



## ADVOCAID AND CARL PRESS RELEASE

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Today, AdvocAid and the Center for Accountability and Law Reform (CARL) Sierra Leone, will launch their new project, “Decriminalising Poverty: Advocating for Reform of Petty Offences in Sierra Leone”, which is funded by the Open Society Initiative for West Africa (OSIWA) in the Beccles Davies Memorial Hall in Freetown. This project forms part of a wider initiative to reduce congestion in prisons and improve conditions of detention in Africa. The project will be implemented in Freetown, Makeni, Kambia, Bo and Kenema.

AdvocAid and CARL Sierra Leone are advocating for the decriminalisation and declassification of petty offences in Sierra Leone. They also wish to promote a more holistic approach to criminal justice reform in line with the African Commission on Human and People’s Rights Luanda Guidelines.

Petty offences are considered as being minor criminal acts which attract less severe punishment and are of a lower level of seriousness than felonies. Examples include loitering, disorderly behaviour, affray, insulting conduct, minor traffic offences, drunkenness and indecent exposure. Petty offences have historically caused problems in the criminal justice system as some definitions of offences criminalise conduct which is not essentially criminal. This results in subjective enforcement of the law by the individual law enforcer, which ultimately adversely affects the lives of many poor or oblivious Sierra Leoneans.

AdvocAid Executive Director Ms Simitie Laval had this to say about the current practices regarding petty offences,

*“Legislation and sanctions surrounding most petty offences disproportionately affect the poor and uneducated citizens of Sierra Leone. Many of our clients spend unnecessary time in police detention or serve disproportionately long sentences in Correctional Centres for minor misdemeanours, because they do not have enough money to pay the alternative fine. This contributes to overcrowding and unsanitary conditions in police cells and Correctional Centres, which could be easily avoided with changes in policing policy and legislative reform to change the sanctions charged for committing low level or petty offences.”*

To this end, the project will use a three-pronged approach; promoting reform of legislation relating to petty offences, reducing custodial sentences for petty offenders and raising awareness about rights, legislation and the impact of criminalising petty offences.

Today, stakeholders from the government, police, judiciary, civil society and non-governmental organisations, and those affected by this project, will come together to discuss and learn about the project, its aims and the baseline research which has been conducted by AdvocAid and CARL.

### Case Study

Josephine\* sells palm oil for a living, to provide for herself and her three children. She buys the palm oil on credit, paying back her suppliers once she sells enough to her customers. One day, she gave the oil to some customers, who ran away before paying, meaning that she could not pay her suppliers.

Four of Josephine's suppliers took her to court on the charge of obtaining goods by false pretences. AdvocAid's lawyer advocated for all four counts to be counted as one offence, however this was denied. Josephine is now serving a 2-year sentence in the Correctional Centre.

Josephine has not seen or heard from her children since the beginning of the sentence, and is worried that they may have stopped going to school. She now buys beads with her allowance to make small items which are sold at the gate of the prison so she can send money to her children.

This kind of sanction for minor offences, which women like Josephine have little control over, adversely affect her family and mental health. Because Josephine has not been earning an income, when she is released from the Correctional Centre, she will be further impoverished, and more likely to re-offend out of necessity in the future.

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For further information on the project, contact:

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#### **NOTES FOR EDITORS:**

**AdvocAid** works with vulnerable girls and women caught up in Sierra Leone's often unjust legal system. Founded in 2006, it is the only organisation in West Africa providing a holistic service including free legal representation, education, welfare and rehabilitation support, ensuring women leave prison with brighter prospects. AdvocAid works in nine towns across Sierra Leone to ensure women and their children receive fair representation, are educated on their legal rights and offered rehabilitation support upon release. As well as providing these short-term interventions, they deliver advocacy and law reform campaigns focused on wider issues impacting women in the justice system, ensuring we are changing women's prospects in the long term.

**Centre for Accountability and Rule of Law (CARL)** is an organisation established more than a decade ago primarily to foster transparency and citizen participation in the post-conflict transitional justice process. This is done by monitoring the proceedings before the Special Court for Sierra Leone and implementing the reparation programme for war victims. Over the years, CARL has expanded its activities to include the monitoring of various government related programmes, access to social and economic services, citizens participation in governance, respect for human rights and the rule of law.