



Peacebuilding Fund

2010 ANNUAL PROGRAMME¹ NARRATIVE REPORT

REPORTING PERIOD: 1 JANUARY 2010 – 31 DECEMBER 2010

Submitted by:

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Country and Thematic Area²

Sierra Leone, Justice and Security

Programme No.: PBF/SLE/B-4
MDTF Office Atlas No: 00066689
Programme Title:

*Capacity Development of the Justice
System to prevent delays in trials and to
clear backlog of cases*

Participating Organization(s):

UNDP, UNIPSIL

Implementing Partners:

- *National counterparts
Judiciary, Ministry of Justice; Ministry of
Internal Affairs Local Government and
Rural Development; Ministry of Social
Welfare Gender and Children's Affairs,
Sierra Leone Police, Law Reform
Commission*

Programme Budget (from the Fund):

USD 3,959,722.54

Programme Duration:

Start date³:

- *17 July 2007*

End date:

- *31 December 2010*

Budget Revisions/Extensions:

January 2009 and March 2009

¹ The term “programme” is used for programmes, joint programmes and projects.

² E.g. Priority Area for the Peacebuilding Fund; Thematic Window for the Millennium Development Goals Fund (MDG-F); etc.

³ The start date is the date of the first transfer of funds from the MDTF Office as Administrative Agent.

I. Purpose

The overall objective of the project was to clear the existing backlog of criminal and civil cases both in the Magistrate and High Court. It is envisaged that through this reduction of backlog of cases, congestion in most prisons across the country will be reduced and justice delivery enhanced. The project also seeks to develop the operational capacity of the judiciary by providing adequate human and material resources.

The Programme main outputs are as follows:

- a) Functioning courts with the capacity to hear and adjudicate existing backlog case speedily established
- b) Improved functioning of the Courts so that they have the capacity to speedily dispose of new cases and prevent new backlogs from being created
- c) A functioning Law Officers Department and Prosecutorial system that has the capacity to prosecute the existing backlog of cases, speedily charge and prosecute all new cases and prevent new backlogs from being created.
- d) Increased Access to Justice for all, particularly Women and Juveniles and those in the provinces, to prevent future backlogs

The period preceding hostilities in Sierra Leone was characterized by dysfunctional justice system and in some places a complete lack of access to any form of justice system. Confidence in the justice system quickly eroded many Sierra Leoneans began resorting to self-help measures including violence to settle dispute rather than referring matters to the court. This view was also captured in the TRC Report, which advocated strongly for the strengthening of the Justice Sector.

The programme relates to the Justice and Security components of the PBF Priority Plan, which sought to address the problem of poor delivery of justice. Following the end of the war, development partners and key stakeholders were of the consensus that the capacity of the justice system to deliver needs to be strengthened to ensure the country do not relapse into conflict and to consolidate the peace gained in the post-conflict years.

Post conflict Sierra Leone inherited a dilapidated judicial and justice system. There was a perception of a corrupt judiciary, which is also subjected to undue executive interference. Human rights violations with impunity were a common occurrence. The Judiciary, Law Officers' Department of the Ministry of Justice, the Legal and Judicial department of the SLP, the Law Reform Commission and other institutions were characterized by functional frailties mainly because of the paucity of human resource caused by poor incentives and weak logistical support.

The programme aims to address these functional frailties that were evident in the justice system in order to ensure enhanced delivery of justice and preclude the tendencies for a relapse to civil conflict. This will be conducted on two levels. One, equipping the judiciary and the justice system with the requisite logistical support such as the construction of courts, the procurement of vehicles, computers, and refurbishment of the existing judicial structures. Two, provision of capacity building support in the areas of case management, human rights norms, prosecutorial skills, and efficient justice delivery.

The main implementing partners in this project include the Sierra Leone Judiciary, Ministry of Justice, Ministry of Internal Affairs Local Government and Rural Development, Ministry of Social Welfare Gender and Children's Affairs and the Sierra Leone Police, all of which are members of the Project Steering Committee. The office of the Chief Justice provides the leadership and coordinate the roles among various justice institutions.

II. Resources

Financial Resources:

A total of USD 3,959,722.54 was allocated to this project from the Fund. Budget revisions were carried out in January 2009 and March 2009. Good practices relate to the fact that timely transfer of funds to national partners is made possible through submission of relevant supporting documents that are consistent with the Programme document.

Human Resources:

- National Staff: 1 Programme Officer
- International Staff: 1 Programme Manager (Justice, Rule of Law & Human Rights) and 1 Procurement Officer (UNV)

III. Implementation and Monitoring Arrangements

The Project/Justice Sector Steering Committee, which comprised of heads of the Justice Sector Ministries, Departments and Agencies as well as senior representatives of UNDP and UNIPSIL, performed a pivotal role in the implementation of project activities. It was chaired by the Chief Justice and met periodically as necessary. The Steering Committee provided the overall guidance to the Project Management Team, and was responsible for taking policy decisions, reviews progress in the implementation of planned activities, discussed and provided solutions to emerging issues. The programme was implemented under the DEX modality.

Procurement for this programme was carried out in accordance with UNDP policies and procedures. UNDP holds fiduciary responsibility for funds disbursed.

In order to ensure effective monitoring of programme implementation, the Justice Sector Steering Committee monitors progress in implementation, and provides technical guidance on the various components/activities. The Project Management Team provides monthly and quarterly narrative and financial reports on progress made and copies of quarterly reports are shared with the Deputy Minister of Finance and Economic Development. At the project supervisory level, regular reviews through partnership meetings, debriefings and progress reports helped to document lessons learnt and best practices related to the project. This information has been valuable to the refinement of strategy and development of new plans.

IV. Results

The following are the key results achieved in 2010:

- Law Commission and other entities of the Justice sector were capacitated to function better through injection of IT and logistic support.
- The construction of Magistrate courts in Daru, Mile 91, Masiaka was completed to provide an enabling working environment for dispensation of justice.
- The construction of five (5) local courthouses was completed and contributed to an improvement in access to justice at the community level.
- The construction of a strong room at the Central Court House in Freetown was completed to ensure the preservation, safety and sanctity of evidences.
- Internet facilities were provided for the Judiciary to improve communication with the public and the monitoring of service delivery.
- Three (3) additional Magistrates, eleven (11) State Prosecutors, and twenty-five (25) Legal Executives were recruited.
- Defense lawyers were contracted to provide legal services.
- Over 370 Backlog cases were cleared.
- Housing facilities and logistics support was provided for State Counsels.

A major constraint was the inadequate number of staff, particularly in the operations department, which was a major contributing factor to delays in the implementation of the project. The project was supported by only one (1) Procurement Officer.

Furthermore, it has been extremely difficult to in secure the required participation of relevant government officials in various activities for which they are beneficiaries. National partners were unfamiliar with UNDP rules and regulations thus slowing down progress. There were some instances where UNDP insistence on following policies and regulations has been misunderstood as inefficiency and caused undue delays in the implementation process.

Attempts to address such challenges include enhancing communication mechanisms through frequent meetings with national partners to streamline work activities to ensure speedy implementation and less duplication.

Justice Sector Donor Coordination Meetings were held in 2010 to ensure the harmonization of interventions and the project's partnership with the UNDP-CSO provided strategic support in monitoring the demand side of justice.

V. Abbreviations and Acronyms

CSO:	<i>Civil Society Organisation</i>
DEX:	<i>Direct Execution</i>
DPP:	<i>Director of Public Prosecution</i>
FSU:	<i>Family Support Unit</i>
JoSL:	<i>Judiciary of Sierra Leone</i>
MIALGRD:	<i>Ministry of Internal Affairs Local Government and Rural Development</i>
MSWGCA:	<i>Ministry of Social Welfare Gender and Children's Affairs</i>
PBF:	<i>Peacebuilding Fund</i>

SLP: *Sierra Leone Police*
TRC: *Truth and Reconciliation Commission*
UNDP: *United Nations Development Programme*
UNIPSIL: *United Nations Integrated Peacebuilding Office in Sierra Leone*
UNV: *United Nations Volunteer*