

- AdvocAid -

Supporting access to justice and strengthened rights for girls, women and their children in conflict with the law in Sierra Leone.



ADVOCAID PROFILE

May 2013

ORGANIZATIONAL INFORMATION

Organizational Purpose

Goal

AdvocAid's goal is to strengthen access to justice for girls, women and their children in conflict with the law, foster an increased ability for women to understand and claim rights and to empower them as active citizens.

Objectives

1. Strengthen access to legal education; legal advice and legal representation for girls and women in conflict with the law
2. Provide targeted preventative legal education messages and training to groups of vulnerable girls and women in conflict with the law
3. Ensure that girls, women and children who are detained are able to reintegrate successfully into their communities after release through provision of skills training education and welfare support
4. Engage in strategic capacity building, advocacy and public awareness raising in relation to issues affecting girls, women and their children in conflict with the law

History of the Organisation

AdvocAid developed out of the work of the 'Pademba Road Prison Monitoring Group'. This group was comprised of four women involved in human rights and justice sector reform work in Sierra Leone who initiated monitoring activities and literacy programs in the women's section of the country's main prison. Through its regular presence in the prison, the group began to understand how women were being systematically marginalized within the prison and legal system due to a lack of legal representation and a lack of knowledge of their rights in a context where a judicial system, rebuilding from years of civil conflict and preceding neglect, did not take their specific needs into account. This led the Monitoring Group in 2006 to found AdvocAid, an organization focused on supporting access to justice, education and reintegration for women and children in detention. Since its founding, AdvocAid has achieved significant successes in relation to providing legal advice and representation, legal education and welfare and reintegration support to detained women and girls.

Areas of Operation

AdvocAid currently operates on a national level: in Freetown (the capital) and Western rural (Waterloo and Masiaka) and three other towns in Sierra Leone where there are prisons (Bo, Kenema and Makeni). It provides some legal representation in two other towns (Port Loko , Moyamba and Kono).

Beneficiaries

The beneficiaries of AdvocAid's work are girls and women who are charged, detained or imprisoned and vulnerable women who are at risk of coming into conflict with the law.

Prison statistics kindly provided by the Prison Department indicate that the number of women who experience imprisonment in Sierra Leone is far greater than previous analyses have indicated. In 2009 the number of women detained in all 13 prisons across Sierra Leone was 462. In 2010, this increased by 29% to 597. (These figures include women on remand as well as convicted women) These statistics do not include women who were detained in police stations and then released on police bail or obtain court bail. By 2012 the number had virtually doubled to 909 placing an intolerable demand on the prisons. These figures do not include those women and girls who are detained for lengthy periods in police cells up and down the country.

As paralleled in the social and economic dynamics of the country, women face marginalization within Sierra Leone's legal system. Women's imprisonment is closely related to poverty, both as the reason for committing offences and because women often cannot afford legal services or to pay fines or bail. Antiquated laws mean that all too often women are imprisoned for allegations over small debts, including those incurred by their husbands, and other petty crimes. Most women in detention tend to have a background of physical and emotional abuse or mental health problems. Many women in prison are victims of gender based violence and have wounded or killed their partners in self-defence. Women are usually primary or sole carers and critical income earners through activities such as petty trading. Therefore, their incarceration can have a devastating effect on their family, particularly on young children. Many suckling mothers are in fact detained with their young children until they are around three years old.¹ Women are often abandoned by their families once arrested due to the social stigma or simply because of distances, leaving them with no one to advocate for them or to assist. The prison system suffers from overcrowding, a lack of specific facilities for women and their children, a deficiency of basic welfare services and minimal rehabilitation services due to the minority of women in the prison system.

Women (and girls) are in the minority of prisoners around the world, constituting an estimated 2 to 9% of national prison populations. For this reason, and other reasons relating to women's status and position nationally and internationally, women's specific characteristics and needs as subjects of the criminal justice system have tended to remain unacknowledged or little understood, with the result that their needs go largely unmet.

¹ See further, "Children imprisoned with a parent" A report prepared by AdvocAid for the Quaker United Nations Office (2008).

Organization Structure

AdvocAid is an organization run by women, for women. As a company limited by guarantee (established in 2008), we have a Board of Directors consisting of three women, former colleagues who initiated the 'Pademba Road Prison Monitoring Group' and subsequently founded AdvocAid. The Board supports the organization in strategic level decisions and planning, while the Executive Director in Freetown is in charge of the day to day running of the organization and supervision of the staff.

AdvocAid staff includes a Sierra Leonean female lawyer who holds the position of Legal Officer and coordinates the legal representation work and contributes to programming decisions. All three AdvocAid paralegals are women. One of our paralegals is a former detainee, which helps to ensure that our beneficiaries' perspective is always taken into account in planning and decision making. There is a part time Duty Counsel lawyer in Freetown, Makeni and Kenema and we also work with a network of lawyers across Sierra Leone who we contract on an ad hoc basis. AdvocAid has encouraged the involvement of Sierra Leonean female law students in the women's section of the main prison in Freetown through legal education workshops. Feedback from the participating students has reflected a real motivation to engage in human rights work and to support women's access to justice following on from this exposure to the situation of women in prison. AdvocAid maintains its commitment to hiring Sierra Leonean female lawyers whenever they are willing and able to take on the cases of female detainees.

We have a female Finance and Administrative Officer and Social Worker and also work with various contracted female teachers and skills trainers to run our literacy and skills training programme.

CONTEXT

Why our work is needed?

Overview

AdvocAid has achieved important successes in terms of both improved internal management processes as well as increased impact in empowering and protecting women in conflict with the law in Sierra Leone.

AdvocAid has a mandate that addresses a very real gap in the justice system in Sierra Leone and an approach that privileges collaboration and partnership with a range of stakeholders. AdvocAid's strength is its focus on women's rights from both a protection and empowerment perspective. While other small civil society organizations exist that work with male prisoners, we are the only organization that is positioned to support women and their children specifically. We believe that our strength lies in our approach - which does not attempt to build on numbers but focuses on providing holistic quality services to a particularly vulnerable target group.

The coming years represent an exciting time of growth and impact.

Lack of Access to Justice

"Without AdvocAid I would have been in prison for 8 years. Because they did an appeal for me I only spent 7 months in prison." - per a former female prisoner from Kambia, detained in Makeni and later Freetown Prison. Her conviction was overturned on appeal.



While recently efforts to provide some legal aid services have increased, such as through the Pilot National Legal Aid Scheme, the need for legal representation and advice is still extensive, especially in the provinces. AdvocAid is the only organisation at present which provides access to the appellant process for women in conflict with the law. This is crucial given the lack of legal aid at first instance which often results in miscarriages of justice or excessive sentencing. The appeals process is complex and often requires the assistance of experienced lawyers.

AdvocAid conducted several needs assessments at the beginning of 2010 and found that in practice minimal legal aid services are being offered to girls and women in conflict with the law in Makeni, Bo, Port Loko and Kenema.

Lack of Rehabilitation and Reintegration

*“Before I came to prison I could not write my name. Now I will teach my children how to write.”
- per a female prisoner, Pademba Road Prison.*

The majority of girls and women in conflict with the law are illiterate and poor. Poverty, lack of education and lack of economic empowerment are most often contributing factors to women coming into conflict with the law.

A UN report in 2007 noted that *“all the prisons have no meaningful vocational training and counseling programs aimed at physical development and strengthening of the moral character of the prisoners so as to facilitate their reintegration into society as responsible citizens after their release from the prison. By all standards, the prisons are treated as places of condemnation and punishment rather than of rehabilitation and reformation.”*² In 2009, the Special Rapporteur on the Right to Education issued a set of strong recommendations concerning prioritization of the right to education for persons in detention.

AdvocAid’s literacy classes, run in conjunction with the educational charity EducAid, are currently the only education provided to women in prisons. These literacy classes foster a sense of confidence and empowerment in the female detainees and assist them to successfully reintegrate into society following release. AdvocAid currently runs these classes in Kenema, Freetown and Makeni and support inmate teaching in Bo female prison.

Need for Preventative Educational Messages and Public Awareness Raising



*“The media and the public shall be informed about the reasons that lead to women’s entrapment in the criminal justice system and the most effective ways in responding to it, in order to enable women’s social reintegration, taking into account the best interests of their children.”
Rule 70, UN Minimum Standards for the Treatment of Female Detainees*

AdvocAid uses the media to educate the public about issues which bring girls and women in conflict with the law and promote human rights education and practical prevention messages. Topics have included criminalisation for debt and alternative mediation, gender based violence

² United Nations Integrated Office in Sierra Leone (UNIOSIL), “Behind Walls: An Inventory and Assessment of Prisons in Sierra Leone”, May 2007, 55

and avenues for prevention and protection, juvenile justice, rights when you are arrested or right to bail, police accountability, death penalty reform etc.

There is a great need in Sierra Leone for advocacy aimed at promoting awareness, policy change and law reform concerning issues which impact girls, women and their children in conflict with the law.

List of Partner Organisations

AdvocAid's strength lies in its strong network of partner organisations. We believe that most impact can be made where organisations support each other and work together. A few of our key partners are listed below:

1. Death Penalty Project (UK)
2. Access to Justice Makeni (our Makeni paralegal is based at Access to Justice)
3. Timap for Justice (our Kenema paralegal is based at the Timap office in Kenema)
4. Defence for Children
5. Centre for Accountability and Rule of Law
6. Namati (our paralegals were trained by Open Society Justice Initiative – now Namati)
7. Society for Democratic Initiative
8. Don Boscoe
9. LAWYERS
10. UN Women
11. UNIPSIL
12. We are also members of the Police Accountability Group, Citizens for Constitutional Reform (no longer active) and the Legal Aid Act Taskforce

List of Programmes and Past Activities

AdvocAid is a small but professional, committed and focused organisation which has made significant achievements during its short existence. The following are of particular note:

(1) Women on Death Row - Advocacy & Representation: since 2006, AdvocAid has been actively involved in supporting women on death row through legal representation, welfare support, and the submission of pleas for Presidential pardons, as well as advocacy efforts regarding the death penalty in Sierra Leone. There are currently no women on death row. AdvocAid has managed to secure the release of 4 women on death row through the pardon process of appeals process which received significant media attention.

(2) Legal Education: In 2007 AdvocAid initiated a system of using female law students from the Human Rights Clinic at Fourah Bay to conduct the legal education classes in Freetown and also developed an illustrated handbook “What Happens When You Are Arrested?” to explain legal rights in a simple way. This scheme fosters capacity building of the next generation of lawyers and development of a pro bono culture.

AdvocAid also initiated its first legal education training for sex workers in 2010, a group of women vulnerable to coming into conflict with the law and having their rights abused. Following on from the training, AdvocAid was able to refer 18 sex workers to a partner organisation to undergo skills training to assist them to find alternatives to sex work. We have continued these programmes with other organisations such as Christian Aid and Society for Women with AIDS in West Africa (SWAASL).

AdvocAid developed a series of legal education posters which were launched by the Inspector General of Police in 2011 and have been distributed across Freetown.

We also launched the innovative legal education drama series, Police Case, in 2012 which aired on Sierra Leone Broadcasting Corporation followed by a live call in discussion with civil society members. We were nominated for the prestigious Innovating Justice Awards for this series which gathered national and international media attention.

(3) Legal Aid and Paralegal Programme: AdvocAid's paralegal programme which began in the second half of 2010, employs paralegals in Freetown, Makeni and Kenema. Comprehensive training for the paralegals was provided by the Open Society Justice Initiative as part of their Legal Empowerment of the Poor programme. Through our paralegal programme and contracted lawyers, AdvocAid has been able to provide crucial legal advice, assistance and representation to vulnerable women Freetown, Waterloo, Masiaka, Bo, Kenema, Makeni, Port Loko, Moyamba and Kono. There are no other agencies providing such services on this scale up country for this beneficiary group. AdvocAid has facilitated access to legal representation and advice for many vulnerable women whom would otherwise be without legal assistance. This work has resulted in the release of several women imprisoned as a result of false evidence, wrong charges, family disputes or police misconduct and women who have been on remand for months or even years. Each representation, regardless of the outcome, ensures respect for each woman's right to adequate legal representation and due process.

(4) Advocacy and Awareness Raising: AdvocAid has undertaken research and advocacy, at both national and international levels. For example, in 2008, AdvocAid's research focused on the impact of imprisonment on mothers and their children, with AdvocAid contributing a case study on Sierra Leone to the Quaker UN Office's final report on the topic. Following on from this, AdvocAid are working with the Ministry of Social Welfare to develop a formal policy on children living in prison with a parent.

Our research and advocacy on the death penalty, including mandatory death penalty sentencing and restrictions on time limits to appeal, is well known in Sierra Leone and internationally. We were recently invited to a regional death penalty conference in Kenya hosted by the Death Penalty Project.

We launched a research report on the situation of girls in conflict with the law (*Justice for Girls? Girls in Conflict with the law and sexual exploitation in Sierra Leone*) in September 2011 and a report on Women, Debt and Detention in July 2012. We also aired a radio drama last year to sensitize people (in particular market women) concerning the impact of criminalization of debt and alternative dispute resolution.

AdvocAid was a stakeholder in the recent consultation on the draft Legal Aid Bill and draft Criminal Procedure Bill. AdvocAid presented on Women in Prison in Africa at the African Correctional Service Association (ACSA) conference in April 2010 and gave presentations at the International Corrections and Prisons Association Conference in 2009 and 2010. Our Executive Director was also invited to be a Key Note Speaker at a Human Rights Commission of Sierra Leone conference on Legal Aid for Women in 2011 and was part of a group of 9 human rights activists selected for the Human Rights Advocates Program run by Columbia University in 2012.

AdvocAid has also pioneered the marking of international awareness raising days such as International Women's day by organizing activities inside the prison involving all prison stakeholders, including inmates and prison officers. Such days recognize the role of all women in prison and raise awareness about the different challenges which each face.

In 2010, AdvocAid began using multimedia to strengthen its advocacy work. For example, we produced a short documentary outlining our work and used radio drama to deliver legal education messages.

We are also a founding partner of the Opim Yu Yi Human Rights Film Festival which uses media to educate and promote human rights.

(5) Capacity Building of the Justice Sector

AdvocAid co-ordinated and ran an externship legal aid programme for Fourah Bay College law students from 2011 – 2012 which helped to strengthen their capacity. More information can be found on their blog: <http://saloneexterns.blogspot.com>

In 2010, we developed a simplified handbook on the new UN Rules for the Treatment of Female Prisoners and conducted a 2 day training for female prison officers in Freetown. We also developed posters about the rules which we placed in female prisons in Sierra Leone. This handbook has been used as an example of good practice by UNODC.

We just recently completed a project with UNIPSIL which resulted in the opening of the first prison library in Pademba Road prison.

We strongly feel that with sufficient resources, we can continue to make a real impact into the lives of some of the most vulnerable and overlooked groups in Sierra Leone as well as contribute to necessary policy and law reform