


The Criminal Justice System in Sierra Leone: A Pathway for Effective Response to Counter Human Trafficking





It is equally clear that without robust criminal justice responses, human trafficking will remain a low-risk, high profit activity for criminals.

2014 UNODC Global Report on Trafficking in Persons

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INTRODUCTION

As a country on a long road to democratic transition and state building, Sierra Leone continues to develop and institutionalize new architectures for governance that are responsive to the state building needs required for long term stability and social transformation. Foremost among them is the criminal justice system. This includes the Sierra Leone Police (SLP) and the Transnational Organized Crime Unit (TOCU) as the law enforcement institutions responsible for the prevention of crimes and enforcement of laws, the Sierra Leone judiciary covering State Counsels, the Office of the Attorney General and Ministry of Justice that interprets the law and ensures that suspected criminals receive fair trials and the Sierra Leone Correctional Services that enforces punishments and rehabilitate offenders.¹

However, in the last two decades, this major arm of government has undergone extensive restructuring and reformation in laws, policies, regulatory frameworks, institutional design and even infrastructure development to make it fit for purpose. These efforts were intended to increase the criminal justice systems' institutional operability to be more responsive in the administration and access to justice for all. This includes reform of SLP service structure, the establishment of the Family Support Unit, and strengthening of community policing through local police partnership boards. Also, extensive training and capacity development for judges and public prosecutors have helped improve prosecution of cases and case management systems. Child/juvenile justice mechanism, witness protection mechanisms, alternative disputes mechanism, and the enactment of a new Criminal Procedure Act are some of the key features of the restructuring processes. Whilst, the Independent Police Complaint Board (IPCB) and the Legal Aid Board (LAB) continue to serve as key accountability mechanism in the justice sector.²

These developments represent institutional pillars and carriers on which effective response to crimes and other acts of criminalities can and should be embedded and evolved now and into the future. As the crime of trafficking in persons (TIP) is gaining traction as a major crime against the person with attendant issues of criminal victimization of victims, the criminal justice system is a critical governance sector with the responsibility for intervention across the referral pathway of the national referral mechanism for the protection of victims of trafficking (VoT) in the country. This is because, the entire pathway for VoTs requires various measure of response by the criminal justice system beginning from identification, rescue, and referral, victim's protection and assistance, safe return and reintegration, as well as victim's participation in criminal matters.³

¹See more details on the Sierra Leone Justice Sector Reform Strategy (2024–2030). Justice Sector Coordinating Office, Government of Sierra Leone. [https://sierralii.gov.sl/articles/2024-09-12/le-roy/sierra-leones-justice-sector-reform-strategy-2024-2030/attachment/45/REVISED%20Strategic%20Plan%20Final%20Minister%20\(1\).pdf](https://sierralii.gov.sl/articles/2024-09-12/le-roy/sierra-leones-justice-sector-reform-strategy-2024-2030/attachment/45/REVISED%20Strategic%20Plan%20Final%20Minister%20(1).pdf)

²See more details on the “The State of Justice Sector: A Review of Justice Sector Reform Strategy and Investment Plan III”. Justice Sector Coordinating Office, October 2018.

³See more details on the National Referral Mechanism for the Protection of Victims of Human Trafficking in Sierra Leone. Anti-Trafficking in Person Agency, Government of Sierra Leone.

However, capacities for counter trafficking interventions in the justice sector are still in short supply. In 2023, the Center on Human Trafficking Research and outreach (CenHTRO) based at the University of Georgia, U.S.A. in partnership with the United Nations Office on Drug and Crime (UNODC) Regional Office for West Africa, conducted an assessment of the most pressing gaps for criminal justice response to child trafficking in four districts of Sierra Leone. This includes Kenema, Kailahun, Kono, Kambia and Freetown. The findings from this assessment emphasized that the criminal justice sector faced significant challenges in effectively identifying, investigating and prosecuting cases of child trafficking.⁴

⁴See more details on the Report on Assessment of the criminal Justice Response to Child Trafficking in Kenema, Kailahun, Kono and Kambia, March 2023. Also, see Final Report on Enhancing the Capacity of the Criminal Justice Sector to Combat Child Trafficking in Sierra Leone. UNODC and CenHTRO.

⁵Ibid.

The report maintains that many criminal justice actors lacked the necessary skills and knowledge to handle TIP cases, particularly when dealing with vulnerable victims such as children; that laws addressing trafficking in persons are inconsistently applied as judicial actors remain unfamiliar with the relevant national laws and international legal standards; and a lack of cohesive collaboration between various actors within the criminal justice system and other key non-state sectors weakens the overall response to child trafficking.⁵ These existing gaps as stated in the report are based on extensive consultations conducted across the criminal justice landscape in the country. It exposes the depth of institutional and operational challenges within the sector; but, at the same time, serves as a roadmap to finding solutions that are responsive, context specific and clearcut to tackle the overarching problems around TIP and related criminal offences in the country.

Therefore, this policy paper provides an exploratory analysis of what can and should be done as various potential pathways to overcome these institutional challenges that lay bare in the justice sector. It presents linkages between international discourse and local realities to tackle criminal victimization, development of a rights-based approach and various pathways for effective response to ATIP intervention in the criminal justice sector.

KEY HIGHLIGHTS

- 1** Sierra Leone's criminal justice system represents one of the most important governance sectors with a range of roles and actors responsible to combat TIP in the country.
- 2** The criminal justice sector has instituted new laws, developed new infrastructures, established a specialized court for sexual offences, improved case management systems, strengthened witness protection and child justice mechanisms and continue to provide capacity developments for its personnel.
- 3** There is a need to close the knowledge gap on counter trafficking intervention by conducting regular coordinated training for all service personnel across all institutions in the justice sector.
- 4** There is a need to develop guidelines to prevent criminal victimization in managing investigation and prosecution of TIP cases and protection of VoTs.
- 5** Develop and operationalize a specialized court that is solely focused on hearing TIP cases.
- 6** Prioritize investment in digital tools and investigative technologies to enhance the efficiency and effectiveness of trafficking investigations and prosecutions.
- 7** Strengthening Inter-agency and cross-sectoral collaboration through regular joint trainings, information exchange, formalizing memorandum of understanding and conducting regular meetings.
- 8** Legislating proceeds of the crime act to ensure full implementation of the legal provisions stipulated in the Anti-Human trafficking and Migrant Smuggling Act 2022.
- 9** Promote and enforce mutual legal assistance to prevent transnational organization of TIP related crimes across the Mano River countries, the West Africa sub-region and beyond.

INTERNATIONAL PERSPECTIVES ON CRIMINAL JUSTICE SYSTEM RESPONSE TO TIP

Criminal Justice Systems in every country represent an important pillar of governance and constitute the principal means of maintaining rule of law and order across societies. In their work 'Ethics in the Criminal Justice Profession', Crowder and Turvey (2013) explained that a criminal justice system is "comprised of multiple interrelated pillars fashioned to support the idea of legal justice"⁶ and that it is "the result of forging the rights of individuals with government's corresponding duty to ensure the protection of those rights—referred to as due process." Therefore, in their opinion, "constitutional entitlements cannot be given and protected without abiding commitment of those professionals working in the criminal justice system." In addition, Patterson (2018) asserts that "the criminal justice system is seen as a complex system with separate and distinct subcomponents that covers a diverse group of criminal justice practitioners. They include law enforcement officers, corrections officers, probation and parole officers, judges, lawyers, paralegals, mental health professionals, and others who hold different perspectives on offending behaviors, punishments, and rehabilitation." Therefore, coordinating these criminal justice practitioners and establishing partnerships among them is also a complex task.⁷

Furthermore, criminal justice systems are mandated to respond to crimes and all forms of criminal matters; human trafficking and related forms of transnational organized crimes are no exception. In the context of universal legal standards, the UN Convention on Transnational Organized Crime primarily takes a criminal justice approach, advocating for the criminalization, investigation, and prosecution of traffickers, whilst calling for trafficked persons to be protected and assisted as survivors of a serious crime at the same time.⁸ The UN's Palermo Protocol sets out the framework for a holistic criminal justice response to the problem of TIP.⁹ As such, it contains provisions on the definition and criminalization of TIP, the prevention of TIP and measures for cooperation, through information exchange, the strengthening of border controls and document security, as well as measures to ensure the protection of victims of trafficking.¹⁰

In this regard, UNODC has maintained that "obligations placed on States by the Protocol against Trafficking in Persons, particularly those under article 5, necessitate the use of domestic criminal justice systems and measures to prevent and combat trafficking". It states that "those persons that commit the crime of trafficking in persons, as defined in the Protocol, must be subject to criminal offences under domestic law; that criminal justice systems are

⁶Crowder, S., Turvey, Brent E., (2013). 'Ethics in the Criminal Justice Professions'. *Ethical Justice. Applied Issues for Criminal Justice Students and Professionals*. Academic Press, pp. 1–19.

⁷Patterson George T. (2018). 'Criminal Justice Initiatives Using Evidence-Based Practice and Principles'. In Patterson George T. and Graham Warren T. (Eds). *Clinical Interventions in Criminal Justice Settings. Evidence-Based Practice*, Academic Press, PP. 177–188.

⁸Bauloz, C., Mcadam, M. and Teye, J., (2022). *Human Trafficking in Migration Pathways: Trends, Challenges and New forms of Cooperation*. *World Migration Report*, 2022(1).

⁹See more details on UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. (Formerly known as the Palermo Protocol)

¹⁰See more details on UNODC Comprehensive Strategy to Combat Trafficking in Persons and Migrant Smuggling. https://www.unodc.org/documents/human-trafficking/UNODC_Strategy_on_Human_Trafficking_and_Migrant_Smuggling.pdf

responsive to trafficking, insofar as they are the avenue through which those offenders can be punished”; and that “criminal justice systems can also play an effective, pre-emptive, role in responding to trafficking, by preventing further commission of the crime and reducing overall levels of offending”.¹¹

In West Africa, the Economic Community of West Africa States (ECOWAS) has developed two critical counter trafficking policies that placed criminal justice architectures at the center of response, protection and prevention across Member States. Its Regional Referral Mechanism emphasizes that the justice system of Member States is the engine that drives effective counter trafficking response. It maintains that the path of referral from investigation, protection, prosecution and prevention can only be realized when the criminal justice sector is well oriented.¹² Therefore, as presented in the Freetown Roadmap on Enhancing the Combat of TIP in the ECOWAS region, cooperation between criminal justice practitioners of Member States to ensure the effective investigation and prosecution of human trafficking cases is sacrosanct. Other key areas of cooperation, as noted in the roadmap, include reinforcing cross-border police operations, judicial cooperation and mutual legal assistance and the promotion of inter-agency cooperation at both regional and national levels.¹³

CRIMINAL JUSTICE SYSTEM AND HUMAN RIGHTS-BASED APPROACH TO ATIP RESPONSE

The Criminal justice infrastructure of any country has a responsibility to protect and enforce the rights of every individual. Therefore, criminal justice and human rights-based approaches to trafficking must be seen as complementary and mutually reinforcing.¹⁴ Human trafficking is a despicable act of exploitation and human degradation that is multi-faceted and multi-layered, complex and deeply traumatic; and, can only be altered when counter trafficking responses are done in a humane and dignified manner. The United Nations Office of the High Commissioner for Human Rights (UNOHCHR), developed “Recommended Principles and Guidelines on Human Rights and Human Trafficking”. It states that “the human rights of trafficked persons shall be at the center of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims”.¹⁵

In his presentation on a human rights-based approach for effective criminal justice response to human trafficking, Demeke (2024), asserts that a rights-based approach is significant for the following reasons: 1. Establishing the supremacy of human rights as a founding principle, 2. Guaranteeing rights of the right

¹¹See more details on <https://www.unodc.org/e4j/zh/tip-and-som/module-9/key-issues/role-of-the-criminal-justice-system.html>

¹²See more details on the ECOWAS Model Regional Referral Mechanism for West Africa.

¹³More details on the Freetown Roadmap on Enhancing the Combat of Trafficking in Persons in the ECOWAS Region, April 2023.

¹⁴See more on UNODC

¹⁵See more details on UNOHCHR Recommended Principles and Guidelines on Human Right and Human Trafficking. <https://www.ohchr.org/sites/default/files/Documents/Publications/Trafficking.pdf>

holder and obligation of the right bearer, 3. Endorsing cooperation and partnership, and 4. Ensuring that rights imply duty and duty demands accountability. He clarified that this approach to “criminal justice response helps to identify entitlements and obligations throughout the criminal justice process, and established to what extent those rights are claimed, and obligations are enforced in prevention of human trafficking”.¹⁶

Therefore, in the pursuit of a human rights-based approach to TIP within the justice system, protection of fundamental human rights should and must be at the core of their intervention. This requires criminal justice practitioners to have a comprehensive understanding of these rights, the method of application within their national jurisdiction, and obligations under international laws in tackling transnational organized crime. In this regard, law enforcement agencies, border management officials, investigators and prosecutors should prioritize respect and protection of human rights as well as obligation as duty bearers.

The Regional Crime Against the Person Prevention Policy (RCAPPP) for West Africa was developed to tackle present challenges on criminal victimization of VoTs and building a human rights-based approach to TIP response across ECOWAS countries.¹⁷ The goal of RCAPPP is to ensure that basic law enforcement and social service type protection exist in Member States for persons vulnerable to TIP as well as actual VoTs.¹⁸ These obligations for protection against criminal victimization can only be realized where the criminal justice system pursues a rights-based approach to response across the national referral process. Therefore, the recommended principles and guidelines requires states to enact legislations that will “prevent trafficked persons from being prosecuted, detained or punished for the illegality of the activities they involved in as a direct consequence of their situation as trafficked persons.”¹⁹

THE CRIMINAL JUSTICE SECTOR IN SIERRA LEONE AND ATIP RESPONSE: STRUCTURES AND LOCAL REALITIES

Sierra Leone’s criminal justice system is composed of three distinct, but interrelated institutions with separate institutional mandates in the country’s criminal justice landscape. They include the Sierra Leone Police, the Sierra Leone Judiciary and the Sierra Leone Correctional Services (SLCS). Also, there are non-law enforcement and non-prosecutorial components of the criminal justice system which includes the Human Rights Commission of Sierra Leone, the Anti-Corruption Commission, the Ministry of Internal Affairs and the Ministry of Gender and Children’s Affairs among others.²⁰ All these institutions, departments and agen-

¹⁶Demeke, S. (2024). A Human right-based approach for effective criminal justice response to human trafficking. *Journal of Humanitarian Action*, 9,4.

¹⁷See more details on the ECOWAS Regional Crime Against the Person Prevention Policy. (Only in Draft)

¹⁸Ibid

¹⁹See more on UNOHCHR, Op. Cit.

cies form a complex web of interconnected pillars that hold the criminal justice sector together through structured network of inter-agency cooperation in the administration of justice in the country.²¹

The judiciary, as the third arm of government, is mandated to exercise judicial functions subject to only the constitution and the laws of the country. Therefore, the judiciary “adjudicates over all criminal and civil matters in the country”. The SLP is under the jurisdiction of the Ministry of Internal Affairs and is responsible for crime prevention and investigation, as well as safety and protection of lives and property.²² Whilst, the correctional service has the mandate of protecting the country through the imprisonment of convicted criminals in secure conditions, and rehabilitating and reintegrating them into society.

In 2024, the Justice Sector Coordinating Office of the government of Sierra Leone, instituted a new Justice Sector Reform Strategy (2024–2030). One of its key objectives is to increase access to justice for all, improve case management at all levels of the court system, enhance adherence to human rights and rule of law; and develop capacities for effective service delivery. Also, it identified and mandated some non-law enforcement and non-prosecutorial agencies to support the criminal justice system in the wider dispensation of justice, crime prevention and the rule of law in the country.²³

With the development of a variety of response mechanisms in laws, polices, institutions, programming and cooperation arrangements for counter trafficking in persons interventions, Sierra Leone’s criminal justice sector is slowly building the pillars for constructive management and response to the crime of TIP. In 2022, the government of Sierra Leone enacted a new Anti-Human Trafficking and Migrant Smuggling Act.²⁴ What distinguishes this new Act from the previous ATIP Act of 2005 is that stronger punitive measures have been added for punishment of traffickers and individuals involved in migrant smuggling, new provision for payment of restitution to victims of trafficking, and rigorous penalties for individuals who aid and abet the crime of trafficking.

Furthermore, this Act gives more authority to law enforcement agencies to prosecute offenders, seek partnership with non-state actors in investigations, prosecution and, measures for protection and assistance in the national referral mechanism for protection of VoTs.²⁵ Similarly, in 2023, Sierra Leone’s Anti Trafficking in Person Agency, instituted a new National Referral Mechanism (NRM) with a set of standard operating procedures to enhance better coordination and accountability in the identification, assistance, referral, case management, rehabilitation and reintegration of VoTs.²⁶ The NRM provides a whole of government approach to

²¹See more details on the Sierra Leone Justice Sector Reform Strategy (2024–2030). Justice Sector Coordinating Office, Government of Sierra Leone. [https://sierralii.gov.sl/articles/2024-09-12/leroy/sierra-leones-justice-sector-reform-strategy-2024-2030/attachment/45/REVISED%20Strategic%20Plan%20Final%20Minister%20\(1\).pdf](https://sierralii.gov.sl/articles/2024-09-12/leroy/sierra-leones-justice-sector-reform-strategy-2024-2030/attachment/45/REVISED%20Strategic%20Plan%20Final%20Minister%20(1).pdf)

²²Ibid

²³Ibid

²⁴See more details on the Anti-Human Trafficking and Migrant Smuggling Act of 2022. Government of Sierra Leone. <https://www.parliament.gov.sl/uploads/acts/ANTI-HUMAN%20TRAFFICKING%20AND%20MIGRANT%20ACT,2022.pdf>

²⁵Lewis, R. (2023). *The New Anti-Human Trafficking and Migrants Smuggling Act of Sierra Leone: Implications for Policy and Practice*. Center for Human Trafficking Research and Outreach, University of Georgia, Athens, GA, USA. https://cenhtro.uga.edu/_resources/documents/Sierra_Leone_ATIP_Bill_Policy_Brief_CenHTRO.pdf

²⁶See more details on the National Referral Mechanism for the Protection of Victims of Trafficking in Sierra Leone.

TIP intervention that includes the entire criminal justice sector; emphasizing on the important of an inter-agency network of co-operation within the sector to achieve effective management of TIP cases through the referral pathway for VoTs.

Currently, the ATIP Task Force Secretariat has begun the implementation of a new National Action Plan Against Trafficking in Persons Especially Women and Children (2024–2028). One of its key strategic objectives and outcomes is to ensure that human trafficking offences are thoroughly investigated, and significant gains are realized in the criminal prosecution and conviction of TIP offenders. It is hoped that by 2028, the number of trafficking offences prosecuted will increase yearly by at least five from baseline by reviewing case files, charge cases to court, and prosecute suspects for deterrence. Annual roundtables with judges and state prosecutors are planned to discuss achievements and challenges in the application and interpretation of the new ATIP laws, prosecution mechanisms, and overcoming barriers to achieve convictions.²⁷

However, these developments in the criminal justice landscape are still fraught with different challenges that remain a setback to progress and change. Change in this context remains to be seen in the cultural and social fabric of communities. The cultural practices of `men-pikin` continues to hinder effective intervention in investigation and prosecution of cases by law enforcement agencies. Since child trafficking often takes place in the context of `menpikin`, i.e. involving family members or people with close ties to the community, people are reluctant to report or testify; and cases end up being compromised. The UNODC (2023) assessment report maintains that the apprehension of perpetrators is another major challenge in child trafficking investigations. Due to limited resources and mobility constraints, the police are not quickly operational, so it takes a long time to locate perpetrators and apprehend them. Also, the length of criminal proceedings results in cases being dismissed or compromised as it can take several years for a child trafficking case to reach the High Court.²⁸

With these perspectives in mind, CenHTRO in partnership with UNODC initiated a project with the overarching goal of supporting the capabilities of criminal justice practitioners to investigate cases and prosecute perpetrators of child trafficking. The project targeted law enforcement officers, including officers from the Transnational Organized Crime Unit, the Family Support Unit, and the Police Training Academy; as well as prosecutors and judges from the High Courts.²⁹ Therefore, as an extension to these existing endeavors, the next section explores opportunities and pathways for ATIP intervention within the justice sector in the country.

²⁷See more details on the Anti Trafficking in Persons Task Force Secretariat National Action Plan Against Trafficking in Persons Especially Women and Children.

²⁸See more on the Report on Assessment of the criminal Justice Response to Child Trafficking in Kenema, Kailahun, Kono and Kambia, March 2023 and Also, see Final Report on Enhancing the Capacity of the Criminal Justice Sector to Combat Child Trafficking in Sierra Leone. UNODC and CenHTRO.

²⁹See more details: https://cenhtro.uga.edu/_resources/documents/SL%20PEMS%203%20PD%20V5.pdf

PATHWAYS FOR COUNTER TRAFFICKING RESPONSE IN THE CRIMINAL JUSTICE SYSTEM

The pathways discussed below are a collection of responses from consultations and discussions with representatives of the criminal justice sector, including an Inter-Ministerial roundtable organized by CenHTRO and the Government of Sierra Leone. It presents a call to action to integrate the Freetown Roadmap into existing programmes of the justice sector in the country.³⁰ However, the pathways explored in this paper are not entirely new. They represent the translation of existing opportunities that should be applied in the institutionalization of counter trafficking mechanisms across the criminal justice landscape in the country. It serves to engineer institutional discourse among policy makers and criminal justice practitioners in the process of rule-making, policy development, as well as the design and implementation of counter trafficking programmes in the short, medium and long term throughout the country. These pathways are discussed below.

³⁰Based on consultations and discussion from the Inter-Ministerial Dialogue organized by CenHTRO in Freetown, 27th August, 2024.

Regular and Coordinated Training on TIP

A key pathway for effective response to TIP in the criminal justice sector is to close the knowledge gap for criminal justice practitioners. This requires extensive training for service personnel across all institutions in the criminal justice sector. Trainings are required on the legal provisions of the new ATIP Act as well as in the standard operating procedures in the NRM for the protection of VoTs. Judges, magistrates, public prosecutors, the SLP's family support unit, immigration and border personnel must be trained to understand how to identify and investigate TIP crimes, prosecute perpetrators and dispense justice. The training manual developed by UNODC in partnership with CenHTRO is an excellent resource that is fit for purpose in terms of understanding the role of key actors in identifying human trafficking in Sierra Leone, understanding investigation techniques, analyze evidence, applying a victim centered and human right-based approach to protection and assistance and managing criminal victimization. Therefore, opportunities for training on TIP for service personnel must be prioritized. The Police Training Academy and the Judicial Training Institute must integrate TIP modules into their professional training programmes using both formal, informal and non-formal methods.

Develop Guidelines to Prevent Criminal Victimization of TIP Victims

Another pathway for effective response to TIP is to manage criminal victimization of VoTs. TIP encompasses a range of vulnerabilities, violence and traumas associated with various risk factors and

forms of victimization. These vulnerabilities could be a result of gender-based violence, sexual exploitation, lack of protective environment for vulnerable children, etcetera. Failure to understand these linkages between TIP and other types of crimes and situations of vulnerabilities has led victims to be labelled as criminal instead of being supported and protected. Sierra Leone's national referral mechanism is designed to provide a structured set of response for protection and assistance to victims in order to reduce vulnerabilities and prevent victimization. Therefore, the criminal justice sector needs to develop guidelines to prevent victimization in the process of investigation and prosecution of TIP cases

Develop a Specialized Court for Human Trafficking Offences

In addition, another pathway for effective response in the justice sector is to develop and operationalize a specialized court in Sierra Leone's Judiciary that will solely focus on hearing TIP cases. During the round table consultation with criminal justice practitioners in the Inter-Ministerial Dialogue organized by CenTHRO and the government of Sierra Leone, it was proposed that the existing sexual offences model court can be used to adjudicate TIP matter. This requires the service of dedicated judges and prosecutors who are specifically trained to adjudicate TIP cases. Also, this court must be provided with the right administrative infrastructures to manage witness protection, provide safe rooms during court hearings, and establish protection measures for minors. This will ensure the speedy prosecution of TIP cases and their resolution.

Investment in Data Collection and Records Management Tools

Data collection and records management is another critical challenge in the daily operations of criminal justice practitioners. Therefore, the justice sector needs to prioritize investment in digital tools and investigative technologies, such as case management systems, data sharing platforms, and equipment for surveillance and evidence collection. These tools will enhance the efficiency and effectiveness of trafficking investigations and prosecutions.

Strengthening Inter-agency and Cross Sectoral Collaboration

No single criminal justice institution in Sierra Leone can manage the administration of justice or operationalizing standard procedures in the NRM for victims' protection. It is an impossible task. Therefore, inter-agency and cross-sectoral collaboration is sacrosanct; and can be implemented in different forms. Firstly, regular joint training sessions among criminal justice practitioners

and non-state actors such as World Hope International (WHI) will create opportunities for knowledge exchange and coordination. Secondly, developing information sharing platforms that allow ATIP stakeholders to share real-time information on trafficking cases through a centralized database system will ensure swift collective response by all ATIP partner institutions. In addition, the justice sector institutions should develop a formalized common memorandum of understanding or inter-agency agreements to legitimize their cooperation and mutual assistance on counter trafficking response. And lastly, institute regular monthly, quarterly or bi-annual meetings among stakeholders in the justice sector to discuss progress, challenges and next steps for effective counter trafficking interventions.

Legislating Proceeds of the Crime Act

Part 7, Section 30 and 31 of Sierra Leone's ATIP Act of 2022 stipulates a set of provisions for the forfeiture of property to the State and payment of restitution by individuals who are held criminally liable for the commissioning of the crime of TIP. The Act states that "property, including but not limited to money, valuables, real property and vehicles, belonging to a person who is convicted of an offence of human trafficking..... that was used or intended to be used or was obtained in the course of the offence, or benefits gained from the proceeds of the offence, shall be forfeited to the state".³¹ However, in order to ensure the effective execution of this law in the administration of justice, there is the need to legislate the proceeds of the crime act. This, in the view of criminal justice practitioner will ensure the full implementation of the provision stipulated in section 30 and 31 of the ATIP act; serving as a strong punitive measure to deter others from future violations of the crime of TIP.

Promoting and Enforcing Regional Mutual Assistance

As part of the process of international cooperation in the fight against TIP, it is important to promote cooperation among states and across regions and regional subsystems. In West Africa, the ECOWAS (Economic Community of West African States) regional governing bloc established a convention on mutual assistance in criminal matters. Article 2 of this conventions provides the scope of the application of mutual legal assistance that covers criminal cases that extend to transnational organized crime as well as the crime of human trafficking.³² Considering the transnational nature of the crime of TIP, it is important for Sierra Leone's criminal justice system to work with their counterpart in neighbouring countries (Guinea and Liberia); and countries of the sub-region to promote and enforce these regulations in the process of investigation and prosecution of TIP crimes and other predicate offences.

³¹See more details on the Sierra Leone Anti-human trafficking and migrant smuggling act of 2022. <https://www.parliament.gov.sl/uploads/acts/ANTI-HUMAN%20TRAFFICKING%20AND%20MIGRANT%20ACT,2022.pdf>

³²See more details on the ECOWAS Convention on Mutual Assistance in Criminal Matters. https://www.unodc.org/res/organized-crime/WACAP/wacap_documents-and-guides_html/ecowas_convention_on_mutual_assistance_in_criminal_matters.pdf

CONCLUSION

Sierra Leone's criminal justice system represents one of the most important governance sectors with a range of stakeholders responsible to combat TIP in the country. It includes many institutions whose operational interconnectedness cannot be ignored; but, at the same time, represents opportunities for effective collaboration required to combat human trafficking in the country. The sector has undergone many years of reforms to make it fit for purpose in accessibility and administration of justice for all. It has instituted new laws (Anti-human trafficking and Migrant smuggling Act, Criminal Procedures Act, 2024 etc.), developed new infrastructures across the country, established specialized courts, improved case management systems, strengthened witness protection and child justice mechanisms and continue to provide capacity developments for its personnel. These are institutional strengths serving as pillars of opportunities within which effective pathways can be forged to prevention and combat the crime of TIP in Sierra Leone.



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