquire education and other services that can help them reach their fullest potentials;

- Ensure that schools and care institutions for children with disabilities are fully funded and equipped with highly skilled personnel and adequate social services and basic welfare needs;
- Introduce community-based programs in collaboration with Local Councils and Paramount Chiefs to support families and communities in taking care of children with disabilities;
- Fully implement previous recommendation of the UNCRC Committee, which suggest that "children with disabilities have access to inclusive early childhood care and education, early development programmes, health care and other services, and ensure such services receive adequate human, technical and financial resources";
- Implement health care programs including timely immunization, school sight checks and others in order to prevent and control disabilities among children.

Basic Health and Welfare

There is an ongoing immunization campaign for children and distribution of bed nets to families to reduce the spread of malaria. There is progress in the number of health workers trained and it is reported they are providing quality care to children. However, there are still requirements for more drugs, human and technical resources to be provided to primary health units and community health care centers to meet the needs of children and young people.

In 2019, child mortality rate for Sierra Leone was 109.2 deaths per 1,000 live births and this suggest one of the highest in the world (World Data Atlas, 2019). This is worrying as children have right to life.

Research suggests that children under the age of 5 are at high risk of malaria as they are particularly susceptible to infection, illness, and death from malaria. In Sierra Leone, malaria contributes to close to an estimated 25% of child morality (WHO, 2016) and this is a cause of concern by the Coalition.

Moreover, the 2016 Epidemiological Report of Sierra Leone indicates that 4,398 children under the age of 15 are infected with HIV and Aids. This figure is very concerning to the Coalition for which they are agitating government intervention.

The Covid-19 pandemic has posed huge threat to the health and developmental needs of children due to the fragile health care infrastructure. The National Covid 19 Emergency Response Centre (NACOVERC) data shows that over 480 children have tested positive for COVID-19 (14%) of the total reported positive

cases in the country. It is noted that the increasing rate of infection amongst children is alarming.

NACOVERC data shows that over 6000 children have gone through quarantine, Treatment Centers and Community Care Centers. This certainly indicates that children affected by the pandemic have experienced difficult childhood traumatic journeys and emotional experiences necessitating adequate psychosocial and mental health support.

A progressive step made by Government in the health sector since period of reporting is a functional Secretariat established in Freetown for the reduction of teenage pregnancy. However, the Secretariat needs to be decentralized to reach out to the rural communities.

With respect to reproductive health facilities, the Coalition is mindful of the limited availability of sexual and reproductive health facilities. It is observed that contraceptives are not affordable and assessable to adolescent girls, and this will put the reproductive health of children at risk.

As a progressive move towards addressing mental health in the country, the Ministry of Health and Sanitation has established a Mental Health Policy (2019 - 2023) and Strategic Plan (2019 - 2023) to address the mental health needs of vulnerable populations including children. Full implementation of these instruments to the benefit of children is critical to ensuring that the country meets its international commitment under WHO Comprehensive Mental Health Action Plan (2013 - 2020).

Recommendations:

- Improve the health infrastructure that can meet the health needs of children and to reduce under 5 mortality rate;
- Government and partners to ensure that children with disabilities have access to and receive education at disability friendly schools, and train free health care service providers, rehabilitation services, preparation for employment and recreation opportunities. Policy Cluster 5 of the National Development Plan (2019 -2023) encourages investment in persons with disabilities to promote inclusiveness;
- Strengthen emergency child protection response plan that is child focused to address the needs of children affected by COVID-19 and any future disease out breaks:
- Allocate more resources to promote full implementation of the National Strategy on Teenage pregnancy (2018 – 2022) and the Mental Health

- Policy (2019 2023) and Strategic Plan (2019 2023) to address the mental health needs of vulnerable populations including children;
- Adolescent-sensitive and confidential counselling services, including contraceptive services, and post-sexual reproductive services to be provided;
- Gender sensitive access to reproductive health care and information, and prevention of sexually transmitted diseases such as HIV Aids;
- Instituted laws to prohibit the sale of alcohol and drugs to children;
- Establish a National Development Fund for Persons with Disabilities;
- Promote access to inclusive early childhood care and education for children with disabilities;
- Collate and disaggregated data on children with disabilities;
- Make accessible mental health and counselling services that are sensitive to the needs of children and adolescents with disabilities;
- Effectively implement the Disability Act (2011) Nationwide;
- Establishment of disability desk to meet the needs of children in all Ministries, Departments and Agencies;
- Promote community-based care and support for children with disabilities;
- Strengthen child welfare committees;
- The Coalition hold the view that provision of adequate nutritious foods to children and access to clean drinking-water would contribute immensely to improving the health and sanitation of children in Sierra Leone;
- The Coalition is encouraging the government to put measures in place to combat diseases through surveillance and health strengthening and reduce malnutrition to combat child mortality.

Education, Leisure and Cultural Activities

The Coalition notes that as part of the Government's Human Capital Development expansion, total budgetary allocation to the education sector was 1.4 trillion Leones representing 21 percent of total primary expenditures as indicated in the Government Budget and Statement of Economic and Financial Policies (Financial Year, 2020).

In 2018, Government launched the FQSE scheme from nursery to senior secondary schools which children are benefiting from. The FQSE scheme has abolished all school charges and subsequently reduced financial burden on parents and increased school enrolment rates from 112.75% in 2018 to 143.71 % in 2019 (UNESCO, 2020). However, there is a concerned that quality in delivery is still abysmally low particularly in far reached rural communities due to lack of trained and qualified teachers.

Additional concern is that Government has introduced the "one size fits all" approach that is not working for rural schools. For example, teachers in rural schools struggle to use the Lesson Plan Manual (LPM) that has been introduced by the Ministry of Education because they cannot follow the steps to teach the kinds of students that are in their schools particularly secondary schools. For example a student's ability survey conducted by Defence for Children International (DCI) and the National Youth Action Forum (NYAF) in rural secondary schools in Sierra Leone reveals that more than half (53%) of all students were unable to fluently read an international Grade 2 passage, comprehension was weak; 87% of all students were unable to answer the critical thinking question, 40% of all students do not use any punctuation at all; nor do they use capitalization to signal new sentences, and approximately 21% of all words are misspelled, and as many as 70% of sentence, clause and phrase structures are not correct (number, tense, preposition usage). However, this conclusion is complicated by the lack of conventions/punctuation.

There is now an early childhood development secretariat at the Ministry of Basic Senior Secondary school Education (MBSSE) which provides early year's educational support to children. However, the secretariat needs to reach out to more families especially in deprived communities and rural communities.

The Government accepted the ECOWAS court ruling in December 2019 which found that the policy barring pregnant girls from attending school amounted to discrimination and human rights violation and has lifted the ban on pregnant girls from attending mainstream schools in compliance with previous recommendation of the UNCRC Committee. However, much still needs to be done to disseminate and implement the ECOWAS court recommendations to ensure that schools authorities and members of the communities promote retention of pregnant girls in schools and return of girl mothers to education, especially in the rural areas.

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⁹ Baseline survey for the project: Enhancing Junior Secondary School Teachers' and Students' Abilities For Reading their Content-Area Texts with Understanding in Sierra Leone- Defence for Children International and National Youth Action Forum 2018

Furthermore, the Government has adopted two complementary policies namely, Radical Inclusion Policy and the Comprehensive Safety Policy in favor of equal access to education for girls. Nevertheless, these policies have not been adequately implemented nationwide. That notwithstanding, the Ministry of Education often publicly reports that there are over two thousand (2,000) pregnant girls attending school across the country and over one thousand three hundred took public exams including the Basic Education Certificate Examination (BECE) and the West Africa Senior Secondary Examination Certificate Exams (WASSCE) in 2020.

Another progress noted from Government in the best interest of the girl child is the integration of the Comprehensive Sexuality Education (CSE) into the National Basic Education Curriculum. This would now mean that teachers and pupils can have an opportunity to talk about sexual and reproductive health issues openly with girls and this may raise more awareness on SGBV.

Comprehensive Sexuality Education has the potential to expose the girl child to preventative and safe reproductive health thereby increasing their chances to make choices and reach their fullest educational potential.

Notwithstanding the progress made by the Government to reduce discrimination against girls in accessing education, deep seated challenges still remain. It is noted for instance that the Radical Inclusion Policy and Comprehensive Safety policy are too vague and need to be disseminated for more effectiveness. It is observed that the ECOWAS judgment has been passed but there are gaps in the implementation of post court ruling recommendations.

Leisure

The Coalition recognizes the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child as indicated in article 31 (1) of the CRC. However, the coalition raises concerns about the lack of adequate leisure among children and young people in Sierra Leone which may increase the risk of children engaging in social problems such as drug misuse, addictive habits, criminal behavior, and psychosocial problems. It is envisaged that this may influence the physical, mental well-being and academic achievements of children.

Engagement in leisure can promote physical and psychological wellbeing for persons of all ages (International Journal of Scientific Research, 2012).

The Coalition is mindful that children in Sierra Leone deserve to have more access to affordable and adequate leisure activities to promote their health and developmental needs. As the saying goes, "All work and no play make jack a dull boy", this suggest that leisure among children is paramount.

Recommendations

- Review the Education Act of 2004 and upgrade it to meet the aspirations of the FQSE program.
- Scale up interventions that ensure that all children and young persons are in school or benefiting from skills training institutions and are receiving quality education;
- Introduce special teaching guide and training for rural schools so that they can match up with the standards of students in urban areas
- Free education to adopt child friendly strategies to promote equal opportunities for boy and girls in education. This does not preclude measures that can provide additional support to girls considering their special vulnerabilities and needs;
- Recruit and deploy more trained and qualified teachers and provide further training for them. This includes government taking affirmative steps to remove untrained and unqualified teachers who are not trainable, from the schools and replace them with trained and qualified ones;
- Continue to expand early childhood development, care and pre-primary education programs across the country, with guided by a comprehensive policy and supported by adequate budget allocation;
- Promote right to play including professional sporting disciplines and recreation in school by establishing recreational facilities for children in schools and communities in order to develop their healthy development, unity and social integration among children and young people;
- Improve and expand school feeding programs to enhance retention of children in school and ensure that more children benefit, particularly owing to the fact that COVID 19 has made more homes/families hungrier;
- Promote retention of pregnant girls in schools by fully complying with the recommendations of the ECOWAS ruling of December 2019;
- Provide medical services, welfare and other needs that support pregnant girls in school and put measures in place to ensure that they are not bullied or discriminated against;
- Promote and disseminate the Comprehensive Sexuality Education in schools;
- Support strengthening and functionality of school structures such as school management committees, Community Teachers Associations,

- School Boards, Guidance and Counselling focal persons, and Heads of Departments;
- Strengthen all policies to bolster basic education, including education for girls, adult literacy and education for persons with disabilities;
- Encourage cultural activities to promote identity among children.

Special Protection Measures

The Coalition recognizes the role of Government and partners in instituting special protection measures to keep children safe from harm. Key areas of concern are discussed below:

a. Juvenile Justice

Generally, the administration of juvenile justice in Sierra Leone remains far below minimum standards set by the UNCRC and other international and regional instruments such as the African Charter on the Rights and Welfare of the Child. Juvenile Justice is still governed by the Children and Young Persons Act, CAP 44 of the Laws of Sierra Leone (1960 Volume 1). This law is outmoded and lacks modern child justice standards such as diversion that can prevent pretrial detention of children in conflict with the law. The Child Justice Strategy (2014 to 2018) was not implemented, and the government lacks data to show the current trend of juvenile justice.

In the absence of government's data, Defence for Children International's (DCI) data reveals that the major areas of improvement in juvenile justice is the reduction of rate of detention and prosecution of children in conflict with the law by the police, notwithstanding the many arrests that were done by the police over the years. DCI's recent data covering Freetown and other major cities like Bo, Kenema and Makeni reveal that 780 and 650 children in conflict with the law were monitored at the police in 2019 and 2020 respectively, and over half of the cases were either diverted or released without any pretrial detention. The average monthly detention of a child at any police station is one (1), which is far less than five or more years ago. Hence if diversion and alternatives to detention are legislated, there is evidence that more cases of children in conflict with the law will be diverted or given non-detention treatment in the future.

The institutions that must be closely watched and supported are the Remand Homes in Freetown and Bo. The rate of pretrial detention at Remand Homes in Freetown and Bo remains almost the same as in previous years probably

because both institutions are serving more than one districts. The conditions of the two Remand Homes are horrible, with very poor sanitation and hygiene services and inmates have no access to social services. Inmates often fall sick in these homes and receive either limited or no medical attention. Security is weak and quite recently (June 2021), one of the inmates was reported dead and a postmortem suggested that his neck was broken and showed other evidence of violent attack. Initial investigation by the Criminal Investigation Department of the Police reveal that the deceased was beaten to death by the other inmates due to rivalry gang fight, that a member of the Red Blood gang group was bullied and over powered by the Bone gang group who were in larger numbers at the Remand Home. Report reaching coalition members indicate that the Criminal Investigation Department are planning to charge all the inmates of Remand Home with murder, which will further complicate their cases. There are also many children in prolonged pretrial detention.

Another disturbing recent development is that, with the amended Sexual Offences Act (2019), which has lowered the age of criminal responsibility (from 14 years in Child Rights Act), courts are now sentencing children as young as 11 and 12 years to imprisonment for 5 years and above for sexual crimes against girls. If this part of the Sexual Offences Act is not amended, many younger children will be incarcerated in the coming years.

Recommendations

- Develop and implement new Child Justice Strategy that sets a roadmap for child justice reforms;
- Since the government is now reviewing the Child Rights Act 2007, ensure
 that the revised Act contains comprehensive provisions for juvenile justice
 or a comprehensive new juvenile justice law that fully conforms with the
 UNCRC General Comment No. 24, recommendations of the UN Global
 Study on Children Deprived of their Liberty, the African Guidelines on
 Actions for Child Friendly Justice and other relevant international and
 regional instruments adopted;
- Legislate good practices of diversion and alternatives to detention by including them in the Child Rights Act and Criminal Procedure Act, that are currently under review;
- Prepare for the ratification of the Optional Protocol on a Communications Procedure (OPIC), also known as the Third Optional Protocol to the UNCRC;
- Introduce community-based prevention and rehabilitation programs for children and carryout crimes awareness raising in schools and communities;

- Upgrade the Remand Homes and Approved School in Bo and Freetown, ensuring that these institutions have standard services particularly for education, health care and recreation;
- Harmonize and standardize the minimum age of criminal responsibility to at least 14 years of age¹⁰ and ensure that it applies to all offences that concern children. No separate and lower age of criminal responsibility should be set aside for sexual crimes.

b. Child Labor

The Coalition acknowledges efforts by the Government of Sierra Leone such as the FQSE Program in addressing child labor which has devastating effects on the developmental needs of children. Even though the Government has ratified various International Labor Organization Conventions and criminalized child labor as spelt out in the Child Rights Act 2007, the country remains among the Sub Saharan African countries with one of the highest rates of child labor.¹¹

As a country, Sierra Leone signed the Partnership Protocol Agreement between the Government, the International Labor Organization (ILO) and the European Commission (EC) in October 2008. Following the ratification of ILO Convention no.138 in 2011, a Minimum Age for Work Declaration was stipulated: 15 years for non-hazardous work, and 18 years for hazardous work (ILO, 2020). That notwithstanding, evidence suggest that over 45% of children aged 5 -17 are engaged in child labor, with over 20% involved in dangerous work including in the mining sector, commercial sexual exploitation, quarrying stone and fishing. The worst forms of child labor (indecent work and child exploitation) are particularly common in major towns and cities such as Freetown and Kenema (GOAL, 2020).

In 2019, the Government launched the FQSE program, and this has increased school enrolment rate among boys and girls across the country. However, many children are still out of school and used by their parents or care givers for different purposes of economic exploitation.

In the cities including Freetown, Bo, Kenema, Makeni and Koidu, large numbers of children are often engaged in street hawking during and after school hours. Significantly more children are found engaging in casual work and begging on the streets of Freetown than in all other towns combined. The National Head Count survey suggest that an alarming 4,847 children were found working

¹⁰ General comment No. 24 (2019) on children's rights in the child justice system.

¹¹ Press release of Defence for Children International, 11th October 2020.

casually in Freetown compared with a collective total of 2,772 young casual workers counted in other towns.¹²

In the rural areas, children are engaged in hazardous work including fishing at the high seas, mining and quarrying stones for their parents and caregivers.

Data available from the Multiple Indicator Cluster Survey (MICS, 2017) suggest that Koinadugu (65%), Pujehun (46%) and Kambia (41%) districts have the highest rate of child labour, and this is reducing the chances of thousands of children reaching their fullest potentials.

Figure 1: Data on children involved in exploitative labour is clearly shown below:

Category	Male	Female	Total
All children aged 5-17 years engaged in various forms of work	25.1	27.0	26.1
Children 5-11 years engaged in 1 hour of economic work or 28 hours of domestic work per week	24.1	25.5	24.8
Children aged 12-14 years engaged in 14 hours of economic work or 28 hours of domestic work	15.0	17.8	16.4
Children aged 15-17 years engaged in 43 hours of economic or domestic work or even hazardous work	40.7	41.7	41.2

Source: Multiple Indicator Cluster Survey (MICS, 2017)

Data from the MICs 2017 above suggest that with children aged (5–11), more girls are engaged in domestic and economic work than boys. The girl child rates highest in hazardous work as indicated and this exposes the girl child to further abuse, exploitation, and discrimination. This uneven balance between boys and girls would indicate that the girl child is more disadvantaged when it comes to allocation of domestic chores and spend more hours doing hazardous work.

Coalition members are also concerned that the government does not have enough inspectors to monitor and adequately enforce labor laws. This concern is also emphasized in the International Child Labor and Forced Labor Reports (2019).

¹² National Head Count of Street Children, 2012

Recommendations:

- Commitment to the implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor (2013-2016); 2021 to 2024
- Implementation of International Labor Organization Domestic Workers Convention and the Ministry of Labor and Social Security to implement local labor laws in the best interest of the child;
- Review the Child Rights Act 2007 to include more punitive provisions that address child labor (15 years minimum age to be considered);
- Implement the Education Act 2004 that makes Primary/Basic education compulsory and levy fines on parents that do not enroll their children at school going age;
- Government must make adoption of child safeguarding policy a compulsory requirement for the registration of all private and public companies and the promotion and protection of child rights must be included in their Corporate Social Responsibilities;
- Prohibit street trading according to the Local Council Act 2004 and other forms of hazardous work for children to help them reach their full potential. Additionally, discourage the practice of children begging with their aged or disabled parents or care givers during school hours;
- Allocate sufficient human, technical and financial resources to labor inspection, implementation of the laws and policies on child labor, including on occupational health and safety.

c. Child Trafficking

The Coalition acknowledges the efforts of the Government and its partners in taking significant steps to address human trafficking in general and child trafficking in particular. The country adopted its Trafficking in Persons Act in 2005, which is now under review and has also set up the Trafficking in Persons Taskforce that is actively coordinating policy reforms and programs that address trafficking.

In 2017, Defence for Children International, facilitated signing of the Standard Operating Procedures between Sierra Leone and Guinea on the one hand, and between Sierra Leone and Liberia on the other hand to enhance practical actions for cross border collaboration in ending cross border child trafficking between Mano River Union Countries.

In 2019, Defence for Children International, International Organization for Migration (IOM) and World Hope International conducted trainings for border security officials that are now paying dividend.

In February 2020, the Government convicted its first traffickers in 15 years. This has contributed to moving Sierra Leone from Tier 2 watch list to Tier 2 list as indicated in the 2019 report of the State Department of the United States of America. The 2020 Trafficking in Persons Report: Sierra Leone suggests that the country does not fully meet the minimum standards even though on tier 2.

In September 2020, the Government through the Taskforce adopted a National Plan of Action on Human Trafficking. This would further compliment other legislation and policies established to manage child trafficking.

However, the coalition is gravely concerned that previous recommendations (CRC/C/SLE/CO/3-5 (2016)) have not been implemented by the government, visar-vis data collection on trafficking of children and identify and address its root causes, revise the Anti-Human Trafficking Act of 2005, provide adequate human, technical and financial support to the Police's Anti-Human Trafficking Unit, concerned with trafficking cases, ensure effective investigation of cases of sale, trafficking and abduction of children and the prosecution and sanctioning of the perpetrators.

The rate of internal child trafficking remains high in Sierra Leone due to widespread cultural practices of families giving away children to family relations, friends and even strangers to look after. With increasing rate of child labor and commercial sexual exploitation of children in the country, child trafficking continues to be among the highest forms of child abuse and exploitation, and this has exposed children to risk of harm. Many children are often recruited from rural areas in Sierra Leone and taken to Guinea for domestic servitude or sometimes to Liberia for sale and three Sierra Leoneans are currently serving imprisonment in Liberia for attempting child sale in Liberia.

As indicated by the Trafficking in Persons Taskforce, the Coalition is equally concerned that the country has many porous borders that allow easy transportation of children out of the country to places that are unsafe and this affects their health and developmental needs.

Recommendations:

 Revise the Anti-Human Trafficking Act 2005 and provide adequate human, technical and financial support to the Trafficking in Persons Secretariat

- Collate and analyze data on trafficking of children and identify and address its root causes;
- Mainstream training on child trafficking into regular trainings of personnel
 of all security sectors and ensure that any security and immigration
 personnel that is deployed at the borders must have received training on
 human/child trafficking. This would prepare security personnel to
 effectively prevent and respond to trafficking;
- Conduct awareness raising on child trafficking at rural communities and border areas and set up community-based surveillance mechanisms at porous border areas;
- Expedite adoption of the revised Trafficking in Persons Bill to make it more child centered;
- Take effective measures to provide adequate legal and other assistance for domestic and international trafficking victims, and intensify efforts to identify and prosecute more trafficking cases;
- Collaborate with District Councils and Council of Paramount Chiefs to develop local policies on child welfare and regulate transfer of children from one family/person to the other;
- Establish legal fostering procedures at national, district and chiefdom levels and ensure that anyone opting to foster a child must go through the procedures;
- Establish safe homes and trust fund for victims of trafficking;
- Develop more Standard Operating Procedures (SOPs) for border crossing points;
- Strengthen collaboration with neighboring countries to curb trafficking by implementing ECOWAS Strategic Framework on Child Protection.

d. Street Children

Since the last Concluding Observations (2016), the government has not conducted any survey or put a data collection mechanism in place on street children, though this was among the recommendations. The last survey was done in 2011, and with increasing urbanization and creation of squatter settlements around the cities, the number of children in street situation would have significantly increased.

National Head Count of Street Children in Sierra Leone took place in 2011 and identified nearly 50,000 vulnerable children living and working on the streets of Sierra Leone. The Coalition raises concerns about the huge number of street children wandering the street and this is in violation of the rights of the child. The UK charity Street Child of Sierra Leone, in collaboration with the national NGO Help A Needy Child (HANCi-SL), consulted with the Ministry of Social Welfare, Gender and Children's Affairs (at the time) to commission this exercise. ¹³

According to the National Head Count report (2011), nearly half of the total number of street children counted (24,615 children) live and work on the streets of the capital Freetown, making up 49.53% of all children counted, compared to a combined total of 25,083 (50.47%) in all other towns.

In view of the above, Coalition members are worried about the safety of the thousands of vulnerable street children in Sierra Leone as no successful Government or partner interventions have been instituted to get these children off the streets especially when considering the abuse, neglect, and psychological trauma they face on daily basis. The Government is yet to develop a strategy and take all necessary measures to ensure that children in street situations are provided with adequate food, clothing, housing, health care and educational opportunities as recommended by the Committee in their previous concluding observation

However, it is noted that the Ministry of Gender and Children's Affairs has drafted a National Street Children Policy (2021) and if adopted and implemented, the situation is more likely to improve for children in street situation.

Recommendations

- Adopt and implement the Street Children's Policy (2021), by ensuring that sufficient budgetary allocation is done to the Ministry of Gender and Children's Affairs to lead implementation of the policy;
- Ensure that other Government Ministries, Departments and Agencies play their roles in addressing the problems of children living in the street particularly in relation to access to education, health care and protection.

e. Sexual Violence

Sierra Leone records high rate of sexual violence. Since the last reporting period in 2016, the government has made great strides in minimizing the growing rate of sexual violence particularly against minors. In September 2019, the Government

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¹³ National Head Count of Street Children, 2012

amended the Sexual Offences Act of 2012 and increased penalties including the life imprisonment for perpetrators. This development is believed to have empowered victims to bring forward more reports. Furthermore, with the introduction of the Free Toll line for reporting of child abuse, evidence suggests that from April 2020 to October 2020, 39,000 calls were recorded on the 116 SGBV helpline. This can depict: an increase in reported cases or an increase in the use of the helpline. It is reported that, 329 of these calls were related sexual offences of which 212 were related to sexual penetration. 17 of the calls reported rape and 97 related to domestic abuse (Ministry of Gender and Children Affairs Report, 2020).

According to the Human Rights Commission (HRCSL) 2019 annual report, out of 12,314 criminal cases, 3,252 were sexual penetration of minors, representing 26.4% of the total criminal activity reported in 2019. That means that one out of each four criminal cases in Sierra Leone in 2019 was sexual penetration of a minor. In 2020, there were many more reported cases of sexual violence particularly against minors, but a downward trend has been observed in 2021.

During the period under review, the President of Sierra Leone imposed a State of emergency against sexual violence and introduced several measures that can suppress the menace. The Sexual Offences Act was amended, a Special Unit within the Family Support Unit of the Sierra Leone Police was established. charged with the responsibility of investigating all reports of sexual violence. A model court was instituted in the capital Freetown for adjudication of cases of sexual violence. It is expected that the establishment of a model court would facilitate speedy trial of SGBV cases especially those involving children as victims. With this development in Freetown, more prosecutions and convictions of sexual crimes have been recorded in recent times. However, the situation was different in the provinces. Defence for Children International (DCI) in Bo District reported that 59 cases of sexual violence against children were recorded between June and September 2020¹⁴. Unfortunately, convictions of the cases have not been affected. Defence for Children International (DCI) reports (2020) suggest that outside the capital of Freetown, most of the sexual offence cases were still held up within the justice system either at the Family Support Unit (FSU), the State Counsel's Office, in transition between Magistrate Court and High Court awaiting indictment or are at the High Court. With the introduction of additional High Court Judges and State Counsels and other measures including training and coordination among justice stakeholders in the provinces (thereby reducing workloads of those that have been there), DCI has observed gradual improvements in 2021. For example, from January to May 2021, the High Court

¹⁴ Defence for Children International Reports (2020)

in Bo has convicted 41 sexual offenders and more convictism are expected in the near future. There are also reports of increasing rate of conviction of sexual offenders in other provincial towns like Kailahun, Pujehun, Makeni, Portloko, Kabala and Kambia.

Another progressive step by the government in addressing SGBV is instituting One-Stop-Shop Centres in 7 districts. These centers provide opportunities for survivors of sexual violence to access legal, medical, psychological, and other support services from a centralized location. One—Stop-Shop centres have reduced financial burden on thousands of victims as they do not have to move from one center to the other. However, these centers need to be capacitated to make provision for more victims of SGBV emerging.

Moreover, the First Lady's Office launched the "Hands off Our Girls" campaign which has raised nationwide awareness and high-level advocacy on ending SGBV. A Presidential Task force was created in 2018 to oversee SGBV cases from the office of the President.

Despite the above, there are still significant issues that need to be addressed across the country and Child Rights Coalition is concerned the rate of adjudication of sexual crimes is far less than the growing reports of sexual violence against minors¹⁵. For instance, the lack of a forensic lab in the country compromises and weakens evidence of SGBV cases at the detriment of victims/survivors especially girls.

The Coalition is of the opinion that section 42 of the Sexual Offences Act 2019 must be invoked to facilitate speedy trial of cases.

Further evidence confirms that 6 out of 10 cases of sexual violence and abuse against girls in schools is perpetrated by teachers while boys project sexual abuse towards adolescent girls through abusive language, inappropriate touching and sexual harassment (Defence for Children International and Women Against Violence and Exploitation in Society (WAVES) "Protekt Wi Gal Pikin Dem" Baseline Survey Report, 2020).

Evidence indicates that most schools, especially in the rural areas lack appropriate mechanisms and referral pathways for cases of sexual violence and abuse of adolescent girls while girls themselves have limited understanding of their rights to be free from abuse and channels of redress (Equality Now, Defence for Children International and Women Against Violence and Exploitation

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¹⁵ Family Support Unit Reports (2020)

in Society (WAVES) "Protekt Wi Gal Pikin Dem" Baseline Survey Report, 2020).

Recommendations

- Escalate efforts to ensure that perpetrators of sexual violence are brought to justice;
- Establish a forensic lab, strengthen the capacity of the Family Support Unit (FSU) with more logistics and training of personnel;
- Replicate the sexual violence Model Court at district level to facilitate speedy trial of cases;
- Introduce measures that will strengthen working relationship between Investigation Officers at the Family Support Unit of the Police and Police Prosecutors at the Magistrate Court with consistent supervision and guidance from State Counsels;
- Build the capacity of court registrars to be able to speedily work on indictment of cases transitioning from the Magistrate court to the High Court;
- Strengthen victim's protection and support programs.