



## COI QUERY

<b>Country of Origin</b>	<b>SIERRA LEONE</b>
<b>Title</b>	<b>Domestic violence, including prevalence, societal attitudes and treatment of victims, legislation, state protection, access to support services</b>
<b>Reference period</b>	January 2021 to 16 August 2023
<b>Topic(s)</b>	<ol style="list-style-type: none"> <li>1. <a href="#">Prevalence of domestic violence</a></li> <li>2. <a href="#">Societal attitudes and treatment of victims</a></li> <li>3. <a href="#">Legislation on domestic violence</a> <ol style="list-style-type: none"> <li>3.1. <a href="#">Legislation on rape, including marital rape</a></li> </ol> </li> <li>4. <a href="#">State protection</a> <ol style="list-style-type: none"> <li>4.1. <a href="#">Access to support services</a></li> </ol> </li> </ol>
<b>Date of completion</b>	17 August 2023
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## COI QUERY RESPONSE – Sierra Leone

### Domestic violence, including prevalence, societal attitudes and treatment of victims, legislation, state protection, access to support services

#### 1. Prevalence of domestic violence

The United Nations Development Programme (UNDP) noted in a report published on 12 October 2022 that ‘to this day, SGBV [Gender-Based Violence, including domestic violence] continues to be one of the most pervasive forms of human rights abuse in Sierra Leone’.<sup>1</sup> Rape and domestic violence are described by sources as a common part of ‘everyday life’ particularly in rural areas<sup>2</sup> and a persistent problem left-over from the legacy of the civil war period (1991-2002), when sexual violence against women was frequent and resulted in over 200 000 women being victimised.<sup>3</sup>

According to the Sierra Leone Demographic and Health Survey (SLDHS) published by Statistics Sierra Leone on behalf of the Sierra Leone Ministry of Health and Sanitation in October 2020, ‘61 % of women aged 15-49 have experienced physical violence by anyone’ which represented an increase since 2013, when the figure stood at 56 %.<sup>4</sup> Furthermore, 7 % of women between 15-49 years old experienced sexual violence, which was more likely to be suffered by ‘divorced, separated, or widowed women (13 %)’ than married women, 9 % or never-married women, 3 %.<sup>5</sup> According to Al Jazeera incidents were regularly not reported therefore the prevalence was likely higher.<sup>6</sup>

#### 2. Societal attitudes and treatment of victims

Discussions of domestic violence against women were described by sources as a taboo subject in society.<sup>7</sup> Sources reported that domestic violence was being underreported for

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<sup>1</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual and Gender-based Violence in Sierra Leone, 12 October 2022, [url](#), p. 17

<sup>2</sup> DW, Sierra Leone: Educating abusive husbands, 5 August 2020, [url](#)

<sup>3</sup> Al Jazeera, Tackling domestic violence: Inside Sierra Leone’s husband school, 6 March 2019, [url](#); DW, Sierra Leone: Educating abusive husbands, 5 August 2020, [url](#)

<sup>4</sup> Sierra Leone, MHS and Stats SL, Sierra Leone Demographic and Health Survey (2019 SLDHS), October 2020, [url](#), p. 297

<sup>5</sup> Sierra Leone, MHS and Stats SL, Sierra Leone Demographic and Health Survey (2019 SLDHS), October 2020, [url](#), p. 300

<sup>6</sup> Al Jazeera, Tackling domestic violence: Inside Sierra Leone’s husband school, 6 March 2019, [url](#)

<sup>7</sup> Al Jazeera, Tackling domestic violence: Inside Sierra Leone’s husband school, 6 March 2019, [url](#); DW, Sierra Leone: Educating abusive husbands, 5 August 2020, [url](#)

reasons such as: a 'culture of silence' and social stigma,<sup>8</sup> 'harsh judgment and shame',<sup>9</sup> and shame and fear of rejection by family and community.<sup>10</sup>

The Institute for Governance Reform (IGR) interviewed 1 200 adult citizens of Sierra Leone between 13 June and 9 July 2022 asking whether a woman would be criticised, harassed, or shamed for reporting Gender-Based Violence to the authorities, including domestic violence. 27 % of the respondents considered that women 'would very likely be criticised, harassed, or shamed by others in the community,' while 37 % claimed that would be 'very unlikely'.<sup>11</sup> Furthermore, 57 % of those interviewed said that domestic violence should be addressed as a private matter and be handled within the family rather than a criminal matter.<sup>12</sup>

The paper Violence against women in Sierra Leone: How women seek redress published by the Overseas Development Institute (ODI) in December 2012 noted that victims who asked for help to their families were likely to be encouraged 'to return to her husband' partially due to the importance placed on the family unit and because of the financial responsibility that the family's victim would bear to support the woman since 'this responsibility belongs to her husband and his family'.<sup>13</sup> When women did not obtain redress after turning to their families, in the provinces they were likely to ask for help to their 'community leader, such as a mammy queen, leader of a trade association or chief (in Freetown, women may either report to a tribal headman, or skip this step)'.<sup>14</sup> The same source reported that when victims sought assistance from community leaders 'chiefs are likely to tell a woman she must return to her husband in cases where the violence is considered not severe'.<sup>15</sup> More recent information on this topic could not be found within the time constraints to complete this query.

### 3. Legislation on domestic violence

In Sierra Leone, domestic violence is an offence under the Domestic Violence Act (2007).<sup>16</sup> United Nations (UN) Women noted that the Domestic Violence Act (2007) introduced domestic violence as a crime, which covers violence which takes place in a domestic relationship between married couples, partners, parents and children and other family members.<sup>17</sup>

Specifically, Article 2(1) of Domestic Violence Act states:

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<sup>8</sup> USDOS, 2021 Country Report on Human Rights Practices: Sierra Leone, 12 April 2022, [url](#), p. 16

<sup>9</sup> Lewallyn T., The Challenges of Women in Sierra Leone, Borgen Project (The) [Blog], 5 February 2022, [url](#)

<sup>10</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual and Gender-based Violence in Sierra Leone, 12 October 2022, [url](#), p. 21

<sup>11</sup> Afro Barometer, Gender-based violence a high priority in Sierra Leone, but citizens say women who come forward likely to face criticism and shame, 2 November 2022, [url](#), p. 3

<sup>12</sup> Afro Barometer, Gender-based violence a high priority in Sierra Leone, but citizens say women who come forward likely to face criticism and shame, 2 November 2022, [url](#), p. 4

<sup>13</sup> ODI, Violence against women in Sierra Leone: How women seek redress, 1 December 2012, [url](#), p. 16

<sup>14</sup> ODI, Violence against women in Sierra Leone: How women seek redress, 1 December 2012, [url](#), p. 16

<sup>15</sup> ODI, Violence against women in Sierra Leone: How women seek redress, 1 December 2012, [url](#), p. 16

<sup>16</sup> Sierra Leone, Act No. 20 of 2007, The Domestic Violence Act 2007, 26 July 2007, available at: [url](#)

<sup>17</sup> UN Women, Global Database on Violence against Women, Domestic Violence Act – Sierra Leone, n.d., [url](#)

‘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 or 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, including any omission that results in harm and either-
  - (i) endangers the safety, health or wellbeing of another person;
  - (ii) undermines another person’s privacy, integrity or security; or
  - (iii) detracts or is likely to detract from another person’s dignity or worth as a human being.’<sup>18</sup>

Any of the mentioned acts are ‘punishable by a fine not exceeding Le 5,000,000 [approximately EUR 207], or by a term of imprisonment not exceeding 2 years, or by both such fine and imprisonment’.<sup>19</sup>

The Domestic Violence Act provides for police procedures in response and states under Part II, Article 6, that ‘A police officer shall offer such protection as the circumstances of the case or the person who made the report require’.<sup>20</sup> Part III of the same Act provides for the application for a protection order and describes the procedure to request it (Section 10), the proceedings following the request (section 11), and the effect of the protection order (Section 13).<sup>21</sup>

### **3.1. Legislation on rape, including marital rape**

Rape is criminalised by a 15-year prison sentence.<sup>22</sup> Marital rape is specifically criminalized under the law<sup>23</sup> also punished under the Sexual Offences Act of 2012, with a penalty of five to fifteen years imprisonment.<sup>24</sup> The Act ‘introduces the crime of marital rape and aggravating factors, such as the victim’s mental disability, prohibits the defence of consent and provides for compensation for the victim’.<sup>25</sup>

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<sup>18</sup> Sierra Leone, Act No. 20 of 2007, The Domestic Violence Act 2007, 26 July 2007, available at: [url](#), Section 2 (2)

<sup>19</sup> Sierra Leone, Sierra Leone, Act No. 20 of 2007, The Domestic Violence Act 2007, 26 July 2007, available at: [url](#), Section 2 (3); Sierra Leone, Initial report submitted by Sierra Leone under articles 16 and 17 of the Covenant, due in 1998, 2 May 2023, [url](#), para. 62

<sup>20</sup> Sierra Leone, Act No. 20 of 2007, The Domestic Violence Act 2007, 26 July 2007, available at: [url](#), Section 6

<sup>21</sup> Sierra Leone, Act No. 20 of 2007, The Domestic Violence Act 2007, 26 July 2007, available at: [url](#), Part III

<sup>22</sup> USDOS, 2021 Country Report on Human Rights Practices: Sierra Leone, 12 April 2022, [url](#), p. 16

<sup>23</sup> USDOS, 2021 Country Report on Human Rights Practices: Sierra Leone, 12 April 2022, [url](#), p. 16

<sup>24</sup> Sierra Leone, Act No. 60 of 2012, The Sexual offences Act 2012, 1 November 2012, available at: [url](#); Sierra Leone, Initial report submitted by Sierra Leone under articles 16 and 17 of the Covenant, due in 1998, 2 May 2023, [url](#), para. 63

<sup>25</sup> UNODC, Training Tool on Legal Aid for Women in Criminal Justice Systems in Liberia, Senegal, and Sierra Leone, 1 September 2021, [url](#), p. 147

## 4. State protection

Information on the implementation of the law was scarce among the sources consulted within the time constraints of this query.

USDOS reported in 2022 that domestic violence charges ‘were rare, especially in rural areas, due to medical reporting requirements, high court fees, and an inefficient judicial system’. The same source reported that the Human Rights Commission of Sierra Leone (HRCSL) and the NGO Rainbo Initiative noted a shortage of medical personnel and long court processing times in many communities.<sup>26</sup>

According to Freedom House, reports of domestic violence ‘rarely result in conviction, despite the introduction of a Sexual Offences Amendment Act in 2019’, and police units responsible for investigating and prosecuting these crimes were understaffed and underfunded.<sup>27</sup> The Lady Ellen Women’s Aid Foundation (LEWAF-SL) also mentioned the lack of competence and fragmentation of the legal system in Sierra Leone for domestic violence cases, which discouraged citizens from trusting the judiciary and continued ‘to generate leniency for perpetrators, contributing to the prevalence of abuse toward women’.<sup>28</sup>

In cases of sexual offenses, USDOS reported that victims, ‘often at the encouragement of their families, tended to compromise with offenders out of court. As a result, a culture of impunity persisted, which perpetuated gender-based violence.’<sup>29</sup> UNODC mentioned that ‘women are pressured into settling cases out of court which often results in impunity for the perpetrators’. In the event of a court trial for these cases, the conviction rates were ‘very low’.<sup>30</sup>

In July 2020, Sierra Leone launched the Sexual Offences Model Court for rape proceedings<sup>31</sup> after they ‘have gone through preliminary investigations at the Magistrate court and have invoked Section 136 of the 1991 Constitution of Sierra Leone’.<sup>32</sup> To ensure the victims’ protection, the Court included witness protection facilities.<sup>33</sup>

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<sup>26</sup> USDOS, 2021 Country Report on Human Rights Practices: Sierra Leone, 12 April 2022, [url](#), p. 16

<sup>27</sup> Freedom House, Freedom in the World 2023 - Sierra Leone, March 2023, [url](#)

<sup>28</sup> Lewallyn T., The Challenges of Women in Sierra Leone, Borgen Project (The) [Blog], 5 February 2022, [url](#)

<sup>29</sup> USDOS, 2021 Country Report on Human Rights Practices: Sierra Leone, 12 April 2022, [url](#), p. 16

<sup>30</sup> UNODC, Training Tool on Legal Aid for Women in Criminal Justice Systems in Liberia, Senegal, and Sierra Leone, 1 September 2021, [url](#), p. 141

<sup>31</sup> Permanent Mission of the Republic of Sierra Leone to the United Nations, Statement by H.E. DR. Alie Kabba Permanent Representative On Agenda Item 86 “Rule of Law” at the National and International Levels Delivered in the Sixth Committee, 20 October 2020, [url](#), p. 4

<sup>32</sup> Politico SL, Sierra Leone to open a Special Court for sexual offences, 25 July 2020, [url](#)

<sup>33</sup> Sierra Leone, Contribution From The Judiciary Of Sierra Leone To The Thematic Report On “Women’s And Girls’ Sexual And Reproductive Health And Rights In Situation Of Crisis” To Be Presented To The 47th Session Of The Human Rights Council, 28 August 2020, [url](#), p. 3

#### **4.1. Access to support services for victims**

In Sierra Leone, 40 % of women aged 15-49 who had experienced physical or sexual violence by anyone sought help.<sup>34</sup> Women seeking help asked first their own family in 81 % of cases, their husband's/partner's family (37 %), neighbours (20 %), friends (17 %), religious leaders (10 %) and the police (5 %).<sup>35</sup>

UNDP explained the dynamics of support services available to women who have experienced domestic violence. After resorting to community leaders, women preferred to turn to non-governmental organization to ask for help, whose availability varied depending on regions. They were chosen over government institutions because women trusted them more.<sup>36</sup> According to UNDP, state authorities were the last point of contact when seeking help, and most reports involved sexual violence.<sup>37</sup> UNDP listed the following organisations and initiatives providing assistance to SGBV victims: 'Rainbo initiative, as well as Hope for Youths Sierra Leone, Enough Abuse Sierra Leone, Timap for Justice, BRAC, Health Poverty Action, and LAWYERS, among others'.<sup>38</sup> In Sierra Leone there were seven centres run by the NGO Rainbo Initiative, which works on the prevention, response and evidence-based advocacy to end SGBV,<sup>39</sup> providing free medical services to SGBV victims.<sup>40</sup> According to the HRCSL, in 2021 Rainbo Initiative recorded 2 966 sexual assault cases and 326 physical assault cases.<sup>41</sup>

Under the Ministry of Internal Affairs' Police and Transnational and Organized Crime,<sup>42</sup> Police stations have attached Family Support Units (FSUs), 'to address family-related issues including domestic violence', and a Legal Aid Board (LAB) also working on domestic violence cases.<sup>43</sup> As of April 2022 there were FSUs in 80 in Sierra Leone, which received support from the United Nations Children's Fund (UNICEF).<sup>44</sup> HRCSL published on 1 March 2023 the Annual Report on the state of Human Rights in the country covering the year 2021, where it noted the challenges that FSUs faced when tackling SGBV: obstacles to the mobility of agents which impacted the process of gathering evidence; 'inadequate' staff number in the Sexual Assault Syndicate Unit; the reluctance and availability of witnesses to cooperate in investigations; the

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<sup>34</sup> Sierra Leone, MHS and Stats SL, Sierra Leone Demographic and Health Survey (2019 SLDHS), October 2020, [url](#), p. 305

<sup>35</sup> Sierra Leone, MHS and Stats SL, Sierra Leone Demographic and Health Survey (2019 SLDHS), October 2020, [url](#), p. 306

<sup>36</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual Violence and Gender-based violence in Sierra Leone, 12 October 2022, [url](#), p. 21

<sup>37</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual Violence and Gender-based violence in Sierra Leone, 12 October 2022, [url](#), p. 21

<sup>38</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual Violence and Gender-based violence in Sierra Leone, 12 October 2022, [url](#), p. 21

<sup>39</sup> Rainbo Initiative, Homepage, n.d., [url](#)

<sup>40</sup> Rainbo Initiative, About us, n.d., [url](#)

<sup>41</sup> HRCSL, The State of Human Rights in Sierra Leone 2021 Report, 1 March 2023, [url](#), p. 44

<sup>42</sup> USDOL, 2021 Findings on the Worst Forms of Child Labor: Sierra Leone, 28 September 2022, [url](#), p. 4

<sup>43</sup> Initial report submitted by Sierra Leone under articles 16 and 17 of the Covenant, due in 1998, 2 May 2023, [url](#), para. 120

<sup>44</sup> UNICEF, Family Support Unit improving systems to support survivors of violence and abuse, 14 April 2022, [url](#)

fees requested to victims/complainants for the medical reports and the ‘delays’ by the Principal State Counsel to send its advice.<sup>45</sup>

In April 2020, the Ministry of Gender and Children's Affairs, supported by the United Nations Population Fund (UNFPA) and the national NGO Rainbo Initiative set up the One-Stop Centres initiative, which consisted of six pilot centres offering ‘psychosocial counselling, free medical evaluation and treatment, legal aid, access to safe places, and referrals to other services’.<sup>46</sup> As of 2022, there were six centres across the country located in ‘government referral hospitals in Moyamba, Kailahun, Pujehun, Kabala, Port Loko, and the King Harman Road Government Referral Hospital’.<sup>47</sup> HRCSL, referring to information from the Ministry of Gender and Children’s Affairs (MoGCA), reported that the six One-Stop Centres issued in 2021 396 medical reports and ‘provided 408 psycho-social services to victims of SGBV’.<sup>48</sup> It also noted that the closure of the Centre at the King Harman Road Government Hospital during the months of April to June 2021 hampered access of victims to police services.<sup>49</sup> Sierra Leone also established a toll-free hotline providing counselling and referral services to GBV survivors.<sup>50</sup>

MoGCA set up a pilot initiative of ‘Community Safe Homes’ aimed at providing assistance in the form of temporary care and shelter to children and adults who had experienced SGBV in the districts of Kailahun, Koinadugu, Pujehun, and Moyamba.<sup>51</sup>

Further information on the efficacy of these services could not be found within the time constraints of this query.

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<sup>45</sup> HRCSL, The State of Human Rights in Sierra Leone 2021 Report, 1 March 2023, [url](#), p. 43

<sup>46</sup> UNFPA, Gender-based violence, n.d., [url](#)

<sup>47</sup> USDOS, 2022 Country Report on Human Rights Practices: Sierra Leone, 20 March 2023, [url](#), p. 16

<sup>48</sup> HRCSL, The State of Human Rights in Sierra Leone 2021 Report, 1 March 2023, [url](#), p. 43

<sup>49</sup> HRCSL, The State of Human Rights in Sierra Leone 2021 Report, 1 March 2023, [url](#), p. 43

<sup>50</sup> UNDP, Capturing the Socioeconomic and Cultural Drivers of Sexual Violence and Gender-based violence in Sierra Leone, 12 October 2022, [url](#), p. 21

<sup>51</sup> HRCSL, The State of Human Rights in Sierra Leone 2021 Report, 1 March 2023, [url](#), p. 43



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## **ADDITIONAL SOURCES CONSULTED**

Amnesty International (AI); ECOLnet; European Union – EUAA COI Portal; Human Rights Watch (HRW); New Humanitarian (The); Sierra Express Media; SierraLoaded