FAMILY SUPPORT UNIT

Guidelines on SGBV Case Management

A Reference Handbook for the FSU
ACKNOWLEDGEMENTS

These Guidelines were developed with support from UNDP ‘Access to Justice Programme’ and in consultation with national and international stakeholders including: the Office of the Director of Public Prosecution (DPP), the Legal and Justice Support Department of the Sierra Leone Police (SLP), the Justice Sector Development Programme (JSDP), UNICEF, UNFPA, the International Rescue Committee (IRC). Particular gratitude goes to the Senior State Counsel and Customary Law Officer, Mr. Monfred Sesay.

For further information contact UNDP’s Access to Justice Programme.
FOREWORD

These Guidelines were developed to enhance the capacity of the Family Support Unit (FSU) of the Sierra Leone Police (SLP) to investigate and prosecute Sexual and Gender Based Violence (SGBV) related offences.

The establishment of the first FSU dates back to 2001, when a specialized unit was created within the SLP to provide a response to the outbreak of violence against women and children during and in the aftermath of the civil war. Since then the FSU has gone a long way, also through the collaborative efforts of a number of donors, Non-Governmental Organisations (NGOs) and stakeholders. It is widely acknowledged that the FSU has performed a crucial role in raising awareness and sensitizing communities on SGBV, with the broader outcome of ending the widespread culture of impunity surrounding SGBV offences.

Notwithstanding these significant achievements, a critical gap remains in the area of criminal prosecution of SGBV related offences. The ratio of SGBV cases reported and those sentenced remains very low. Against this background, the FSU Directorate and the UNDP Access to Justice Programme, in collaboration with the SLP Legal and Justice Support Department and the Office of the Director of Public Prosecution (DPP), agreed to develop ‘Guidelines on SGBV Case Management’.

Building on the FSU Training Manual (2008), the Guidelines provide a user friendly tool to guide FSU staff on how to bring SGBV cases to trial, ensure effective prosecution and support the victim throughout the process in order to build the confidence of victims and witnesses in the justice system.

These Guidelines were reviewed and validated by key stakeholders including the FSU Director, FSU Line Managers, Social Workers from the Ministry of Social Welfare Gender and Children Affairs, Senior State Counsels, NGOs providing services to victims and members of the UNDP Access to Justice Programme team.

I am confident that these Guidelines will greatly assist the FSU in its efforts to minimize the incidence of SGBV in Sierra Leone

Director of FSU Supt.

Aiesha Bangura
Almost every day, Sierra Leone’s daily newspapers carry another gruesome story of SGBV, often involving young girls, minors, and even babies.

Most of the cases go unpunished by law. This is often because the cases are not managed in a manner that allows for successful prosecution. Case preparation involves a number of stages—report by the victim to an FSU officer; taking of statements; investigation; evidence gathering; preferring accurate charges—which do not always proceed as they should. Where cases are inadequately prepared for trial, the alleged perpetrator cannot be convicted.

SGBV cases are criminal cases, which require a higher standard of proof: beyond reasonable doubt. If, because of the way the case has been managed, the prosecution cannot demonstrate the guilt of the accused beyond reasonable doubt, the case is thrown out of court. Persons who should have been convicted are acquitted.

In the view of the lay public, this amounts to “legalised impunity”. It undermines confidence in the criminal justice system, creating the dangerous perception that justice is not accessible to all. In a post-conflict society like Sierra Leone, the system cannot afford this perception to persist for long lest people resort to self help, with violence ensuing. The TRC report of 2004 reminds us that peace is elusive where a majority of the population perceive the justice system to be inaccessible.

In support of the peace consolidation project, key national stakeholders such as JSDP, World Bank, IRC, and our sister UN agencies are supporting several interventions in the justice sector. The UNDP Improving Access to Justice project compliments their good work. Our interventions are informed by the national priorities and vision contained in the Justice Sector Reform Strategy and Investment Plan, our own global strategy, and the UN Joint Vision.

All these strategies share the same concern: the urgent need to prevent and prosecute SGBV as a human rights and human development imperative. The establishment of the FSU was an important strategic response to this problem.
These Guidelines seek to enable FSUs to contribute to ending impunity for SGBV. They complement the FSU Training Manual produced by the Government of Sierra Leone with support from JSDP, UNFPA, IRC, UNIPSIL, DCI and Action Aid.

The Guidelines do not assume the reader has any specialised knowledge of the law or criminal procedure, and explain both in simple language. The Guidelines simplify the laws pertaining to SGBV and explain the process that must be followed to bring about a successful prosecution. They provide concise detail on how to conduct each procedure in that process, including how FSU personnel can show sensitivity to traumatised victims. A desk review of extant literature and consultations revealed the need for these Guidelines, which have been supported by FSU senior management and validated by the end users: FSU staff.

It would be naïve to assume that these Guidelines can, on their own, reduce incidence of SGBV. SGBV is a complex, multi-faceted social malady. UNDP is helping to address it through a number of complimentary interventions, including: supporting women’s organisations to provide victims with legal assistance, transportation, medical services, and shelter; supporting SGBV-focused CSOs to foster grass-roots action to respond to and prevent SGBV at the community level; promoting awareness of SGBV and gender laws among legal and judicial personnel; awarding prizes to media practitioners who publicise SGBV cases as a form of deterrence.

The Guidelines can make a powerful contribution to each of these efforts by helping to ensure that more cases are successfully prosecuted. By so doing, they will ultimately support a decline in the appalling incidence of SGBV in the coming months and years.

I am confident that these Guidelines will live up to this challenge.

Nana K. A. Busia, Jr.

Senior Rule of Law Advisor & Head of UNDP Improving Access to Justice project.
# CONTENTS

1. **FSU: Mandate and Ethics**
   - 1.1 Background to the FSU
   - 1.2 Mandate and Scope of the FSU
   - 1.3 Code of Conduct of the FSU
   - 1.4 Inappropriate Responses to SGBV

2. **Understanding SGBV**
   - 2.1 SGBV: key concepts
   - 2.2 Forms of SGBV
   - 2.3 Effects & Consequences of SGBV

3. **Caring for Victims of SGBV**
   - 3.1 The Rights of the Victims
   - 3.2 Service Provision to Victims of SGBV
   - 3.3 Referring Victims for Medical Attention
   - 3.4 Measures to Ensure the Safety of the Victim
   - 3.5 Showing a Supportive Attitude to Victims
   - 3.6 Special Needs of Child Victims and Witnesses

4. **Knowing the Laws on SGBV**
   - 4.1 Laws on SGBV related offences
   - 4.2 The Prevention of Cruelty to Children Act of 1960
   - 4.3 The Offences against the Persons Act 1861
   - 4.4 The Domestic Violence Act of 2007
   - 4.5 The anti-Human Trafficking Act of 2005

5. **Conducting Effective Investigations**
   - 5.1 Definition and Stages of Investigations
   - 5.2 Receiving a Complaint of SGBV
   - 5.3 Planning Investigations
   - 5.4 Taking the Victim’s Statement
   - 5.5 Obtaining Medical Evidence
   - 5.6 Taking Statements (Interview Techniques)
   - 5.7 Gathering Physical Evidence
   - 5.8 Arrest and Bail

6. **Bringing Cases to Court**
   - 6.1 Overview of the Criminal Prosecution Process
   - 6.2 Charging the Case to Court
   - 6.3 Drafting the Charge Sheet
   - 6.4 Referral to a Law Officer
   - 6.5 Handing Over the Case to Prosecutors
   - 6.6 Alternatives to Prosecution in Domestic Violence Cases
   - 6.7 Role of the FSU in relation to Court Proceedings
THE FAMILY SUPPORT UNIT (FSU)
MANDATE AND ETHICS
1. Background to the FSU

The establishment of the Family Support Unit within the Sierra Leone Police (SLP) was a response to the dramatic increase in offences against women and children during and after the war in Sierra Leone. Today the FSUs work towards creating an environment in which children’s and women’s rights are recognized, respected and protected.

**DATES ON THE ESTABLISHMENT OF THE FSU**

- **1999** - The first Domestic Violence Unit (DVU) was established at Kissy Police Station with the mandate to deal with domestic violence offences.
- **2001** - The DVU was transformed into the Family Support Unit. The first FSU was established as part of the Criminal and Investigations Department (CID), with a mandate to deal with sexual offences and child abuse, in addition to domestic violence.
- **2004** - The Minister of Social Welfare Gender and Children Affairs (MSWGCA) joined the FSU, providing social workers/probation officers in order to conduct joint investigations and to provide services to victims (and to juvenile offenders).
- **2007** - The FSU was separated from the CID to become an independent Unit of the SLP. The enactment of the Gender Acts (Domestic Violence Act of 2007, Devolution of Estates Act of 2007 and Registration of Customary Marriages and Divorces Act of 2009) and of the Child Rights Act of 2007 has further broadened the mandate of the FSU.
- **At present** a total of 43 FSU stations are established throughout Sierra Leone. The FSU are primarily responsible for investigating SGBV related offences, along with crimes affecting children (or committed by children). Most FSU personnel have received specialized training in investigating SGBV related offences and in service provision to victims.

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1 Main source for this Chapter is The *FSU Training Manual*, 2008, pg. 8-16.
At the station/unit level, each FSU is supervised by a Line Manager and comprises:

- **Police officers**, expected to focus on criminal aspects of investigations.
- **Social workers/probation officers** from the MSWGCA, expected to focus on protection issues.
2. Mandate and Scope of the FSU

The FSU was established with the mandate of eradicating or minimizing incidence of sexual, domestic violence, and child abuse in Sierra Leone. Following the enactment of the Anti-Human Trafficking Act (2005), the three Gender Acts (2007 and 2009) and the Child Rights Act (2007), the FSU is expected to take the lead in the investigation and prosecution of the following OFFENCES:

- Sexual Assault: Rape, Unlawful Carnal Knowledge, Abuse of Young Girls, Indecent Assault, etc.
- Domestic violence.
- Absconded/Missing Persons.
- Other Family/Domestic related matters.
- Child abuse (neglect, cruelty to children, etc.).
- Child Trafficking.
- Offences committed by juvenile offenders.
- Any related matter on the specific instructions of the Inspector General of Police or the AIG Crime Services.

Being a component of the Sierra Leone Police, the FSU shares the same GENERAL POLICING RESPONSIBILITIES in relation to the offences under its mandate, such as:

- Protection of Life and Property.
- Prevention and Detection of Crime.
- Enforcement of Laws.
- Apprehension of Offenders.

The FSU is also responsible for carrying out AWARENESS RAISING AND SENSITIZATION ACTIVITIES in order to sensitize local communities on the legal, medical and psychosocial consequences of physical/sexual abuse of women and children and of its negative impact on the whole society.
**RESPONSIBILITIES OF THE FSU IN RESPONSE TO SGBV CASES:**

- Receiving and recording reports.
- Investigating cases.
- Visiting crime scene.
- Conducting searches.
- Interviewing witnesses and relevant others.
- Prosecuting offenders (charging cases to Court).
- Checking criminal records.
- Providing psychosocial services to victims.
- Referring the victims to service providers.
- Conducting identification parade of the offender.
- Arrest and bail.
- Monitoring court proceedings.
- Following-up with victims.
3. Code of Conduct of the FSU

FSU officers, including both police officers and social workers/probation officers, are bound by the Code of Conduct of the SLP which requires:

- Treating victims with compassion and patience.
- Being impartial.
- Not demanding/accepting money, bribes, or any other advantage.
- Not blaming the victims.
- Investigating thoroughly.
- Being polite.
- Revealing information only as permissible by law.
- Not compromising cases/offences.
- Being professional.
- Being supportive.
- Conducting private interviews.

**DUTY OF CONFIDENTIALITY IN SGBV CASES**

- Investigators should *never disclose information* about the victim/witnesses to outsiders such as friends, family members, neighbors, etc.
- Information about the victim can be provided to care providers (NGOs, health or psychosocial care providers) only with the *informed consent of the victim* (or the victim’s parent/legal guardian in case of minors).
- All interviews with victims/witnesses should be conducted in a *private room*, in the presence of investigators and other person(s) whose presence is allowed/requested by the victim/witness.
- Investigators should *keep all records on SGBV cases confidential*. All files/documents should be kept in a secure area, ideally a locked cabinet. Files should never be left unattended at the station and/or in Court.
- Investigators should remove all personal information (such as name or contact address) on the victim from those documents that will be made public.
4. Inappropriate Response to SGBV: Compromising Cases

SGBV related offences are serious offences which, according to the laws and policies of the Government of Sierra Leone, must be prosecuted under the criminal justice system. These cases should not be compromised or dealt with by the Police/FSU outside of the established legal framework.

A case is “compromised” when a police officer, a prosecutor, a Magistrate/Judge or any other legal officer:

- Receives money from a party (suspect, victim, witnesses) to drop the case.
- Arranges for the suspect’s family to pay the victim instead of going to Court.

As compromising cases constitutes a violation of the Code of Conduct as well as a criminal offence (conspiracy to pervert the course of justice), FSU officers should not only refrain from engaging in such activities but also actively report whoever engages in this practice.

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2 Unless compromising the case has been sanctioned by the Attorney General and Minister of Justice.
UNDERSTANDING SGBV
1. SGBV: Basic Concepts

**DEFINITIONS.** In order to better respond to SGBV and support victims, it is important to understand basic concepts about SGBV as well as the forms and dynamics of SGBV.

**SEXUAL AND GENDER BASED VIOLENCE (SGBV)**\(^3\) is an umbrella term which includes all harmful acts affecting men and women, in which **the female is usually the victim**. SGBV is determined by gender differences; that is, by the unequal power relationship between men and women.

The term **GENDER** refers to the different characteristics, roles, and expected behaviors that the society assigns to being males and females. **Gender roles** are not innate. They are learnt throughout the individual’s life and they can change in relation to time, culture and environment. A typical example of gender/gender role is the common representation of the male as a breadwinner and the female as the housekeeper; or of men as sources of security and women as providers of love and care.

The term **SEX** refers to the **physical/biological** differences between males and females (e.g. different sexual organs, hormones and body shapes). Sex differences are determined at birth and are the same in every society.

The term **VICTIM** refers to any person (including children) who reports to have been a victim of an episode of SGBV. These guidelines apply to all victims of SGBV, but are specifically dedicated to the management of victims of sexual assault. The term **SUSPECT** refers to the person suspected of having committed an SGBV related offence. The term **ACCUSED** shall be used once the case has been charged to Court.

**Men and boys can also be victims of SGBV.** However, as a result of their subordinate socio-economic status in society, women are an easier target of SGBV and they suffer heavier sexual and reproductive health consequences from such abuses.

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\(^3\) The terms Sexual and Gender Based Violence (SGBV) or Gender Based Violence (GBV) and Violence against Women (VAW) are often used interchangeably.
2. Forms of SGBV

**FORMS OF SGBV.** SGBV is a widespread phenomenon that happens all over the world. It can take place within the family or in the community (school, workplace) and can also be perpetrated by State forces (e.g. during armed conflict). SGBV can appear in many forms and it is crucial that the police and other service providers can recognize them. SGBV includes:

- **Sexual Violence**: any unwanted act of a sexual nature. It also includes child sexual abuse, which is any sexual act involving children, regardless of the consent of the child to the act.
- **Physical Violence**: the use of physical force with the intention of causing harm.
- **Emotional-Psychological Violence**: any conduct that makes another person feel constantly unhappy, humiliated, ridiculed, afraid or depressed or to feel inadequate or worthless.
- **Economic Violence**: is the use of control over finances to dominate another person.

<table>
<thead>
<tr>
<th>FORMS OF SGBV</th>
<th>SEXUAL Violence</th>
<th>PHYSICAL Violence</th>
<th>PSYCHOLOGICAL Violence</th>
<th>ECONOMIC Violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Rape</td>
<td>- Assault</td>
<td>- Verbal Abuse</td>
<td>- Deprivation of money or basic necessities</td>
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<tr>
<td>- Unlawful Carnal Knowledge</td>
<td>- Battery</td>
<td>- Humiliation</td>
<td>- Rigid Control of Finances</td>
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<tr>
<td>- Defilement</td>
<td>- Wounding</td>
<td>- Threats of Violence</td>
<td>- Stealing or taking money</td>
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<tr>
<td>- Sexual Abuse and Harassment</td>
<td>- Physical Restraint (Detention, Isolation)</td>
<td>- Intimidation</td>
<td>- Controlling money</td>
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<tr>
<td>- Sexual Exploitation</td>
<td>- Murder</td>
<td>- Controlling Behavior</td>
<td>- Controlling career options</td>
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<td>- Forced Marriage</td>
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<td>- Harmful Traditional Practices (e.g. FGC)</td>
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SGBV is a **human rights violation**. Most of the described forms of SGBV are **criminal offences** under the Laws of Sierra Leone. Once they are reported to the Police, they must be investigated and prosecuted.

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4 Domestic Violence Act (DVA) of 2007, Sec. 2 (c).
3. Effects and Consequences of SGBV

SGBV, sexual violence in particular, has devastating physical, psychological and social effects on the victim. In the long term, SGBV has far reaching consequences on the community and the country as a whole. In order to better respond to SGBV and adequately protect its victims, investigators and other service providers should be able to understand the effects and consequences of SGBV.

<table>
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<tr>
<th>PHYSICAL Effects</th>
<th>PSYCHOLOGICAL Effects</th>
<th>SOCIAL Effects</th>
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<tbody>
<tr>
<td>Bruises</td>
<td>Post traumatic stress</td>
<td>Blaming the victim</td>
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<tr>
<td>Wounds</td>
<td>Anxiety, Fear</td>
<td>Social stigma</td>
</tr>
<tr>
<td>Damage to sexual organs</td>
<td>Anger</td>
<td>Isolation in the community</td>
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<tr>
<td>Infections, including HIV/AIDS</td>
<td>Depression</td>
<td>Sexual problems</td>
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<tr>
<td>Miscarriage</td>
<td>Shame, Self-blame</td>
<td>Loss of role in the society:</td>
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<tr>
<td>Unwanted pregnancy</td>
<td>Low Self-esteem</td>
<td>exclusion from education,</td>
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<tr>
<td>Unsafe abortion</td>
<td>Mental disorders</td>
<td>reduction of work potential,</td>
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<tr>
<td>Disability</td>
<td>Suicidal thoughts</td>
<td>reduction of parental skills</td>
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<tr>
<td>Death</td>
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**Physical Effects.** As shown in the table above, victims of SGBV may report a wide range of physical injuries as a result of the assault (e.g. wounds, damage to sexual organs). In extreme cases, SGBV leads to death, either as a consequence of the attack itself (i.e. from bleeding, unsafe abortion) or from acts of retaliation against the victim, or from suicide. In addition, victims of sexual violence are highly exposed to sexually transmitted infections (STIs) including HIV-AIDS, as well as to reproductive health consequences (unwanted pregnancies, unsafe abortions, etc).

**Psychosocial Effects.** Most significantly, SGBV has overwhelming effects on the mind and the soul of the victim. Psychological effects can vary from person to person, but statistics show that SGBV causes most victims to go through trauma and distress, and experience feelings such as fear, anger, shame, self-blame, which in the long term lead to depression, low-self esteem and suicidal thoughts.
SOCIAL EFFECTS. In most cases the experience of SGBV will change the victim’s life also due to the social consequences of being violated. Too often victims will not be supported with solidarity by their own community but become targets of stigma, blame and isolation. Stigma and rejection are very often an obstacle to the victim’s recovery. Because of stigma, victims will often not report the abuse and continue to suffer in silence.

NEGATIVE IMPACT OF SGBV ON THE COMMUNITY. In addition to the consequences suffered individually by the victim and the victim’s family, SGBV imposes also large economic and social costs on the community and the country as a whole, deriving from the:

- Diminished capacity of victims to contribute to development of the country through education, work, care of children, participation in social life.
- Strain on the health facilities of the country.
- Strain on the law enforcement and justice system.
- Diminished sense of security in the community.
- Perpetuation of poverty and underdevelopment.
CARING FOR VICTIMS OF SGBV
1. The Rights of the Victims

Most SGBV acts correspond to criminal offences which are prosecuted under the laws of Sierra Leone. As all victims of crime, SGBV victims have the right to seek legal redress for what they have suffered and to be supported and assisted while they navigate through the justice system. Investigators and all actors in the justice system shall make every effort to respect the Victim’s Rights including:

- To be treated with compassion and respect for their dignity.
- To be informed about their rights in seeking redress.
- To be informed about their role in judicial proceedings, on timing and progress of the proceedings and of the disposition of their case.
- To express their views and concerns whenever their interests are at stake.
- To be properly assisted and supported through judicial proceedings.
- To privacy.
- To physical safety. Measures must be taken to minimize inconveniences to victims, protect their privacy and ensure their safety/the safety of their families from intimidation and retaliation.
- To the speedy investigation and prosecution of their case. All measures must be taken to avoid unnecessary delays in investigation and prosecution, or in the execution of decisions and orders.
- To restitution and compensation for the damage/harm suffered.
- To material, medical, psychosocial and social assistance through government or NGOs. Victims should be informed on the availability of such services.
- To be received by personnel properly trained and sensitized to the needs of the victims.
- Most vulnerable victims (children, differently able, etc) have the right to special assistance based on their needs.

It should be a common understanding of investigators and service providers that services to victims are provided based on their rights and not out of courtesy or good-will. Victims of SGBV should not be charged money at any stage of the investigation.

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5 UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
2. Service Provision to Victims of SGBV

Victims of SGBV have the right to seek legal redress and to be supported and assisted after the abuse. The wide range of effects caused by SGBV require a holistic and coordinated response from different actors to make sure that the following services are provided to victims: medical treatment and care, physical safety, psychosocial support and legal and justice services.

COORDINATED RESPONSE TO SGBV

Whenever an SGBV case is reported to the FSU as the first point of contact, investigators should be aware that bringing the perpetrator to justice is only one component of the response to SGBV. At the same time, all efforts must be made, also through appropriate referrals (see referral pathway on the next page), to ensure that all the needs of the victims are catered for — including medical attention, safety and psychosocial support.

In order to be able to make appropriate referrals, the FSU should keep an updated CONTACT LIST of ALL REFERRAL OPTIONS available within the community. Knowing other agencies/organizations providing services to victims can bring many advantages to the victim as well as to the work of the FSU.
The FSU shall facilitate, including through the assistance of NGOs, the movement of victims to safe homes, shelter centres and/or any other centre providing services to victims.
**GUIDING PRINCIPLES FOR SERVICE PROVIDERS.** The initial response to an incident of SGBV has a fundamental impact on the future recovery of the victim. The better the quality of the response provided, the better the chances the victim has for recovery and reintegration into the community. Investigators and ALL service providers coming into contact with a victim of SGBV should be guided by the following principles.\(^6\)

| Physical Safety of the Victim | • Always make an assessment about security risks to the victim.  
|                             | • Hold all interviews in a safe place.  
|                             | • Take actions to ensure safety of the victim (i.e. make a safety plan, referral to safe home).  
| Confidentiality             | • Do not tell the story of the victim to others (family, friends, neighbours).  
|                             | • Hold all interviews in a place that guarantees privacy.  
|                             | • Keep all documents concerning the victim (i.e. files) out of sight and locked in a safe place.  
|                             | • Share the story of the victim with other service providers (i.e. for referrals) only if the victim has given informed consent. Ideally, FSU officers should create a consent form to be submitted to victims for signature before disclosing the victim’s story/details to service providers.  
| Respect the rights and dignity of the victim | • Show belief in the victim.  
|                                             | • Demonstrate a supportive attitude.  
|                                             | • Inform the victims of their rights and options for referral and respect their right to make choices.  
|                                             | • Keep the victim informed of investigations and outcomes of Court proceedings.  
|                                             | • Don’t make promises that you can’t keep.  
|                                             | • Ensure referrals and accompaniment, when possible.  
|                                             | • Treat every victim with dignity and respect irrespective of her/his sex, race, ethnic group, social status, occupation.  
|                                             | • Treat all victims equally and do not make assumptions about the history and background of the victim.  

\(^6\) Caring for Survivors- Training Manual, UNICEF, 2007, pg. 8
3. Referring Victims for Medical Attention

In most cases, the most urgent service is to refer the victim to a health clinic (hospital or Rainbo Centre) for medical attention. The immediate referral to a clinic is crucial both for the health of the victim and in order to gather medical evidence of the offence. When resources allow, the FSU, also in collaboration with NGOs and community members, should facilitate transportation of the victim to the clinic so that she/he gets attention as soon as possible.

*MEDICAL ATTENTION* provided shall include:

1. **Testing the Victim for**
   - TSIs (Transmissible Sexual Infections), including HIV-AIDS.
   - Unwanted Pregnancies.

2. **Examining the Victim**
   - Medical history of the victim.
   - ‘Top-to-toe’ examination.
   - Detailed genito-anal examination.

3. **Treating the Victim**
   - Treating Injuries (including treating STIs and Post-Exposure Prophylaxis/PEP).
   - Emergency contraception.
   - Arranging follow-up care.

4. **Record Evidence of the Injuries**
   - Description and classification of injuries.
   - Collection of forensic samples.

As explained in the module on “Investigations”, the medical practitioner will also fill a form (request for medical examinations), documenting the victim’s medical injuries, which can later be used in criminal proceedings if the case is charged to Court. The clinic should provide a copy of the medical report *free of charge* (Domestic Violence Act, Sec. 7 (3)). If necessary, the FSU shall advocate with medical practitioners for free medical attention to be provided to SGBV victims.

Ideally, both for medical and evidentiary reasons, the victim should be referred to an hospital within 72 hours from the occurrence if the offense. However, even if the offence has not been reported at the time it occurred, the victim should still be referred to a hospital, because she might have untreated infections or health consequences from the sexual assault.
In the aftermath of the violation, the victim can be still vulnerable to attacks by the perpetrator or the perpetrator’s family, especially when she/he has reported the case to the Police or to other service providers (NGOs, Rainbo Centre, etc.). In this case it is the responsibility of the Police to take all possible actions to ensure that the victim is safe.

For each case reported, the Police/FSU shall carry out an assessment of the risks to the safety of the victim and advise the victim on making a safety plan. A SAFETY PLAN include all measures that can help minimizing the risk of retaliation against the victim. In most cases these measures will involve:

- **Arresting the suspect** (and ask for stringent bail conditions if released on bail).
- Accompanying the victim to stay with a family member (i.e. in case of DV).
- Accompanying the victim to a safe home/shelter where available.
- Encouraging the victim to identify one or two trusted persons in the family/neighborhood that they can tell about the violence, asking them to call for help if necessary.
- **Working with community members** (traditional leaders, chiefdom police, neighbours, women’s groups, etc.) to make sure they check on the safety of the victim.
- **Making follow-up visits** to the victim’s house or other place of safety to check on the victim.
- Advising the victim to keep always at hand telephone numbers of relatives, friends, police, religious leaders.
- Advising the victim to have a packed bag ready with important things (papers, clothes) to be kept at home or at the house of friends/relatives, in case she needs to leave.
- Helping the victim to retrieve her/his personal belongings if need be.

Whenever a referral is made to ensure the physical safety of the victim, FSU officer shall accompany/facilitate the movement of victims to the place of safety. The place hosting the victim must be kept strictly **CONFIDENTIAL.**
5. Showing a Supportive Attitude to Victims

Many victims of sexual assault have described the kindness of police and other service providers as being beneficial to their recovery. Others have described how the comments made by the police, health workers, and other persons that were supposed to assist them after the assault have upset them for years.

Bearing this in mind, investigators, as well as health workers and other service providers, must choose their words with care when dealing with victims if they do not want to ‘re-victimize’ the victim. In particular:

- **Do not blame or judge the victim.** No one, any under any circumstances deserves to be violated.
- **Show belief** to the victim. Don’t ask questions in a way that shows disbelief to the story of the victim.
- **Do not ask the victim about her previous sexual behavior.** A violation is a violation, it is not relevant whether she/he had other sexual partners or not.
- **Keep boundaries.** Because of the abuse, victims may want to avoid all physical contact.
- **Do not ask the victim to repeat her/his story unnecessarily.** Remembering what happened can be very painful and too often victims are asked to repeat their story over and over to doctors, police, NGO, prosecutors, etc.
- **Be consistent and reliable** when dealing with the victim (i.e. observe appointments or other commitments taken with the victim).
- **Educate family members,** also with follow-up visits, on how to deal and take care of victims.

Many victims choose not to report sexual abuse to the Police or withdraw from criminal proceedings after reporting the abuse, because they do not trust the Police and the justice system and/or because they do not feel understood. Showing a supportive attitude to victims can help to restore victim’s confidence in the Police and can be crucial to gain the collaboration of the victim throughout investigations and Court prosecution.

As FSU investigators are often called to respond immediately after an SGBV assault, they might find frequently themselves dealing with victims affected by trauma and shock.
The victim’s emotional reactions immediately after the violence can be very strong (crying and sobbing, hysterical laughing, anxiety, fear) or can be calm and controlled (numbness, alienation) depending on the age, personality of the victim and circumstances of the abuse. However it is crucial to be able to recognize possible emotional reactions of the victim to SGBV and be able to provide her or him with the necessary support.

**Management of victims of SGBV: helping victims to deal with emotional reactions**

<table>
<thead>
<tr>
<th>THE VICTIM’S FEELING</th>
<th>SOME WAYS TO RESPOND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of confidence</td>
<td>Say, “You are a valuable person. You were very strong to survive the assault and to report it to the Police.”</td>
</tr>
<tr>
<td>“I feel I can’t do anything anymore..even the simplest things.”</td>
<td></td>
</tr>
<tr>
<td>Powerlessness/loss of control</td>
<td>Say, “Today you have options and can choose how to proceed.”</td>
</tr>
<tr>
<td>“I feel so helpless. Will I ever be in control again?”</td>
<td></td>
</tr>
<tr>
<td>Guilt and self-blame</td>
<td>Say, “You are not to blame for what happened to you. The person who assaulted you is responsible for the violence.”</td>
</tr>
<tr>
<td>“I feel as if I did something for this to happen. If I only hadn’t ......”</td>
<td></td>
</tr>
<tr>
<td>Shame/Embarrassment “I feel so dirty. What will people think that I have been raped”?</td>
<td>Say, “There is no loss of honour in being assaulted. You are an honourable person.”</td>
</tr>
<tr>
<td>Fear</td>
<td>Emphasize “That must have been very frightening for you. But you are safe now.”</td>
</tr>
<tr>
<td>Nightmares and Flashbacks ‘I can’t stop thinking about the assault. I have nightmares when sleeping and when awake.’</td>
<td>Say, “You are now in a safe place. These nightmares will resolve with the healing process.”</td>
</tr>
<tr>
<td>Numbness “I feel so numb. Why can’t I cry”?</td>
<td>Say, “This is a common reaction to severe trauma. You will feel again. All in good time.”</td>
</tr>
<tr>
<td>Mood changes “I feel like I am going crazy!”</td>
<td>Explain that these are common and should resolve with the healing process.</td>
</tr>
<tr>
<td>Anger “I hate him, I hate everyone”</td>
<td>Say ‘You are right to be angry, let’s think of ways of expressing your anger positively.’</td>
</tr>
<tr>
<td>Anxiety “I am so tense all the time”</td>
<td>Tell the patient that these symptoms will pass with some psychological support.</td>
</tr>
</tbody>
</table>

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7 Adapted from WHO *Guidelines for Medico-legal Care for Victims of Sexual Violence*, 2003 pg.33.

Caring for Victims of SGBV
6. Special Needs of Child Victims and Witnesses

While the guidelines on victim’s care discussed in the previous paragraphs apply also to children, there are other **SPECIFIC ISSUES** that should be considered when dealing with child victims/witnesses of SGBV:

- **Children are more vulnerable to SGBV** because of their level of dependence on adults, their little experience in life and their limited power in the community.
- **The dynamics of child abuse can be different**, in particular children tend not to disclose the abuse (i.e. because of fear of the suspect, or because they have been told that nothing wrong has happened).
- **SGBV has different short and long-term effects** on children:
  - Some children will react with a behavior that shows temporary regression (such as bedwetting, clingingness, psychosomatic pains).
  - Delays in the development (learning problems at school, aggressive behavior).
  - Some other children appear to develop faster in certain areas of development (e.g. manifesting early sexualized behavior).
- **Special skills and techniques** are required to deal with child victims/witnesses.

As specified in the Child Rights Act of 2007, a child is any individual that has not yet reached the age of 18. For the purpose of this handbook, the term **CHILD VICTIM** refers to any individual **below the age of 18** who has been victim of SGBV. The term **CHILD WITNESS** refers to a child who is invited by the Police or the Court to provide evidence or information in criminal proceedings either because she/he has been a victim of an SGBV abuse directly, or because she/he has witnessed such an abuse.

In addition to child victims/witnesses, also referred to as children ‘in contact with the law’, the FSU has a mandate over **JUVENILE OFFENDERS**, also referred to as children ‘**in conflict with the law**’. This information in these pages refers specifically to the needs of child victims and witnesses, although the same principles apply to juvenile offenders.\(^8\)

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\(^8\) For the protections of juvenile offenders, see *The FSU Training Manual* pg. 129ss.
**RIGHTS OF CHILD VICTIM/WITNESS.** The following additional measures should be adopted when dealing with child victims/witnesses during investigation and prosecution of SGBV offences:⁹

- **Keep a child-sensitive attitude** throughout the process, taking into consideration the particular needs of the child and his/her level of maturity.
- **Keep the child informed,** in a way that he/she can understand, about services available, his/her role during proceedings, dates and place of Court hearings, dates of testimony, ways in which questioning will be carried out, etc.
- **Provide effective assistance** during investigation and trial, by adopting measures that make it easier for the child to testify or give evidence (e.g. by assigning support members such as family members or social workers to accompany the child, appoint guardians to protect the child’s interest when necessary).
- **Listen to the views of the child** about their involvement in the justice process (for example on ways in which they want to provide testimony, on concerns for their physical safety, on options for referral etc.). The older and more mature the child is, the greater weight should be given to the child’s opinion.
- **Ensure Privacy.** All measures should be taken to avoid that the child’s details are NOT given to the public or the media. Details on the child shall be given to service providers on a ‘need to know’ basis, and only upon consent of the child’s parents/guardian.
- **Protect the Child from Hardship.** Child-sensitive procedures should be adopted during investigations and prosecution including using dedicated rooms to interview the child, scheduling interview/hearings at time of the day which is appropriate to the age of the child, limiting the number of interviews, interviewing the child out of sight of the perpetrator, questioning the child with patience and sensitivity.
- **Ensure Physical Safety,** for example by making it possible for the child to avoid coming into contact with the suspect at any stage of investigations and prosecution, seeking protection orders as appropriate, arresting the suspect or bailing the suspect under ‘no contact’ conditions.

**The Best Interest of the Child.** Each case of child abuse might be different and present its own challenges. Whenever the police, the Court, the MSWGCA need to make a decision about the child, they should consider primarily which is the best interest of the child in that specific situation.

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⁹UN Guidelines on Justice Matters involving Child Victims and Witnesses of Crime, 2005
**PROTECTION MEASURES**\(^{10}\) to be adopted for the protection of child victims/witnesses:

1. **Appointment of a Legal Guardian**
   Upon identification of the child, the appointment of a legal guardian will be necessary when the child has no parents or when the child has been victim of abuse within the family and it’s in the best interest of the child to separate him/her from the parents. The guardian will accompany the child in criminal proceedings and provide consent on behalf of the child when necessary. Those that can be appointed as guardian include: another family member; a fit and proper person from the community (e.g. Probation Officer/Social Worker); or Institution (MSWGCA, etc.).

2. **Interviews and Questioning**
   Interviewing and questioning of a child shall be done in a way that does not traumatize or frighten the child. (For interview technique see Module on “Investigations”).

3. **Interim Care and Protection**
   If the needs of the child cannot be taken care of by his/her family, the child shall be referred by the probation officer/social worker to the MSWGCA (or to a family member, service provider etc.) for temporary care and protection (food, shelter, safety, etc.) pending a sustainable solution for the care of the child.

4. **Referrals.** Child victims/witnesses should promptly be referred to appropriate services including:
   - Health care.
   - Psychosocial care and support.
   - Legal services (i.e. NGO providing legal aid).
   - Services for the recovery and social reintegration of the child (i.e. skills training).

5. **Informing and Supporting the Child through Criminal Proceedings.** The same Probation officer/social worker should stay with the child victim through all the stages of the justice process, providing help and support and helping the child to understand the meaning of procedures. In particular, information should be given to the child to ensure that she/he makes an informed choice on:
   - The medical examination.
   - The depositions in Court.

\(^{10}\) The *FSU Training Manual* pg. 126-127.
DEALING WITH CHILD VICTIM/WITNESSES

DO’s

✓ Give the child choices and some sense of control, by explaining to the child why she/he is at the Police and what is going to happen next.
✓ Use a language that is appropriate to the age and development stage of the child.
✓ Talk to the child in a quiet and safe environment where he/she can be encouraged to express feelings and thoughts.
✓ Be calm and patient. Give the child healing messages, such as “it was not your fault”, “it is ok to feel scared”, “you are very brave”, “it is good that you talked about it, now we can make sure that it won’t happen again.”
✓ Protect the child by stopping any activity that is upsetting the child.
✓ Tell the child that he or she can say no if he/she does not want somebody to be present in the room, listen to his/her story.
✓ Show warmth and affection to the child (but make sure that the child is comfortable with it).
✓ Investigators should spend the amount of time necessary with the child to find out what happened.

DON’Ts

✗ DON’T force a child to talk about the abuse.
✗ DON’T touch or hug a child if she/he does not want to.
✗ DON’T punish the child for ‘bad behavior’ such as bedwetting, aggression, sexualized behavior.
✗ DON’T embarrass a child by talking about the events to family members, siblings, etc.
1. Laws on SGBV Related Offences

SGBV related offences are currently dispersed into several laws ranging from old inherited English laws to new laws enacted by the Parliament of Sierra Leone. At present, the laws that punish SGBV related offences include:

- The Offences Against the Person Act (OAPA) of 1861
- The Prevention of Cruelty to Children Act, Cap. 31 of the Laws of Sierra Leone of 1960, as amended
- The Anti-Human Trafficking Act (AHTA), no. 7 of 2005
- The Child Right Act (CRA), no. 7 of 2007
- The Domestic Violence Act (DVA), no. 20 of 2007
- Common Law

A new Bill on Sexual Offences is in the process of being discussed by the Parliament of Sierra Leone. The new Sexual Offences Act is will provide a comprehensive and consistent legal framework which will enhance the prosecution of most SGBV related offences.

Knowledge of the laws is crucial for the effective investigation and prosecution of SGBV offences because they provide guidance on:

⇒ Understanding the Elements of the Offence.
⇒ Developing the appropriate charge(s).

The ELEMENTS OF AN OFFENCE refer to the facts that need to be proved in the course of investigations and prosecution. These elements comprise two things:

- The Prohibited Conduct or Actus Reus (the act, modalities of committing the act, age of the victim, etc.).
- The Criminal Mind or Mens Rea (the intent of the suspect).

It is also critical that investigators know:

- Which defences could be brought up by the suspect to escape criminal responsibility (such as the consent of the victim, mental insanity, self-defence). They must gather evidence that contradicts the suspect.
- Presence of aggravating/mitigating circumstances. These are elements that may respectively aggravate (e.g. provocation, premeditation, use of a weapon, extreme vulnerability of the victim, etc.) or mitigate the responsibility of the suspect.
2. The Prevention of Cruelty to Children Act (Cap. 31)

UNLAWFUL CARNAL KNOWLEDGE (or ABUSE) OF GIRL UNDER 13

“Whosoever shall unlawfully and carnally know and abuse any girl under the age of thirteen, whether with or without her consent, shall be guilty of felony and shall be liable on conviction to imprisonment ... for a period not exceeding fifteen years (Section 6, cap. 31 of the Laws of Sierra Leone of 1960, as amended)

**ELEMENTS** of the offence are:

**Prohibited Conduct:**
- **Carnal Knowledge** (that is the slightest penetration of the victim’s vagina by the suspect’s penis) must occur.
- The victim must be below **13 years of age**.
- With or without **consent** of the victim.

**Criminal Mind**
- **The suspect had the intention** to have sexual intercourse with the victim. Such intent can be derived by the circumstances of the case (such as the fact that the suspect proposed love to the victim, offered her/him food or money, invited him/her to an isolated place, grabbed the victim, etc.).

Investigators should note that:
- **Consent of the victim is no defence**, i.e. the fact that the child agreed to the act does not excuse the suspect.
- **Marriage of the victim is no longer a defence** by virtue of the 2007 Child Rights Act (according to sec. 34 a child below 18 cannot be married) and the 2007 Domestic Violence Act (according to the act, marital rape is a crime).
UNLAWFUL CARNAL KNOWLEDGE (or ABUSE)
OF GIRL ABOVE 13 BUT UNDER 14

**ELEMENTS** of the offence are:
- the same as in sec. 6,
- but in this case the victim is above 13 and below 14 years of age.

Investigators should note that, also under sec. 7:
- Consent of the victim is no defence.
- Marriage of the victim is no defence.

What are the **DIFFERENCES** between the two offences under sec. 6 and sec. 7?

- The age of the victim: below 13 (sec. 6) vs. above 13 and below 14 (sec. 7).
- The kind of offence: felony (sec. 6) vs. misdemeanor (sec. 7).
- The punishment: max 15 years imprisonment (sec. 6) vs. 2 years at (sec. 7).

**NB:** Investigators should note that the law does not provide adequate protection for girls whose age is exactly 13. For this reason the age of the victim shall be assessed as precisely as possible in terms of years as well as months (e.g. 13 years and three months).
“Whosoever commits an indecent assault on or attempts to have carnal knowledge of any girl under fourteen years of age shall be guilty of misdemeanor, and shall on conviction before the Supreme Court be liable to imprisonment, with or without hard labour, for any period not exceeding two years” (sec. 9, Cap. 31 of the Laws of Sierra Leone of 1960, as amended)

ELEMENTS of the offence are:

Prohibited Conduct
- Penetration must not have occurred.
- Indecent Assault or Attempted Carnal Knowledge.
  Indecent Assault covers all assaults committed with circumstances of indecency, for example all those acts that involve the perpetrator or the victim to have their intimate parts exposed or touched. Examples of indecent assault:
  - Touching the victim’s intimate parts.
  - Oral sex with the victim.
  - Penetration of sexual organs with other parts of the body (e.g. fingers), or with objects.
- The victim is below 14 years of age.

Criminal Mind
- Intention of having sexual contact or recklessness. Intent can be derived from the circumstances of the occurrence.

Investigators should note that:
- Consent of the victim does not excuse the suspect.
- Marriage of the victim is no defence by virtue of the 2007 Child Rights Act (according to sec. 34 of the CRA a child below 18 cannot be married) and the 2007 Domestic Violence Act (according to the DVA marital rape is a crime).
PROCURATION OF CHILD

“Any person who procures, or attempts to procure, any child not being a common prostitute or of known immoral character to have unlawful carnal knowledge, either with or without the Queen’s dominions, shall be liable to conviction by the Supreme Court to imprisonment of any period not exceeding 2 years with or without hard labour” (sec. 10, cap. 31 of the Laws of Sierra Leone of 1960, as amended).

**ELEMENTS** of the offence are :

### Prohibited Conduct:
- **Procuring a child to have carnal knowledge**: taking away a child or persuading/inviting the child to have carnal knowledge with a third person.
- **The attempt** to procure a child for the purpose of having carnal knowledge of a third person (even if procuration finally did not occur).
- The victim must be **under 18** (sec. 141 of the CRA amends the definition of child contained in Cap. 31 from person under 16 to person under 18).
- The child must not be a common prostitute (or of known immoral character).
- Carnal knowledge need not have necessarily occurred. The offence punishes the conduct of procuring the child *per se*.

### Criminal Mind:
- **The suspect had the intention** to procure the child to a third person for the purpose of having carnal knowledge.

Investigators should note that, also under sec. 10:
- **Consent of the victim is no defence**

Establishing **THE AGE OF THE VICTIM** is crucial to the successful prosecution of offences under sec.6,7,9 of Cap. 31. The best way to prove the age is providing the **birth certificate** of the victim or other documents (school records, hospital records, etc.) . Whenever the birth certificate is not available, other formal and informal methods for age assessment should be used (for an overview of methods for age assessment, refer to Chapter on ‘Investigations’).
ABDUCTION OF GIRL BELOW 16 FOR IMMORAL PURPOSES

"Any person who, with the intent that an unmarried girl under the age of sixteen years should be unlawfully carnally known, takes or causes to be taken such girl out of the possession and against the will of her father or mother or any other person having the lawful care or charge of her, shall be guilty of misdemeanor and shall be liable on conviction before the Supreme Court to be imprisoned for any period not exceeding two years..." (sec. 12, cap. 31 of the Laws of Sierra Leone of 1960, as amended).

ELEMENTS of the offence are:

Prohibited Conduct
- Taking a girl away against the will of the father, mother or any other person having legal custody of the girl.
- The victim is below 16 years of age.

Criminal Mind
- Intent of having sexual intercourse with the victim. The intent can be derived from the circumstances of the case.

Investigators should note that:
- Consent of the victim does not excuse the suspect.
- Marriage of the victim is no defence by virtue of the 2007 Child Right Act (according to sec. 34 of the CRA a child below 18 cannot be married) and the 2007 Domestic Violence Act (according to the DVA marital rape is a crime).
3. The Offences Against the Persons Act of 1861

RAPE

The offence of rape is defined under Common Law as ‘having intercourse without the victim's consent’ and is punished under the 1861 OAPA: “Whosoever shall be convicted for the crime of rape shall be guilty of felony, and being convicted thereof shall be liable ... to be kept in penal servitude for life ...” (Sec. 48 of the OAPA of 1861)

As the definition of rape can be found in Common Law (and not in the OAPA), it is advisable to charge rape as ‘Contrary to Law’.

Elements /points to prove in the offence of rape are:

Prohibited Conduct

○ Carnal Knowledge (that is the slightest penetration of the victim’s vagina by the suspect’s penis) must have occurred.
○ Without the consent of the victim, that is by means of
  - Force
  - Threat
  - Fraud
  - Trick
○ The victim must be 14 years of age (and above).

Criminal Mind

○ The suspect had the intent to have sexual intercourse without the victim’s consent. This ‘criminal mind’ can be derived from circumstances of the rape.

The investigator must note that:

○ Consent of the victim is often used as defence by the suspect. In this case, investigators may need to gather all evidence to confirm that the sexual intercourse occurred without the victim’s consent (i.e. documenting bruises and torn clothes on the victim’s body; signs of fight at the crime scene, witnesses that heard the victim screaming, etc.).
○ Marriage of the victim used to be a defence for rape. Nowadays marital rape can be charged as sexual abuse contrary to the Domestic Violence Act of 2007 (sec. 2(1) and (2) in conjunction with sec.3 (1) (a)).
○ Consent by a woman affected by mental disability is no defence.
Examples of rape include:

**Rape by force or threat:**
- A sex worker can be victim of rape whenever she is forced to have sexual intercourse.

**Rape by trick:**
- Having sexual intercourse with a woman while she is sleeping or after getting her drunk.

**Rape by fraud:**
- Having sexual intercourse with a woman under false pretences (e.g. being a doctor/quack doctor and pretending to visit her, or pretending to be her husband or someone with whom she would otherwise consent to sex).
- Having sexual intercourse with a sex worker and refusing to pay her as agreed.

In the **JURISPRUDENCE OF INTERNATIONAL TRIBUNALS**, the offence of **RAPE** is broader and includes:

- penetration of the vagina by the penis, as in the laws of Sierra Leone.
- but also
- penetration of the anus or mouth of the victim by the penis.
- penetration of the vagina or of the anus with an object or other parts of the body, like fingers or hands.
- male rape (rape of boys/men).\(^{11}\)

In Sierra Leone, similar sexual abuses could be charged under existing offences such as: sodomy or buggery, indecent assault, assault causing grievous bodily harm, etc.

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\(^{11}\) International Criminal Tribunal for the former Yugoslavia, in the 2002 *Foca* case.
COMMON ASSAULT

Under **Common Law** ‘a person is guilty of an assault if intentionally or recklessly causes another person to apprehend immediate and unlawful force. Battery is when a person intentionally or recklessly uses unlawful force on another person’. Common Assault is punished under sec. 47 of the OAPA: “…Whosoever shall be convicted upon an indictment for a common assault shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding one year…” (Sec. 47 of the OAPA of 1861)

Since the OAPA does not define the offence of common assault, it is advisable to charge common assault as ‘**Contrary to Law**’.

**ELEMENTS** of the offence of assault are:

**Prohibited Conduct**
- Assault: threat or force directed against the victim (contact is not necessary) or
- Battery: applying force against the victim (such as beating).
- The assault must be **unlawful** = not excused.

**Criminal Mind**
- The **intent or recklessness** of the assailant.

Examples of injuries to be charged under the offence of assault:
- Scratches and abrasions.
- Minor bruising, reddening of the skin, “black eye”.
- Superficial cuts.

Investigators must note that:
- The suspect might defend himself/herself saying that he acted in **self-defence** (or in **defence of another** or in **defence of property**). In this case, investigators might need to find out whether the suspect actually acted in self-defence and if the use of force by the suspect was reasonable.
- **Consent is no defence** when the victim is affected by **mental disability** or under 16 years of age.
ASSAULT OCCASIONING BODILY HARM

“...Whosoever shall be convicted upon an indictment of any assault occasioning actual bodily harm shall be liable ... to be kept in penal servitude...” (Sec. 47 of the OAPA of 1861)

**ELEMENTS** of the offence of assault occasioning bodily harm are:

**Prohibited Conduct:**
- Assault that causes bodily harm.
- Bodily harm: any harm which interferes with the health and comfort of the person. Such an injury does not need to be permanent.

**Criminal Mind:**
- The intent of causing the harm or recklessness (the suspect foresaw that the assault could cause harm).

The difference with the offence of common assault refers to the degree of the injury, which is more serious that in the case of common assault. Examples:
- Loss or breaking of teeth.
- Temporary loss of consciousness and/or sensory functions.
- Extensive bruises.
- Minor fractions including broken nose.
- Psychiatric injury, such as fear, distress and panic.

Investigators must note that:

- Self-defence (or defence of another/defence of property) can be a good defence for the offence of assault occasioning bodily harm (see above).
UNLAWFUL WOUNDING OR INFlicting GRIEVOUS BODILY HARM

“...Whosoever shall unlawfully and maliciously wound or inflict any **grievous** bodily harm upon any other person, either with or without weapon or instrument, shall be guilty of a misdemeanor, and being convicted thereof shall be liable ... to be kept in penal servitude..” *(Sec. 20 of the OAPA of 1861)*

**ELEMENTS** of the offence are:

**Prohibited Conduct:**
- **Causing Wounding:** skin broken internally or externally or
- **Causing grievous bodily harm:** ‘grievous’ means serious bodily harm.

**Criminal Mind:**
- **Intention or malice** to **cause some kind of bodily harm** (it is not necessary that the suspect could foresee the extent of the harm).

Examples of what would amount to wounding or serious bodily harm:
- Deep cuts and wounding.
- Injury that results in visible disfigurement; broken or displaced limbs and bones.
- Injuries that cause consistent loss of blood.
- Injuries requiring lengthy treatments.

Investigators must note that:
- **Self-defence** (or **defence of another/defence of property**) can be a good defence for the offence of wounding (see above).
WOUNDING OR INFLECTING GRIEVOUS BODILY HARM WITH INTENT

“...Whosoever shall unlawfully and maliciously by any means whatsoever wound or cause any grievous bodily harm to any person ..., shall be guilty of felony, and being convicted thereof shall be liable to be kept in penal servitude for life...” (Sec. 18 of the OAPA of 1861)

**ELEMENTS** of the offence are:

**Prohibited Conduct:**
- Wounding or Grievous Bodily Harm: Injury which seriously interferes with comfort or health.

**Criminal Mind:**
- The specific intent or malice to cause some bodily harm. This element characterizes and makes the offence a more serious one. Specific intent can be derived from:
  - A repeated or planned attack, or making prior threats.
  - Using a weapon to cause the harm.

Investigators must note that:
- Self-defence (or defence of another / defence of property) can be a good defence for the offence of wounding (see above).
4. The Domestic Violence Act of 2007

For a long time domestic violence has been considered a private issue to be dealt with within the home. Thanks to the Domestic Violence Act of 2007, domestic violence is now a criminal offence punishable by law.

**DOMESTIC VIOLENCE**

“It is an offence under this Act for any person in a domestic relationship to engage in any act of domestic violence” “...Domestic violence means any of the following acts or threat of any such act: a) physical or sexual abuse, b) economic abuse; c) emotional, verbal and psychological abuse, including any conduct that makes another person feel constantly unhappy, humiliated, ridiculed, afraid or depressed or to feel inadequate or worthless; d) harassment, including sexual harassment and intimidation; e) conduct that in any way harms or may harm another person ... “ Domestic violence “shall be punishable by a fine not exceeding Le 5,000,000 or by a term of imprisonment not exceeding 2 years” Sec. 2 of the Domestic Violence Act of 2007.

**FORMS** of the offence of domestic violence are:

- Physical abuse
- Sexual abuse
- Economic abuse
- Psychological abuse
- Harassment
- Intimidation
- Any other harmful conduct

**DOMESTIC RELATIONSHIP** includes:

- Couples or similar relationship (married or that used to be married, relationship similar to marriage, even if the couple is not married and cannot get married; romantic, intimate, cordial relationship, not necessarily including sexual relationship; have a child together, or expect to have a child or be foster parents).
- Family members related by consanguinity, affinity, adoption.
- Persons sharing the same residence (co-tenants, house help, etc.).
- Persons living in a public or private care institution.
- Any relationship that the Court determines to be a domestic relationship.
**ELEMENTS OF THE OFFENCE** of Domestic Violence in its different forms are:

**Prohibited Conduct:** either one or a series of the following acts:

| **Sexual Abuse** | • Forced sexual intercourse/sexual contact with the victim.  
| sec. 2 (a) | • Forced sexual contact that abuses, humiliated or degrades the victim.  
| | • Sexual contact by a person infected by HIV/AIDS or any other STI, without previously informing the victim of the risk of transmission.  
| | • Whether the victim is married or not to the perpetrator. |

| **Physical Abuse** | Any form of physical assault or use of force against the victim including:  
| sec. 2 (a) | - Forced confinement or detention.  
| | - Deprivation of food, water, clothing, shelter, rest.  
| | - Torture or degrading treatment. |

| **Economic Abuse** | • Unreasonably depriving the victim or family members of money and goods that are hers or she needs.  
| sec. 2 (b) | • Unreasonably destroying property that the victim is entitled to use. |

| **Psychological Abuse** | Any conduct that makes the victim feel constantly unhappy, humiliated, ridiculed, afraid, depressed, inadequate or worthless.  
| sec. 2 (c) | |

| **Harassment** | Any sexual contact with the victim without her consent.  
| Sec. 2 (d) | • Unwanted sexual advances.  
| | • Repeatedly following a person or making unwelcome communication (watching or loitering, telephone calls or texts, letters, emails, etc.).  
| | • Engaging in any menacing behavior. |

| **Intimidation** | Intentionally inducing fear in the victim by:  
| sec. 2 (d) | • Threatening to commit abuse against the victim (or other family member).  
| | • Threatening to damage or destroy property.  
| | • Exhibiting a weapon to the person. |

| **Any Harmful Act or Omission** | Any act as well as omission that:  
| sec. 2 (e) | • Endangers the health, safety or well-being of the victim.  
| | • Undermines the victim’s privacy or security.  
| | • Detract from the victim’s dignity and worth as human being. |

**NB:** the suspect and the victim must be in a **domestic relationship** at the time of the act.
Criminal Mind:
- The suspect intended to commit the abuse or was reckless as to whether he committed the acts.

Investigators must note that:
- **Age and sex of the victim is irrelevant** in domestic violence – victims can be of any age and sex.
- **Marriage of the victim is not defence** – marital rape and abuse is now a crime and should be charged as contrary to the Domestic Violence Act of 2007 (sec. 2(1) and (2) in conjunction with sec.3 (1) (a).
- **Consent** of the victim can be a defence (but only if the victim is above 18 years of age). Investigators should gather elements to prove that the abuse occurred against the victim’s will.
- **Self-defence** can be a defence. In this case investigators must find out whether the suspect actually acted in self-defence.

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**Domestic Violence Act and previous Legislation.** Notwithstanding the Domestic Violence Act cases of sexual and physical abuse will preferably be charged under the OAPA (or Cap. 31 or Common Law):

- When the physical abuse is serious/causes bodily harm, as the OAPA provides for higher punishment (e.g. as assault occasioning bodily harm, wounding and wounding with intent).
- When the nature of the domestic relationship might be difficult to prove to the investigators (i.e. not married couples).
- When rape/sexual abuse other than marital rape/abuse is committed, as Cap. 31, the OAPA or Common Law provide for higher punishment.
Taking into consideration that the offence of domestic violence occurs in a family-like setting, the Act provides for different ways of responding to complaints of domestic violence, including charging the case to Court, settling the case out of Court and/or making an application for protection order.

The best course of action shall be decided by investigators case by case, taking into consideration the circumstances of the case, as well as the views and will of the victim (For alternatives to Prosecution in DV cases refer to Chapter on ‘Bringing Cases to Court’ pg.78).

However Domestic Violence is AGGRAVATED and MUST be charged to Court:

- When it has caused wounding or grievous bodily harm to the victim.
- When the Magistrate considers the incidence(s) as aggravated because:
  - A weapon was used.
  - The suspect failed to respond to previous warnings.
  - There is evidence of premeditation.
  - The victim is particularly vulnerable.
  - Any other consideration that the Court considers appropriate.
5. The Anti-Human Trafficking Act of 2005

HUMAN TRAFFICKING

“It is an offence for any person to engage in the trafficking in persons”
“A person engages in the trafficking of persons if he undertakes the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or the use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control on another person for the purpose of exploitation.. “ Sec. 2 (1) and (2) of the AHTA

The offence of human trafficking has three (3) main elements, they are:

- **Movement of human beings** (the recruitment, transportation, transfer, receipt, harbouring of persons) within Sierra Leone or from/to other countries.
- By any means e.g. **force, coercion, abduction, fraud, deception, abuse of power** or of a **position of vulnerability**, or **giving and receiving payments** to achieve the consent of a person having control on another person.
- **For the purpose of exploiting** the person(s) trafficked (slavery, forced labor, servitude, prostitution or sexual exploitation).
- **Within Sierra Leone or from/to other countries.**

Investigators must note that:

- **Age and sex of the victim is irrelevant** in human trafficking—victims can be of any age and sex.
- **Consent of the victim is no defence.**
- **The victim’s sexual behavior is no defence.** This means that trafficking is still an offence even when the victim is a sex worker, when she/he that has been trafficked by means of force, coercion, abduction, fraud etc., as indicated.
CONDUCTING EFFECTIVE INVESTIGATIONS
1. Definition and Stages of Investigations

If an SGBV case is reported to the Police/FSU, investigations must be carried out. Conducting investigations means carrying out all the activities necessary to confirm or corroborate information emerging from the initial report, with the view to establishing if there is sufficient *(prima facie)* evidence to charge the case to Court.

**STAGES.** *(The sequence of stages can change in relation to the circumstances of the case).*

**CHALLENGES FOR THE INVESTIGATORS.** Investigations of SGBV cases can be very challenging for the FSU as officers are expected to:

- Gather evidence available as quickly as possible, notwithstanding lack of logistics and forensic equipment.
- Respect the rights of all the persons (victims, suspects, witnesses) involved in the investigations, including when they are not willing to collaborate in investigations.
- Ensure that the victim does not experience further trauma.
- Ensure the safety and well-being of the victim, also making appropriate referrals.
- Resist interferences coming from the community as well as face cultural/religious belief.
- Keep confidentiality at all stages of the investigations.

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12 Main sources used for this Chapter: *The FSU Training Manual, 2008; Liberia SGBV Prosecutors Manual, 2006; Criminal Procedures Act, 1965.*
2. Receiving a Complaint of SGBV

**INITIAL REFERRAL.** All investigations into SGBV related offences are initiated upon a formal complaint or report made to the Police/FSU. The initial report can be received from the victim (including a child victim), or from another person (such as victim’s relatives, an health worker, NGO worker, etc.). The initial report can be received anywhere, and should include the following information:

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Date, Time and Place of the Referral</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Referrer’s Details</strong></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Contact</td>
<td></td>
</tr>
<tr>
<td>Relationship with the Victim</td>
<td></td>
</tr>
</tbody>
</table>

| **Victim/Survivor’s Details** |                                   |
| Name                        |                                     |
| Date of Birth (D.O.B.)      |                                     |
| Address                     |                                     |
| Household Structure         |                                     |
| School/Class                |                                     |
| Tribe                       |                                     |
| Language Spoken             |                                     |

**Changes in Victim/Survivor’s Behavior**

**Summary of Report**

Details of concern: incident, time, exact location and people involved

**Suspect’s Details**

**Source of Information:** Did the victim report or disclose the abuse? Report the victim’s words. If not, who is the source of the information or what made the referrer suspicious?

What can you tell about the victim? What can you tell about the suspect?

Is the victim and the victim’s family aware of the referral?

The victim/survivor’s special or disability needs.

Any other info.

**Current Safety of Victim Survivor**

**Medical Emergency**

**Knowledge of Other Agencies**

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**Referral Taken By**

...........................................
**IMMEDIATE PROTECTION.** After receiving the complaint, investigators shall evaluate the elements arising from the report and take the necessary follow-up actions. At this stage, priority shall be given to the immediate protection of the victim, including:

1. **Referring the Victim for Medical Attention**
   The victim should be referred to an hospital/health centre ideally **within 72 hours** from the offence. The referral should be **immediate** - even before taking the statement - if the victim is wounded, in pain or in situation of extreme distress (see Chapter on ‘Caring for Victims’).

2. **Adopting measures to ensure the Physical Safety of the Victim**
   Making a report to the Police/FSU, can expose the victim to retaliation from the suspect (or the perpetrator’s family and friends), especially if they live in the same house or contact between them is ongoing. Investigators shall make a risk assessment and decide on measures to ensure physical safety of the victim, including by helping the victim to create a safety plan (see ‘Caring for Victims’).

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**SGBV related offences are crimes against the State** and whenever such an offence is reported to the Police, it is the responsibility of the State (Police and justice system) to investigate and prosecute the matter. It is not the victim’s responsibility to push the case through each phase of the proceedings (i.e. investigations, arrest of the perpetrator, etc.). **Victims should not be charged** at any stage of the investigation process.
3. Planning Investigations

**THE STRATEGY MEETING.** Upon receipt of an initial report on an SGBV offence, a strategy meeting shall be immediately held by:

1. The Investigator(s) assigned to the case.
2. the Probation Officer/Social Worker.
3. the FSU Line Manager (any reason for absence should be indicated).

The purpose of the strategy meeting is to plan investigations and decide on follow-up actions, in particular to decide **WHAT should be done, WHEN and by WHOM.** One strategy meeting should always be held at the very beginning of the investigations. If need be, more strategy meetings can take place during investigations.

Possible follow-up actions include obtaining a medical report, visiting the scene of the crime and gathering physical evidence, taking statements from witnesses, arresting the suspect, etc. **Priorities** should be established on a case-by-case basis by the investigating team, using a **common sense approach** (i.e. if the victim is bleeding it is will be appropriate to refer her to the hospital before taking her/his statement). Elements that should be taken into consideration when prioritizing are:

- The safety of the victim.
- Gathering as soon as possible evidence that might be tampered with or lost.
- Arresting the suspect if there is a risk of escape.

**STOP and EVALUATE INFORMATION**

**In order to decide on follow-up actions**
**NEED FOR CORROBORATION.** In SGBV cases the victim’s statement alone is not sufficient to charge the case to Court. Corroboration is *evidence from ANOTHER SOURCE* other than the victim confirming the story of the victim and implicating the suspect in material particular that he committed the offence. Corroborative evidence is *required in all sexual offences.* Without corroborative evidence the suspect or accused would be acquitted and discharged.

**IMPORTANT CORROBORATIVE EVIDENCE IN SGBV CASES**

Corroborative evidence must emanate from another source other than the victim. It includes:

- **Confession** by suspect/accused.
- **Statements from eyewitness(es):**
  - Suspect being caught red-handed in the act by another person.
  - The distressed condition of victim observed by another person just after the act (e.g. weeping victim, torn clothes - including pants, etc.).
  - Suspect running away from scene of crime observed by another person.
- **Medical report** documenting the victim’s injuries (by a qualified medical practitioner).
- **Photos** of the injuries of the victim.
- **The victim’s underwear/torn clothes.**
- **Any blood, sperm or other substance** on the suspect’s clothing or bedding.
- **Any object used during the crime.**
- **Photographs or sketches** of the scene of crime.
- **Documents or statements determining the age of the victim.**

*The story of the victim told to and repeated by another person to the police or Court is not corroborative evidence.*
4. Taking the Victim’s Statement

For every report of SGBV received, the Police/FSU has the responsibility to: record the report in the Station Diary, to open a Case and Enquiry File and to take a detailed statement of the victim. Taking statement of the victim should be postponed if urgent medical attention is required.

When taking the victim’s statement, investigators should:

1. Treat the victim with dignity (refer to Chapter ‘Caring for Victims’).
2. Use appropriate interviewing techniques that are sensitive to the victim’s needs.
3. Interview the victim in private, using a separate room, where other persons or police officers cannot hear the story of the victim.
4. Upon request of the victim, allow one parent/guardian to be present during the interview.
5. Don’t rush to record the statement – get first the story of the victim.
6. Keep in mind the elements of the offence to be sure that all the relevant details are included in the statement (for elements of SGBV offences, refer to Chapter ‘Knowing the Laws’).

RELEVANT INFORMATION to be included in the victim’s statement

- Offence to be charged.
- Concise statement of facts in chronological order, including:
  - Date, Time and place of the offence.
  - Description of the suspect’s conduct constituting the offence.
  - Identification of the suspect: Name (if known) or physical description.
  - Description of the scene of crime.
- Date and Signature of the complainant.

The victim’s statement alone is not sufficient to charge the case to Court. It must be corroborated by additional evidence.
5. Obtaining Medical Evidence

**ROLE OF MEDICAL PRACTITIONERS.** Whenever an SGBV related offence is reported to the Police/FSU, the victim is referred to a health centre and a Request of Medical Report addressed to a qualified medical practitioner (Governmental Hospitals or Rainbo Centres) is issued. The objective of the referral is two-fold:

1. **Providing Medical Attention** to the victim, including testing and treatment for STIs, HIV/AIDS, and pregnancy (see Chapter on ‘Caring for Victims’). Providing medical help is the primary role of medical practitioners and health professionals.

2. **Obtaining Medical Evidence** from the victim. Health professionals (doctors, nurses, midwives, etc.) are not forensic specialists but they can play a very important role in investigation and prosecution of SGBV related offences by:
   - **Documenting the victim’s injuries** in a Medical Report (including photos or body maps). For evidentiary purposes it is crucial that the Medical Report is signed by a qualified medical practitioner.
   - Provide information to the Police and prosecutors about the victim’s physical and psychological conditions at the time of the referral.
   - Gather physical evidence.
   - Testify at Trial.

**GATHERING AND Maintaining PHYSICAL EVIDENCE.** Physical evidence that can be gathered with the assistance of medical practitioners and health professionals includes:

- Photos of the victim (or body maps with description of injuries).
- Clothes and underwear worn by the victim at the time of the abuse.
- Blood, semen, or any other substance found on the victim.

The evidence gathered by health professionals must be:

- Placed in a sealed container/bag in order to prevent tampering.
- Tagged with the name of the victim, name of the health professional that took the examination, date and place of examination.
- Stored in a exhibit store or any other secure location.
DUTIES OF THE POLICE/FSU when referring the victim for medical attention include:

- Assign a **same-sex officer** to accompany the victim to the hospital/Rainbo Centre as soon as possible.
- **Explain** to the victim the purpose and modalities of the medical examination.
- **Allow a family member** to support the victim during the examination, if the victim so wants.
- **Witness the medical examination** of the victim, ensuring that the following are examined and documented:
  - Signs of sexual intercourse (i.e. presence of semen deposits, vaginal or anal trauma and bruises, etc.).
  - Signs that sexual violence occurred without the consent of the victim (any signs of physical struggle on the victim’s body such as presence of bruises, cuts, genital trauma, broken teeth, status of shock of the victim, etc.).
- **Advocate** for the victim not to be charged for examination and Report.
- **Obtain the Medical Report**.
- **Obtain other physical evidence**.
6. Taking Statements

GENERAL ON TAKING STATEMENTS.\textsuperscript{13} Any investigation of SGBV offenses requires interviewing and recording statements that will help in piecing together the facts and gathering important details for the investigations.

PERSONS TO INTERVIEW:
- The Victim.
- The Suspect.
- Eye witnesses and relevant others.

WHO CONDUCTS THE INTERVIEW. For evidentiary purposes, the interview must be conducted by at least by 2 Police Officers plus 1 Probation Officer/Social Worker of the same sex of the victim (unless the victim decides otherwise). Ideally, one officer should ask the questions while the other should take notes of the answers. The Probation Officer/Social Worker can be replaced by a trained police officer, if need be.

INTERVIEW LOCATION. All interviews on SGBV cases must be conducted at the FSU office, in a quiet and private setting (interview facilities also exist at Rainbo Centres), which can ensure confidentiality of the information. The interview location should:
- Not be in a cell or other custodial environment/facility.
- Not at the scene of crime.
- Not be being used for other purposes during the interview.
- Not be a place where the suspect can see/be seen by the victim.
- No one should be let into the interview room, apart from 1 relative, if the victim wants so.

HOW TO RECORD STATEMENTS. Investigators should never rush to record the statement. They must first be sure to have got the story in their mind. The statement should reproduce as much as possible the words used by the victim or other person interviewed.

\textsuperscript{13} Adapted from The FSU Training Manual, pg.96.
**INTERVIEWING WITNESS(ES).** At the moment of taking the victim’s statement, investigators should ask whether any witness was present before, during, or after the offence. Furthermore, as soon as possible, the Police/FSU should visit the scene of crime and ask whether anyone saw or heard anything.

Example of witness(es) and relevant others:

- Relatives and family members.
- Neighbours and other people from the community.
- Any other person who can provide relevant information (i.e. on the suspect’s personality, criminal records, etc.).

Interviewing witnesses can be also important to establish the age of victims, witnesses and suspects.

In addition to the statement, investigators shall obtain the witnesses’ contact details (address, telephone number, etc.) in order to track down these witnesses to testify at trial.

**Taking Statements is not Enough!**

There is evidence that can be gathered only outside of the office such as: at the scene of crime, at the house of the suspect, at the hospital, etc.
INTERVIEWING THE SUSPECT. The Police should also take the statement of the suspect in order to get his side of the story. The statement obtained from the suspect is also known as Voluntary Cautioned Statement (VCS). It is so called because it is the suspect’s human right to agree to give the statement or rather to refuse to say anything.

Before starting with the interview, the Police will CAUTION the suspect and inform about his/her rights:

- **Right to remain silent**, as anything he says can be used against him/her in Court.\(^{14}\)
- **Right to be assisted by a lawyer** during the interview.

Cautioning the suspect and reading his/her rights is crucial. The Court will not admit the confession of the suspect as evidence in Court if it is proved that he was not advised of his/her rights or that the statement was not voluntary.

HOW TO INTERVIEW the suspect:

- **First allow the suspect to freely give his side of the story** and take note of inconsistent information.
- **Use a ‘question & answer’** (or ‘contemporaneous’) method to interview the suspect; ask specific questions to clarify inconsistent information.
- **Do not share** with the suspect the details of investigations.
- **Avoid making accusatory statements** (principle of presumption of innocence).
- **Do not be intimidated** by suspects who are powerful in the community.
- Do not intimidate, suggest, induce the suspect to confess (if you do, the confession will not be admitted as evidence by the Court).
- **Do not force the suspect to sign the statement.** In case the suspect refuses to sign, the statement must be endorsed by 2 Police Officers and mention must be made of the of the suspect’s refusal to sign.

\(^{14}\) “You are not obliged to say anything unless you wish to do so but whatever you say may be put into writing and given in evidence.”

Conducting Effective Investigations
VICTIM – CENTRED INTERVIEW TECHNIQUES

PREPARE FOR THE INTERVIEW:
- Make sure that the interview takes place in a quiet and private setting (the ‘interview room’, or any another private room where there will not be people coming in and out).
- Make sure that the victim is ready for the interview. If the victim cries, reassure her/him that crying is normal and give her/him tissues.
- Provide an interpreter if needed.

DO’s
- DO ensure sensitivity and respect for the victim.
- DO conduct the interview in the language the victim can understand.
- DO ensure confidentiality.
- DO believe the victim’s experience.
- DO be patient.
- DO provide information to the victim on progress in investigations.
- DO help the victim to make a plan for safety.
- DO respect the wishes of the victim.

DON’Ts
- DO NOT interview the victim in an open and crowded room.
- DO NOT conduct the interview with a sick or crying interviewee.
- DO NOT conduct the interview with an angry face.
- DO NOT force the interviewee to speak.
- DO NOT make judgments, blame the victim for what happen, or say that he/she’s lying.
- DO NOT use threats or force against the interviewee.
1. INTRODUCTION/BUILDING RAPPORT

- Investigators introduce themselves and their roles, the interview room and explain the reason for the interview.
- If the victim is a child try to bridge the age gap, for example engaging the child on neutral topics (sports, school, etc.) to make her/him relax and start the conversation.
- Establish ground rules on the interview (i.e. explain to the victim that he/she can ask investigators to repeat the questions if it’s not clear, or that she/he can interrupt the interview whenever she wants, for example to use the toilet, etc.).
- Reassure the victim that the interview will be kept confidential.
- Ask the victim “Do you feel ready to start?”, before starting with the questions.

2. FREE NARRATIVE

- Allow the victim to freely explain what happened to her/him. Ask general questions, such as ‘Do you know why you are here?’ ‘Can you tell us what happened to you’?
- If the victim says ‘no’ or does not respond, more questions should be asked: ‘We were informed that you were not feeling well, what happened?’
- Do not interrupt until the victim has finished explaining what happened.

3. ASK SPECIFIC QUESTIONS

- Ask the victim more specific questions to find out more on the offence:
  - “You said that they did something bad to you, what exactly?”
  - “How did it happen?, When?, Where?” , “Is it the first time that this has happened?”
  - “Did anybody see what happened or what happened afterwards?”
- Ask ‘open-ended’ questions and do not suggest the replies (Ask “what was he wearing?” instead of “Was he wearing a suit?” “What did he do to you?” Instead of “Did he rape you?”).
- Never ask the victim “Why” (why did you go there?”, “why did you wear that dress? why did you talk that way? What did you say to make him so angry?”), which express blame.
4. RECAP AND CLOSE THE INTERVIEW
- Recap the statement to the victim, section by section, asking if the statement is true & correct.
- Ask the victim if she/he wants to change or add something.
- Reassure the victim that she/he is not responsible for what happened and will not be responsible for what happens to the perpetrator.
- Thank the victim for the cooperation.
- Explain the victim next steps of investigations.
- Take the contact details (number, address) of the victim for protection and follow-up.
- Tell the victim to refer to your office/station at any time.

5. RECORD THE STATEMENT
The statement shall recorded in writing and signed by:
- the investigator/recorder.
- the statement maker (victim/witness).

ELEMENTS OF A GOOD STATEMENT/REPORT. The statement taken by the victim/witness will be used by the State Prosecutors in Court. A detailed, consistent and well written report of the statement can make the difference in the successful prosecution of the case. A good report will:

- Report all relevant facts stated by the victim.
- Be specific and not general (i.e. about dates, time, numbers, names)
- Not contain judgments.
- Be clear, concise, and grammatically correct.
- Be written with legible hand-writing.

During and after the interview, counseling and psycho-social support should be provided to victim (for details refer to the Chapter ‘Caring for Victims of SGBV’).
7. Gathering Physical Evidence (Searches and Seizures)

**PHYSICAL EVIDENCE.** Evidence is a matter of fact that is be produced before a law Court to prove or disprove a fact or a point in a case. Evidence can be the oral testimony of a person gathered through interviews, medical report, or similar expert witness, or it can be made of physical things (i.e. stained towels or underwear, a weapon used to carry out the offence, documents, etc.). Most of the physical evidence in sexual assault and abuse cases can be found in 3 areas:¹⁵

1. **On the victim**
   - **Victims should be encouraged not to wash or to change clothes** before going to the hospital, since they might have evidence (blood, semen, etc.) on their body or clothes that can be gathered by health professionals.
   - Clothes, including underwear, of the victim shall be taken by the Police and stored in a safe place to be used in Court.
   - The Police can also take **pictures** (or make body maps if a camera is not available) of the victim’s injuries.
   - Photos of genital areas must be taken only by medical practitioners/health professionals.

2. **On the suspect**
   - If the suspect is arrested immediately after the abuse, the Police must **search** him/her in order to gather evidence (i.e. clothes).
   - If the suspect is not willing to hand over to the Police evidence in his/her possession, investigators must obtain a search warrant.

3. **At the scene of crime**
   - Investigators should visit the scene of crime **as soon as possible** (after obtaining a search warrant if need be). The Police should take **pictures** or make **sketches** (when a camera is not available) of the scene of crime, because the scene can change over time.

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¹⁵ Liberia Prosecutors Manual, pg. 67

Conducting Effective Investigations 63
**SEARCH WARRANT.** If, during investigations, investigators need to search the suspect’s or another person’s residence or properties (building, vehicle, vessel, place, etc.) in order to gather evidence relevant to the crime, they must obtain a search warrant.

**PROCEDURE.** Warrants are issued by the Magistrate/Justice of Peace in whose jurisdiction the place to search is located. Warrant is granted when the Police have reasonable grounds to believe that they can find some evidence of an offence in the place to be searched.

**EXECUTION**
- A search warrant will ordinarily be executed **between 5 a.m. and 10 pm** (unless the Magistrate states that it can be executed at any other time).
- Investigators **should knock, announce their presence and provide a** copy of the warrant if requested. If entry is not allowed, the officer executing the search warrant may enter using force, or break into the building or place.
- Investigators executing the warrant should **search every person** found in the place and restrict those persons (family members, friends, neighbors) obstructing the search. No strangers should be allowed in during the search.
- Investigators should gather all evidence relevant to the crime (e.g. objects/weapons used to commit the crime, stained or torn towels and clothes, objects lost by the victim or the suspect, etc.). If possible, gloves should be used to conduct the search.
- **Relevant evidence shall be seized** and **placed in exhibit bags labeled** with the description of the object, date and place it was collected.
- An **inventory** shall be taken of the place searched at the presence of the owner of the premises.

**ENDORSEMENT OF WARRANT**
After a search warrant has been executed, it must be endorsed along with the inventory of things found and seized at the presence of the person searched. A warrant is endorsed with the signatures of the police officer executing the search and as well as of the person against whom the warrant is executed. The endorsed warrant shall be kept by Police officers in order to be produced in Court proceedings.

**BEST PRACTICE:** In the absence of a Magistrate/Justice of Peace to issue the warrant, the search can still be executed **in the presence of community elders/local authorities** acting as guarantors.

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16 CPA, Sec. 30-35.
8. Arrest and Bail

In light of the requirements established by law\textsuperscript{17} investigators should arrest the suspect in order to:

4. Prevent the suspect from tampering with evidence or interfere with the witnesses (including the victim).
5. Prevent the suspect from escaping.

Arrest of a suspect can be conducted:

1. **Without warrant**
   - When the crime is committed at the presence of the Police/FSU.
   - When the suspect is positively accused of having committed a felony (e.g. rape).
   - When the FSU has reasonable grounds to believe that the suspect has committed the offence or is about to commit the offence.

2. **With warrant**
   - Warrant should be sought when the suspect cannot be found at the location (i.e. escape).

3. **By civilians**
   - A civilian can conduct the arrest of the suspect, when: he/she witnesses the commission of a felonious crime; he/she has reasons to believe that another person is about to commit an act against another person’s life or well-being. In this case the suspect should be immediately handed over to the Police.

**THE RIGHTS OF THE SUSPECT** should be respected at all times during the arrest. According to the Sierra Leone 1991 Constitution, the arrested person should be:

- immediately informed on the reasons of the arrest.
- brought before a Court of Law within 72 hours (in case of minor offences) or 10 days from the arrest (in case of offences carrying life imprisonment, i.e. rape).

\textsuperscript{17} CPA, sec. 4-15.
**BAIL.** For most SGBV offences - except if murder occurred\(^{18}\) - the suspect can be granted bail pending investigations and/or trial. During investigations, the Police/FSU can consider bailing the suspect, provided that:

- bailing the suspect will **not expose victims/witnesses to intimidation** or retaliation.
- **evidence has already been gathered** and cannot be tampered with.
- a **reliable surety** guarantees for the appearance of the suspect in Court.

Once the case has been charged to Court, investigators shall still express their opinion in relation to bail being granted by the Magistrate. Investigators shall **OPPOSE BAIL** when it is very likely that:

- the accused will interfere with witnesses, including the victim, if granted bail.
- the accused will commit a similar offence if granted bail.

In case the Magistrate is still inclined to grant bail, investigators shall liaise with prosecutors for the imposition of **BAIL CONDITIONS** including warning the accused:

- not to enter a particular town/area.
- not to contact victim or witnesses.
- not to be alone with persons under 14 years of age, etc.

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**WHEN MAKING AN ARREST:**

- **It’s the Police Officer’s duty to decide** whether to make an arrest or not. Victims should neither be asked whether they want an arrest nor be charged a fee for an arrest to be made.
- A **victim should never be asked to accompany Police officers** to apprehend the suspect, as encountering the suspect can be very traumatic for the victim.
- An officer should always **record the reasons why an arrest has NOT been made**, or why it has.
- Where an arrest is made, the contact details of the victim must be taken so that he/she can be contacted if the suspect is released. Officers must then **contact the victim before any release is made**.
- Officers should also ask victims **what bail conditions might assist** them if the accused is released on bail.

\(^{18}\) CPA, Sec. 79.
**Proving the Age: Guidelines for Age Assessment.**

One crucial point that investigators might need to establish during investigations (e.g. to prove elements of the offence) as well as for the purpose of service provision, is the age of the individuals involved (victim, witnesses, suspect). When determining the age of an individual, *investigators must never assess the age relying merely on the physical appearance* of an individual because this is not an accurate indicator of age. Methods that should be used by investigators to ascertain an individual’s age include making use of formal documentation or informal methods as follows:

<table>
<thead>
<tr>
<th>FORMAL DOCUMENTS for Age Assessment</th>
<th>ACTION</th>
<th>SOURCE OF INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birth Certificate</td>
<td>Check if a birth certificate is available.</td>
<td>Family, Births and Deaths Department</td>
</tr>
<tr>
<td>Medical Records</td>
<td>Hospital cards, vaccination cards.</td>
<td>Family, local hospitals, school clinics</td>
</tr>
<tr>
<td>Baptismal/Naming Ceremony Certificate</td>
<td>Check for a baptismal/naming certificate which indicates the age of child.</td>
<td>Family, churches</td>
</tr>
<tr>
<td>School Records</td>
<td>Check at school for records indicating the age.</td>
<td>Family, schools</td>
</tr>
<tr>
<td>Past Documentation</td>
<td>Check for previous police records or age determination by a Magistrate.</td>
<td>SLP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INFORMAL METHODS for Age Assessment</th>
<th>QUESTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statements</td>
<td>Ask the parents/guardians about the date of birth of the child in relation to historical events (death of Paramount Chief, events from the civil war).</td>
</tr>
<tr>
<td>Historical Events</td>
<td>Ask the child which historical events he/she can remember and how old he/she was when they occurred.</td>
</tr>
<tr>
<td>Probing questions</td>
<td>Ask the child and the parents/relatives probing questions in relation to what they have declared.</td>
</tr>
</tbody>
</table>

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19 From “Age Assessment Guidelines (Draft)”, MSWGCA, 2010
BRINGING CASES TO COURT
1. Overview of the Criminal Prosecution Process

All SGBV related offences are prosecuted in Court in order to determine the innocence or guilt of the accused and mete out the punishment prescribed by the law. The prosecution process starts with the report to the Police/FSU and ends with the case being heard by the Magistrate/High Court. Against the decisions of the Magistrate Court and of the High Court, an appeal can be made to higher Courts.

- **Supreme Court** - SC
  - The SC can reverse decisions of the CA through appeal.

- **Court of Appeal** - CA
  - The CA can reverse decisions of the High Court through appeal.

- **Trial at the High Court**
  - Magistrate conducts Preliminary Investigations (PI) / Commits matter to High Court (if indictable)

- **Appearance before the Magistrate Court**

- **Case sent to Prosecution (Police Prosecutor/State Counsel)**

- **Decision to Charge or not /Drafting of Charge Sheet**

- **Referral to Law Officers Department (if applicable)**

- **Investigations**

- **Bring Cases to Court**

  - Can be tried summarily by the Magistrate Court all offences punishable with max 5 years imprisonment.

  - The High Court:
    - Adjudicates SGBV offences for which the punishment is **above 5 years** (i.e. rape).
    - Can reverse decisions of the Magistrate Court through appeal.
2. Charging the Case to Court

At the end of every criminal investigation, a decision must be taken as to whether the case should be prosecuted in Court or not. The **DECISION TO CHARGE** the case to Court is taken based on:

- The **evidence gathered**: there is sufficient and reliable evidence to charge the case to Court.
- The **nature and gravity of the offence**.\(^{20}\)

The decision whether to prosecute the case or not **must not** be influenced by:

- The position/influence that the suspect has in the community.
- Pressures from the suspect, his family or other members of the community to compromise the case.
- The will of the victim. Once the case is reported to the Police, the decision whether to prosecute is left with the competent authorities (except for minor domestic violence).

The decision to charge shall be taken by the FSU/Police or the Law Officers Department (when applicable). The decision to charge is followed by the drafting of the charge sheet.

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\(^{20}\) For minor offences the law allows the Police to choose other measures (such as warnings) as an alternative to the prosecution of the case in Court. However, investigators must bear in mind that SGBV related offences can be dealt with out of Court only in exceptional cases (e.g. domestic violence when not aggravated).
Upon completion of the investigations and based on the evidence gathered, investigator(s) in consultation with the Line Manager, will prepare the charge sheet (or information). The charge sheet is the first identification of the crime and should identify all elements of the offence. Every CHARGE SHEET should contain the following Information:

**STATEMENT OF OFFENCE**
- Specific Offence with which the perpetrator is charged and
- The Law that punishes the offence (E.g. "abuse of young girl, contrary to sec. 6, cap. 31 of the Laws of Sierra Leone of 1960, as amended").

**PARTICULARS OF OFFENCE**
Particulars necessary to give sufficient information on the nature of the charge:
- name of the accused
- date & place of offence
- judicial district
- elements of the offence
- name and age of the victim

**SIGNATURE**
Signature of the Police Officer authorized to prosecute:
- Prosecutor or Law Officer (for the High Court).

**CHOOSING THE MOST APPROPRIATE CHARGE** at this stage will avoid delay and extra-work for police and prosecutors and ensure the smooth prosecution of the offence. When selecting the charge, investigators should note that:

- The charge should reflect as much as possible the seriousness and the extent of the offence as supported by the evidence. If the suspect has committed more than one offence, all of them should be charged (e.g. if the victim has been penetrated both by the vagina and the anus, separate counts of rape and sodomy should be preferred).
- Know your Magistrate and avoid those technicalities that cause the case to be thrown out of Court.
- In case of doubt, investigators should consult supervisors or the Law Officers Department before preferring the charge.
**EXAMPLE OF CHARGE SHEET**

<table>
<thead>
<tr>
<th>SLP Case and Enquiry File</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
</tr>
<tr>
<td>Court/Registered No:</td>
</tr>
<tr>
<td>Name of the Accused</td>
</tr>
<tr>
<td>Arrested by</td>
</tr>
<tr>
<td>Arrested on</td>
</tr>
<tr>
<td>Bailed on</td>
</tr>
</tbody>
</table>

**First Count**

**STATEMENT OF OFFENCE**

Abuse of a young girl contrary to sec. 6, cap. 31 of the Laws of Sierra Leone of 1960, as amended.

**PARTICULARS OF OFFENCES**

A.B, on the 18th day of March 2010, at Makeni, in the judicial district of Bombali, unlawfully carnally knew and abused J N, a girl under the age of 13 years.

**Second Count**

**STATEMENT OF OFFENCE**

Assault causing bodily harm, contrary to sec. 47 of the Offences Against the Person Act of 1860.

**PARTICULARS OF OFFENCE**

A.B, on the 18th day of March 2010, at Makeni, in the judicial district of Bombali, assaulted JN, causing her actual bodily harm.

<table>
<thead>
<tr>
<th>Investigator Name</th>
<th>Date of Hearing</th>
<th>Reason for Remand</th>
<th>On Whose Application</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dates (sent to Court)

Disposal of exhibit

Result

Signature of Prosecutor

Once the charge sheet is fully completed, it is forwarded along with the case file to the Prosecutor. The FSU Line Manager is the officer authorized to review the charge sheet, make necessary amendments and take the final decision to charge the case to Court. In order to review the charge sheet and charge the case to Court, the Line Manager might consult with the LUC, the FSU Director, the Legal and Justice Support Department of the SLP or the Law Officers’ Department.
In appropriate cases, before the case is sent to Court, the charge sheet and Police file should be referred to a LAW OFFICER (State Counsel) for ADVICE as to:

- The decision to charge.
- The appropriate charge.
- Additional evidence to be gathered by investigators.

Receiving the advice of a Law Officer will normally allow the case to be better suited for prosecution. Though it may be challenging to submit all SGBV cases for advice, the FSU/Crime Officer must consult a Law Officer at least WHEN:

- The SGBV related offence is so serious that it is in the public interest to prosecute the case (e.g. rape).
- The case presents some level of difficulty to the Police (e.g. on the charge to be preferred or on the evidential requirements).
- The case is politically sensitive.\(^{21}\)

In case the Crime Officer or the Law Officer decides that the case should not be charged to Court (e.g. not sufficient evidence has been gathered), the FSU must:

- Inform promptly the victim that the case will not be charged.
- Inform the victim on the option of resorting to PRIVATE PROSECUTION, that is to bring the case to Court either
  a) with the service of a private lawyer or
  b) by taking the matter to Court in person as a complainant.

\(^{21}\) According to the **Law Officers (Conduct of Prosecutions) Instructions of 1965**, offences that should be reported to the Attorney General or the Department of Public Prosecution include: cases involving loss of funds, bribery and corruption, case in which a public officer, a member of Parliament, Local Authority, or a diplomat is alleged to have committed an offence, cases involving a political party, cases in which there has been loss of life, offences of seduction and coinage and “all cases which are considered of some importance or difficulty ..” (sec. 2)
5. Handing Over the Case to Prosecutors

When the decision to charge the case to Court has been made, the charge sheet and the case file are sent to prosecutors. Most of the prosecution in Magistrate Courts is done by Police Prosecutors, although State Counsels have the authority to take over the prosecution at any stage of the proceedings.

**ROLE OF THE FSU** in handing over to Prosecution:

1. **SEND THE CASE FILE TO PROSECUTION.** The case file (or Police file) shall contain:
   - The charge sheet.
   - All Statements (from the victim, the accused, witnesses).
   - List of exhibits.
   - Any action(s) taken by the Police from the time the SGBV complaint was received.

2. **BRIEF THE PROSECUTOR** on the investigations, circumstances of the case, special needs of the victim. Such briefing can:
   - Help the prosecutor to review the case and effectively design his prosecution strategy.
   - Enhance the prosecutor's commitment to prosecuting the case.
   - Build confidence between the prosecutor and the victim.

3. **APPOINT A FSU VICTIM/WITNESS FOCAL POINT,** responsible for keeping victim and witnesses informed on Court proceedings.

4. **CONTINUE THE INVESTIGATIONS.** Police investigation is not over after the file is handed over to prosecutors. The Police should continue to investigate and turn evidence over to the prosecution until trial.

**AMENDMENT OF THE CHARGE SHEET.** If, before the first appearance of the case at the Magistrate Court, the police prosecutor realizes that the wrong charge was preferred, he can alert the FSU investigators or the Legal and Justice Support Department for the charge to amended. **After the first appearance** of the case in Court and at any time before the closure of the case, the charge sheet can still be amended by the Magistrate upon application of the Prosecutor.
6. Alternatives to Prosecution in Domestic Violence Cases

OPTIONS FOR DEALING WITH DV CASES. Only for domestic violence cases, considering the sensitiveness of such offences, the law gives the Police/FSU different options for dealing with cases including:

a) CRIMINAL PROSECUTION  
b) SETTLEMENT OUT OF COURT  
c) PROTECTION ORDER

It is the duty of the Police/FSU to decide in each case which will be the BEST COURSE OF ACTION for dealing with the case. In order to decide, investigators should:

1. Listen to the views of the victim  
Cases can be settle out of Court only if the victim expresses the free will to do so. However, when the DV is aggravated, the case must be charged to Court and prosecuted, even if the victim wants to settle (for the definition of aggravated DV see ‘Knowing the Laws’, pg.46).

2. Consider the nature of the violence  
The matter can be settled out of Court only if the offence is not aggravated.

3. Carry out a risk assessment  
For each DV case reported to them, officers must carry out a ‘risk assessment’: that is, gather information in order to assess if the victim (or family members such as children) are exposed to risks to their physical safety. High risk cases should not be settled.

HIGH RISK FACTORS include:
- Previous physical/sexual assault by the suspect.
- Child abuse by the suspect.
- Escalation of violence against the victim, including use of weapons or attempt of strangulation.
- Threats of committing homicide or suicide by the suspect.
- Suspect’s criminal records.
- Use of alcohol/drugs by the suspect.
- Suspect’s jealousy or possessiveness.
- Pregnancy of the victim.
- Social isolation of the victim.
- Victim’s perception of being at risk of future harm.
**SETTLEMENT OUT OF COURT.** Only if DV is not aggravated, the case can be mediated or dealt with out of Court. Mediation can be undertaken either before or after the case is charged to Court. The Police/FSU should never settle DV when:

- The victim does not want to settle.
- The violence is aggravated.
- It is a high risk case.

AFTER a case has been charged to Court, it can still be referred for mediation by the Magistrate, provided that the violence is not aggravated and the victims is willing to settle. In this case the Magistrate will also have the obligation to:

- Refer the victim and the accused for counseling.
- Require the accused to receive psychiatric help, when necessary.
- in consultation with the MSWGCA, appoint a probation officer to observe and report on the subsequent conduct of the accused.\(^22\)

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**ROLE OF THE FSU** in relation to the **SETTLEMENT**:

- Making sure that the victim is not forced or pressured by the accused/family to opt for mediation.
- Ensuring that conditions of mediation respect the dignity of the victim. Victims are not responsible for the abuse, and they should not be asked to change their behavior or to apologize.
- Making sure that the suspect understands that DV is a serious offence and that in case of further violence he will be charged to Court for it.
- Keep separate and detailed records of cases mediated. Records need to be kept because, if violence re-occurs, the case must be charged to Court.
- In case of mediation ordered by the Magistrate’s Court, monitor and report to the Court on the subsequent conduct of the accused.

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\(^{22}\) DVA, Sec. 20.
**PROTECTION ORDERS.** Another remedy available to victims of domestic violence is the protection order. The protection order is an order from the Court offering different kinds of protection to victims of domestic violence, according the circumstances of the case. Protection orders can for example be issued from the Court ordering the accused, or somebody associated with him to:

- **STOP** domestic violence or threatening to commit domestic violence in all its forms.
- **LEAVE** the family house.
- **NOT CONTACT** the victim’s children.
- **PAY** for the maintenance of the victim (co-order).
- **NOT GO** near the victim (co-order).
- **Other** orders that the Court may consider in the interest of the victim (a full list of possible orders can be found in the DVA at sections 13 and 15).

**THE APPLICATION** for protection order can be made by the victim to the Magistrate Court:

- independently of any other procedure.
- in combination with Court proceedings (before or after the case is charged to Court).
- in combination with mediation/settlement of the matter.\(^{23}\)

**CONTRAVENTION OF PROTECTION ORDER** is an **offence**, punishable with a fine not exceeding Le 5,000,000 or to a term of imprisonment not exceeding 3 years or both (DVA, sec. 19).

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**ROLE OF THE FSU in relation to PROTECTION ORDERS:**

- Advise the victim on seeking the best type of protection orders.
- Monitor adherence to the protection order by the suspect/respondent.
- Arrest and charge the suspect/respondent to Court if the protection order is breached.

\(^{23}\) A comprehensive overview of the procedure for Protection Orders can be found in the *FSU Training Manual*, pg.57.
7. Role of the FSU in relation to Court Proceeding

During Court proceedings the victim will experience a level of FEAR and DISTRESS that is likely to:

- Negatively affect the quality of the evidence that the victim can provide.
- Cause the victim to withdraw from Court proceedings.

At this stage, FSU officers (in their different capacity as investigators, formal witnesses, victim focal points, monitors) still have a crucial role to play in making sure that the victim’s needs are properly addressed.

DUTIES OF THE FSU in relation to Court Proceedings:

**Taking Active Part in the Trial:**

- Investigators testify as formal witness(es) on the outcomes of investigations. Investigators should prepare their testimony and evidence by going through their notes and/or meeting the prosecutor.
- Produce in Court the exhibits gathered upon request of the Court.

**Informing and Counselling the Victim:**

- Notify victim and witnesses of all dates of Court hearings.
- Provide the victim with all information on Court proceedings (status of the case, the live evidence that the victim will be required to provide, arrest/bail of suspect, etc.).
- Explain the meaning and effect of any decision taken by the Court and respond to any question the victim might have.
- Provide counselling and moral support to the victim throughout the proceedings, including through appropriate referrals (e.g. to NGOs providing legal aid).
PROTECTING THE VICTIM:

- Notify the victim without delay if the Court granted bail to the accused.
- Persuade the Magistrate that all hearings on SGBV cases should be held behind closed doors (or in camera).
- Make sure the victim does not come into contact with, is not approached or intimidated by the accused or the perpetrator’s family.
- Advise the victim on the option to apply for a protection order, if need be.

MONITORING COURT PROCEEDINGS:

- Monitor to ensure that cases forwarded to Prosecution are heard by the Court.
- Monitor case status/progress and report on cases sentences or discharged.
- Monitor adherence to protection orders by the perpetrator.
- Monitor to ensure that the victim is treated fairly during the proceedings.
- Compile returns and reports to the Attorney General and Minister of Justice, copying the FSU Headquarters.

FOLLOWING-UP ON OUTCOME OF COURT PROCEEDINGS

The outcome of Court Proceedings will always have an impact on victims. The impact should always be assessed in order to provide the required support to victims. In particular:

- If the accused is found not guilty, the victim might think that her/his story was not believed. FSU officers should explain to the victim the reason for the Court’s decision (for example, because insufficient corroborative evidence was gathered).
- If the accused is found guilty and sentenced, the victim might feel responsible. FSU officers should explain that what happened to the accused is beyond the victim’s control and that she/he did the right thing to report the abuse.
- FSU officers will also have the responsibility to explain the implication of the Court’s decision to the community.
REFERENCES

- Age Assessment Guidelines - Children in Contact with the Justice System (draft), Ministry of Social Welfare Gender and Children Affairs, Sierra Leone 2010.

LAWS

- Anti-Human Trafficking Act, no. 7 of 2005.
- Criminal Procedures Act, Sierra Leone, 1965.
- Domestic Violence Act, no. 20 of 2007.
- Offences Against the Person Act, 1861
<table>
<thead>
<tr>
<th>AIG</th>
<th>Assistant Inspector General</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA</td>
<td>Court of Appeal</td>
</tr>
<tr>
<td>CP(s)</td>
<td>Child Panel(s)</td>
</tr>
<tr>
<td>CPA</td>
<td>Criminal Procedures Act</td>
</tr>
<tr>
<td>CRA</td>
<td>Child Rights Act</td>
</tr>
<tr>
<td>CWC</td>
<td>Child Welfare Committee</td>
</tr>
<tr>
<td>DCI</td>
<td>Defence for Children Internatinal</td>
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<tr>
<td>DV</td>
<td>Domestic Violence</td>
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<tr>
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<td>Office of the Director of Public Prosecution</td>
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<tr>
<td>DVA</td>
<td>Domestic Violence Act</td>
</tr>
<tr>
<td>FGC</td>
<td>Female Genital Cutting</td>
</tr>
<tr>
<td>FSU</td>
<td>Family Support Unit</td>
</tr>
<tr>
<td>GBV</td>
<td>Gender Based Violence</td>
</tr>
<tr>
<td>HIV/AIDS</td>
<td>Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>IGP</td>
<td>Inspector General of Police</td>
</tr>
<tr>
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<td>Justice Sector Development Programme</td>
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<tr>
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<td>Minister of Social Welfare Gender and Children Affairs</td>
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<tr>
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<td>Non-Governmental Organization</td>
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<tr>
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<td>Offences Against the Persons Act</td>
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<tr>
<td>SGBV</td>
<td>Sexual and Gender Based Violence</td>
</tr>
<tr>
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<td>Supreme Court</td>
</tr>
<tr>
<td>SLP</td>
<td>Sierra Leone Police</td>
</tr>
<tr>
<td>STI(s)</td>
<td>Sexually Transmitted Infection(s)</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children Fund</td>
</tr>
<tr>
<td>VAW</td>
<td>Violence against Women</td>
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</tbody>
</table>