



**GOVERNMENT OF SIERRA LEONE**

**CHILD WELFARE POLICY**

***Supporting Families and Communities  
to Protect Children***

**2014**

## Acknowledgements

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- UNICEF for providing technical and financial assistance in support of the policy development process.
- Child Frontiers for facilitating a consultative policy development process and providing technical support.

It is our hope that this policy will greatly contribute to supporting families and communities to meet the welfare needs of children in Sierra Leone.

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## Foreword

Over the last decade the Government of Sierra Leone has demonstrated its commitment to enhancing the welfare and protection of children through support to families in communities, and inclusion of children's rights in national planning tools. In particular the prioritization to improve social services in the Agenda for Change (2008–2012), the passing of the National Policy for Child Wellbeing (2005), the Child Rights Act of 2007, the Domestic Violence Act of 2007, and the Sexual Offences Act of 2012 are significant achievements. The Child Welfare Policy is a further demonstration of the Government's commitment to ensure the welfare of children is integrated into national priorities.

The Child Welfare Policy was developed through an intersectoral Child Protection Technical Working Group chaired by the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA). Research evidence, good practices and feedback from consultative dialogues were used to inform the finalisation of the policy. Adult groups including Paramount Chiefs, local and city council representatives, partners, youth groups, community leaders, members of child welfare committees and staff from civil society organisations and Government Ministries were consulted. Participations from children's groups including children with disabilities, and children living in alternative care settings were consulted.

The Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) is committed to ensuring children's rights are met. The Ministry is custodian of leading the national agenda to ensuring child welfare, a critical step for Sierra Leone to attain the Vision of the Agenda for Prosperity (2013-2015).

To attain the Agenda's goal of "gender equality, a well-educated, healthy population, good governance and rule of law" the Ministry is committed to ensuring the wide dissemination and implementation of this policy.

I would like to thank the adult and child groups for their valuable inputs, the TWG comprising of developments, civil society and Government partners for their technical support to the policy development process, and to UNICEF for its collaborative technical and financial support received.

**Hon. Moijue Kaikai**

Minister of Social Welfare, Gender and Children's Affairs

## Preface

The Child Welfare Policy aims to help strengthen Child Welfare Systems by articulating the Government of Sierra Leone's commitment to enhance the welfare and protection of all children, including for the most vulnerable and marginalised.

The Policy builds on the progress made with the Child Rights Act of 2007 and demonstrates commitment to fulfil its obligations to children under various regional and international treaties and conventions, such as the UN Convention on the Rights of the Child, and the African Charter on the Rights and Welfare of the Child.

The Child Welfare Policy was initiated as the result of putting evidence into action; research initiated by the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) has increased the understanding of the situation of children and families and the challenges they experience. The Policy acknowledges these challenges and reorients the approach of the child protection system towards promoting broader child welfare. It does this by promoting a strong family and community environment, aiming to prevent children experiencing violence, exploitation and abuse.

The content of the Policy is also based on an extensive consultative process including representatives from national, district and community levels, as well as participants from children's groups. Specific categories of children including children with disabilities, children living in alternative care settings, and adolescent mothers were consulted. The Policy also recognizes the significant role of traditional structures and practices for child welfare and protection.

I would like to congratulate the Government of Sierra Leone for its leadership and remarkable action to ensure that progress is being made towards establishing an effective and efficient child welfare system that will support families and communities to meet the welfare needs of children. This is a critical step towards realizing children's rights as captured in the Government's Agenda for Prosperity in Sierra Leone.

UNICEF would like to congratulate the Government of Sierra Leone, led by the Honorable Minister Moijue Kaikai, on this innovative approach to child protection. We thank our partners, including community leaders and Iceland, for their technical and financial support for child protection systems strengthening initiatives in Sierra Leone. We are optimistic that our collective effort will contribute to achieving a protective environment for children. Children of Sierra Leone can't wait!

**Mr. Roeland Monasch**

UNICEF Representative in Sierra Leone

# **PART I: Rationale for the Child Welfare Policy**

## **1.1 Introduction**

Over the past decade, the Government of Sierra Leone has demonstrated its commitment to enhancing the welfare and protection of children through support for families to meet their needs. Notably, the prioritization of improving social services in the Agenda for Change (2008–2012), the passing of the National Policy for Child Wellbeing, 2005, the Child Rights Act, 2007, the Domestic Violence Act, 2007 and the Sexual Offences Act, 2012 have contributed towards improving the welfare and protection of children and capacity of families to support their growth and development.

During this period, the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) spearheaded an ambitious and innovative research agenda that greatly increased the understanding of the situation of children and families and the challenges they experience. Based on the learning from recent research activities, the MSWGCA concluded that a new and broader approach to child protection was required for Sierra Leone. As a consequence, and following a comprehensive consultation process, a Child Welfare Policy – Supporting Families and Communities to Protect Children was developed.

This Child Welfare Policy represents a significant shift in how child protection is approached in Sierra Leone. The policy situates protection within the context of a child welfare system that stresses the importance of trying to prevent and respond to protection concerns by providing more effective support to families and communities. The completion of this policy demonstrates the on-going commitment and willingness of the Government to adapt to the changing needs of communities, families and children.

## **1.2 Policy development process**

To develop the Child Welfare Policy, the MSWGCA coordinated and led a Child Protection Technical Working Group, comprising representatives from the Government, international and local non-government organizations and United Nations agencies, religious organizations and civil society child protection specialists. Throughout 2013, this group studied the research evidence, considered international good practices and dialogued with a wide coalition of parties (including communities, families and children) to agree the aspirations and principles of the policy.

The draft of the Child Welfare Policy was presented and debated with a targeted but nationally representative audience. At the central level, this included a range of stakeholders from different government sectors and agencies as well as civil society organizations and traditional and religious leadership. A comprehensive consultation process was subsequently undertaken with welfare providers and communities in all regions of the country, ensuring that various key stakeholders were given an opportunity to provide their opinions about the measures contained within the policy. Through this intensive consultation process, the policy was tailored to the realities of families in Sierra Leone and the stated priorities of stakeholders at the central, regional, district and community levels.

### 1.3 Rationale for the Child Welfare Policy

Research on child welfare and protection has repeatedly highlighted that many of the child protection issues of abuse, neglect, violence and exploitation are rooted in the social and economic challenges that families in Sierra Leone still endure. Chronic poverty remains a significant contributing factor to child vulnerability, although it is by no means the only indicator. In 2010, Sierra Leone had a Human Development Index ranking of 0.33, well below the 0.45 average of low-ranking countries, and a per capita gross national income of \$340.<sup>1</sup> Food insecurity, poverty and frequent humanitarian crises undermine the capacity of families to meet the needs of children and fuel family disharmony and tension, sometimes leading to domestic violence or excessive beatings and punishment of children. Research indicates that 32 per cent of children in Sierra Leone receive inadequate care during early childhood, and 82 per cent report experiencing some form of violent discipline.<sup>2</sup>

The poverty that many families live with is often linked to and exacerbated by disease and long-term illness, including HIV and AIDS, which leave many children without one or both parents. Disease and illness reduce family earning capacity and diminish the ability of parents to provide both physical and emotional care for their children.<sup>3</sup> Nationally, 22 per cent of children are not living with their biological parents, and 13 per cent of children have at least one deceased parent.<sup>4</sup> There are about 500,000 children living in informal fostering (menpikin) situations.<sup>5</sup> Although menpikin may provide children with better opportunities for education, improved health care and nutrition, there is much evidence that children in those situations are also at increased risk of discrimination, abuse and exploitation.<sup>6</sup>

Forced, transactional and consensual sexual relations have left many teenage girls pregnant and caring for children.<sup>7</sup> The adolescent fertility rate is 122 per 1,000 and the early child-bearing rate is 38 per cent. Teenage pregnancies place additional burdens on limited family resources and lead to tensions within families and communities, especially in cases in which the father is unwilling or unable to support the mother and child. The persistent problem of child marriage also contributes to the high rate of teenage pregnancy, with 16 per cent of girls married before the age of 16 and 38 per cent before the age of 18. The high rates of teenage pregnancy and child marriage have had a severe negative effect on the health, education and life opportunities of girls.<sup>8</sup> Children are also victims of sexual abuse by family members, often referred to as 'incest', or abuse by people outside the family - referred to as 'rape, or 'tampering'.<sup>9</sup>

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<sup>1</sup> Government of Sierra Leone, *The Agenda for Prosperity 2013-2018*, Freetown.

<sup>2</sup> United Nations Children's Fund and Statistics Sierra Leone, Multiple-Indicator Cluster Survey 4, UNICEF and Government of Sierra Leone, Freetown, 2011.

<sup>3</sup> Ministry of Social Welfare, Gender and Children's Affairs, 'Policy on Alternative Care for Children', Government of Sierra Leone, Freetown, 2012.

<sup>4</sup> Op. cit. UNICEF and Statistics Sierra Leone, 2011.

<sup>5</sup> Dunn, Andrew and Parry-Williams, John, UNICEF Sierra Leone 2007, UNICEF, Freetown, 2007.

<sup>6</sup> The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011; Rossi, A., *Developing Evidence-Based Child Protection Policy in Sierra Leone: Building evidence, engaging policy makers*, 2009; Child Frontiers, *Mapping and Analysis of the Child Protection System in Sierra Leone*, Child Frontiers, 2010.

<sup>7</sup> Ministry of Social Welfare, Gender and Children's Affairs, *The Sierra Leone Policy on Alternative Care for Children*, Government of Sierra Leone, Freetown, 2012.

<sup>8</sup> United Nations Children's Fund and Statistics Sierra Leone, Multiple-Indicator Cluster Survey 4, UNICEF and Government of Sierra Leone, Freetown, 2011.

<sup>9</sup> The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011.

Poor-quality education and difficulties in accessing schools are also perceived as contributing to the incidence of children dropping out of school and becoming involved in exploitive labour or other high-risk activities.<sup>10</sup> According to the 2011 Multiple-Indicator Cluster Survey, 50 per cent of children were engaged in some form of child labour, although the majority were balancing work with education. While most families accept that involving children in work is often unavoidable, they also believe that contributing to the family is a positive lesson for children and teaches responsibility. Child work is considered by international standards as a problem, however, when involvement in labour affects school attendance, has negative health consequences or leads to exploitation and trafficking. The United States Department of State lists Sierra Leone as a source, transit and destination country for the trafficking of women and children.<sup>11</sup> The majority of trafficking cases entail children trafficked within the country to urban and mining areas, where they are at risk of hazardous labour and prostitution.<sup>12</sup>

The system for dealing with children in conflict with the law remains problematic. Government estimates indicate that between 2007 and 2010, the number of children facing trial in major towns and cities in the country steadily increased, from 3,678 to 5,302.<sup>13</sup>

#### 1.4 Overview of the child welfare and protection system

Evidence from research studies demonstrates that many children and families still experience extreme and persistent social welfare and protection challenges.<sup>14</sup> Over the past decade, the MSWGCA has sought to address this situation by developing a substantial body of laws, policies and service guidelines to address, among other things, domestic violence, gender-based and sexual violence, reintegration and the provision of alternative care (see Annex II). Despite the committed efforts of the MSWGCA and its partners, these laws, policies and guidelines have not brought about the anticipated improvements in the delivery of services to children and families. A number of research studies have determined some of the factors hampering achievement of the welfare and protection goals:<sup>15</sup>

- The current system was largely conceived in the absence of an overall, explicit and coherent vision or policy framework for meeting the welfare and protection needs of children.
- Many of the current initiatives and services were developed during or soon after the war and have not been adapted to a new period of development.
- The legal and regulatory framework, particularly the Child Rights Act, 2007 and the Children and Young Persons Act (CAP44), reflect an outdated British model that relies upon highly formalize bureaucratic service structures that are not compatible with the financial and human resources available for social welfare in Sierra Leone.
- Based upon a foreign model, the system does not resonate with the expectations and the daily realities of Sierra Leoneans. Formalize service provision is perceived as incongruent

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<sup>10</sup> For example, see The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011.

<sup>11</sup> US Department of State, *Trafficking in Persons Report*, US Government, Washington, D.C., 2009.

<sup>12</sup> Child Frontiers, *Mapping and Analysis of the Child Protection System in Sierra Leone*, Child Frontiers, Freetown, 2010.

<sup>13</sup> DCI-SL monitoring data.

<sup>14</sup> See, for example, Save the Children, *Findings of a Knowledge, Attitudes and Practices Survey on Sexual Abuse and Exploitation and Adolescent Sexual and Reproductive Health in Pujehun District* and *Findings of a Child Protection Knowledge, Attitudes and Practices Survey in Sierra Leone*, Save the Children, Freetown, 2011.

<sup>15</sup> For example, see The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011; Rossi, A., *Developing Evidence-Based Child Protection Policy in Sierra Leone: Building evidence, engaging policy makers*, 2009; Child Frontiers, *Mapping and Analysis of the Child Protection System in Sierra Leone*, Child Frontiers, 2010.

with the traditional structures and practices that are recognized and trusted, and hence a parallel system is still much in evidence.

- The current system tends to provide specific services to categories of children rather than considering the more holistic needs of families and children. As such, the system often is unable to address the complexity and multidimensional nature of vulnerability. In rural areas, especially, there has been a lack of access to appropriate support and services.
- The system is characterized by lack of coordination and leadership. Due to reliance on the donor community, the MSWGCA has not established its own long-term agenda for promoting the welfare of children.

## 1.5 Child welfare within the national policy framework

The Child Welfare Policy establishes an over-arching, long-term vision of a more comprehensive system to support families and communities in promoting the welfare and protection of children in Sierra Leone. This new policy comes at an opportune moment, with the Government reaffirming its commitment to social and economic reform and the promotion of human development through the Agenda for Prosperity (2013–2017). In outlining the macro-development plan for the next five years, the Agenda for Prosperity highlights a number of objectives relating to human development (Pillar 3), strengthening social protection systems (Pillar 6) and gender equality and women’s empowerment (Pillar 8).

Under the Agenda for Prosperity (Pillar 6) social protection ‘will be addressed in a holistic manner. Efforts will be pursued to support sustainable interventions, that will address issues related to prevention, protection, transformation, and participation of all citizens with special attention to women, children, the aged, poorest and people with disability’.<sup>16</sup> The roll-out of the National Social Protection Policy – Combining Growth with Equity for the Poor will help to ease the burdens shouldered by poor families and provide them greater stability, thereby enhancing their ability to fulfil the needs of their children. In addition to the National Social Protection Policy, the Agenda for Prosperity also contains a specific objective relating to child welfare and calls for a policy to reduce their vulnerability and protect them from neglect, violence, abuse and exploitation.

The MSWGCA Strategic Plan (2013–2017) is situated within the framework of the Agenda for Prosperity. The Strategic Plan outlines the priorities for the MSWGCA as a whole and takes into account the decentralization process and need to support the district councils in their responsibility for coordination and service provision under the Decentralization Policy (2010) and Local Government Act (2004). The Child Welfare Policy is central to the medium-term strategic framework of the MSWGCA and will guide the implementation of child welfare activities that assist families and communities.

The Child Welfare Policy is aligned to the National Gender Strategy (2010–2013) of the MSWGCA, which reflects the Government’s commitment to gender equality, as outlined in Pillar 8 of the Agenda for Prosperity on the right of women and girls to live free from discrimination, violence and exploitation. The MSWGCA distinguishes the crucial role of women as both financial providers for their families as well as principal carers of children in the Sierra Leone context.

With the Child Welfare Policy, the MSWGCA accepts the need to harmonize its efforts with the measures contained in the new National Child Justice Strategy for Sierra Leone (2013–2017). That strategy, like the Child Welfare Policy, emphasizes engaging both formal and

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<sup>16</sup> Government of Sierra Leone, The Agenda for Prosperity – Road to Middle Income Status, Freetown, 2013.

informal support networks to assist children in their rehabilitation and reintegration and to strengthen traditional justice mechanisms for dealing with juvenile delinquency.<sup>17</sup>

The implementation of the Child Welfare Policy will be elaborated by two accompanying documents: i) the *Child Welfare Strategic Plan* and ii) the *Human and Financial Resource Management Strategy*.

## 1.6 International obligations and commitments

The Child Welfare Policy builds on the progress made with the Child Rights Act, 2007 and demonstrates the commitment of the Government to fulfil obligations to children under various regional and international treaties and conventions. Implementation of this policy will help to advance those commitments, such as under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. At the regional level, the Child Welfare Policy will ensure greater compliance with the African Charter on the Rights and Welfare of the Child and the Economic Community of West African States Child Protection Policy. The adoption of a holistic welfare-based approach to meeting the needs of children reflects the spirit of international and regional conventions on children's rights and the need to ensure that all actions associated with child welfare reflect their right to survival, development, protection and participation.

## 1.7 Promoting child welfare – A new approach to protecting children

Acknowledging the challenges outlined here, the Child Welfare Policy significantly reorients the child protection system to sufficiently address them. Most particularly, the child protection system is recalibrated towards promoting children's welfare by building a strong family environment rather than focusing primarily on responding to children already experiencing abuse, neglect, violence, exploitation or delinquency. Of course, the new system also maintains and strengthens critical mechanisms for responding to child victims and children in conflict with the law. But it heralds greater focus on preventing the likelihood of children experiencing abuse, neglect, violence, exploitation and delinquency by strengthening the family and community environment in which children are living and addressing some of the underlying causes of vulnerability.

The decision to adopt a child welfare approach that supports families and communities in better protecting children reflects the particular prominence that families and communities have in the social and cultural lives of Sierra Leoneans.<sup>18</sup> The family is the fundamental grouping of society and seen as the most effective environment for promoting the development, well-being and protection of children.<sup>19</sup> The adoption of a child welfare approach will not only enable more children to be brought up in a stable family environment but will also help children who have either been separated from their family or placed in detention or alternative care to be reunified with their family and community.<sup>20</sup>

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<sup>18</sup> Relevant research includes Save the Children, *Findings of a Child Protection Knowledge, Attitudes and Practices Survey in Sierra Leone*, Save the Children, Freetown 2011; Save the Children, *Findings of a Knowledge, Attitudes and Practices Survey on Sexual Abuse and Exploitation and Adolescent Sexual and Reproductive Health in Pujehun District, Sierra Leone*, Save the Children, Freetown 2011; The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011.

<sup>19</sup> Ministry of Social Welfare, Gender and Children's Affairs, 'The Sierra Leone Policy on Alternative Care for Children', Government of Sierra Leone, Freetown, 2012.

<sup>20</sup> Ibid.

The second core pillar of the new child welfare system is its increased recognition of the role of traditional structures and practices for child welfare and protection. In acknowledging the need to integrate such structures and practices into the child welfare system, this policy takes into account the existing challenges for reconciling different perspectives relating to cultural practices (such as female genital mutilation/cutting and child marriage). The MSWGCA will continue to engage with families and communities to affect the changes required for improving children's welfare.

Previous efforts to protect children tended to be small-scale, isolated and reactive endeavours; this new policy aims to harmonize the ways in which child welfare issues are conceptualized and improve access to and the quality of services for children, families and communities.

The refocusing of the system represents a major shift in approach and has implications for the legal framework and for the delivery of welfare services. It will require:

- a strong leadership role for the MSWGCA in promoting coordination, providing direction and ensuring oversight and accountability of the system;
- sustainable resources to support the implementation of the policy's provisions;
- capacity-building of Local Council Social Services Departments to plan for, manage and adequately resource child welfare services;
- reorienting the social welfare guidelines, standard procedures, case management practices, job descriptions and training curricula to reflect the new approach;
- building the capacity of the Social Services Department staff to manage and coordinate services (formal and informal) for children in need of protection and children in conflict with the law;
- strengthening partnerships and more structured relationships among the MSWGCA, district Social Services Departments and civil society organizations (including national and international non-governmental organisations and community- and faith-based organizations) that are grounded in clearly defined roles, responsibilities and agreements;
- more systematic engagement with families, communities and traditional leaders in urban, peri-urban and rural areas to promote greater community involvement in children's welfare and protection and to improve links with and referrals to existing services and community support networks.

## **PART II: The Child Welfare Policy – Supporting Families and Communities to Protect Children**

### **2.1 System goal**

The Child Welfare Policy was created to outline the vision for and guide the strengthening of the child welfare system. Through its implementation, children in Sierra Leone will have opportunity to develop to their fullest potential with dignity and respect, enabling them to take an active role in supporting their families and communities. As a result, this policy will help the Government fulfil its commitments to international and regional human and children's rights instruments and to realize the wider developmental agenda of the country.

### **2.2 Objectives of the system**

The new child welfare policy:

- establishes a system that promotes the welfare and protection of children within their family and community environments; the system outlines new measures to enhance the ability of parents and carers to fulfil their child-rearing duties, to reduce the risks to which children are exposed and support them to respond more effectively to protection issues when they do arise;
- establishes clear and agreed roles and responsibilities for government and non-government service providers as well as community-based actors so that the system guarantees real and positive outcomes for children;
- establishes a realistic and appropriate system that clearly delineates the roles and functions of service providers and structures in a coherent, mutually supportive and accountable manner;
- develops and implements a continuum of formal services, procedures and structures capable of delivering assistance when community mechanisms are unable to resolve child protection issues or a reported case is beyond their scope of intervention.

### **2.3 Principles and values**

The principles and values that underpin the new child welfare system are guided by the international and national children's rights legal framework but adapted to the Sierra Leone context. This policy highlights a number of local beliefs, values and practices that will complement and enhance the foundation of the system:

#### ***Children belong to the community***

Children in Sierra Leone have traditionally not only belonged to parents and the immediate family but also to the larger community. In recent years, however, communities have tended to take less active responsibility for the raising of all children, particularly in urban areas. The child welfare system will focus on reviving and strengthening these traditional community caring practices and will promote and encourage the critical role that communities have in the welfare and protection of children.

Measures will be taken to ensure that positive cultural values and traditions continue to have an important role in child-rearing practices, shaping children's identity, teaching them about responsibility and respect for others and socializing them in local ways. While acknowledging the important role of cultural values and traditions, the MSWGCA will also promote open dialogue about and then the gradual elimination of practices that are deemed harmful to the well-being of children.

### ***Developing human capital***

The prevention of child abuse, neglect, violence, exploitation and delinquency will help families and communities to live in a more harmonious manner. Promoting practices for healthy child development and family well-being will give children greater opportunity to benefit from education and social services, enabling them to develop into socially competent and productive adults who are capable of fulfilling their responsibilities to both family and community.

### ***Assuring the best interests of the child***

The Child Welfare Policy must be interpreted and applied in such a way that, in all matters concerning the welfare of a child, the best interests of that child is the paramount consideration as per the Convention on the Rights of the Child (Article 3.1), the African Charter on the Rights and Welfare of the Child (Article 4.1) and the Child Rights Act, 2007.

### ***Participation of children***

The policy recognizes the importance of children's unique insight on matters relating to their welfare. Children will be encouraged to participate in a range of processes and monitoring activities linked to the implementation of the policy. The MSWGCA is committed to ensuring that this participation is meaningful and that processes for participation are tailored to the age and developmental capacity of specific groups of children (including younger children and adolescents).

### ***Commitment to strengthening families***

The system will take a supportive approach to families – recognizing that the family is responsible for protecting children from harm; maintaining a harmonious and safe home environment; instilling a sense of identity, discipline and respect; and making amends within the community for their wrongdoings.<sup>21</sup> The child welfare system will ensure that families are recognized in their caring role and will provide practical family-focused measures to support them.

### ***Openness and transparency***

Services will be tailored and made relevant to the people they serve, thereby encouraging children and families to seek support when needed, and will help to build trust that service provision will lead to positive outcomes. The system will be attentive to the real needs of children and their caregivers and engage with them in a supportive and open manner.

### ***Inclusiveness and equity***

The system will work for all children and families to promote a more protective environment. Through its commitment to equitable service provision, the child welfare system will recognize and be sensitive to the needs of the most vulnerable people and combat the discrimination against some groups that exist in Sierra Leone. The system will align with and reflect relevant legislation and policies, including the Disability Act, 2011 and the Gender Mainstreaming Policy (2004) to ensure that inclusive and equitable child welfare services are integrated at all

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<sup>21</sup> Updated Draft Child Justice Strategy for Sierra Leone, January 2013.

levels. Particular attention will be paid to the needs of girls, children with disabilities, children in alternative care, children living in the most vulnerable families and children in conflict with the law.

### ***Improving accessibility***

The system is designed to ensure that all children and families eventually have equal physical access to service provision. The MSWGCA is committed to ensuring that quality services will be made more available and accessible on an incremental basis and are coordinated to reach urban and rural communities. The MSWGCA is cognisant of the challenges in improving accessibility, especially given the resource constraints that currently exist.

### ***Mutual responsibility and accountability***

The child welfare system is founded on a commitment to ensuring that all partners fulfil their responsibilities as designated and approved, with the aim of ensuring greater accountability to the children and families served through the system. Children and families have the right to be protected by the Government and other welfare agencies and actors. To this end, the agreed roles and responsibilities of the different actors will be made known to beneficiaries. Likewise, the policy highlights the roles and responsibilities that parents, families and communities assume for the welfare and protection of children while acknowledging that in the Sierra Leonean context, the rights *and* responsibilities of children are integrally linked.

## **2.4 Services approach**

The MSWGCA recognizes that families in Sierra Leone face a multitude of social and economic challenges that impact upon their well-being and welfare. It also acknowledges the inherent desire of parents, families and communities to care for and protect their children. The child welfare policy therefore reflects the commitment of the Government to coordinate support for families in their child-rearing duties by ensuring that appropriate, inclusive and accessible services are provided.

The principles of the new approach are as follows:

- Child welfare services will recognize that – with the right support – children and their families often can find their own solution to problems. Support services will be provided in a spirit of partnership and trust-building. The approach will give children and families the opportunity to take a more active role in addressing their challenges and become agents in finding solutions.
- Recognizing that the magnitude of child welfare issues are beyond the scope of the MSWGCA as well as the preference of families to seek help from within their communities, the system of welfare support and services will draw from a wide range of existing structures and individuals, including traditional leadership, thereby increasing meaningful options for families and children. No new services that undermine or run parallel to these traditional structures will be created.
- The child welfare system reflects a more mature and evolved partnership between the MSWGCA and civil society organizations for the provision of services. Although there is an acknowledgement of the importance of civil society organizations maintaining their independence, identity and specialized focus areas, the new system will promote service integration to ensure that there is greater coverage of needs-based services for children and their caregivers. This policy represents a shift away from isolated programmes towards a coherent and integrated service paradigm.

- Services will be cognisant of and encourage those beliefs, attitudes and practices that promote positive child development and family well-being. Service providers will work with children, families and communities in a supportive and non-judgemental manner. Where beliefs, attitudes and practices negatively affect the welfare and protection of children, however, service providers will seek to understand and challenge them, always bearing in mind what would be in children's best interests.
- Child welfare services will prioritize assistance to families and other caregivers with the expressed intention of preventing children from becoming at risk of abuse, neglect, violence, exploitation and delinquency. The new system emphasizes the importance of addressing the root causes of children's vulnerability rather than focusing on responding to the symptoms once they have occurred. Not only is this approach an ethical imperative, it is more effective, sustainable and appropriate to the needs and expectations of Sierra Leoneans.
- The child welfare system will strive to be conciliatory and supportive in its approach. It is, nonetheless, guided by the duty of service providers to never place or leave children in situations of high risk and to ensure that their well-being is given paramount importance. Child welfare actors will constantly assess situations and decide when it becomes necessary to use their legally mandated powers to take coercive actions and, when necessary, to remove a child from his/her living situation.
- The child welfare system recognizes that some specialist services for particular children are necessary. In general, the programmes, projects and services that target categories of children will not be encouraged. Rather, the approach will be to acknowledge the complexity of children's lives and ensure that all children and families can access services as needed. By encouraging child welfare actors to take an inclusive approach, the system will endeavour to reduce the stigma associated with services that only help certain categories of children and also reduce the service gaps that currently exist between urban and rural areas.
- Strategic planning, programme decision-making and development of policies will be grounded on evidence. The evidence-based approach will ensure that the system reflects the needs of children, families and communities, is able to adapt to changes in context and uses available resources effectively and efficiently.

## 2.5 Child welfare services

To meet the welfare needs of children and their families, the MSWGCA commits to the development of a broad spectrum of tailored and increasingly professionalized initiatives and support services.

### 2.5.1 Social change initiatives

A central emphasis of the new child welfare system is social change and the involvement of children, families and communities in the change process. Through awareness-raising, information sharing, community dialogue and mobilization as well as skills-based initiatives, the MSWGCA and its partners will help families and communities to better fulfil their caring and protective roles.

Protective child-rearing practices will be promoted through positive role modelling within communities and with an appreciation of family bonds, child development and community relationships within the Sierra Leonean context.

Social norms or practices that are increasingly not tolerated, such as severe beatings, humiliation and denial of food as forms of discipline, will be addressed as a child development issue and with an educational rather than punitive approach. Recognizing the influence that traditional leaders have on social change (as well as the sanctioning of certain behaviours), community debate will be encouraged as a way of enhancing responsibility for child welfare and for shaping how families in crisis are supported to meet the needs of their children.

Careful attention will be directed to how awareness-raising and communication strategies are developed to ensure that messages relating to children's rights are packaged in a more culturally sensitive or appropriate manner, including the acknowledgement of the responsibilities of children towards their families and community.

### **2.5.2 Strengthening community support**

The MSWGCA will promote the provision of support by communities to children and families who experience difficulties. Recognizing the essential role of chiefs, Mammy Queens, religious leaders, ward councillors and other traditional leaders, the MSWGCA will support their welfare and protection functions. In particular, the MSWGCA will provide training and skills enhancement to traditional leaders in accordance with the roles set out in the Child Welfare Policy.

Because these leaders are considered as trusted and legitimate sources of support, they will be encouraged to provide advice and guidance to families and to engage on social change initiatives for the improved welfare of children in their communities.

In developing this policy, the MSWGCA took into account several research studies that demonstrate the challenges of establishing highly formalized and often imported welfare and justice structures at the community level.<sup>22</sup> These structures, most notably the Child Welfare Committees, are often not accepted as legitimate or even helpful by community leaders or community members. In the future, the MSWGCA will not create new and potentially parallel structures at the community level.

### **2.5.3 Family support services**

Recognizing the need for comprehensive local-level family support to meet the welfare needs of children, the MSWGCA will adopt a number of approaches to improve the availability of services to communities across Sierra Leone. The MSWGCA will take responsibility for organizing services in each district, such as:

- In acknowledging that i) children and families require support before problems escalate to a point where abuse, neglect, violence, exploitation or delinquency occur and ii) NGOs, civil society organizations and community- and faith-based organizations are more likely (at least in the midterm) to have the capacity and reach to provide community-based or sub district services, the MSWGCA will assist those organizations in delivering welfare and protection services to vulnerable communities and families.
- The MSWGCA, through the Local Councils, will establish more effective and structured partnerships with approved welfare-oriented civil society organizations. The aim of this partnership is to mitigate the one-off approach to welfare support and to encourage more

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<sup>22</sup> Relevant research includes: Save the Children, *Findings of a Child Protection Knowledge, Attitudes and Practices Survey in Sierra Leone*, Save the Children, Freetown, 2011; The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011; Child Frontiers, *Mapping and Analysis of the Child Protection System in Sierra Leone*, Child Frontiers, 2010.

permanent and professional services that provide on-going, holistic services to families and children.

- Support services will be offered to children and families on a voluntary basis and will draw from the existing community support networks. This approach is designed to enhance the legitimacy and acceptability of such services in the eyes of the population and encourage people to access help or report child welfare concerns as they arise.
- Processes for assessing the level of risk to children will be standardized and implemented. This assessment process will enable those organizations and individuals with child welfare responsibilities to make competent and thoughtful decisions to bring about the best outcomes for children and families.

Examples of cases in which community leaders and service providers will use their discretionary powers for resolution within the family or community include:

- children not fed enough either due to poverty or as a means of discipline;
- children not going to school due to lack of economic means or due to excessive involvement in work;
- children severely disciplined or suffering psychological abuse;
- children who are orphaned or sent to live with another family or kin;
- single-parent families, such as where one parent abandons his/her spouse and children;
- families in which the main breadwinner loses his/her job and cannot provide for the children;
- children who have been forced to leave the house to work, run off due to neglect or are found living on the street;
- families in which there is evidence of preferential treatment or general neglect, especially in cases of children with disabilities, in a stepfamily situation or stepchildren.
- children who are beginning to exhibit behaviour problems or causing trouble in their schools and communities.

In all these engagements with families and children, traditional authorities and service providers will exercise their discretionary powers to:

- ensure the best interests of children are respected at all times;
- work together with families to find solutions, ensuring maximum ownership of the process;
- seek agreement and consensus with the family in all decisions made and actions taken;
- respect cultural norms of engagement as far as ethically and practically possible.

#### **2.5.4 Protective interventions for child victims of abuse, violence, neglect and exploitation**

The MSWGCA is ultimately responsible for the protection of children from abuse, neglect, violence and exploitation. Despite all efforts to promote the welfare of children and their families, preventive measures may not create a safe enough environment for a child. Recognizing the cultural norms of Sierra Leone, all effort should be made to resolve family discord and abusive relationships that impact negatively upon children through discussions and interventions from within the family and the community.

In certain circumstances, a situation will be reported outside the family and community to a government social services worker. These circumstances will be further elaborated in the operational guidance but are generally those that arise when:

- a traditional authority or a service provider determines that the situation can no longer be resolved within the community; for example, in cases of persistent abuse or where the family cannot or will not cooperate with the authorities;

- the severity of the consequences of the abuse is so high or is deemed a criminal act or a child is likely to suffer significant harm, such as
  - all cases of sexual violence or abuse
  - extreme physical violence or abuse (resulting in broken bones or significant bleeding)
  - extreme labour exploitation (that causes risk to the life of the child)
  - abandonment (total), where no other relative can take care of the child
  - child trafficking
  - migration that places a child at risk of neglect, abuse or exploitation
  - harmful traditional practices, including child marriage and child betrothal;
- cases as stipulated above that are likely to be compromised..

The MSWGCA and district Social Services Departments will work with the following actors to raise awareness of their duty under the Child Rights Act to report the types of cases listed above:

- chiefs
- police
- non-governmental and community- and faith-based organizations' welfare and protection social workers
- government social services staff (including social services officers, assistants and workers) and other relevant officers (especially in the health, justice, education, emigration, immigration and labour sectors).

In all reported or alleged cases of abuse, neglect, violence and exploitation, the district Social Services Department has the duty to coordinate an appropriate response, always based on the best interests of a child. Civil society organizations will not manage serious cases of child abuse, neglect, violence or exploitation on their own. Instead, they will be required to report their concerns to the Social Services Department and assist its staff by providing advice and services as possible.

The approach of Social Services Department staff will be to engage with children and their families or caregivers on a voluntary basis to secure decisions and actions regarding the welfare of a child are taken and agreed together. The social services staff will seek the support of the community, especially traditional leaders, to engage with a family and will be mindful of accepted channels for decision-making. All efforts will be made to find solutions and on-going support within the family and community as far as ethically and practically appropriate. At all times, the social services staff will maintain the physical safety of all those connected to the case and ensure confidentiality of children and their family to avoid further social stigmatization.

In situations in which, in the professional opinion of the social services staff, the case is unable to be resolved within community mechanisms, the staff have – as a last resort – the authority to take actions to safeguard the welfare and protection of a child in accordance with the Child Rights Act. Such authority will be used in situations in which the resolution process within the family or community is unable to achieve an outcome that, in the opinion of the social services staff, is in the best interests of that child. Such circumstances might arise if the family is no longer able or willing to engage voluntarily in seeking resolution or if the situation requires an urgent intervention.

The central role of all Social Services Department staff is to ensure the welfare of all children. They will continue to promote resolution through family mediation and community dialogue at all times, recognizing that reconciliation may continue to be possible. The social services staff will seek on-going specialized services and support from civil society organizations and traditional leaders so that the welfare of children in the community is secured. Even in

situations in which a social worker has to initiate formal proceedings to protect a child, all decisions will be explained to that child, the family and community, as relevant but without compromising confidentiality where it applies.

In cases in which the Social Services Department has to initiate formal child protection proceedings, the staff will have the power to take specific actions to make a child safe and to begin planning for the child's future protection. Such powers and duties include:<sup>23</sup>

- investigating the situation of a particular child and family, including the premises where the child is living and, as a last resort, temporarily removing the child to a place of safety (for up to seven days);
- making an application to the court for a care order or a supervision order to secure the safety of the child;
- if the court makes a care order, deciding on an appropriate place for the child to live (an approved residential home, an approved 'fit' person or at the home of a parent, guardian or relative);
- in cases in which the court makes a supervision order, taking steps to ensure that the child is not subjected to harm and arranging regular reviews to plan for the future of the child;
- ensuring compliance by all parties with decisions made for protecting a child, including monitoring that child's situation, the parents' ability to care for the child and monitoring the placement of the child.

Recognizing that the notion of formal court proceedings to rule on child welfare issues is generally neither understood nor accepted, initiating care and protection proceedings under the Child Rights Act will be used only as a last resort and if a court order can be demonstrated as in a child's best interest. In determining such a decision to refer to the court, all other options should have been exhausted.

If a child is to be removed from his/her parents or caregivers, then (in accordance with the Child Rights Act) the case must be brought before the Family Court (or in the absence of a Family Court, the regular Magistrates Court) by Social Services Department staff, following a joint investigation with the Family Support Unit (within the police department).<sup>24</sup> Depending on the specific nature of a case, the social services staff may still try to resolve issues through mediation, even if an investigation is on-going, and report to the courts to inform subsequent actions. Court orders will be available to determine such matters as:

- maintenance and custody;
- a care order removing the child from his/her home and transferring parental rights to the District Council;
- a supervision order placing a child under the authority of the Social Services Department while he/she remains in the custody of a parent, guardian or relative.

At all stages of an intervention, Social Services Department staff will be responsible for monitoring and assessing the family environment and the on-going welfare and protection needs of a child. The ultimate aim of any social worker is to restore the child within a safe and protected family environment. To ensure that these groups are providing information and acting in ways consistent with this policy, further operational guidance and instruments will be developed.

### **2.5.5 Alternative care and reintegration**

In some situations, it may be necessary for social services staff or for a civil society organization to find the families of separated children, find an alternative place for a child to

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<sup>23</sup> Summary of the powers ascribed to Social Services Workers – Articles 62–65, Child Rights Act, 2007.

<sup>24</sup> Ministry of Social Welfare, Gender and Children's Affairs, 'Policy on Alternative Care for Children', Government of Sierra Leone, Freetown, 2012.

live or support their reintegration. This may be to guarantee their safety or to temporarily provide respite for parents and carers.

In line with the MSWGCA Policy on Alternative Care for Children, 2012 and the Family Tracing and Reintegration Guidelines (2012), the new child welfare system promotes the following guidelines:

- The family is considered the best place to ensure the well-being and development of a child.
- Early intervention and resolution within families and communities should be promoted to avoid separation or removal of a child from his/her family.
- All efforts should be made to trace the families of separated children or children in alternative care (in cases where the family situation is not known) and where possible to reintegrate them back into their families or communities.
- Children should only be separated from their families by the State as a matter of last resort. Placement within the community should always be considered a first option.
- Where possible, a chief should be aware of the potential need or likelihood that a child from his area will be placed into informal family care (menpikin).
- If a child is to be placed with family members outside the community, thorough and on-going assessments should be undertaken to ensure the child's safety and welfare.
- If a child has to be placed in an institution, all effort should be made to maintain kinship bonds between the child and his/her family.
- Assessment of the child and family situation should be on-going, with a view to restoring the child to the family environment if it is deemed to be in his/her best interest.

The Policy on Alternative Care for Children also addresses the issue of adoption, citing the on-going review of the Adoption Act, 1989 and need for revisions to be made to the national adoption process rather than just focusing on compliance with the Hague Convention on International Adoption. National and inter-country adoptions will need to be regulated and monitored and the on-going review of the Adoption Act, 1989 will need to take into account the provisions outlined in this policy.

### **2.5.6 Rehabilitation and reintegration services for children in conflict with the law**

Children who commit an offence should be held accountable for the offence they commit and encouraged to take responsibility for their behaviour. Nonetheless, public safety is best served by promoting a delinquent child's rehabilitation and reintegration rather than merely retribution and punishment. Social welfare interventions will therefore aim at helping children to accept responsibility for their conduct and to identify and resolve the problems that led to their offending behaviour. Because family and community problems or issues relating to the social environment are often the source of children's offending behaviour, measures for dealing with children in conflict with the law will involve and be directed at the whole family and not just the child.

The MSWCGA will advocate with justice sector ministries, departments and agencies to promote diversion and non-custodial sentencing of children and to ensure that deprivation of liberty is used only as a last resort. The number and capacity of district probation officers will be incrementally improved so that they can provide high-quality services to the police, courts, children and their families. Through partnerships with civil society groups, community leaders, local administrations and volunteers, probation officers will enhance the level of supervision and support available to children on probation, thus ensuring that magistrates and the public are confident that non-custodial sentences will address offending behaviour and protect the public.

Probation officers will be primarily responsible for managing and supervising children in conflict with the law but will increasingly look to other partners to provide direct supervision

and services to both the child and family. The introduction of more standardized case management, rehabilitation and reintegration planning and referral processes will help probation officers make better use of existing resources (formal and informal) within the community.

For many child offenders, extended family members and community leaders are often best placed to provide the guidance and support needed by them and their parents or other caregivers. Probation officers will work closely with the social services workers and local communities to increase community involvement in children's rehabilitation and reintegration. Drawing on the strengths of existing family and community support networks will be emphasized to help supervise, support and mentor children.

The MSWGCA will also work in collaboration with civil society groups to incrementally develop specialized rehabilitation programmes at the district level for children who are more high-risk offenders. These programmes will be designed to target the most common underlying factors contributing to child offending. Programmes will be tailored to the needs of an individual child or groups of children and could include, for example, anger and conflict management, education about drug abuse, sexuality and other life skills and career counselling.

The MSWGCA will continue to monitor children in police custody and provide care, custody and rehabilitation to children in remand homes and the Approved School. Improved cooperation will be promoted with line agencies and civil society groups to broaden the programmes and services available to children in institutions. More structured partnerships and agreements will be developed with civil society groups and the private sector to ensure that children released from custody are supported in their reintegration.

In recognition of the fact that community-based approaches to rehabilitation are generally less costly and more effective, the MSWGCA will prioritize strengthening non-custodial alternatives rather than building new institutions. The MSWGCA will build partnerships with civil society groups to make better use of existing shelters and children's homes as an alternative to remand in areas without specialized remand homes.

## 2.6 Roles and responsibilities of child welfare actors

A wide range of actors have important roles and responsibilities under the framework of the child welfare system outlined in this policy. Although the current legal and policy framework defines specific duties of organizations, groups and individuals for protecting children, these mandates are often unrealistic and unachievable. To date, the efforts of various child protection actors have tended to be inconsistent and not well coordinated. The child welfare system will be oriented towards building the capacity of all actors to fulfil their roles and responsibilities effectively and in a consistent and coordinated manner.

This Child Welfare Policy outlines changes and enhancements to certain roles and responsibilities. Establishing clear roles and responsibilities is necessary to improve the coordination of services and to ensure that children and families know what support and services they can expect. Clear roles and responsibility will help to promote greater accountability on the part of service providers.

### 2.6.1 Ministry of Social Welfare, Gender and Children's Affairs

The Ministry of Social Welfare, Gender and Children's Affairs is the overall guardian of the policy and responsible for its promotion and implementation on behalf of the Government. The MSWGCA will have a reduced role in the coordination of direct service delivery, with primary responsibility to be assumed by the Local Councils. The MSWGCA will have increased oversight or a supervisory role, focusing on the management and regulation of the system as a whole. More specifically, the core functions of the central MSWGCA will include:<sup>25</sup>

- providing strategic leadership for the establishment of the new child welfare system and coordinating the development of the strategic plan to guide the incremental roll-out of the changes proposed in this policy;
- overseeing the development and implementation of laws, policies, regulations, standards and guidelines in support of the child welfare system;
- coordinating and managing, at the national level, the partnerships with various categories of civil society groups and ensuring that their operations and services are designed and functioning in accordance with the provisions outlined in this policy;
- ensuring rigorous financial planning and management as well as resource mobilization for the effective functioning of the system;
- facilitating planning and coordination at the central level with other sectors and development partners to ensure that child welfare measures are integrated into wider national strategic plans and programmes;
- developing the capacity of Local Councils and the Social Services Department to fulfil their roles and responsibilities as per the Local Government Act, 2004 and other relevant parts of the regulatory framework;
- establishing, monitoring and regulating quality standards and procedures for work with children and families and providing appropriate capacity-building for social services staff, other relevant ministries, departments, agencies, civil society groups and traditional structures to fulfil those standards;
- coordinating a national research agenda for child welfare and operationalizing an information management system that supports an evidence-based approach to policy development;
- managing and strengthening the social service workforce, including collaboration with universities and training institutions.

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<sup>25</sup> Adapted from the Child Rights Act, 2007 and the *Roadmap for Devolution of Functions, Staff and Assets from MSWGCA to Local Councils*, August, 2012.

## 2.6.2 Local Councils<sup>26</sup>

The Local Government Act, 2004 and the Child Rights Act, 2007 outline the role and responsibilities of the Local Councils in relation to child family welfare and support to families to protect children. Local Councils will be responsible for planning and implementing activities to improve the welfare of children and families, coordinating and monitoring the activities of civil society service providers in their areas and engaging in resource mobilization. Primary responsibilities for the Local Councils entail establishing a District Child Welfare Committee<sup>27</sup> to coordinate services in their area, supporting the activities of the Family Support Unit and the establishment and oversight of the Social Services Department.

### **Social Services Department**

Working within the structure of the Local Council, the Social Services Department will be responsible for the oversight of the welfare strategy at the local level and coordination of services for children and families. The Department will report to the chief Administrator of the Local Council.

The Social Services Department will be headed by a social services officer and supported by social services assistants – one each for social welfare, children’s affairs and gender – as well as social services workers and probation officers. The principal social development officers will provide technical support and guidance to the Social Services Department for planning, budgeting, monitoring and reporting.

The specific roles of the Social Services Department will be further determined as the new structures are approved. The roles will be aligned with the Child Welfare Policy and the social services staff will use the provisions outlined in the policy as the basis for their operations. It is envisaged that the Social Services Department will assume responsibility for:

- providing leadership and oversight for the establishment of child welfare services, in line with national laws and policies at the local level; the social services staff will coordinate, regulate and monitor the implementation of services by government and civil society actors;
- promoting and monitoring the implementation of national laws, policies, regulations, guidelines and standards as well as developing district by-laws relating to child welfare;
- building professional partnerships and cooperation with child welfare actors at the district and community levels and ensuring that service provision is consistent with the principles outlined in this policy and other relevant parts of the regulatory framework;
- advocating with and supporting the Local Council to mobilize the financial and human resources required to guarantee appropriate service provision at the local level;
- managing the information system at the district level and ensuring that data flows between the district and central levels to support the generation of evidence-based policy and decision-making, especially in relation to relevant national policies affecting the welfare of children and families, such as the National Social Protection Policy.

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<sup>26</sup> Adapted from the *Roadmap for Devolution of Functions, Staff and Assets from MSWGCA to Local Councils*, August, 2012.

<sup>27</sup> Formerly District Child Protection Committees.

### ***Staff of the Social Services Department (social services officers, assistants and workers)***

Under the new decentralized governance system and in line with the tenets of the child welfare system, the role of social services officers, assistants and workers will be reoriented and operationalized. The role of the Social Services Department staff highlighted below is contingent upon a forthcoming review of MWSGCA human resources and a new strategy for expanding and enhancing the social welfare workforce.

Social Services Department staff will be required to spend more time in and maintain regular contact with the communities they serve. The purpose of this is to build trusting relationships with communities in both urban and rural settings, especially with chiefs and other leaders. In this spirit of partnership, Social Services Department staff will better understand the problems of the community as well as individual families. This will enable them to seek appropriate solutions to problems on-site. The staff will be responsible for:

- creating strong links with communities and community leaders, both in urban centres and in remote areas, to help people understand the social welfare support that is available and help them to access it;
- providing awareness and information about a range of social issues, including teenage pregnancy, child labour, child marriage, female genital mutilation/cutting and other forms of abuse, neglect and exploitation;
- supporting community initiatives that aim to enhance the welfare of children and families, including building the capacity of civil society groups;
- identifying and monitoring the work of civil society organizations to ensure that service quality is standardized and appropriate.
- linking the stated needs of communities to district government services and policy-making forums;
- mediating to avoid family breakdown, resolving problems before they escalate and ensuring that decisions on such issues as custody, maintenance and fostering are implemented; this will require continuous liaison with and support for chiefs and other community leaders;
- coordinating a response to individual cases of abuse, neglect, violence and exploitation and assuming responsibility for the management of cases that cannot be resolved in the community; although direct services to children and their families may be provided by a range of actors (government and non-government, formal and informal), it is the social services staff who will be responsible and accountable for care planning, case management and referral;
- collecting qualitative and quantitative data as per agreed reporting protocols and ensuring that information is maintained appropriately.

The Social Services Department staff will be supported to perform their roles and responsibilities with:

- Capacity-building in both social work and community development skills (partnership building, coordination, mediation, facilitating community dialogue, facilitating participatory planning/decision-making, etc.);
- Application of standard work processes, guidelines and procedures governing all areas of their work, including case management practices and tools;
- Development of reporting protocols and data collection mechanisms;
- Increased allocations for transport and logistics;
- Mechanisms for supervision, oversight and accountability to the Local Councils and the MWSGCA.

### ***Probation officers***

Probation officers will remain responsible for providing specialist services for children in conflict with the law and children subject to custody, guardianship, maintenance and adoption proceedings. They also will continue to provide social background information to the courts, support children and their families through the investigative and court processes and manage the rehabilitation and reintegration of children placed under their supervision. This includes responsibility for:

- monitoring the well-being of children in police custody;
- facilitating family tracing;
- assisting with age determination;
- providing legal information to children and their families and preparing them for court;
- mediation of minor offences to avoid formal charging;
- attending all sittings of the Juvenile Court and transporting children on remand to and from court;
- preparing social enquiry reports and providing advice to the court in cases of children in conflict with the law, child custody, guardianship and adoption;
- developing rehabilitation plans and coordinating supervision and rehabilitation services for children placed under their supervision by the courts;
- providing counselling and advice to children in conflict with the law and their parents;
- developing reintegration plans and coordinating family reunification and reintegration support for children discharged by the courts or released from custody;
- taking a leadership role in coordinating the work of civil society groups working with children in conflict with the law to promote greater collaboration, reduce duplication and identify and fill service gaps;
- monitoring the services provided by the civil society groups to ensure that service quality is standardized and appropriate.

Some of these responsibilities, such as preparing social enquiry reports, attending sittings of the Juvenile Court and case management for children under supervision, must be performed by the probation officers. Other functions, such as monitoring police stations, family tracing, follow-up visits, mediation, counselling and other rehabilitative services, will be enhanced through greater collaboration with social workers, volunteers, civil society organization staff and community leaders.

Probation officers will be supported to perform these roles and responsibilities through:

- capacity-building and enhanced specialist training in social inquiry report writing, case management, partnership-building and counselling and rehabilitative support to child offenders;
- development of standard work processes and a more structured approach to case management and partnership-building;
- increased allocations for transport and logistics;
- mechanisms for supervision, oversight and accountability to the Local Councils and the MSWGCA.

### **2.6.3 Civil society organizations (including non-government and community- and faith-based organizations)**

The Child Welfare Policy recognizes civil society groups as partners of the MSWGCA, with an essential role at the national, regional, district and community levels for improving the lives of children and families. These organizations are often present within communities and have greater service coverage in some districts than the MSWGCA. Under the new system, civil society groups will be encouraged to streamline and harness their efforts to the stated objectives of the MSWGCA for welfare and protection. Rather than initiating independent projects, civil society groups will be encouraged to assume a more active and professionalized

role in supporting the MSWGCA and the Local Councils to provide direct services for children and families.

The partnership between the Government and civil society organizations will be based upon common respect and conducted in a spirit of collaboration. The regulation of these organizations is not aimed to control but to ensure coherent and high-quality services for children and families.

The MSWGCA will work to strengthen partnerships with the civil society organizations so that they can better support the child welfare system by:

- encouraging them to develop long-term, sustainable direct services for child welfare (rather than discreet, short-term projects), in coordination with the Social Services Department;
- facilitating their support to the work of the Social Services Department, especially in providing support for preventive community initiatives as well as for the provision of services to child victims of abuse and exploitation;
- seeking their contributions and support for the work of probation officers, including support to children during the criminal justice process (monitoring police custody, mediation, family tracing, legal aid) as well as providing specialist rehabilitative and reintegration services;
- involving civil society organizations in processes to standardize quality of services and through their compliance with agreed guidelines and standards;
- requesting the participation of civil society organizations in the Child Welfare Committees at the district, regional and national levels, as relevant;<sup>28</sup>
- increasing opportunities to improve coordination of research and data collection with the MSWGCA and/or the Social Services Department and sharing research reports, information and data to ensure that policy- and decision-making is based on evidence;
- recognizing their role for advocacy on children's rights and welfare issues and monitoring the performance of the overall welfare system and how issues relating to child welfare are being dealt with under the national development framework;
- encouraging the sharing of human and financial resource information with the MSWGCA at both the central and district levels to improve service provision and strategic planning;
- inviting them to assist in the implementation of the human resource strategy developed to support the Child Welfare Policy, especially in terms of coordinating efforts to building capacity at all levels of the system through financial and/or technical contributions.

The MSWGCA will enhance the contribution of civil society organizations to the child welfare system through:

- greater focus on partnership building and networking at the national and district levels;
- strengthening information sharing and coordination mechanisms, both locally and nationally;
- more formal agreements (MOUs) and planning arrangements to better coordinate the contributions of the civil society groups involved in service delivery;
- clearly defined roles and responsibilities;
- regular monitoring, including provision and receipt of feedback on performance and adherence to the Child Welfare Policy;
- working with other development partners to build civil society capacity, especially in the area of sustainable funding and improving service delivery to further complement the Government's efforts.

#### **2.6.4 Chiefs and community leaders**

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<sup>28</sup> The existing Child Protection Committees at the national, regional and district levels will be reoriented as Child Welfare Committees.

The Child Welfare Policy recognizes the fundamental role that chiefs fill in the life of communities in Sierra Leone. They embody traditional structures, values, practices and decision-making processes and are often the closest representatives of government with whom people come into contact. Despite the testing of many different approaches and strategies to promote child welfare and support to families, research consistently highlights that chiefs remain the most commonly used and trusted source of help when problems arise.<sup>29</sup>

The Child Rights Act and its guidelines dictate a highly bureaucratic role for chiefs to respond to cases of child abuse and exploitation. This formalization of the role has not had the desired effect and in many cases has put undue pressure and expectations of chiefs. The Child Welfare Policy recognizes and seeks to restore and enhance the valuable function that chiefs provide for child welfare and in supporting families and communities to protect their children.

The MSWGCA commits to enhancing the capacity of chiefs to support endeavours for children and families as well as responding to individual cases of abuse, exploitation and delinquency. Specialized training, in line with the tenets of this policy, will be conducted in a strategic manner.

The MSWGCA is committed to building the capacity of chiefs to take a more active role in terms of:

- using their authority and legitimacy to support positive social change, including promoting family and community child-rearing responsibilities;
- acting as mediator in family and community issues relating to child welfare, including informal resolution of minor offences committed by children;
- mobilizing community support and help for families who are finding it difficult to provide for the welfare and protection of their children;
- developing localized and relevant community by-laws for promoting child welfare, for ensuring that children's rights to education and social support are respected and for sanctions against the abuse, exploitation and stigmatization of children;
- working with other community actors, including government officers, to resolve cases of family violence and child abuse, neglect and exploitation;
- assisting in the development of rehabilitation plans for children in conflict with the law and supervising and monitoring compliance;
- advocating for child welfare issues and support to families to be considered as a core component of community development;
- reporting and referring serious and criminal issues relating to abuse, exploitation and child delinquency, based upon agreed guidelines for action.

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<sup>29</sup> See, for example, The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011.

### **2.6.5 Other community leaders and groups**

In addition to the chiefs, the MSWGCA recognizes the important role of other community structures and individuals. These include Mammy Queens, youth leaders, traditional birth attendants, traditional healers, imams, pastors, Wi Pikin groups, children's forum networks and mothers' clubs. These actors tend to be respected and trusted members within communities. They are generally more accessible than either government or NGO welfare workers and, more importantly, people are used to approaching them for support, seeking advice or help for solving problems.

They are already integrated into community structures and are perceived as possessing a greater level of authority and legitimacy for resolving child welfare issues than 'artificial' or parallel structures, such as the Children's Welfare Committee. These actors are not expected to provide long-term care or support but are encouraged to mobilize help and provide immediate and short-term relief and respite care.

The MSWGCA is committed to building up the capacity of these actors to take more of an active role in terms of:

- providing assistance and mediating problems within the family before they escalate or reach a crisis point for children;
- providing immediate physical care and emotional support to children in difficulty;
- providing information and direction to children and families on the availability of services or on how to refer cases if issues do not get resolved in the family or community;
- providing knowledge, experience and life skills to parents and supporting them to provide better care for and promote the development of their children and to better deal with children exhibiting behaviour problems;
- monitoring and reporting issues affecting children and families in general and talking about them in community gatherings or meetings;
- identifying and reporting concerns about serious child abuse and exploitation that cannot be resolved in the community to chiefs, the community police, the police Family Support Unit or to social workers;
- reducing stigmatization and promoting community acceptance of children in conflict with the law through family mediation, cleansing, educating and sensitizing of the community;
- supporting the rehabilitation and reintegration of children in conflict with the law, including assisting probation officers with supervision, mentoring, counselling and alternative placement.

The MSWGCA and Social Services Department will enhance the engagement of chiefs and community leaders in the child welfare system by:

- strengthening and reinforcing the important role of community leaders and existing, sustainable community structures;
- engaging in regular dialogue, networking and partnership-building with chiefs and community leaders;
- providing guidance, training and sensitization;
- improving mechanisms for reporting, referral and information-sharing;
- monitoring and advising chiefs and community leaders on child welfare issues;
- improving feedback to chiefs and community leaders on how to deal with reported cases.

### **2.6.6 Parents, families, caregivers and communities**

Parents, families, other caregivers and communities have a fundamental role in ensuring the welfare of children. As the primary caregivers, parents and families are responsible for providing a safe and healthy environment for children to build their life skills and develop to their fullest potential. In this way, children can learn to live in harmony with others and contribute to the well-being of their community. At the same time, family and communities are

there to support parents and other caregivers in their child-rearing responsibilities and providing additional guidance and assistance to children who are experiencing difficulties. This is an essential part of the system for preventing and responding to abuse, neglect and violence and for dealing with children in conflict with the law.

More specifically, families, other caregivers and communities are expected to:

- teach children about their culture and identity, ensuring that they understand their responsibilities to their family and community;
- provide guidance to children and equip them with the skills to develop and deal with the challenges of life, including how to protect themselves;
- provide mentoring and guidance to children exhibiting behaviour problems;
- involve children in positive activities that promote their development and keep them out of trouble;
- mediate problems within the family;
- counsel and support children in times of difficulty and act as the legal representative of children whenever necessary;
- attend and support children during investigative and court proceedings;
- support other family and community members in times of difficulty by mobilizing resources, mediating and counselling and providing practical support for accessing appropriate support mechanisms and services;
- ensure that the welfare and protection of children is of paramount concern and act to prevent or respond to child abuse, neglect, violence, exploitation and juvenile offending.
- Provide alternative care and help in meeting children's basic needs (food, clothing, education, etc.) when parents are unable to do so on their own.

The role of parents, caregivers, family and community members in the child welfare system will be enhanced through:

- community dialogue, awareness raising and mobilization;
- parenting education on positive discipline practices, improved parent/child communication and parents' legal obligations towards their children;
- strengthening extended family ties and community sense of responsibility towards children.

## **2.7 Inter-sector collaboration**

Recognizing that the policies of other ministries, departments and agencies significantly impact on the welfare of children and families, the MSWGCA will actively promote cross-agency collaboration and partnership. Although the MSWGCA acknowledges its lead role in creating a protective environment for children, it will work to mainstream child welfare issues into the broader national policy framework.

The MSWGCA recognizes that services for children and families need to be more aligned and standardized. The MSWGCA will encourage agencies from other sectors to integrate approaches to ensure the holistic well-being of children.

### **2.7.1 Education**

Given the essential role that the education system plays in the holistic development and well-being of all children, the MSWGCA will cooperate with the Ministry of Education and the Ministry of Youth and Sports to develop strategies in fulfilment of the Child Welfare Policy as well as the National Education Policy (2010). Both policies recognize the mutual benefits of such cooperation to ensure that schools are free of physical and sexual violence against children, promote the education of girls (including young mothers), prioritize schooling for the

most disadvantaged and reduce the incidence of child labour. As stated under the Child Rights Act, education officials and teachers will still have a legal duty to report protection concerns to the relevant welfare authorities. Furthermore, they will be encouraged to identify and support families whose children are not attending school or who they think are not receiving adequate care.

### **2.7.2 Health**

Health professionals have an influential role in promoting family well-being, identifying signs of potential abuse, responding to specific child protection concerns and treating child victims. Generally, health services contribute to promoting family well-being, especially of mothers and young children. The National Referral Protocol on Gender Based Violence clearly outlines the role of health professions (doctors, nurses and outreach health workers) in responding to all cases of gender-based violence and other forms of abuse. In 2012, the Ministry of Health and Sanitation launched the Reproductive, Newborn and Child Health Policy (2011–2015) and the Adolescent and Young People's Health and Development Policy (2011–2015). The implementation of these policies builds on the Government Free Health Care Initiative, launched in 2010 for pregnant women, lactating mothers and children younger than 5 years. The MSWGCA will continue to work closely with both government and non-government health partners to improve synergies between both the response and prevention services.

### **2.7.3 Labour**

Given that involvement in labour is one of the challenges confronting the development of children in Sierra Leone, the MSWGCA will work closely with the Ministry of Labour and Social Security at the central and district levels, linking the Social Services Department to the District Labour Office to ensure that the provisions relating to the employment of children outlined in the Child Rights Act are respected. The MSWGCA, through the Social Services Department, will also support the Local Councils to monitor the situation of children involved in informal work and respond to situations in which this involvement represents a risk to their development, well-being and welfare.

### **2.7.4 Sierra Leone Police**

The promotion of child welfare forms a core component of the work of the national police. More specifically, the police are working with the MSWGCA through Family Support Units in which police officers focus on the criminal aspects of cases involving abuse, neglect and violence and social services staff focus on the welfare and rehabilitation of affected children. The Family Support Unit is expected to take the lead in the investigation and prosecution of all offences involving child victims as well as children in conflict with the law.

The MSWGCA will continue to work closely with the police to strengthen the Family Support Units and promote a coordinated and child-centred approach to investigations involving children.

### **2.7.5 Other justice sector ministries, departments and agencies**

The justice agencies are an integral part of state measures to promote and protect children's rights. Justice systems are necessary for identifying and punishing people who harm children, thus providing an important deterrent. They also provide a means of responding to children in conflict with the law in a way that ensures that children's rights are respected and that promotes their rehabilitation and reintegration.

The MSWGCA will continue to work closely with the justice sector ministries, departments and agencies, including the Ministry of Justice, the Attorney General's Chambers, the judiciary and legal aid providers to ensure that children are better served and protected by the justice system and to strengthen links between justice and social welfare interventions.

### **2.7.6 Civil registrars**

Civil registrars are critical for promoting child welfare, especially in terms of ensuring the birth registration of children. Birth registration guarantees a child's right to a name and nationality and provides them with proof of age. The Child Welfare Policy recognizes that birth registration has important benefits for promoting children's rights to education, health and welfare. It helps to safeguard them against child marriage and exploitive labour and to ensure that their rights as children are protected when in contact with the law.

The MSWGCA will work with civil registrars at the national, regional and district levels to increase awareness of and demand for birth registration and improve the application of procedures and guidelines.

## **2.8 Financial resources management**

The MSWGCA will undertake a detailed costing analysis to clearly outline the financial resources required to support the child welfare system defined by the Child Welfare Policy. The effective implementation of this policy is contingent upon the availability of the resources identified through the costing analysis. This analysis will improve the way in which child welfare activities are budgeted, shifting away from individual programmes to address specific child welfare issues and towards a more holistic service approach. The financial management strategy will enable the MSWGCA to:

- advocate for and mobilize resources within the Government and with development partners, based on clearly costed implementation strategies linked to results;
- demonstrate and monitor how financial resources lead to improved outcomes for children and families;
- coordinate and improve the balance of financial inputs among overheads, recurrent costs, service provision and capacity-building requirements at both the district and central levels;
- improve accountability and transparency through more effective and analytical financial management and reporting procedures.

## **2.9 Human resources management**

The effectiveness of the child welfare system is intrinsically linked to the quality and capacity of social welfare professionals, para-professionals, volunteers and other actors involved in the management and implementation of services.

The MSWGCA recognizes that the implementation of this policy is contingent upon the development of a long-term human resources plan. Such a plan will guide the development of a quality child welfare workforce that is capable of implementing the specific governance, management and operational responsibilities under this policy.

In addition to re-establishing the social work training centre at Bo, the MSWGCA will work more closely with universities and NGOs providing courses or training in the field of social work, social welfare and social policy to ensure that the training provided is aligned to the focus of the system. The human resources strategy will:

- provide the MSWGCA with a detailed overview and analysis of the level of access to professional social workers and probation officers at the district and national levels and to address gaps in the cover provided by human resources;

- clearly outline the core competencies and skills required by both professional and non-professional child welfare actors to ensure that they have the capacity to fulfil their roles and responsibilities;
- inform the content and implementation of tertiary and non-tertiary training programmes to ensure that they are better aligned to the framework for the system;
- guide the on-going development of skills and staff upgrading in accordance with the needs of the system and supports required by children and families;
- improve procedures and practice relating to background checks for individuals coming into close contact with children;
- identify opportunities to improve the mainstreaming of child welfare into other sectors and develop courses and modules to support this process.

The MSWGCA will develop a professional code of conduct to guide the ethical implementation of services under the child welfare system as well as provide guidance for other sectors and agencies. The new code of conduct will take into account the provisions outlined in this policy, highlight the importance of conducting background checks for people working with children and will supersede existing codes for conduct for working with children.

The code of conduct will be accompanied by orientation and briefing on the provisions included and their importance for children, families and for welfare actors. Codes of conduct should be signed, and in the case of professionals, linked to background checks, contracts or the rules and provisions that guide the conditions of their employment. All government, NGO and other relevant service providers should ensure that the code of conduct is clearly displayed in their office, projects and other relevant places of work (such as primary health centres, schools and children's clubs).

## **2.10 Monitoring, documentation and information management**

Recognizing the importance of evidence-based policy, an information management system will be established to ensure a flow of information on child welfare at the community, district, regional and central levels. Under the decentralization process, the Local Councils and their Social Services Department will exercise a key role in the coordination, collection, disaggregation and maintenance of information.

The MSWGCA will increasingly cooperate with Statistics Sierra Leone, the National Social Protection Coordination Agency and other partners to build the capacity of the social welfare workforce to manage information.

The main purpose of the information management system will be to:

- facilitate evidence-based policy development and strategic planning at the district and national levels, ensuring alignment of community priorities to district plans;
- capture the nature and extent of social welfare challenges and ensure that fiscal allocations are mobilized and coordinated for service provision to children and families;
- promote greater accountability and transparency at all levels;
- improve statistical evidence of children's protection issues and enable better tracking and monitoring of individual cases, which will help to review whether legal measures and guidance are being implemented and followed properly as well as track cases through the welfare and justice systems;
- generate the data required to inform advocacy, lobbying and resource mobilization processes with government and other development partners;
- improve accessibility to research, technical tools and guidelines and other useful information for both service providers and decision makers.

## 2.11 Research

The Child Welfare Policy emphasizes the need to improve the quality, coordination and planning of research activities in a more strategic manner. The issues, risks and challenges confronting children and families are not static and will evolve over time. It is important to understand the situation of children and families and to ensure that they are consulted regularly, so that the system is capable of adapting and realigning itself to their changing needs.

The MSWGCA will establish a plan to ensure that research plays a more strategic role in policy-making and service design. The MSWGCA will assume a greater role in coordinating research and disaggregating the findings among other welfare partners. Planned research activities will be shared with the national ethics committee for clearance prior to their commencement to ensure compliance with the necessary protocols and standards. All research activities and outputs will be made available through the information management system to facilitate their broad dissemination.

## 2.12 Oversight and management<sup>30</sup>

To ensure the effective implementation of the policy and to ensure that the reforms required to reorient the system progress in a timely manner, it is necessary to revise the current child protection management and oversight structures. The MSWGCA will oversee the day-to-day implementation of the policy, but oversight and guidance will be provided by the National Child Welfare System Steering Committee and the National Child Welfare Committee (formerly the National Child Protection Committee).

The National Child Protection System Steering Committee will be established as a high-level inter-ministerial and development partner group. This committee will meet on a twice-yearly basis to monitor and make/endorse strategic decisions relating to the National Child Protection System. Bilateral and multilateral organizations supporting child welfare will also be invited to participate in this group, along with a representative from the National Council of Paramount Chiefs and the Inter-Religious Council. NGOs and civil society groups will also nominate two representatives to this body on a revolving basis (serving a one-year term).

The existing National Child Protection Committee will be restructured to form the National Child Welfare Committee. This committee will provide the technical guidance to ensure the effective roll-out of the Child Welfare Policy and ensure that reforms needed to strengthen the child welfare system proceed in a timely manner and in accordance with the national child welfare system strategic plan. A critical function of this committee will be ensuring that an inter-sector approach strengthens the overall system and that the provisions outlined in the policy are integrated across all relevant sectors. This committee will be chaired by the chief social services officer of the MSWGCA and the director of the Strategic Planning Unit acting as the co-chair; they will convene the meetings on a quarterly basis. Senior representatives from the various ministries, departments and agencies and organizations involved in or supporting child protection and the provincial social development officer will constitute the membership of this committee. The committee will nominate technical committees to examine and report back on specific issues as necessary.

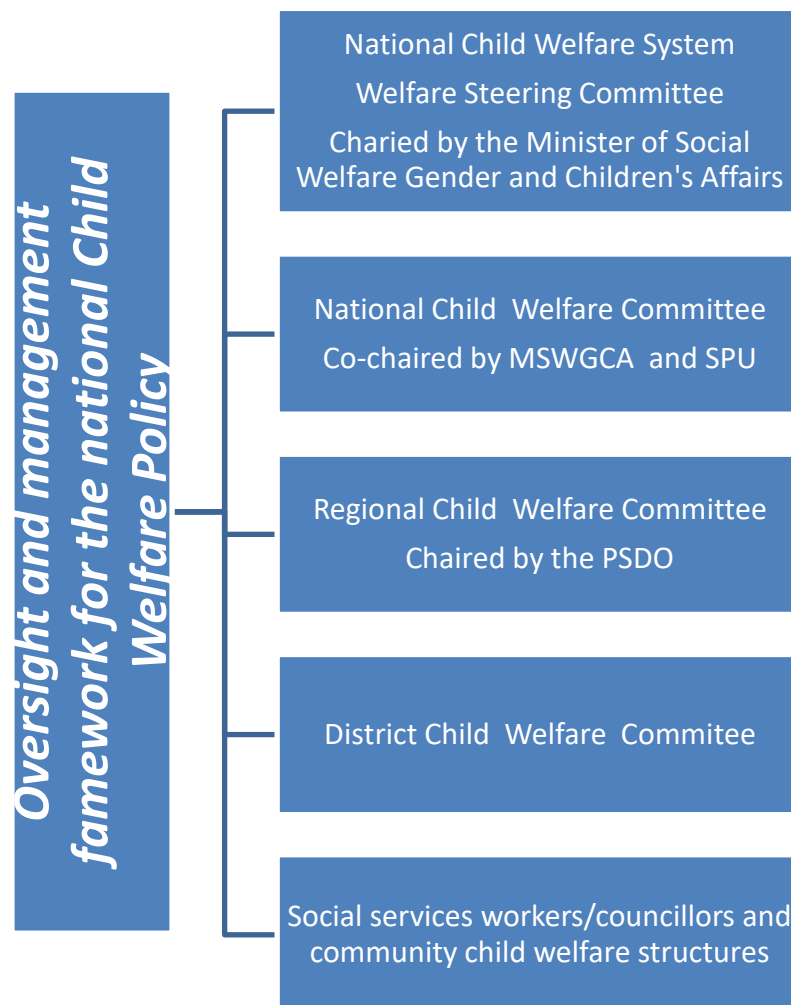
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<sup>30</sup> The oversight and management structure will be subject to periodic review to ensure effectiveness, especially in terms of the system delivering better outcomes for children, families and communities.

The Regional Child Protection Committees will be re-constituted as the Regional Child Welfare Committees. Chaired by the provincial social development officer, the committee will meet on a bimonthly basis and assume responsibility for oversight and monitoring of services provision and activities from the regional level downwards. The committee will also produce quarterly reports and ensure that they are submitted in time for the meetings of the National Child Welfare Committee.

The District Child Protection Committees will be reconstituted as the District Child Welfare Committees. This committee will be convened by the District Council and Chaired by the social services officer as the representative of the District Council, with lead responsibility for children. The District Child Welfare committee will meet on a monthly basis and have responsibility for day-to-day implementation of the National Child Welfare Policy, service provision, monitoring and reporting. Membership of this committee will include councillors, representatives of ministries, departments, agencies, civil society groups and other groups involved in promoting child welfare.

**Figure 1: Oversight and Management Framework**



## Annex I: Concepts and definitions<sup>31</sup>

The following terms were used in this policy to outline the scope of specific concepts.

**Child:** Consistent with the United Nations Convention of the Rights of the Child (1989), the term ‘children’ is used in this policy to refer to persons younger than 18 years. This is in line with the Convention on the Rights of the Child and the Child Rights Act of Sierra Leone.

It is important to emphasize that in Sierra Leone the concept of a child is traditionally and culturally less bound to numerical age but linked to the individual’s dependency, role or activities. In general, children are regarded as people who cannot do things for themselves and are dependent on their parents or other adults. They may nonetheless have strict responsibilities towards their families and community. As a result, a person older than 18 but who is still dependent on others can still be seen as a child. The importance of engaging in certain activities also greatly affects the perception of whether an individual is still a child. For example, because sexual intercourse is by definition an adult activity, once young people become sexually active, they may no longer be perceived as children.<sup>32</sup>

**Family:** The term ‘family’ in the Sierra Leone context refers to those within the caring circle of a child. This extends beyond the biological parents to such extended family members as grandparents, older siblings and aunts and uncles. In some circumstances, the notion of family may extend to very close family friends or others staying in the same household.

**Community:** In the context of this policy, ‘community’ refers to the group of people who live in close geographical proximity to one another, often a village or cluster of villages. The term refers to a social unit larger than the household that shares common values and interests.

**Child protection:** Child protection is defined as the endeavour to prevent and respond to abuse, neglect, violence and exploitation as well as prevent and respond to child delinquency.<sup>33</sup>

**Social welfare system:** Social welfare refers to a sense of human well-being that exists where “social problems are managed, where human needs are met and when social opportunities are maximized.”<sup>34</sup> A social welfare system is the organization of support services and social protection to the general population, often by government but also by civil society groups. Social welfare services are often targeted at those populations who require special assistance, such as the elderly, poor families, disabled people and veterans.

**Child welfare system:** The child welfare system is nested within the social welfare system. It is designed to enhance the ability of families to meet their responsibilities to care for and protect their children through the provision of tailored services by a government and civil society. This system includes traditional and informal community support that helps children and families. While the aim is to promote the welfare of children through proactive, family

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<sup>31</sup> Definitions presented here are adapted from Child Frontiers, *Mapping and Analysis of the Child Protection System in Sierra Leone*, Child Frontiers, Hong Kong, 2010 or from relevant parts of the legal and regulatory framework reviewed as part of the process to develop this policy.

<sup>32</sup> Adapted from The Columbia Group for Children in Adversity, *An Ethnographic Study of Community-Based Child Protection Mechanisms and Their Linkages with the National Child Protection System of Sierra Leone*, Freetown, 2011.

<sup>33</sup> United Nations Children’s Fund, ‘Child Protection Information Sheet: What is Child Protection?’, UNICEF, New York, undated.

<sup>34</sup> Midgley, J., 1997, cited in Krueger, A. and Delaney, S., ‘An Overview of the Role of a Social Welfare System for Child Protection and Promoting Children’s Well-Being’, in *East Asia and the Pacific Region Child Protection Strategy: Toolkit*, UNICEF East Asia and the Pacific Regional Office, Bangkok, 2008.

strengthening initiatives, the system will usually include specialized protective interventions where a child is at risk of abuse, neglect, violence and exploitation.

**Child justice system:** The justice system comprises i) state-run justice institutions, including the judiciary (criminal and civil), justice and interior ministries, the police, prisons, criminal investigation and prosecution services; and ii) non-state or informal justice mechanisms – the whole range of traditional, customary, religious and other informal mechanisms that deal with disputes at community levels.<sup>35</sup>

**Social protection:** Social protection refers to the set of public measures, including cash benefits, employment generation and social insurance, provided to certain citizens determined as needing protection from economic and social distress.<sup>36</sup>

**Abuse:** A deliberate act (single or persistent) of ill treatment that can harm or is likely to cause harm to a child's safety, well-being, dignity and development. Abuse includes all forms of physical, sexual, psychological or emotional ill treatment.<sup>37</sup>

**Neglect:** The failure of parents or carers to meet a child's physical and emotional needs when they have the means, knowledge and access to services to do so or failure to protect the child from exposure to danger.<sup>38</sup>

**Violence:** Broadly, this term is used to encapsulate the other definitions of abuse, neglect and exploitation. Violence has been defined as "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse"<sup>39</sup> or, alternatively, as "the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity".<sup>40</sup>

**Exploitation:** The use of children for someone else's advantage, gratification or profit, often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development. This covers manipulation, misuse, abuse, victimization, oppression and ill treatment.<sup>41</sup> Manifestations include child labour, commercial sexual exploitation, child trafficking and child begging.

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<sup>35</sup> UN Common Approach to Justice for Children, 2008.

<sup>36</sup> Kamerman, Sheila B. and Gatenio Gabel, Shirley, *Social Protection for Children and their Families: A Global Overview*, UNICEF, 2006.

<sup>37</sup> Save the Children UK.

<sup>38</sup> United Nations, *World Report on Violence Against Children*, United Nations, New York, 2006, p. 54.

<sup>39</sup> This stems from Article 19 of the Convention on the Rights of the Child and was the definition adopted for the UN Secretary-General's Study on Violence Against Children, 2006.

<sup>40</sup> Kruger et al. (eds.), *World Report on Violence and Health*, World Health Organization, Geneva, 2002, p. 5.

<sup>41</sup> Taken from Save the Children, *Child Protection Training Manual Facilitator's Guide for Teacher Training*, Save the Children UK, Southern Sudan, 2008.

## Annex II: Laws, policies and guidelines

<b>CHILD PROTECTION LAWS, POLICIES and GUIDELINES</b>	
<b>Child welfare</b>	Child Rights Act, 2007
<b>Birth registration</b>	Child Rights Act, 2007 Births and Deaths Registration Act, 1983
<b>Custody and maintenance of children</b>	Matrimonial Causes Act Child Rights Act, 2007
<b>Domestic violence</b>	Domestic Violence Act, 2007
<b>Inheritance rights</b>	Devolution of Estates Act, 2007 Registration of Customary Marriages and Divorce Act, 2007 Child Rights Act, 2007
<b>Adoption</b>	Adoption Act, 1989 (under review)
<b>Child labour</b>	Child Rights Act, 2007
<b>Juvenile justice</b>	Children and Young Persons Act (Cap 44) Child Rights Act, 2007 National Child Justice Strategy (2013)
<b>Child victims/witnesses in criminal proceedings</b>	National Child Justice Strategy (2013) Sexual Offence Act 2012
<b>Corporal punishment</b>	Child Rights Act, 2007
<b>Physical abuse</b>	Prevention of Cruelty to Children Act Child Rights Act, 2007
<b>Sexual abuse</b>	Sexual Offence Act, 2012, National Referral Protocol on Gender Based Violence, 2012 Standard Operating Procedures for the Investigation of Sexual and Domestic Violence Offences 2011, Dealing with Child Abuse a Handbook for Child Welfare Workers 2009
<b>Child prostitution</b>	Sexual Offence Act 2012
<b>Child pornography</b>	Child Rights Act, 2007 Sexual Offence Act 2012
<b>Trafficking in children</b>	Anti-Human Trafficking Act, 2005
<b>Involvement of children in armed conflict</b>	Child Rights Act, 2007 Recruitment Act, 2006 RSLAF Recruitment Policy (2004)