



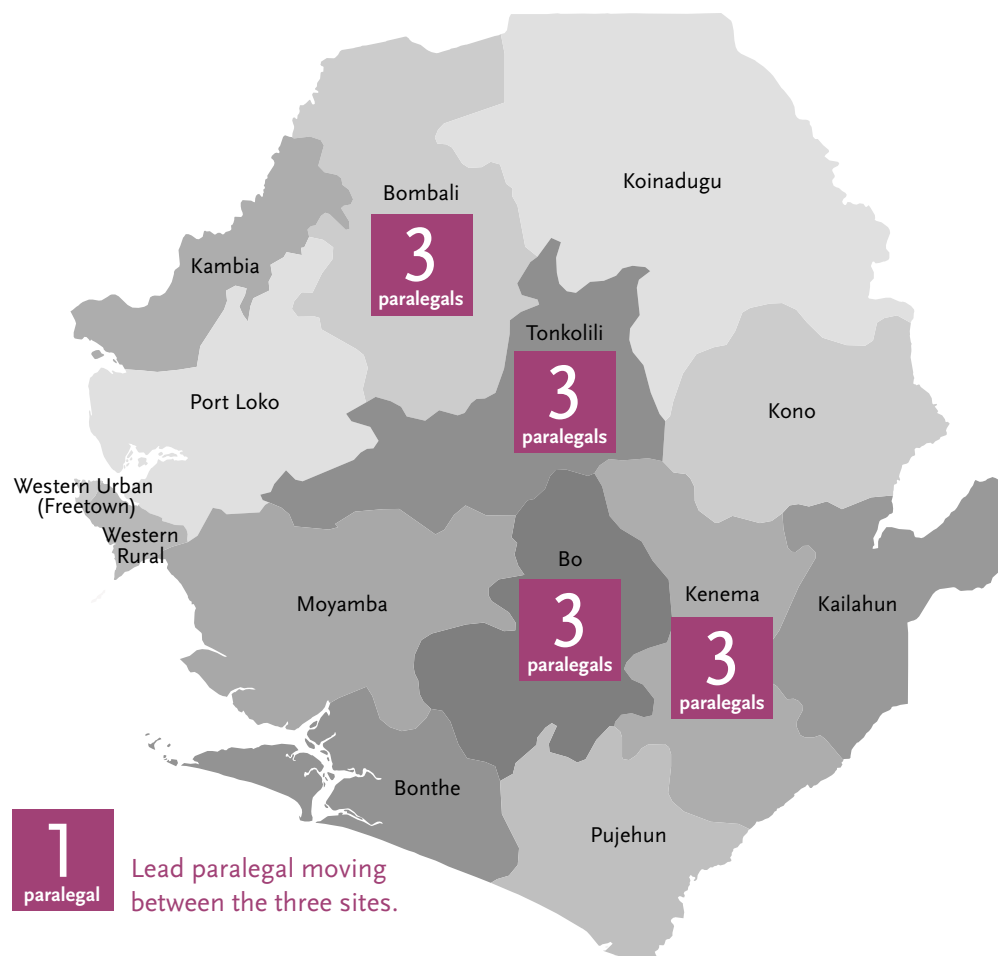
- ▶ Ranks 180/187 on the United Nation's Human Development Index
- ▶ The prison population is increasing at a rapid rate: it has nearly doubled since 2004
- ▶ 57% of the prison population comprises detainees who are awaiting trial
- ▶ There are fewer than 400 practicing lawyers in the country: that means only one lawyer for approximately every 15,000 people.

Legal services are unaffordable and inaccessible for the vast majority of detainees in Sierra Leone. With over half the prison population awaiting trial, detainees often languish for months or even years without appearing before a judge. Most are unaware of their rights and have no idea how to navigate the criminal justice system.

In 2009, building on its experience working with community based paralegals, Timap for Justice started a pilot project to provide frontline legal assistance at police stations and prisons. The paralegals provide basic information and assistance to suspects immediately after their arrest and during the early stages of the criminal justice process.

The Paralegal Team

The paralegals are jointly recruited by Timap and by the community. They are trained in basic criminal law and criminal procedure and provided with the practical skills necessary to support suspects and to work with community members and justice sector officials. They are supervised and supported by a lead paralegal, and by qualified lawyers, who take up cases where there is a need for further assistance.



Daily Tasks

- Meet with suspects at police stations, in prisons and in court
- Provide information on rights
- Explain the criminal justice process and provide basic advice
- Discuss issues and liaise with police and prison officers
- Help suspects complete bail forms
- Locate family members and trace potential sureties
- Monitor cases and help people as they move through the criminal justice system
- Organise outreach sessions in the community

By intervening early in the process paralegals are able to resolve problems as they emerge – problems that might become magnified further down the criminal justice chain if left unaddressed. Their presence also provides an external check on the system and helps minimize the risk of bribe taking and ill-treatment.

Results at Police Stations to Date

	Number of suspects provided with assistance by Timap	% of cases where police bail was secured	% of cases where the charges were dropped
2010 (July-Dec)	1880	52%	30%
2011	5659	53%	26%
2012 (Jan-Aug)	4675	47%	32%

A small team of just ten paralegals has been able to reach approximately 70% of the people who come through the police stations in the three districts. **In 80% of the cases** their interventions helped ensure that most detainees were bailed while awaiting trial, and on average in about 1/3 of cases charges being dropped altogether – usually due to mistaken identity, insufficient evidence or a misunderstanding of the facts. The paralegals have also been able to advance cases that were caught in the backlog of police and court work, or held up by missing files. Without the assistance of a paralegal, many of these detainees would have languished in

detention for lengthy periods. From 2009-2010 the Centre for the Study of African Economies at Oxford University conducted an independent evaluation of the pilot comparing outcome indicators before and after the pilot started and at comparable control sites. The evaluation found a **20% decrease** in the share of detainees held in pretrial detention and a **13% increase** in the use of police bail. It also found that the paralegals were useful in identifying bottlenecks and inefficiencies in the system and were able to work with the authorities to find practical solutions thus having a positive impact on the overall running of the system.

Paralegal-based interventions have demonstrated how pretrial detainees can be released expeditiously in places with few lawyers.

Policy Developments and Next Steps

Timap has worked with justice sector stakeholders to advocate reforms and seek ways to establish a sustainable system of legal aid, including:

- Adoption in 2011 of a **Legal Aid Law**; the country's first law on legal aid and one of the most progressive legal aid laws in Africa. The law provides for a mixed model of service provision, from legal information and advice services through to representation in court. It expressly recognises the role of paralegals and the benefit of government/civil society partnerships.
- Recognition of the Timap model, that uses paralegals stationed at police stations and in prisons, in the **2011-2014 Justice Sector Reform Strategy and Investment Plan**.
- Adoption of **by-laws** to ensure that customary courts refer cases resulting in detention to the formal justice system.

Timap is working as part of a coalition of organisations to advocate implementation of the new law on legal aid, sharing experience from the criminal justice pilot. Advocacy is also ongoing on the current revision of the Criminal Procedure Act.

A father was arrested in place of his son who had stolen some money. Only when a paralegal started to investigate the case was he released after she pointed out to the police that under the law no one can be arrested for another persons' crime.

A 2011 survey of pretrial detainees in Sierra Leone found that on average the expenses a family incurred during the detention of a family member (on food, travel, medication, bribes etc.) is equivalent to about 8 months' of the median earnings of detainees.

Prison Watch Sierra Leone, Timap for Justice, Open Society Justice Initiative, UNDP, The Socioeconomic Impact of Pretrial Detention, 2011, publication forthcoming.

Timap for Justice

Timap for Justice was established in 2003 to provide primary justice services to marginalized rural communities. It engages community based paralegals to provide frontline legal assistance through mediation, advocacy and education and strives to form a bridge between communities and justice institutions.

Timap's pilot project forms part of a collaborative effort with the Global Campaign for Pretrial Justice which aims to address the over-reliance on pretrial detention and promote greater access to legal assistance. Criminal justice organizations are working to document the scale and consequences of the problem, pilot innovative practices and advocate reform.

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