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# Delivering Justice to Sierra Leone's Poor

*An Analysis of the Work of Timap for Justice*

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The research team, consisting of Gibrill Jalloh (Program Officer, *Justice for the Poor* program), Lyttelton Braima (Research Team Leader, *Justice for the Poor* program), Hannah Hamida Karim, Edward Tengbeh, and Mamoud Tarawalie, worked long hours under difficult conditions to collect and help interpret the high-quality data used in this report. Mr. Braima and Mr. Jalloh have also been extensively involved in editing this report.

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This report was developed in a partnership between *Timap for Justice* and the World Bank's *Justice for the Poor* program. However, the views, opinions, analysis, and recommendations provided in this report are those of the author, and do not necessarily reflect the views of either organization.

## Executive Summary

This report presents an analysis of the theory, methods, and, to a much lesser extent, impact of *Timap for Justice (Timap)*. *Timap* is a not-for-profit organization offering free justice services in sites across Sierra Leone.<sup>1</sup> Through 13 offices in the country's northern and southern provinces and a headquarters office in Freetown, *Timap's* trained paralegals and two lawyer-directors use a combination of mediation, negotiation, education, advocacy, and occasionally litigation to attempt to resolve disputes, promote community activism and agency, and develop equitable and responsive institutions.

This report is not intended as an evaluation of *Timap's* work, but rather as a description of its methodologies. On the basis of one month of intensive field research in three *Timap* offices, as well as in-depth interviews with *Timap* directors and paralegals, community leaders, and past users of *Timap* services, the report paints a picture of the ways in which *Timap* attempts to resolve disputes. It begins by presenting the rationale and methodology behind the study, then describes the users of *Timap* services in the offices studied and their reasons for taking disputes to *Timap*, and then provides analysis of the extent to which *Timap* is or is not achieving its goals. It concludes by detailing respondents' feedback for *Timap* and providing recommendations for areas for future research, as well as suggestions for improving service delivery.

Overall, comments from respondents on *Timap's* work were overwhelmingly positive, emphasizing the fairness of *Timap's* approaches, its focus on the rights of the poor and/or marginalized, and the value of having a free forum in which to resolve disputes. Most of those interviewed indicated that *Timap* filled an important gap and provided a chance to settle disputes that might otherwise have gone without resolution. In particular, respondents praised *Timap's*:

- effectiveness in resolving difficult disputes, particularly those that confront institutions or power relationships;
- accessibility, both due to its proximity to disputants and the guarantee of free justice services;
- cultural awareness, in developing solutions that were aligned with the beliefs and expectations of community members;
- empowerment effects, particularly through its education and advocacy efforts and willingness to resolve family disputes, where women are often disadvantaged;
- range of tools available for dispute resolution, and willingness to use litigation when required; and
- speed, allowing disputants to settle conflicts and move on.

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<sup>1</sup> For more information, please visit [www.timapforjustice.org](http://www.timapforjustice.org).

Problems and challenges identified by the research team were primarily in the areas of case management and information/sensitization, though some disputants also expressed disappointment with *Timap's* methods or the case outcomes. Key problems include:

- missing, incomplete, or inaccurate case files, which may contribute to a lack of adequate follow-up or erroneously marking cases as “closed” or “resolved”;
- a lack of information, particularly among women and youths, on *Timap's* goals or methods, and a lack of consistency in the amount, frequency, and occasionally content of information provided to potential “clients”;
- unenforced mediation agreements, where several clients felt they were forced to rely on the goodwill of the other disputant and had no recourse when s/he refused to follow through;
- pressure (largely due to the presence of powerful elders, family members, and so on) to accept unfavorable agreements; and
- in rare cases, perceptions of bias.

### ***Highlights of the Study***

- Overall, most respondents reported positive experiences with *Timap*, characterizing it as “free, fast and fair,” and were satisfied with the resolution of their disputes. However, as summarized above, there were several areas where respondents felt that *Timap's* performance was either ineffective or subject to bias.
- While disputants came to *Timap* for a variety of reasons, most seemed to perceive it as an organization charged with resolving family disputes.
- In the cases studied, mediation/negotiation was the most frequently used conflict-resolution tool. Few respondents were aware of *Timap's* litigation power.
- *Timap* currently enjoys close relationships with many traditional and local leaders, though these relationships are often tenuous.
- *Timap's* advocacy and education efforts seem particularly well received, and play a strong role in increasing awareness of and support for its work.
- Many respondents, including women and youths, indicated that interaction with *Timap* increased their confidence and sense of empowerment.

## I. Introduction

### Aims of the Report

This report introduces findings from qualitative, case-study-based field research undertaken in late 2007 as part of a review of the work of *Timap for Justice (Timap)*, a not-for-profit paralegal and advocacy organization in Sierra Leone. The analysis was intended to explain how and to what extent *Timap* has achieved its goals, in particular:

- to help people achieve concrete solutions to justice problems; and
- to increase the accountability and fairness of both traditional and formal governmental institutions.<sup>2</sup>

The primary audience for this report is *Timap*'s directors and paralegals, though the data may also be useful to other paralegal organizations in developing nations, institutions with a focus on justice and rule of law, development institutions, and a wider audience with an interest in local-level justice.

### Overview of *Timap for Justice*

*Timap* is an independent Sierra Leonean paralegal organization active in Sierra Leone since 2004.<sup>3</sup> It aims to bring justice and conflict-resolution services to poor and marginalized communities while simultaneously increasing their own capacity to seek and advocate for better justice services. To achieve this, *Timap* works closely with both sides of Sierra Leone's dualist legal system—understanding and engaging with the formal government and rule system while recognizing and working with embedded local justice and governance structures and value systems.

In order to overcome geographical barriers to access and better understand the communities in which it works, *Timap* operates through 13 field offices in the northern and southern provinces of the country, as well as a headquarters office in Freetown, Sierra Leone's capital. These offices are staffed by 25 paralegals, who receive ongoing training, are well-versed in “traditional” practices, and have a basic knowledge of formal and human rights law; two directors who are among Sierra Leone's few legal practitioners; and a variety of support staff, interns, and volunteers.

Paralegals utilize a multitude of methods—among them mediation, advocacy, education, organizing, and litigation—to meet clients' justice needs. The power to litigate is a central tenet of *Timap*'s work; while used sparingly, *Timap* theorizes that the ability to try cases in a court of law acts as a deterrent to injustice, increases the organization's voice (and by extension, the voice of the community it represents), and brings powerful actors to the negotiating table. Though each of the techniques listed above are part of *Timap*'s “toolbox,” the cases examined in this study overwhelmingly involved mediation, suggesting that this is the most common tool. Education and advocacy activities,

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<sup>2</sup> According to a Working Draft of *Timap*'s Goals and Indicators prepared shortly before the start of this study, *Timap* has three goals in addition to the two listed above: “empower the individuals and communities with whom we work: to enhance their agency and their capacity to confront injustice and to engage public institutions,” “decrease the prevalence of injustice,” and “empower our paralegals to be knowledgeable, effective advocates for justice in their communities.” The decision to focus on just two of these five goals was made jointly in consultation between the J4P and *Timap* teams. It was made in recognition of the fact that the selected goals were easier to measure in the short time available for this research, and also that the other goals were unlikely to yield accurate data in the short term (Goal #3), that it would be too difficult to measure or attribute impact (Goal #4), or that *Timap* was already planning on undertaking separate research to test how well it met a goal (Goal #5).

<sup>3</sup> Information from this section is largely culled from the *Timap for Justice* Web site, at [www.timapforjustice.org](http://www.timapforjustice.org).

particularly surrounding the content of national law and human rights principles, were also very common.

### J4P Program and Researchers

The World Bank's *Justice for the Poor* (J4P)<sup>4</sup> program is a multi-country research and development program that seeks to tackle some of the theoretical and practical challenges in promoting justice-sector reform in support of the poor in selected countries in Asia and Africa (including Sierra Leone). J4P emphasizes the need for more demand-oriented, community-driven approaches to justice and governance reform that value the perspectives of the users, particularly the poor and marginalized such as women, youth, and ethnic minorities. J4P has been active in Sierra Leone since April 2006, conducting extensive qualitative research in several districts to enhance an understanding of governance and justice systems at the local level and how individuals and communities navigate those systems in order to resolve disputes, and to make claims to (or against) state or nonstate authorities. This research is also used to inform the evaluation of existing interventions, inform World Bank operations in the areas of governance and justice, and build local capacity to conduct professional-quality qualitative research.<sup>5</sup>

At the time the research was conducted in Sierra Leone, the J4P research team consisted of a coordinator and four national researchers<sup>6</sup> who had received extensive training in qualitative research methodologies. In the year prior to this assignment, this multi-lingual team conducted independent research on access to justice and governance in districts throughout Sierra Leone, contributing to the development of several publications on local-level justice systems.<sup>7</sup> As one of the few teams of researchers in the country with experience in both quantitative and qualitative methodologies, its members have been contracted by other international institutions to provide research management and support. In view of their training, experience, and understanding of justice challenges in Sierra Leone, the J4P research team was well prepared to conduct high-quality, policy-oriented research on justice and governance.

In recognition of the complementarity of their missions and the strong relationship between the two organizations,<sup>8</sup> as well as J4P's interest in analyzing and informing existing World Bank-funded justice programs in Sierra Leone, J4P and *Timap* formed a partnership for joint research. Under this agreement, *Timap* contracted the J4P research team to conduct the present analysis in order to inform its ongoing monitoring and evaluation efforts.

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<sup>4</sup> For more information, please visit [www.worldbank.org/justiceforthe poor](http://www.worldbank.org/justiceforthe poor).

<sup>5</sup> World Bank, "Justice for the Poor and Understanding the Processes of Change in Local Government. Sierra Leone: Concept Note," Working Paper 40038, Justice for the Poor (Washington, DC: World Bank, 2006), <http://go.worldbank.org/OFT6RJUL80>. Accessed November 2009.

<sup>6</sup> Researchers include Gibrill Sajor Jalloh (J4P Program Officer), Lyttelton Braima (J4P Research Team Leader), Hannah Hamida Karim, Edward Tengbeh, and Mamoud Tarawalie. The researchers were accompanied by Pamela Dale, a team member for J4P. This report was written primarily by Ms. Dale, with substantial contributions from Mr. Jalloh, Mr. Braima, and members of the Sierra Leone, Kenya, and HQ-based J4P teams.

<sup>7</sup> All publications are accessible on the J4P Web site, [www.worldbank.org/justiceforthe poor](http://www.worldbank.org/justiceforthe poor).

<sup>8</sup> Vivek Maru, one of the founders of *Timap for Justice* and currently a board member, joined the World Bank in late 2007. Before joining the Bank, he provided input into the design of the study, and selection of research topics and offices (in cooperation with other members of the *Timap* team). He currently plays an advisory role on the J4P program more broadly, and continues to work with justice projects in Sierra Leone, including J4P's new postconflict program. In acknowledgement of the collaborative nature of the research process, *Timap* team members and Mr. Maru provided comments and suggested edits to the first and current drafts of this document, though to avoid the perception or reality of conflict of interest, *Timap* and Mr. Maru were excluded from field research and analysis.

## II. Research Methodology

### Research Design

The findings in this report are based on qualitative research methodologies, and are intended to present an informative analysis of the workings of *Timap for Justice*. Data for this report was collected primarily through semi-structured interviews with *Timap* directors, lead paralegals, paralegals, past participants in *Timap* interventions, local authorities, and community members, together with a review of the existing literature related to *Timap* (including both publications about the organization's goals and reports from previous evaluations). In most cases, interviews have been assembled into case studies.

Qualitative research tools are especially useful in providing an illustration of the processes of change and answering complex or value-laden questions—in short, they respond to questions of *why* and *how*. In this case, the research team concentrated primarily on developing “case studies” of *Timap* interventions. This model is useful because it provides a thorough picture of each respondent's experiences with *Timap*, depicts the multiple steps and methodologies that are used to reach agreement or bring about change, and allows for comparison of the experiences and perceptions of different respondents within the same case. Case studies may also allow *Timap* to compare the success of different methods in resolving similar disputes, and to consider how approaches may vary among offices or paralegals.

However, the methodologies used in this report have some clear limitations. Case-study research and the requisite small sample size are more likely to yield information on individual experiences and perceptions than generalizable findings on institutional impacts. The research team strongly believes that use of mixed-methods research, including a comprehensive mixed-methods evaluation, would help *Timap* to gain a more accurate picture of the organization's impact, especially given its lack of comprehensive baseline data. For the purposes of this analysis, the team has not collected sufficient data to draw conclusions on *Timap's* institutional impact and does not intend to evaluate its work.

### The Interview Process

Interview guides were created by the J4P team in consultation with *Timap*, and were designed to elicit responses under the following general categories:

- Community and Individual Profiles;
- Case Histories and Trajectories;
- Involvement of *Timap*;
- Respondents' Perceptions of *Timap*; and
- Comparisons between *Timap* and other justice institutions, both formal and informal.

The final question guide was extensive, and included many questions that were not relevant to every respondent. Though the guide was not field tested prior to implementation, the research team was instructed to adjust the questions posed according to its evaluation of their effectiveness, and team members changed the guide accordingly over the course of the research. The guide also built on those that were used for past research and field tested extensively. To view the question guide in its final format, please see Annex A.

Interviews were conducted in teams of two (and sometimes three). In cases where researchers had different understandings of a respondent's answers, this was noted in the text. On each occasion, the team introduced the project and its purposes and explained how the findings would be used, the confidentiality of respondents' names and stories, and the voluntary nature of the interviews. All interviews were conducted in the language in which the respondent felt most comfortable—largely Mende in the south and Temne in the north, though occasionally in Krio or English. Where a phrase or term used by a respondent had a specific cultural interpretation, the researcher, as a native language speaker, made note of it.

### Study Location and Duration

Field research was conducted over four weeks in October–November 2007 in three of *Timap*'s field sites (Kaniya and Bumpe in Bo District, southern Sierra Leone, and Magburaka in Tonkolili District in the north).<sup>9</sup> These sites were chosen in consultation with *Timap* directors, taking into account the desire for geographical and ethnic diversity, a mixture of old and new offices, inclusion of field sites that had previously undergone evaluation<sup>10</sup> and those that had not, and inclusion of both rural and peri-urban sites. The review focused primarily on field sites that had completed, or were soon to complete, computerized filing of case-file data,<sup>11</sup> which allowed for randomization in Excel.

As stated earlier, this research is not an evaluation, and the selected field sites are not meant to be a representative sample of all *Timap* offices. Data on differences among sites in the number and types of cases, the manner in which they are solved, and the characteristics of clients was not available at the time this research was undertaken. To help interpret the present data, however, some basic information about the *Timap* offices studied for this report is in order.

Kaniya is a very small and fairly remote farming village, approximately two hours from the nearest large town, Bo, which is the district and provincial headquarter town and second largest city in the country (after Freetown). Though the area is home to several ethnic and religious groups, Mendes and Christians predominate. The paralegal, Mariam Tibbie, has graduated from Form 5, has lived and worked in Kaniya for 17 years, and is well known and largely respected in the community.<sup>12</sup>

Bumpe, home of the second office studied by the research team, is a larger town approximately one hour from Bo. It is part of the same chiefdom (Bumpeh Ngao) as Kaniya, but located approximately one hour southwest. Though still fairly remote, the Bumpe area is substantially more densely populated than Kaniya, and has access to a wider range of education and health institutions. The population in Bumpe, like Kaniya, is predominantly Mende, and is largely Muslim or Christian. The two paralegals working in the Bumpe office, Elizabeth Lebbie and Joseph Sawyer, were born in or close to Bumpe and were often recognized as pillars of their communities. Ms. Lebbie holds a teaching certificate, while Mr. Sawyer is a graduate of Form 5.

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<sup>9</sup> For a map of Sierra Leone and *Timap*'s offices, please see Annex B.

<sup>10</sup> Please see Lotta Teale, "An Evaluation of the Way that Paralegals at the Timap Programme in Magburaka, Sierra Leone, Deal with Family Cases" (Freetown, Sierra Leone: Timap for Justice, 2007), <http://www.timapforjustice.org/news/>. Accessed November 2009.

<sup>11</sup> *Timap* paralegals keep handwritten files from all cases registered at their offices. *Timap* is in the process of transferring this data to a computer spreadsheet. At the time of the research, the Kaniya and Bumpe sites had completed the computerized filing process, and the Magburaka files were nearly complete.

<sup>12</sup> *Timap* paralegals are selected through a formal recruitment process consisting of both a written examination and an oral interview.

Magburaka, a bustling town around an hour from Makeni, the largest city in northern Sierra Leone, plays host to a larger number of ethnic and religious groups, though Temne-speaking Muslims make up the majority of the population. This town was by far the largest of those visited by the research team, and the population was generally more urbanized and educated than that in Kaniya or Bumpe. The paralegals at this site, Frederick Harding and Hassan Sesay, began working with *Timap* after completing their undergraduate studies in Freetown, and both were relatively new to Magburaka, having lived there for less than two years. Mr. Harding holds a diploma in Peace and Conflict Management, and Mr. Sesay has received a Bachelor of Science degree with honors.

Though most of the respondents for the field research were found in or around the *Timap* field sites, the team interviewed additional respondents in the relevant headquarter towns (Bo and Makeni, respectively) and Freetown, as necessary. However, due to temporal and fiscal limitations, as well as logistical difficulties, the team did not seek interviews with potential respondents who had relocated to distant districts or had emigrated. Although the autumn harvest season meant that many respondents were away from their homes for much of the day, the researchers were able to locate and interview most respondents at their farms or fields, and the timing of the research did not substantially impact accessibility.

For a map of the relevant districts in Sierra Leone, please see Annex B.

### Case Selection

In order to form a more complete picture of the ways in which paralegals settle disputes and impact institutions, the research team completed a series of case studies, using cases identified from each of the three office's case-file data. The case selection took place in two parts, with some cases selected by paralegals and others identified randomly using the case-file database.

For each office, the research team asked the paralegals to identify 3–5 cases that they would classify as “high impact”—for example, those that involved a large segment of a community, empowered a previously disempowered group, or led to a change in the ways that institutions behaved. Though recognizing that the majority of cases brought before *Timap* are smaller, interpersonal disputes, inclusion of these high impact cases helped the research team build a picture of the larger impact that *Timap* may be capable of, broader perceptions of the organization, and the difficulties of brokering complex agreements between actors with widely differing levels of power and influence. These cases, although small in number, also absorb a substantial amount of the paralegals' time and efforts.

In addition to the high-impact cases, the team randomly selected a sample of *Timap*'s cases to track. These cases provide a more detailed picture of the steps *Timap* takes to resolve cases, and the reasons behind the parties' satisfaction or dissatisfaction with the outcome and *Timap*'s performance. For the cases in Kaniya and Bumpe, randomization was performed in Excel using *Timap*'s computerized case-management database, filtering to review only those cases that were registered between April 1, 2005 and June 30, 2007. This filtering was done in order to exclude those cases that were handled during *Timap*'s first year of operations, when the organization and its strategies were still in their infancy, as well as those that were filed in recent months, to ensure that the team was able to review primarily closed cases and assess the medium-term impact of *Timap*'s interventions. In total, there were 658 case files in the *Timap* database for Bumpe and Kaniya within the selected timeframe, and the research team reviewed 22 of these. Of the first 45 cases selected for review in Kaniya and Bumpe, the research team dropped 13.

For cases in Magburaka, the research team used a different method of randomization because the computerized case management database was not yet complete at the start of research. In this case, the team randomly selected 40 dates between April 1, 2005 and June 30, 2007, and then identified cases that were first registered on the relevant date (or, when no cases could be found on the selected date, the first case entered after that date). In total, the team completed 19 cases out of the original selection of 40. In total, the research team completed 41 case studies (12 in Kaniya, 10 in Bumpe, and 19 in Magburaka), and 168 interviews with key respondents.

#### *Attrition in Cases*

As noted above, the team dropped or did not pursue 34 (40 percent overall, 29 percent in Kaniya/Bumpe and 52.5 percent in Magburaka) of the originally identified cases. The primary reasons that researchers did not pursue these cases were (1) inability to locate one or more key respondents<sup>13</sup>; (2) death of key respondent(s); (3) respondents unwilling or unable to speak to researchers, or stating that they had not been involved in a *Timap* intervention<sup>14</sup>; (4) inability to locate a case file<sup>15</sup>; (5) duplication<sup>16</sup>; and (6) in one instance, researchers' discomfort with pursuing a case study of a particularly sensitive dispute involving a vulnerable respondent.<sup>17</sup>

#### Issues of Confidentiality

Given the sensitive nature of many of the cases studied and the need for respondents to feel confident in their ability to praise—or criticize—without reproach, confidentiality was a key concern of both the *Timap* directors and the J4P research team. Though the paralegals in each field site were made aware of the cases that were being studied (as their assistance was needed both in locating respondents and providing their own version of the case trajectory and the reasons behind each step taken), the data in this report is largely presented as a collective story rather than a summary of each individual's experiences. Quotes, where they exist, are accompanied by basic biographical data rather than names. Where full case studies are used to illustrate a finding, the names of respondents and their villages have been changed. In rare instances, where a case is particularly unique and anonymity

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<sup>13</sup> This was the most common reason. Because the 2004 Census showed little population movement, the researchers were surprised to find a high number of respondents who had left their chiefdom, district, and often even the country. According to relatives, most migrations were due to seeking improved economic opportunities. While the researchers did seek out respondents who had moved to nearby districts, the team dismissed cases where respondents had left the country or moved to distant districts, or where the team was unable to find specific information on where the respondent currently lived.

<sup>14</sup> This was very rare, and did not universally disqualify a case. For example, in the labor dispute detailed in Box 6, the research team was not able to speak with many respondents, but found that there was enough information to form a case without these interviews. However, in small cases (such as marital disputes) where there were only two or three parties and where the team felt that the data available would be insufficient to fully develop a case, the case study was dropped.

<sup>15</sup> This was particularly a problem in Magburaka, likely due to the fact that case files for this office were split between Magburaka and Freetown while electronic filing was taking place. *Timap* case files provided essential detail on the nature of the dispute and actions taken, as well as the names and addresses of disputants. In cases where the paralegals were not able to find a case file to correspond with the case number listed in the electronic database, researchers dropped a case. As explained under the *Case-File Management* section, the team has identified missing or incomplete case files as one area where it is recommended that *Timap* make improvements.

<sup>16</sup> This happened only twice, because a randomly identified case was identical to one chosen by paralegals for review (in Bumpe), and because the same case was the first to appear after two different randomly selected dates (in Magburaka).

<sup>17</sup> This was a teenage pregnancy case in which the young woman had been abandoned by family and was in a precarious position in the community. Researchers and the respondent feared that conducting additional interviews about her case might have fueled resentment against her or brought increased (negative) attention to her plight.

is thus more difficult to ensure, some data has been left out of the final case study, though the statistics and events remain accurate and unembellished.

Researchers explained the voluntary and confidential nature of the interviews to each respondent, and sought his or her permission before proceeding. Respondents were also informed that the location of the interview could be changed to increase comfort or privacy, and where possible, interviews were conducted without an audience. However, at times, respondents felt more comfortable speaking in the presence of family members or local authorities.

Paralegals did not accompany researchers on any interviews with respondents, though in Magburaka, where respondents were more difficult to locate, the paralegals did on occasion travel with researchers to help them find respondents. The outcomes of interviews and findings from the case studies were not discussed with paralegals while the research was on-going. However, to ensure that the findings from this research are useful to *Timap* and can be used to assess or commend individual performance, detailed feedback for each individual paralegal will be shared with *Timap* directors as a separate document from this report. This feedback will include each paralegal's case statistics (stated satisfaction) and researchers' feedback on the performance and helpfulness of each individual paralegal (rather than the organization as a whole).

#### Notes on Terminology and Use of Quotations

##### *Terminology*

Though *Timap* uses various methods to resolve disputes, as outlined in the section on *Timap*'s methods above, mediation was by far the most common method in the cases studied by researchers. In a standard mediation, *Timap* does not represent a “client” in the sense that a lawyer would use this term (that is, representing solely the interests of that individual/group). Instead, *Timap* staffers take on the role traditionally ascribed to mediators—attempting in an unbiased way to find a mutually satisfactory solution. However, for simplicity's sake, this report uses the terms “client” or “reporting party” to refer to the party who first brought a dispute to *Timap*, and “contesting party” to refer to the other disputant(s).

The report often makes reference to local authorities, traditional authorities, dispute-resolution bodies, traditional practices, and common terms or phrases. Below, the most commonly used terms are defined.<sup>18</sup>

- **District:** Administrative unit in Sierra Leone, smaller than provinces (of which there are three). There are 12 districts in the country (excluding the Western Area).
- **Chiefdom:** Administrative unit, subset of a district. There are 149 chiefdoms in Sierra Leone, outside of the Western Area.
- **Paramount or Regent Chief:** Single most important authority in a chiefdom. A regent chief is a temporary replacement for a paramount chief who has died or left office.
- **Chiefdom Speaker:** In most cases, the second in authority to the paramount chief. Often serves a gatekeeper function.
- **Section Chief:** Each chiefdom is divided into 5–15 sections, presided over by section chiefs. The section chief often plays a similar role to a village/town chief, but at the section level.

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<sup>18</sup> Most definitions above are taken from Ryann Manning, “The Landscape of Local Authority in Sierra Leone: How ‘Traditional’ and ‘Modern’ Justice and Governance Systems Interact,” World Bank Justice and Development Working Paper Series, vol. 1, no. 1 (Washington DC: World Bank, 2009), <http://go.worldbank.org/MUBBZ50NV0>. Accessed November 2009.

- **Village or Town Chief:** Local authorities, either elected or appointed, who are the primary authority at village level.
- **Magistrate Court:** Formally recognized common law court. Outside of Freetown, these operate at the district level.
- **Local/Native Administration Court:** Lowest level of the formally recognized justice system. Approximately 1–5 local courts per chiefdom, led by a court chairman.
- **Court Chairman:** Director of the local/native administration courts. Usually a customary law expert who presides over cases and renders decisions.
- **Secret Society:** Ancient institutions serving both a spiritual and sociopolitical role in communities. Societies exist for both men and women, and have varying degrees of authority and power in Sierra Leonean communities.
- **Swearing:** In the context of this paper, refers to placing a curse on someone.
- **Begging:** Apologizing and asking for forgiveness, often an important step in achieving resolution to a dispute.
- **Sababu:** In marriage terms, one who links two lovers to their respective families leading up to marriage. Commonly used in the north, but not in the south and east. Sababu can also mean cause, opportunity, or reason, depending on the context in which it is used.
- **Unlawful Carnal Knowledge:** Statutory rape.
- **Local Unit Commander:** Formerly Chief Police Officer (CPO), the senior most police officer in a specific demarcated “region,” with responsibility for policing and combating crime in that region. “Region” here refers to a manageable designated locality with varying size and population.

#### *Use of Quotations*

As noted earlier, interviews were conducted in Krio, Mende, Temne, or English, depending on the comfort level and preference of the respondents. The question guide was written in English, and all data forms used to record the interviews were also completed in English. Most translation was done on the spot during the interview, from English to the relevant language and back into English during the transcription to data forms, retaining as many direct quotations as possible in the original language. Researchers noted whenever a comment was a direct quote. However, the quotes in this form are quoted directly from the data forms, and in most cases are not verbatim.

### **III. Findings: Who Uses *Timap*, for Which Cases, and Why?**

*Note on Use of Graphs:* In the remaining sections of this report, the author makes use of tables and graphs in order to illustrate key points or trends. However, the reader should keep in mind that this is not quantitative research, and the figures presented in the graph represent the author’s interpretation of the respondents’ comments. For example, where a respondent indicated in the beginning of an interview that he or she felt *Timap* was doing a good job but then later made a comment expressing dissatisfaction with some elements of *Timap*’s work, the respondent’s satisfaction was recorded as “mixed.” Although this is naturally subjective, the author believes that this data may present a more nuanced picture than quantitative research. Again, though, the graphs and charts below are meant to illustrate trends and do not represent statistically significant data.

#### Client Characteristics

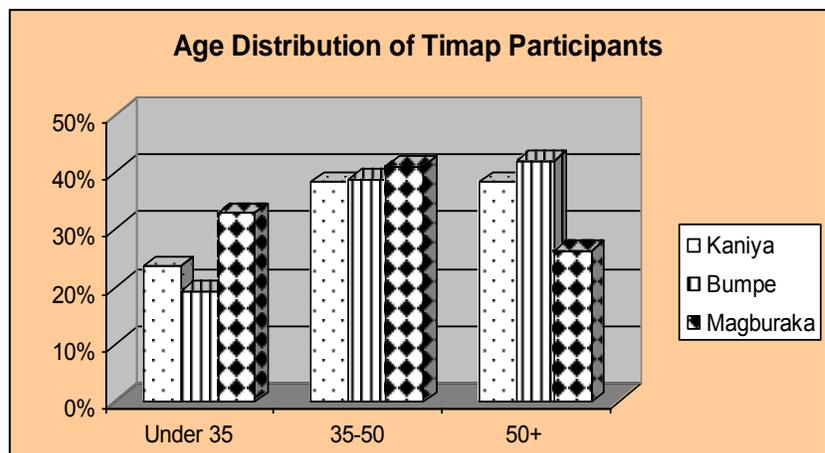
It is important to discuss *Timap*'s client base, both to inform our understanding of its dispute-resolution methodologies and to provide its directors with valuable information about their targeting and areas of greatest need. Though some of this information may be ascertained more definitively through quantitative work or the case database, which can analyze data on reporting parties in all *Timap* offices, the present study can help to paint a picture of the gender and age composition of individuals who are involved in *Timap*'s dispute-resolution efforts, regardless of whether or not they were responsible for initially reporting a case. This information is important because *Timap*'s impact and influence presumably extend beyond those individuals who actively pursue its involvement in a case. Furthermore, previous research and an analysis of *Timap*'s case data have shown that the individual reporting a case to *Timap* (the "client") is often a relative or head of household rather than the aggrieved party. However, it is important to note that the descriptive data below depicts "typical" *Timap* participants but does not seek to compare them with the clientele of the other justice institutions or those who choose not to report disputes.<sup>19</sup>

### Gender

Over the course of this study, the research team interviewed a total of 128 respondents (excluding *Timap* paralegals), of whom 77 percent were male and 23 percent female. The three evaluated offices had roughly equivalent gender divisions among their clientele. Although women made up a substantially lower proportion of overall respondents, researchers found that when cases involved women, they were much more likely to be have reported a case (rather than be a contesting party) than their male counterparts. This discrepancy can largely be explained by the fact that most cases reported by women were family and marital disputes, which frequently involved just two parties, whereas men were more often involved in labor or other disputes involving a larger number of (mostly male) participants and witnesses.

### Age

Participants of all ages were interviewed as respondents for this study. Overall, 40 percent were between 35 and 50 years-old, 33 percent were over 50, and the remaining 27 percent under 35.<sup>20</sup> There were variations across offices, as indicated in the chart at right. When the data set is reduced to only those parties who were the primary disputants in a case



(excluding family, witnesses, and institutional actors), the number of individuals over 50 is substantially reduced, indicating that older individuals are often consulted in the resolution of disputes rather than coming in as disputants themselves.

<sup>19</sup> This is a common and important theme throughout this report, the focus of which is *Timap*'s work and respondents' experiences with and perceptions of the organization. Although at some points the author cites relevant statistics garnered from secondary data (such as literacy statistics) that may help to illustrate a point, the study is not explicitly comparing *Timap* or its clientele to other justice fora.

<sup>20</sup> In Sierra Leone, "youths" are those under 35 years of age. There is no clear age threshold for being considered an elder; the author thus used "50+" as the next age breakdown.

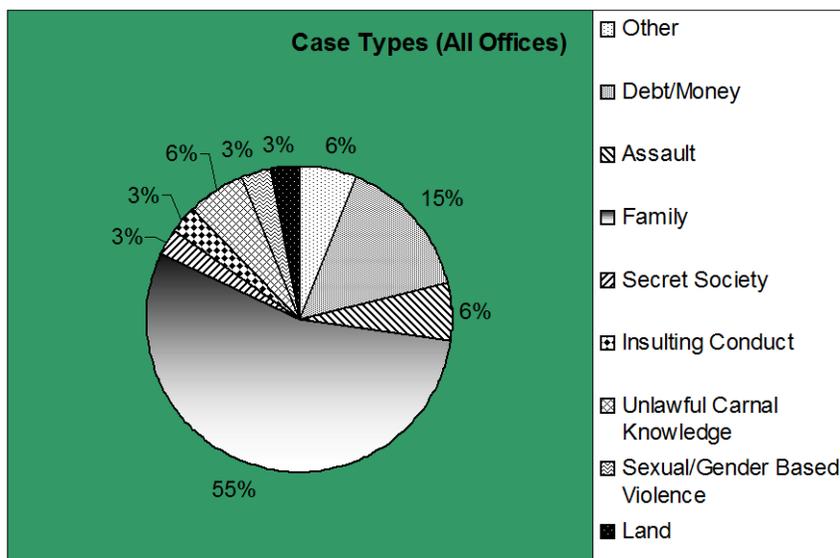
### ***Income and Occupation***

The research team did not explicitly collect data on respondents’ incomes, instead relying on observation data, comments garnered from interviews, self-identification, and respondents’ feedback on the wealthy and poor groups in the community. With few exceptions, mediation participants were identified as poor, and few had completed schooling past Class II (finishing at approximately 8–9 years of age). Often, respondents indicated that everyone in their area was poor, but reporting parties frequently felt they were worse off relative to the other party to a dispute. This finding is unsurprising, especially given respondents’ statements that cases in traditional or formal courts were often decided on the basis of each party’s ability to pay bribes. As indicated earlier, however, it is not possible, with the available data, to compare respondents’ poverty relative to that of parties entering other conflict-resolution fora.

The majority of respondents interviewed, particularly in the south (Kaniya and Bumpe), were subsistence farmers engaged in rice or palm oil production. Several of the female respondents were engaged in petty trading activities instead of or in addition to farming. Many men, especially young men, participated in artisanal mining. Additionally, many respondents were engaged in activities that generated a seasonal income—an important point that has necessitated the flexible approach *Timap* uses to mediate agreements involving debts or other payments. Very few of those interviewed held salaried jobs in the formal sector, though the respondents included several schoolteachers as well as factory workers.

### **Which Cases are Taken to *Timap*?**

*Timap* offices receive a wide scope of cases,<sup>21</sup> though family disputes (such as marital problems and child support or neglect) are by far the most common. This is likely due to a number of factors, including the prevalence of these types of disputes, the sensitivities of negotiating family relationships,<sup>22</sup> *Timap*’s focus on mediated agreement, the formal



and chieftaincy systems’ limited capacities to negotiate family cases in a way acceptable to younger or female disputants, women’s (who are often involved in family disputes) discomfort or financial

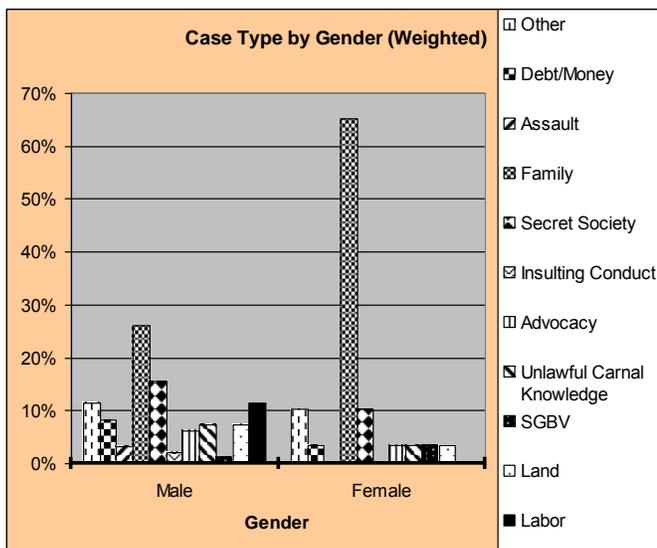
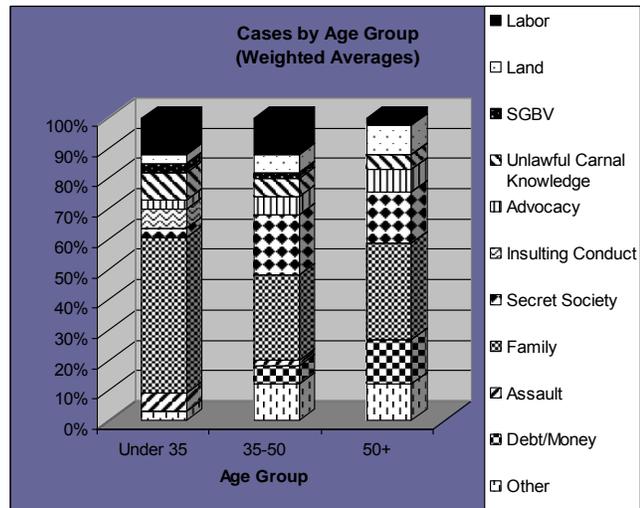
<sup>21</sup> Many disputes studied for this report had multiple causes. For example, the dispute discussed in Box 8 involved land, divorce/family matters, and threats of assault. Cases such as this were filed by the primary dispute being addressed (in Box 8, family dispute).

<sup>22</sup> In several interviews, respondents indicated that they brought a case to *Timap* in part because they felt that bringing a case against a family member in court or to a chief would damage their reputation in the community.

difficulty in pursuing resolution at other justice fora, and the common perception of *Timap* as an agency specializing in family matters. Of the cases randomly selected for this study, over half were family disputes; an additional 15 percent involved loans or debts and the remainder were made up of cases involving assaults, sexual/gender-based violence, secret society disputes, insulting conduct,<sup>23</sup> unlawful carnal knowledge (statutory rape), land, and smaller unclassified disputes.<sup>24</sup> There was some variation in dispute types received by each *Timap* office studied, though family disputes remained prevalent across offices.

When considering just the randomly selected cases, the disputes studied in Bumpé fell into just two categories: family disputes and debt cases. Kaniya had three cases types—family, debt, and assault—and Magburaka experienced disputes across all categories, though family cases still represented 44 percent of cases received.

Predictably, involvement<sup>25</sup> in the various dispute types varied by both age and gender. Over half of youth<sup>26</sup> respondents were interviewed for their role in family disputes, and substantial numbers were also involved in disputes over unlawful carnal knowledge, labor, and insulting conduct. As depicted in the accompanying chart, proportionally, the number of disputes involving labor, unlawful carnal



knowledge, insulting conduct, and assault decreased with age, while land and debt cases and involvement in *Timap*-led advocacy increased.

When disaggregating by gender, the differences in case types were even starker. As shown in the chart at left, a vast majority of female respondents were involved in family cases, and no women were identified as respondents for insulting conduct, labor, or assault cases. In comparison, men were represented across dispute categories. The research team believes that this information could be useful for *Timap* as it seeks to determine whether (and where) it should

<sup>23</sup> An offense involving cursing, using insulting language, etc.

<sup>24</sup> A note on definitions: domestic violence is classified as sexual or gender-based violence (SGBV) rather than assault, as is rape, whereas unlawful carnal knowledge refers solely to statutory rape.

<sup>25</sup> “Involvement” here is broadly defined as any party interviewed for a dispute, whether he or she reported the case, was contesting a report, or was interviewed as a witness or institutional actor.

<sup>26</sup> Respondents under 35 years of age.

narrow its mandate to focus on certain dispute types.

While the research team believes this breakdown is important, it should be noted that a breakdown by case type *does not* provide a clear indication of the time paralegals spend resolving different types of disputes. Although family cases are the most common dispute, they are often quickly resolved. In contrast, cases such as the labor dispute described in Box 6 below, while relatively rare, require a sustained effort by the paralegal(s) over a period of weeks or months, and often necessitate use of a variety of dispute-resolution methodologies (that is, mediation, advocacy, litigation). The above data, therefore, should be read primarily as a description of common cases rather than areas where paralegals focus the most attention.

### Why are Disputes Taken to *Timap*?

As shown in the data above, *Timap* settles a wide variety of disputes for an array of disputants. So what is it that brings disputants to *Timap*—what is the draw?

### ***Free, Fast, and Fair: Timap's Three Biggest Draws***

*"Fines levied by chiefs always cultivate deep resentment among disputing parties and it sometimes leads to more problems. That was even responsible for most of the atrocities committed during the war, since people joined the rebellion to seek revenge, especially our youths who left their villages as a result of those huge fines."* – Elder (Male, 60s), Bo District, explaining the importance of a free justice service

*"Before Timap, people who didn't have money to sue to the chiefs or court resorted to either fighting or swearing or sorcery as a way of investigating or satisfying their desire to seek justice."* – Imam (Male, 30s), Bo District

*"Timap's presence means a lot to our community, because they have maintained a lot of marriage relationships and there would have been animosity in our community as a result of injustices done by chiefs if Timap was not around to help in resolving disputes amicably and fairly."* – Farmer (Male, 40s), Bo District

*"If you quarrel with your neighbor who wrongs you, then he runs and first reports [to Timap] thinking that since he has first reported the matter, they will immediately wrong you without investigating, he will be very wrong as Timap really investigates and tries to settle the dispute wherein both parties will be very satisfied."* – Imam (Male, 50s), Bo District

In the research team's interviews with community members who had participated in *Timap*'s dispute resolution, three characterizations surfaced time and again: clients appreciated *Timap* because it was free, fast, and fair. Previous assessments of formal and informal justice institutions in Sierra Leone have consistently emphasized excessive and unpredictable fees and fines, long delays, and biased rulings as the greatest barriers to justice.<sup>27</sup> Particularly in small communities and intrafamilial disputes, where delays in reconciliation can have an adverse impact on a disputant's livelihood and

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<sup>27</sup> See for example Alterman et al., "The Law People See: The Statute of Dispute Resolution in the Provinces of Sierra Leone in 2002 (Freetown, Sierra Leone: National Forum for Human Rights Publication, 2002); P. P. Dale, "Access to Justice in Sierra Leone: A Review of the Literature" (Washington, DC: World Bank, May 2008), <http://siteresources.worldbank.org/INTJUSFORPOOR/Resources/Access2JusticeSierraLeoneLitReview.pdf>; Richard Fanthorpe, *Chieftdom Governance Reform Programme Public Workshops: An Analysis of Facilitator's Reports* (London: Department for International Development, 2004); K. Moore, C. Squire, and F. MacBailey, "Sierra Leone National Recovery Strategy Assessment, Final Report" (Freetown: Government of Sierra Leone, 2003).

coping mechanisms, these barriers have the potential to magnify the effects of disputes. In general, Sierra Leoneans prioritize rapid resolution of disputes and maintenance of community harmony. According to respondents, *Timap* has made a contribution to the communities in which it works by providing a forum for disputants to air and resolve their grievances quickly—and move on.

As indicated by the above quotes, both the amount and unpredictability of the fee can cause respondents to avoid taking disputes to chiefs and other local authorities. Clients frequently noted that they had taken their case to *Timap* having heard only that it could settle disputes amicably, and did not charge for transport or other fees. When asked why they answered *Timap*'s request for mediation, many contesting parties noted that they were not afraid of having to pay fees for this mediation, a fear that had kept them from answering earlier calls from local authorities. In particular, clients appreciated the willingness of *Timap* paralegals to bring services to the client, thus saving clients the additional cost of transport to *Timap*'s office.

Though there is little existing research clearly identifying the average time taken to resolve a dispute in the official and traditional justice systems, there are frequent reports of chiefs and local authorities delaying cases pending receipt of “expedite fees,” and sometimes delaying indefinitely. By contrast, researchers found that *Timap* paralegals usually extended an invitation to the contesting party to give his or her statement on the day the case was filed, and most disputes had reached a settlement in a matter of days or weeks. According to respondents, this was much faster than the typical time other justice fora took to resolve disputes. However, researchers found that disputants often waited until all family efforts to resolve a dispute had proven unsuccessful before involving outside actors, meaning that most cases reaching *Timap* had already been around for quite some time. Although the number of cases studied was too small to get a clear picture of the impact of this delay on the cases, the team did find evidence that a few disputants reported to *Timap* not solely for a mediation, but as a tactic to pressure the opposing party towards agreement.

However, when considering the above findings on the relatively short time *Timap* takes to resolve a case, it is important to note that several respondents disputed whether a case was in fact “resolved” when it was listed as “closed” by *Timap*. Several respondents stated that *Timap* had closed a case after an agreement in principle was reached, but had not conducted adequate follow-up to ensure that the text of the agreement was implemented.<sup>28</sup> Others noted that while one aspect of a dispute had been resolved, there was a deeper issue or conflict that was still ongoing. In some, but by no means all, of these cases, the respondent shared information about the content or history of the case that he or she had not discussed with the paralegal, often about hidden power relationships. This may indicate that *Timap* paralegals were unable to establish a sufficient relationship with clientele to allow them to properly and fully resolve some disputes.

As reflected in the last quote above, respondents believed that *Timap*'s efforts to investigate disputes through interviews with all parties and review of documentation (where available) before conducting its dispute-resolution activities contributed to the fairness of its outcomes. By moving away from a conception of the “client” as an individual, and instead seeing him or her as a principle (in this case, a fair and equitable resolution), *Timap* has become associated in many respondents' minds with fair solutions. A frequent statement was that *Timap* “gave right to right”—that is, found a resolution that rewarded the truth, rather than connections, ethnic associations, or money. Respondents often indicated that they had taken cases to *Timap* rather than the chiefs or other local authorities because

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<sup>28</sup> *Timap* uses a case management system that attempts to track whether cases are open, resolved, or closed.

they felt they were economically or socially more disadvantaged than the other party, and believed that the other party would be able to “buy the right” from the traditional justice institutions and authorities. This observation also came from several contesting parties, who overcame their reluctance to respond to a summons from *Timap* after learning that they would be able to share their side of the story. *Timap* emphasized fairness both in the conduct of dispute resolution, which allowed all disputants to share their views, and in the outcomes, which were tailored to the needs, abilities, and wishes of each of the parties.

Despite the overall indications from respondents that *Timap* attempted to resolve cases fairly after a full investigation, a few held that *Timap* paralegals took on cases involving their friends or family members and mediated outcomes that were more favorable to their relations. Some, though very few, respondents speculated that case outcomes were in favor of indigenes.<sup>29</sup> These questions of bias were raised by respondents in each *Timap* site. To some extent, these conflict of interest issues are difficult to avoid, given that paralegals are often drawn from their own communities.<sup>30</sup> However, the research team strongly recommends that *Timap* focus on enforcement of policies requiring that a paralegal with any potential conflict of interest recuse him or herself from a case. In offices with only one paralegal, a request should be made to bring in a lead paralegal or other outside assistance, as required by *Timap*'s recusal policies. Though these cases may be rare, the perception of a conflict of interest is potentially damaging to successful mediation and *Timap*'s wider reputation and ability to resolve disputes.

### ***Bringing Justice Closer to Home***

*“Even when I wanted to leave my work to go to their office, they told me not to worry, to continue my work, as they would represent me anywhere the case goes.”* – Mechanic (Male, 57), Tonkolili District

*“The fact that they leave their offices to come to our villages tells us that they play a role for the poor.”* – Youth leader (Male, 36), Tonkolili District

As indicated in several reviews of barriers to justice in Sierra Leone, the formal court system—and even, to some extent, local customary courts—are often physically distant from residents in remote areas of the country.<sup>31</sup> Magistrates courts are located in district headquarter towns, which are difficult for many residents to access given the inadequacy of roads and a lack of regular and affordable public transport. The more numerous local/Native Administration courts can also be difficult to reach for residents in more remote areas, especially since many disputes require multiple trips to resolve.

Given the difficulty and expense associated with accessing these courts, allowing dispute resolution to take place closer to—even *at*—home is a valuable service. The *Timap* paralegals observed for this study all live in villages just a short walk from their offices (or in one case, in apartments attached to the office). Paralegals can be reached in their offices five days a week without a prior appointment, and respondents indicated that paralegals were available on weekends as well should the need arise. Because they are provided with a transport allowance, and in some cases with motorbikes, the

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<sup>29</sup> The stranger/indigene divide is important in Sierra Leonean society, and many previous studies of justice have shown that citizens often believe that justice institutions and local authorities are biased at the expense of strangers.

<sup>30</sup> *Timap* policy calls for training paralegals to recognize conflict of interest and to recuse themselves from cases involving family or a direct interest. This is one of several policies in place to reduce the risk of conflict of interest.

<sup>31</sup> P. Dale, “Access to Justice in Sierra Leone.”

paralegals were able to travel to remote areas to conduct mediations and follow-ups in a space that was convenient to participants.

Respondents continually emphasized the value of paralegals’ willingness to come to their communities and homes, though some expressed a wish for *Timap* to expand its coverage area even further to capture more remote areas within chiefdoms. *Timap* paralegals themselves also requested additional funds for vehicle maintenance or transport costs, indicating that their budget was often not sufficient to cover all monthly transport expenses and they were frequently forced to cover these costs out-of-pocket. The researchers did note, however, that there was substantial variation in the usage of motorbikes or other transport by the various offices studied; while some paralegals would travel significant distances on foot, others would use motorbikes for very short distances. The team therefore recommends that *Timap* carefully consider the amount of funding given for local transport to ensure that paralegals are able to perform their jobs in an effective and timely manner, while preventing unnecessary waste of transport expenses.

#### IV. Findings: Sources of Information and Understanding of *Timap*

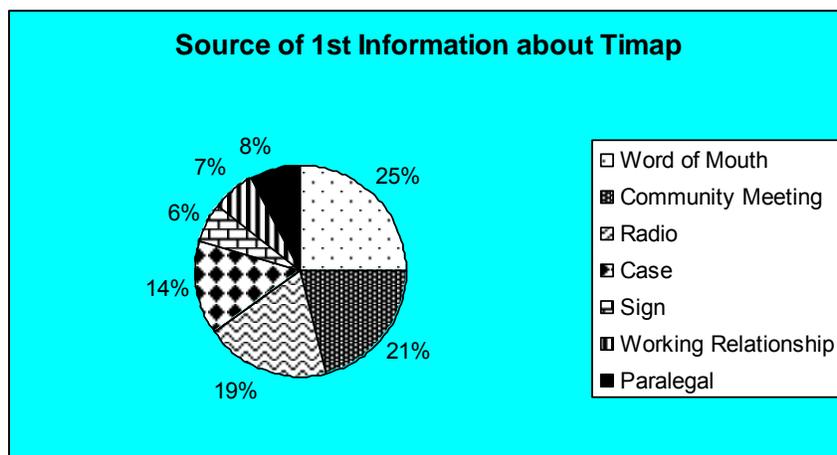
*“We invited them because they are the human rights people. They know how to deal with such matters better.”* – Chief (Male, 65), Tonkolili District, discussing domestic violence report sent to *Timap*

*“I don’t think there is any case [paralegal] can’t handle. The Mende man likes to take his cases where he doesn’t spend a cent and he gets justice.”* – Farmer (Male, 30s), Bo District

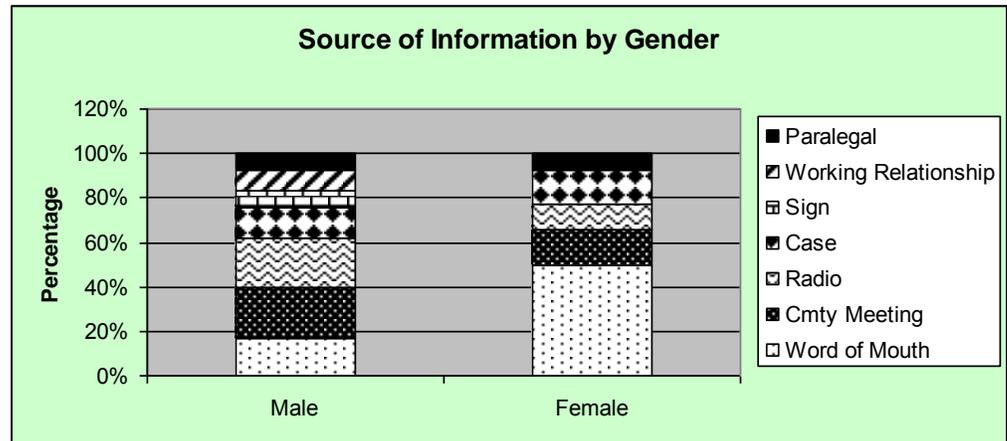
*Timap* uses various outreach approaches to inform communities of its presence and purposes. At the opening of a new office, paralegals and *Timap* directors meet with community leaders to explain *Timap*’s goals and the types of cases it is able to handle, and to encourage traditional leaders to work closely with the paralegals. *Timap* paralegals share additional information and provide on-the-spot assistance through community meetings and mobile legal clinics that are used to reach clients in remote areas who would have difficulty reaching a *Timap* office (though these clinics were suspended in every *Timap* site visited during the research period). Additionally, *Timap* uses radio announcements to share information with a broader audience. In an effort to understand the level of success of these efforts in reaching *Timap*’s target audience, the research team asked respondents to identify how they had first learned about *Timap* and describe, as best they could, the organization’s purpose and methods.

##### Sources of Information

Overall, word of mouth and community meetings were the primary means for learning of *Timap*, although a significant portion of respondents (14 percent) learned about *Timap* only at



the time of their case. There were substantial differences by gender, age, and office in how respondents learned of *Timap*. One interesting finding is that half of all female respondents had first heard of *Timap* through



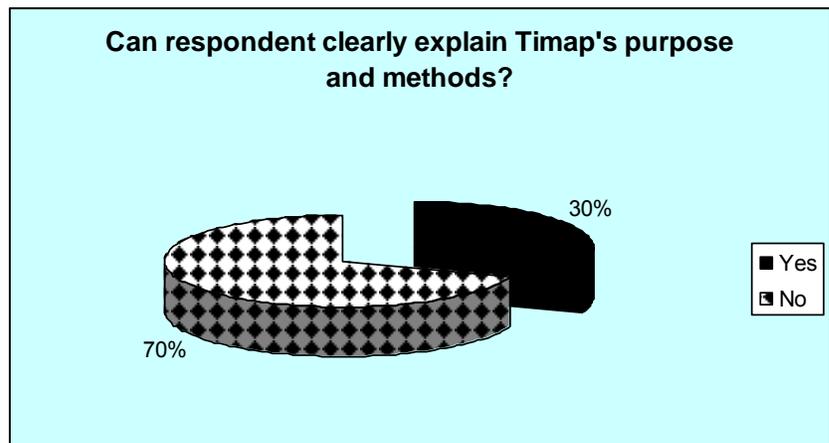
word of mouth, compared to just 17 percent of men. This is likely an indication of women’s relatively limited access to information and more restricted movement, as well as gender differences in social interaction. Interestingly, interviews with respondents indicated that word of mouth was largely in the form of referrals from previous *Timap* clients. Those who first learned of *Timap* through word of mouth were also more likely to have reported a case than those who heard of it through other sources, pointing to the role positive reports from peers has in building confidence and trust in *Timap*’s effectiveness.

Respondents under 50 years of age most often learned of *Timap* through friends and/or word of mouth. In contrast, community meetings and the radio were the first information sources for over half of respondents over 50.<sup>32</sup> This finding is unsurprising, given that older community members generally participate in community meetings at a much higher rate than their younger counterparts. More interesting, perhaps, is the variation among *Timap*’s offices. In Bumpe, one-third of all respondents had first learned of *Timap* through conversations directly with the paralegals. In the other offices studied, paralegal communications (outside of community meetings) played a negligible role in increasing awareness. This is likely connected to the relative embeddedness of the *Timap* paralegals; as discussed in the *Research Methodology* section above, the paralegals in Bumpe were from nearby communities, whereas there was a fairly high rate of turnover in the Magburaka office. However, relative embeddedness does not fully explain the difference in means of learning about *Timap*, and this is likely also due to differences in communication styles among paralegals. In Kaniya, community meetings, word of mouth, and radio announcements all played a strong role, whereas respondents in the Magburaka office reported a variety of sources, including *Timap*’s prominent signage and working relationships with the paralegals. The Magburaka office also had the highest percentage of respondents who indicated that they had first learned of *Timap* at the time of their case (16 percent).

<sup>32</sup> The above findings on access to information have some interesting parallels to trends identified in a recently completed survey of *Media Use, and Access to Media, in Sierra Leone* by BBC World Service Trust and Search for Common Ground. According to this survey, which was conducted in early 2007 to find how respondents accessed information (primarily about the upcoming election), radio was the most common and trusted source of information, followed by family, friends, or community. Access to radio was lower outside of headquarter towns and among women, and higher for older respondents.

### Understanding of *Timap*'s Roles and Goals

While the preceding section concentrated on the ways in which respondents came to hear of *Timap*, it is important to also get a sense of what they actually know about it. Particularly because *Timap* seeks to serve a role in increasing the empowerment of the community it serves, the research team believes it is important that community members are able to explain—at least in minimum detail—what



*Timap* does and the basic methodologies used to resolve disputes. The research team was continually surprised over the course of this study at how few respondents were able to clearly explain *Timap*'s goals, methods, or role in the resolution of their own case. Although most could articulate the basic features of *Timap*—a free human rights organization designed to bring justice to poor or disadvantaged individuals—just 30 percent could provide a more detailed description of its purpose or types of cases handled. There were variations in awareness among the offices, with 38 percent of respondents in Magburaka able to explain *Timap* compared to just 22 percent in Bumpe. This could be due to the higher education levels and rates of urbanization in the areas around Magburaka. Men and individuals over 35 had a better than average understanding, while only one in five respondents under 35 could accurately describe *Timap*. Overall, respondents who held a community role, such as chiefs or imams, were much more likely than average to understand *Timap*'s goals and methods.

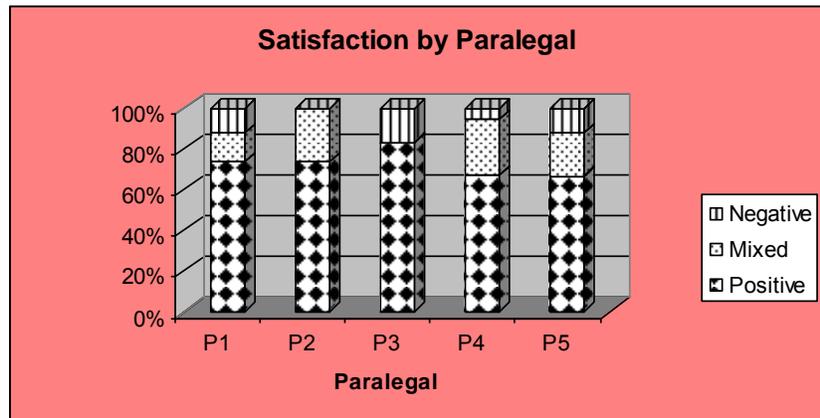
Those who indicated that they had first learned of *Timap* during their case were least likely to understand *Timap*'s roles, followed closely by those who had learned of its existence through word of mouth. Each individual interviewed for this report had at one point played a role in a case involving *Timap* advocacy or dispute resolution; one could expect an even lower level of awareness of *Timap* amongst the population at large.

The research team believes this lack of information about *Timap*'s goals and methods could have a detrimental effect on the organization's community empowerment goals. In many cases, respondents interviewed for this report could not explain the steps taken by *Timap* to resolve their dispute—they knew only the outcome. Given the traditional means of dispute resolution in Sierra Leone, where communities often rely on "big men" to develop solutions, it is not surprising that dispute-resolution participants may not pursue active involvement in the resolution of their case. However, despite the additional time and effort required by *Timap* paralegals to ensure that participants understand and take an active role in each stage of the dispute-resolution process, the research team believes that the payoffs would be substantial.

The research team also suggests that *Timap* review its current dissemination- and information-sharing methods to help address the variations in understanding among population segments. For example, those individuals who are likely to frequently attend community meetings—older

populations, community leaders, and so forth—had much better access to information and understanding of *Timap* than women and youths, who were more likely to obtain information from other sources. Outreach methods targeting these less connected groups, such as mobile clinics during market days, presentations at sporting events or cinemas (which tend to attract large numbers of youth), or events in partnership with women and youth group leaders might help to share information with these populations.

In addition to general feedback reflecting a low level of understanding of *Timap*'s purpose or methods, researchers found that respondents frequently did not recognize the name "*Timap*," referring instead to "*Human Rights*"<sup>33</sup> or a specific paralegal. In part, this is due to the fact that *Timap* changed its name in 2005, and many respondents



still associate the organization with its previous name (*Access to Justice*). However, many respondents did not connect the paralegals with any institution, and seemed to view them as independent community mediators rather than members of a larger paralegal network or organization. In one case, a respondent indicated that a private community member had identified himself as a *Timap* paralegal and demanded a fee for mediation services. Because respondents' perceptions of the organization are so closely tied to the performance and relationships with individual paralegals, this type of misidentification could have a particularly damaging effect on *Timap*'s reputation.

During the interview process, respondents were asked to identify the types of disputes *Timap* was qualified to handle versus those that should be brought to other fora (such as the police). Several respondents indicated that *Timap* was able to handle any case type except for violent crimes (such as wounding or murder) and land disputes. Others, particularly chiefs, believed that *Timap*'s work should be confined to only those disputes that are not covered by chiefdom bylaws. However, in most cases, particularly in Kaniya,<sup>34</sup> respondents indicated that *Timap* was designed to solve family disputes—for example, marital *palaba*<sup>35</sup> and nonpayment of child support—and was not mandated to solve cases such as land disputes. Respondents believed that *Timap*'s methods were well suited to family disputes because of the organization's ability to promote harmony. One exception was divorce cases, which numerous respondents indicated were outside the purview of *Timap* because its purpose was to "bring people together, not separate them."

<sup>33</sup> This is likely an after effect of the war in Sierra Leone, when some of the first assistance agencies to arrive introduced concepts of "human rights." Many rural people still associate organizations that aid the poor with the general banner "human rights."

<sup>34</sup> In fact, several respondents stated that the *Timap* paralegal in Kaniya had explicitly stated that *Timap* did not mediate land disputes.

<sup>35</sup> *Palaba* is a Krio word for dispute or conflict, often used to refer to conflict between spouses.

Respondents interviewed for the “high impact” cases examined during this study routinely expressed surprise that *Timap* had been able to settle large disputes involving powerful interests (such as in the cases described in Box 6: *Labor and Collective Action* and Box 9: *Building a Bridge between Communities and Institutions*). These highly visible cases caused many respondents to reevaluate their image of *Timap* as a specialist only in family disputes. Indeed, *Timap* paralegals themselves occasionally expressed surprise that they were able to resolve large, difficult disputes and indicated that these cases increased their confidence and encouraged them to pursue more high-impact—and high-profile—dispute-resolution activities.

Respondents consulted for this study repeatedly requested that *Timap* increase its “sensitization” efforts in the communities in which it works. In particular, they asked for better information on cases that should be taken to *Timap* versus those that are more suitably resolved elsewhere. Many asked that *Timap* play a larger role in educating the community on human rights law, national law, and the chiefdom bylaws. Several chiefs recommended that *Timap* provide training on mediation and dispute resolution, and requested to observe *Timap*’s methods in order to better understand and use them in their own work. Requests such as these indicate a high level of trust in *Timap*’s methodology, as well as the desire for better information on *Timap* (and the law more generally).

## V. Translating Theory into Practice

### Theory

*Timap*’s goals and purpose were explained in brief in the introduction to this study. In this section, we will focus in more detail on the theories behind *Timap*’s interventions, and the ways in which they play out in practice. Among the central theories forming the foundation of *Timap*’s work are<sup>36</sup>:

- **The efficacy of developing interventions based on in-depth understandings of the sociopolitical realities of the country.** *Timap*’s paralegals are Sierra Leonean nationals with strong cultural, linguistic, and family ties to the communities in which they operate. These community connections aid paralegals’ understandings of the authority relationships and belief systems that frame justice in these communities, and may facilitate development of acceptable solutions to a client’s problems. This principle also reflects *Timap*’s belief in the need for a model and methodology that fit the Sierra Leone context—by, for example, using a wider and more flexible set of tools, being willing to engage both formal and customary institutions, and using paralegals rather than lawyers as frontline actors.
- **The ability to engage with a multiplicity of rule systems in a legally pluralistic environment.** Sierra Leone operates under a bifurcated legal system that blends elements of customary and formal law. *Timap* seeks to respond to the dual legal system by strategically selecting and applying the legal principle most likely to achieve an acceptable outcome that meets a client’s needs. For example, it may emphasize the access-to-education guarantees in the national constitution when encouraging parents to pay school fees, while stressing the customary norm requiring parental responsibility when mediating a child support agreement. *Timap* also attempts to hold both traditional and formal institutions more accountable for their decisions and actions.
- **The importance of advocacy and increased legal awareness in empowering individuals as agents of change.** *Timap* believes that by providing access to information

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<sup>36</sup> Adapted from V. Maru, “Between Law and Society: Paralegals and the Provision of Justice Services in Sierra Leone and Worldwide,” *Yale Journal of International Law* 31, no. 2 (2006).

on rights under law, individuals are encouraged to become active participants in change efforts within their communities. Access to information can better equip citizens to hold institutions, in addition to individuals, accountable. *Timap* attempts to engage all stakeholders, including chieftom officials, police, and religious officials, through awareness/issue-based campaigns and community meetings.<sup>37</sup>

- **The necessity of litigation power to translate aspirational rights into enforceable obligations.** *Timap* emphasizes the need for a tool to enforce agreements and prosecute serious violations of rights or law in order to ensure that rights are enforced in practice. The organization theorizes that the threat of litigation in a society that sees the law and lawyers with a mix of awe and fear will play a role in both prevention of injustice and enforcement of agreements.

This theoretical underpinning is evident throughout *Timap*'s interventions and was recognized frequently in interviews with respondents. In the next section, we examine the way *Timap*'s program theory plays out in practice.

### Practice

#### ***Understanding Local Conceptions of Justice and Negotiating Multiple Rule Systems***

*"We are all related to each other in this town. If I report anybody to the police they will lock them up, bringing conflicts within the family, but Timap settles disputes peacefully without hurting the feelings of [either] party."* – Farmer (Male, 80s), Bo District

*"The chiefs base their mediation on customary law and family ties, but Timap wants to ensure that people live in peace and that nothing should disturb the way people live."* – Teacher (Male, 40s), Tonkolili District

*"I am happy as a chief because the law is maintained."* – Chief (Male, 50s), Bo District

In recent years, a substantial body of work has been developed on access to justice in Sierra Leone.<sup>38</sup> A common theme of this literature is the difficulties faced when negotiating Sierra Leone's bifurcated legal system, and the necessity of finding solutions that are cognizant of local belief systems and realities. *Timap*'s methods reflect recognition of the need for dispute-resolution systems to work with Sierra Leone's multiple rule systems—and moreover, to influence these systems and authorities and hold them accountable.

In describing their reasons for taking cases to *Timap*, many respondents spoke of its ability to bring about peaceful resolutions that met clients' needs while preserving relationships. In a culture built on a restorative, rather than retributive, legal tradition, *Timap*'s emphasis on negotiated solutions to justice problems instilled confidence that it was able to resolve disputes in a culturally sensitive manner. Many respondents emphasized that *Timap* developed solutions that sought the best outcome for all parties and avoided solutions such as imprisonment that were largely inconsistent with notions of justice (except in disputes involving injury or death).

It is important to note, however, that *Timap* is not a wholly neutral arbiter. At times when paralegals believe that fairness or equity principles indicate that one disputant or group of disputants is more

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<sup>37</sup> For more information on *Timap*'s use of community meetings, visit [www.timapforjustice.org/file\\_download/17](http://www.timapforjustice.org/file_download/17).

<sup>38</sup> For examples, see Footnote 16.

“right,” the organization will support one side more than the other (see, for example, Box 6). This flexibility presents an interesting dilemma for *Timap*, as it represents a great deal of discretion given to paralegals to define what is “just.” The case in Box 6 presents an excellent example of a situation where one party believed that *Timap* paralegals had pursued an action based on an assumption of guilt and innocence that was incorrect and biased, and this belief impeded this party’s cooperation with the mediation process. This flexibility may also lead to inconsistencies in *Timap*’s message and actions across sites, effecting internal coherence and possibly endangering its reputation more broadly.

As noted earlier and as seen in several case studies in this report, *Timap* makes use of local, national, and international customs and laws in its mediations. As a nonformal justice institution, it is uniquely placed to do this. Though observing some limitations where the national law is clear—such as its refusal to mediate cases of sexual assault—in cases where legal clarity is lacking, the organization applies a variety of standards to reach a mutually agreeable solution. Though *Timap* made use of the authority of the national law in a few of the cases evaluated here (see section on Litigation Power for more information), mediations largely focused instead on family cohesion, ethical observations, or customary tenets in nearly every case studied by the research team.

### **Box 1: Negotiating Tradition to Secure a Child’s Future**

*“Timap has advised us Chiefs not to allow the initiation of children into any secret society, and we have warned the society heads accordingly.”* – Chief (Male, 65), Tonkolili District

In autumn of 2006, while playing with her schoolmates, 6-year-old Bintu shared the secrets of her initiation, years before, into one of Sierra Leone’s secret societies, sparking a war of words and threats of violence that pitted traditional practice against international human rights norms. By discussing society rituals with noninitiates, the child had violated a central rule of the powerful secret societies. The head of the society took Bintu into the bush for several nights, threatened to remove her from her family in order to induct her into a higher rank of the society, and contacted her parents asking for Le 2.7 million (approximately \$900) in fines and ritual expenses. The society head sought support from the local chief, who summoned Bintu’s family to his home to meet with the society representatives and pay the fines.

Unable to pay such a large sum and in fear for his daughter’s safety, Bintu’s father sent his wife and daughter into hiding in another village, approached his relatives and friends for help, and was advised to visit *Timap*. After hearing the details of the case, *Timap*’s paralegal accompanied Bintu’s father to the chief’s home to plead on his behalf. Because the paralegal was forbidden by tradition from speaking of the practices of the all-female secret society, he instead protested the society’s actions on human rights grounds, arguing that they violated international and national law on the rights of the child and were interfering with her ability to attend school. The chief supported this argument, and asked that the society accept a fine in lieu of the initiation. The meeting ended bitterly, with the society head threatening that “because the pen (*Timap*) was brought in, [she would] ‘swear’ (curse)” Bintu and her family.

Despite these setbacks, *Timap*’s paralegal continued to pursue compromise with the society head. Working with chiefs and local elders, including respected women within the society, he persuaded the society head that the society members themselves had violated tradition by initiating Bintu as a child instead of waiting until she was a teenager, and that because of her threat, she would be held legally responsible for any harm that came to Bintu in the future. As support for her actions from other traditional leaders waned, the society head agreed to drop her demand for fines and forgive Bintu and her family. In interviews with all parties, they insist that relations are now cordial. Bintu has happily returned to her village, school, and playmates.

*Timap*'s interaction with Sierra Leone's various rule systems also extends beyond its application of laws and cultural tenets. *Timap*'s directors and paralegals maintain strong relationships with chiefs and other traditional authorities, religious leaders, police, and elected representatives, and often involve them in the negotiation process. This is partially pragmatism—opposition from chiefs and local authorities could prevent clients from accessing *Timap*, interfere with the dispute-resolution process, and even impede *Timap*'s ability to operate in a chiefdom—but it is also recognition of the important role these figures can play in bringing legitimacy and enforceability to mediations. The research team found particularly strong relationships between local authorities and *Timap* paralegals in its study of the Bumpe office, where the team was greeted on arrival by police and tribal authorities who explained the role they played in assisting *Timap* to solve problems and prevent abuses of authority.

Of course, these relationships can also be problematic. *Timap* works to bring accountability to local institutions, including by using advocacy and accepting disputes that directly target authorities, and this goal can be at odds with building and maintaining relationships with institutions. Conversely, there is a possibility that relationships with authorities may make *Timap* more likely to conform to existing power structures. While the research team did not find any evidence of a bias towards authorities in negotiations, a number of respondents expressed the view that *Timap* seemed afraid to confront power structures or would likely perform less effectively in cases where local authorities were involved. Further study of *Timap*'s interactions with community authorities, preferably in the form of quantitative data comparing outcomes in cases that do and do not involve authorities, would be valuable to more closely examine these potential effects.

### ***Relationships with Traditional Leaders***

*"If I am the only one controlling the [area], then it will not progress, but people have other places to report cases to, so I am satisfied that I am not alone."* – Chief (Male, 65), Tonkolili District

*"This case has induced me to be referring more cases to Timap, especially those that I cannot settle amicably. I presently hold Timap to a high esteem. [Disputant] failed to honor my invitation, but went to Timap since it is a human rights organization."* – Village Chief (Male, 80s), Bo District

*Timap*'s relationships with authorities in Sierra Leone require a careful balance, as the organization seeks to simultaneously confront injustices committed by institutions and institutional actors, and to cooperate with these institutions to find effective pathways to dispute resolution and encourage fairness in processes and policies. Due to the research model and the case selection methodologies, the research team interviewed institutional actors more often in their role as participants in mediation, rather than as disputants. Therefore, most of the analysis below presents a perspective on *Timap*'s relationships and cooperation with authorities, rather than discussion of the institutional impacts of advocacy or education efforts targeting institutions.

In interviews with institutional actors in Sierra Leone, most expressed satisfaction with *Timap*'s dispute-resolution role and its impact on communities. Several chiefs said that *Timap*'s presence had helped to lighten their case burden, allowing them to settle disputes more quickly and effectively, and to return to farming and other economic activities that suffered while they were arbitrating disputes. Traditional leaders often assisted *Timap* by encouraging disputing parties to respond to summonses by paralegals. Others indicated that *Timap* both sought advice from and gave it to local

authorities when attempting to resolve disputes, which both improved the resolution of the case at hand and contributed to more effective interventions in the future.

*Timap* maintains Community Oversight Boards (COBs), groups of local community members (including chiefs, women's or youth leaders, and religious leaders) who monitor paralegals' activities and provide insight and assistance in dispute resolution where necessary. In cases reviewed by the research team in Kaniya and Bumpe, COB members had been consulted by the paralegals or other parties to the case, and asked to provide assistance in reaching agreement. The COB was particularly visible in *Timap's* Bumpe office, where members requested a meeting with the research team and shared their own insights into *Timap's* work.

Recognizing that *Timap* was often better able to settle some disputes, both chiefs and police officials indicated that they had either called *Timap* in as an advisor or simply referred cases to the organization for resolution. This was particularly the case in disputes involving powerful business or national interests—*Timap's* advocacy and convening role in a cholera epidemic (described in detail in Box 5) and in a salary dispute with a corporation (detailed in Box 6) were especially lauded by local authorities. Note that these cases, while presented in order to illustrate points about *Timap's* methodologies in a particular instance, also present evidence of *Timap's* efforts to hold institutions to account, as well as the ways in which its ongoing working relationships with various local institutions may facilitate these efforts.

Despite this largely positive relationship, several respondents emphasized that continuing partnership was dependent on paralegals respecting the role of tribal authorities and not overstepping boundaries. Several chiefs interviewed in the course of this research requested that *Timap* provide more education on which types of cases could be settled by local authorities, and asked that there be a clearer delineation of dispute-resolution roles between chiefs and *Timap* paralegals. Chiefs were particularly concerned that *Timap* not engage with disputes for which there were clear rules and fines set out in the chiefdom bylaws, stating that this interference eroded the chiefdom budget and encouraged lawlessness and disrespect for tribal tradition. Several tribal and court officials took exception to comparisons with *Timap*, stating that it was easier for *Timap* to investigate cases quickly and freely because they could rely on a steady stream of funding and access to transport, a luxury not experienced by local officials. There also appeared to be some tension between *Timap* paralegals and secret society leaders, who frequently stated that “traditional” activities should not be restricted because of clashes with modern conceptions of human rights. For one example, see Box 2.

*Timap's* relationships with local authorities present an interesting dilemma for the organization, and one that it will likely need to confront more often as it expands into additional chiefdoms. While it currently relies largely on hiring locally bred paralegals as a method of ensuring acceptance within communities and allowing for increased understanding of local customs and power relationships, *Timap* paralegals working in their home communities may also be more subject to external pressures in their dispute-resolution efforts. For example, several paralegals interviewed for this study were community leaders or secret society members in their home communities, and other paralegals hold positions such as chief. When addressing disputes involving these traditional institutions, it is likely difficult for paralegals to avoid the impression (or actuality) of bias. Also, as the feedback from traditional leaders shows, paralegals maintain a difficult balance between pursuing all eligible disputes brought before them while avoiding conflict with other dispute-resolution bodies. Presumably, as awareness of *Timap* increases and it becomes involved with larger or more high-

profile disputes, this tension will increase. It will be extremely important, then, for *Timap* to closely monitor its relationships with local authorities and potential areas where conflict of interest could arise.

### **Box 2: Death, Taxes, and Secret Society Initiation**

*“I did not pursue the matter further because I have children in this village. I also have a home here and am living with people. Perhaps if I had pressed on, I would get those things [that were stolen] and probably my tormentors would have paid for their actions, but that might jeopardize our relationship.”* – Respondent (Male, 40s), Bo District

When his father passed away unexpectedly in 2006, Sidie found himself embroiled in a bitter dispute with the local Poro secret society that threatened his family life, economic situation, and religious principles. Sidie’s father had been an elder (leader) of the Poro society. At the time of his death, society members demanded that Sidie obey tradition by supplying money and goods for funereal rituals and stepping in to fulfill the vacant post. Sidie balked at these demands. The cost of the rituals would have a substantial impact on his family’s limited income, and he expected the costs to rise even further by the time the next generation—his children—were forced to pay them. Furthermore, as a staunch Christian, the society’s practices went against his religious beliefs.

After society elders refused to bury his father without the ritual payments, Sidie relented, paying a smaller fee as an indication of good faith. However, he deflected pressure to become (or supply from within his lineage) the new chief elder. Several months later, when a new initiation season had begun, Sidie could deflect no longer. Society members began gathering for the initiation and pressure on Sidie mounted. Fearing that he would be forcibly inducted, he left the village to hide in the bush. The society members, angry at his departure, contacted the local section chief for intervention. The chief referred the society members to Mustafa, who headed all Poro societies in the chiefdom. When Mustafa learned that Sidie would not step into his father’s role, he decided that the Poro devil (a powerful spiritual figure) should prevent anyone from entering the house or using the property of Sidie’s late father. In response to this decree, the society members expelled Sidie’s sister and her newborn child from the house.

Angry at his sister’s treatment, Sidie accompanied her to see the chiefdom speaker and made a complaint against the society. However, the speaker determined that since the only witness was a woman and women are forbidden from bearing witness on Poro society matters, the case could not go forward. Sidie travelled to a nearby village to seek counsel from his uncle, who advised him to visit the paramount chief, who is officially the custodian of all secret society activities within the chiefdom. However, the paramount chief was ill and therefore unable to take cases, so Sidie’s uncle instead referred him to *Timap*.

The *Timap* paralegal, himself a member of the Poro society, was aware of the complexities of engaging with society leaders on matters regarding traditional practice. To strengthen his position, he consulted the chiefdom speaker, section chief, and *Timap*’s Community Oversight Board members for advice before deciding upon an action, and informed the paramount chief of his intention to try to mediate the case. Later that day, the paralegal, accompanied by two society members from neighboring villages, travelled to Sidie’s village to speak with the society elders. At first, his reception was cold. Society members denied that they would force Sidie to take up the vacant post, saying that they requested only a fine and a nomination for a new chief elder. They refused to participate in a mediation unless Sidie was present and expressed anger at his decision to speak with *Timap*, saying that the initiation was part of their culture and *Timap* was yet another institution (along with churches and mosques) trying to undermine tradition.

After calming tempers, the paralegal called for Sidie to return to the village. In a gathering of society and community elders and Sidie’s family, the *Timap* paralegal explained the ways in which society rituals (such as limiting women’s movements during initiations) came into conflict with human rights principles. However, the paralegal focused more attention on some problems with society initiations that had been raised by community members themselves—for example, the practice of taking children out of school for the initiation, which many parents objected to, and the economic problems associated with using large amounts

of food for ritual activities. Finally, the paralegal explained that the chiefs and elders he had consulted before coming to the negotiation had emphasized that while society rituals were acceptable, the society should not charge fines or other fees that would lead to undue economic hardship.

At the end of this mediation, Sidie paid fines of Le 90,000 (approximately \$30) for violating society rules—a substantial sum by Sierra Leonean standards, but less than one-tenth of what society elders had originally demanded. The initiation rituals ended that day (though most parties attribute this to the pressure brought to bear by parents rather than *Timap*), and the society leaders have since accepted that Sidie will not step into his father's shoes. However, interviews with some society leaders reveal that they may again demand that Sidie provide a replacement at the time of the next initiation.

As reflected in the number of parties involved in decision making, this was a particularly difficult case to mediate and none of the parties interviewed—including the paralegal—was fully satisfied with the conclusion. Both Sidie and his sister have decided not to pursue compensation for items stolen from their house or damaged by society members during the initiation, fearing that this could result in renewed attacks on them or their families. In turn, many of the society members interviewed felt that outside forces were attempting to undermine traditions that were an important part of their social fabric. For now, however, tensions have subsided and both sides have accepted compromise as a path towards peace.

### ***Collaborative Searches for Solutions***

*“Because paralegals are not very common,<sup>39</sup> people have high regard for them. They are highly respected. They don’t stand in corners [to conspire] with people. They do everything in the presence of all.”* – Community Member (Female, 50s), Tonkolili District

*“I don’t mind being disowned by my father, but I will not go back to my former husband again. I have already made up my mind. I prefer Timap because the chiefs would have forced me to return to my husband.”* – Community Member (Female, 20s), Bo District

As the research team began collecting data on participants in *Timap*'s mediations, one theme became clear: the involvement of a large number of peripheral parties (such as family members) in the search for a mediated solution. For example, mediations in marital disputes were often conducted in partnership with the couple's *sababu*,<sup>40</sup> parents, and siblings. Though this practice is not unique to *Timap*, and is frequently used by chiefs and other dispute-resolution bodies as well, *Timap* encourages this involvement in part as a way to increase the social pressure to stand by an agreement. Though this approach may indeed increase enforcement, several respondents stated that they felt pressured by paralegals and family to accede to unfavorable or untenable agreements. (For one example, please see Box 3: *A Failing Marriage and Fight over Child Support*.)

Perhaps more troubling, researchers identified several instances wherein mediation efforts were pursued by family members against the wishes of the (predominantly female) disputant, or altogether without his or her involvement. In one such case in Magburaka, a schoolgirl who was impregnated by her teenage boyfriend was pressured by her family to file a charge of rape against the boy.<sup>41</sup> When police interviews with the girl made clear that she had a consensual relationship with the disputant, her father instead filed the case with *Timap*. The dispute was eventually mediated

<sup>39</sup> Here, the term “common” means relatively new and unavailable in many other communities.

<sup>40</sup> Traditional figure who organizes and blesses a marriage. It varies according to the different ethnic groups in the country. With the Mendes in the south and east, such person is referred to as “Mblei” (also means in-law).

<sup>41</sup> In this case, the paralegal violated *Timap* policy, which forbids mediation of rape cases.

between the couple's parents, despite the fact that neither party directly involved wished to pursue action against the other.<sup>42</sup> They were also left out of the eventual mediation process; as the girl testified to researchers, "I have never been to the *Timap* office. The case was between my father and [child's father]."

### **Box 3: A Failing Marriage and Fight over Child Support**

In their eight tempestuous years of marriage, Samuel and Hawa had fought continuously over money, household duties, and how to raise their six children. On three occasions, Hawa had left Samuel to return to her home village, though their families had always been able to reunite them. But after a heated argument in early 2006, Hawa decided to leave Samuel, and despite the efforts of the two families, the couple's *sababu*, a local justice organization, and village elders, she refused to return. She approached Samuel to ask him to provide money to support the children, but he refused to provide any support unless Hawa agreed to return to his home. So, on the advice of local village women who had previously brought cases to *Timap*, she went to her local *Timap* office to seek help.

After hearing Hawa's concerns, the paralegal invited Samuel to her office to discuss the case. Initially, he refused to work with *Timap*, stating that it had not been involved in mediating his marriage and should therefore not have a role in its dissolution. Eventually, however, Samuel agreed to report to *Timap*. After mediation by the paralegal, Samuel signed an agreement to pay a monthly child support payment of one jerry can of palm oil and Le 20,000 (approximately \$6.75). However, when the time came to make the payment, he found that he was unable to raise the agreed amount.

After waiting several weeks, Hawa returned to *Timap* to ask the group to intervene and enforce the payment. The paralegal sent a letter to Samuel reminding him that the payment was due, but Samuel did not respond. *Timap* convened a meeting between Samuel and Hawa, their extended families, and elders to put pressure on the two to negotiate a new agreement that both could abide by. In this meeting, Hawa agreed to return to Samuel, though she confessed to the paralegal after the meeting that she had succumbed to family pressure and had no desire to return. Indeed, when Samuel later came to Hawa's parents' home to collect her, she refused to accompany him back to his home.

Now, nearly two years later, the two are still at an impasse. Hawa supports herself and the children by working as a petty trader and refuses to return to the husband she describes as disrespectful and cruel. Samuel declines to discuss the idea of child support further, blaming the current situation on Hawa's stubbornness. For now, at least, the families and *Timap* have been unable to find a resolution that will meet the various and competing needs of Samuel, Hawa, and the children.

### ***Power of the Pen***

*"Timap sends letters before coming to see us chiefs, which shows respect and keeps our relationships strong."* – Chief (Male, 50s), Bo District

*"Timap is more powerful than the chiefs to me because Timap officials can read and write and can therefore document cases, but our chiefs are illiterate."* – Farmer (Male, 45), Tonkolili District

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<sup>42</sup> The author recognizes that this type of situation is not specific to *Timap's* mediation—in many countries, parents or guardians are legally able to pursue action for cases such as statutory rape even if sex was consensual. However, this anecdote was included to illustrate one scenario in which identification of a "client" was difficult, and there appeared to be several clients with contradictory interests.

Sierra Leone has one of the lowest literacy rates in the world, with just 34.8 percent of citizens over 15 able to read and write as of 2005.<sup>43</sup> Literacy rates for women are even lower, with only around 18 percent of women and girls over 15 achieving functional literacy. Thus, the ability to read and write is frequently a source of respect and even awe in Sierra Leonean society, particularly in poor rural areas.

It is not surprising, then, that *Timap*'s use of the "power of the pen" arose frequently during the study. When asked why they responded to *Timap*'s requests for mediation, despite its lack of legal authority, many respondents noted that *Timap* had sent them a written request for an appointment. For some, this was a sign of the organization's authority. For others, however, it was more a sign of respect; because *Timap* had taken the time and effort to formally request their presence, they agreed to report. Chiefs and other tribal authorities were particularly likely to greet written requests as a sign of respect for them and their office. Although the power of a written invitation seemed to have some effect in each of the offices studied, this impact seemed to diminish in more urbanized areas, such as Magburaka. On the other hand, several respondents indicated that they had initially refused to honor a *Timap* invitation *because* of the written summons, which had added to their fear that *Timap* had the power to fine or otherwise punish them.

In addition to written invitations, *Timap* provides disputants with written copies of mediation agreements. This agreement may provide a powerful incentive for compliance with mediation terms, though the team identified several cases where respondents violated the terms of a mediation agreement after realizing they were not legally binding. However, in many cases—even those where the mediation agreement was eventually violated—respondents valued the written record, seeing it as clear and permanent evidence that their problem had been addressed. For some, it was proof that they had been "given their right," even if that acknowledgement did not lead to financial or other reparations.

### ***Reaching Agreement – Strategies and Constraints***

*"Hens with chicks don't jump over fire because it's possible one of the little chicks will fall in."<sup>44</sup> We have children in this community and the whole community is against our actions in this case. If we continue to pursue the matter, it will create more problems for us in the future."* – Community member (Female, 30s), Bo District

*"Every case has its own approach."* – *Timap* paralegal

*"Their [Timap's] presence has prevented a lot of people from going to court because they enhance peace amongst people by reconciling disputants."* – Elder (Male), Tonkolili District

The research team was frequently impressed with the context-sensitivity and flexibility of the solutions that *Timap* helped to bring about. As noted elsewhere, paralegals attempted to reach agreements that took account of both (or all) parties' needs and abilities. This approach often resulted in solutions such as phased payment plans, reduced compensation packages, and delayed initiation rites. Respondents frequently expressed gratitude that they were able to reach agreements

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<sup>43</sup> "Sierra Leone: The Human Development Index: Going Beyond Income" (New York: UN Development Programme, 2009), [http://hdrstats.undp.org/en/countries/country\\_fact\\_sheets/cty\\_fs\\_SLE.html](http://hdrstats.undp.org/en/countries/country_fact_sheets/cty_fs_SLE.html). Accessed November 2009.

<sup>44</sup> In Krio, "kombra fol no dae jump fire."

on terms that they would be able to meet—an option that had eluded them in previous dispute-resolution processes.

Respondents frequently indicated that *Timap* paralegals had encouraged disputants to agree to compromises even in cases where a disputant admitted wrongdoing. By making small gestures of compromise, such as accepting repayment of 90 percent of a debt, disputants displayed their good faith, increased pressure to comply, and ensured that each party was able to achieve partial victory. (For further illustrations of this approach, please see Box 4: *A Few Years Late and Many Leones Short*.) *Timap* mediators also relied frequently on apologies or “begging.” The process of begging, where disputants ask forgiveness or ask other parties, often elders or those with greater authority, to ask for forgiveness on their behalf, is an important dispute-resolution tool in Sierra Leonean society, and can be used to reduce tensions and facilitate agreement.

Although these and other approaches enabled *Timap* to successfully mediate disputes in many of the cases studied here, there were several occasions where respondents experienced intense cultural or social pressure, coupled with pressure from *Timap* paralegals, to drop a case or accept an unsatisfactory agreement. As illustrated in the case study in Box 2: *Death, Taxes and Secret Society Initiation*, respondents sometimes feared the backlash from their family or community should they pursue actions against powerful interests or for unpopular causes. Though some disputants, such as Musukoko in the *Standing Up for a Choice in Marriage* case (Box 7 below), were able to resist tremendous pressure from their communities, others decided that risks associated with pursuing the case further were too great. As one paralegal explained, in these cases:

*“We encounter this sort of thing as one of our obstacles: when you want to take action, people later come to plead with us not to take such actions. Sometimes we refuse, but if the person you are fighting for is pleading with you to let things be, your zeal will be broken to fight further.”*

#### **Box 4: A Few Years Late and Many Leones Short**

In a small village in southern Sierra Leone, a young man named Allie made what turned out to be a very long and expensive trade: in exchange for a radio, he agreed to pay Borbor four batta (five-gallon drums) of palm oil once the palm fruits ripened in spring. Spring and summer passed, and he found himself unable to pay and in a growing dispute with Borbor. After several arguments over the original terms of their agreement and how much the radio was worth, Borbor approached *Timap* to lodge a complaint against Allie. At the same time, he reported Allie to the police, who imprisoned him for failure to pay his debt.

*Timap* accompanied Allie’s family to the police station to bail him out of jail, and then sat with the police, disputants, and their families to try to mediate a better solution. Allie admitted that he had been unable to pay according to the schedule he had agreed with Borbor, apologized, and paid the first two batta of palm oil that very day. *Timap* mediated an agreement whereby Allie would pay the remaining two batta at the height of the next palm fruit season, the time of year when he’d have the most disposable income. Borbor agreed not to pursue the matter further until then.

However, as the next palm season came and went, Borbor again grew frustrated and asked *Timap* to contact Allie and the parties present at the previous mediation to try once again to get the remaining palm oil. Allie came to *Timap*’s office and again apologized for not meeting the terms of the agreement, explaining that his wife was ill and he needed to sell the palm oil in order to pay for her treatment. He gave Borbor one batta and some money to cover the cost of his transport, and prevailed upon him to

forgive the remainder of the payment. Borbor decided to discuss the proposal further with his relatives before agreeing. When interviewed, he stated that he did not return to *Timap* to ask for the final batta because he did not want to be perceived as forcing Allie to pay. Though he did not receive the full amount of the trade agreement and he was clearly dissatisfied with this, he recognized that it was through the mediation and reliance on creative approaches that he was able to recover most of his costs.

### ***Human Rights Advocacy and Education***

*“By taking family cases, Timap reminds people that it is essential to take care of their children.”* – Youth Leader (Male, 20s), Bo District

*“We used to lock up children who were causing problems for up to three days in our prisons, but now Timap tells us not to.”* – Chief (Male, 65), Tonkolili District

*“What does human rights have to do with our traditions?”* – Secret Society representative (Female, 51), Tonkolili District

*Timap* paralegals regularly incorporate education on human rights and international legal principles in their dispute-resolution activities as part of their wider effort to influence institutional change. Frequently, this advocacy translates human rights standards into local beliefs and references, such as the admonishment that a woman is not like a drum and should not be subjected to beating. Though *Timap* recognizes that some violations of human rights, such as sexual assault, are not conducive to cultural mediation, researchers found several cases where paralegals worked with traditional authorities to adapt longstanding traditions to more closely adhere to modern human rights standards. These efforts are not without opposition, as illustrated by some respondents’ assertions that human rights are “not good for Africa” or are “only for the rich.” However, the melding of tradition, principle, and formal law seemed to help yield support from unlikely corners, as evidenced by the first two quotes from traditional leaders above.

In particular, researchers found evidence that *Timap* emphasized the rights of the child, including access to education and protection from abuse, in its community advocacy and dispute-resolution activities with students, parents, and teachers. When approached in cases involving failure to pay child support or school fees, paralegals often appealed to parental obligations under both traditional and local law, as well as pressure from family, to induce compliance. Due in part to these efforts, children themselves have become more aware of their rights and obligations. For example, respondents in Bumpé identified a case in which a child had reported his parents to *Timap* for failure to pay school fees, a delay that had prevented him from beginning classes on schedule. *Timap*’s Bumpé and Magburaka offices have also worked closely with traditional leaders to delay initiations into secret societies to coincide with school breaks and to ensure that children are not removed from school to take part, and have in some cases successfully advocated for initiation to be limited to those aged 18 and above.

In the Sierra Leonean context, where citizens often have limited awareness of their legal rights or the content of formal laws, *Timap*’s advocacy efforts could potentially play an important role in filling a vital information gap. However, researchers found little consistency in the delivery of this information. Though a few respondents, particularly in Magburaka, reported that paralegals had explained basic human rights concepts at the time of mediation, this seemed to be done on an *ad hoc* basis rather than as a consistent part of the process. Researchers found that paralegals often

explained a party's formal legal obligations or rights as an added negotiation tool, allowing parties to understand how rights claims played out in an individual claim but missing the opportunity to show how rights language and concepts can be leveraged in future disputes. This also implies a missed opportunity to empower communities to address violations of rights or law in similar disputes in the future. Researchers did, however, examine one incidence in which *Timap* used findings from a case investigation as an advocacy tool (see Box 5: *Combating Cholera and Misinformation*). Respondents interviewed for this study frequently requested that *Timap* expand its advocacy efforts, suggesting in particular that it target traditional authorities and schoolchildren, provide advice to schoolteachers on the development of human rights modules, and assist in the formation of district human rights clubs. (These and other recommendations are listed in Section VIII, *Client Feedback*.)

#### **Box 5: Combating Cholera and Misinformation**

*"Health is also a human rights issue."* – *Timap* paralegal

In spring of 2007, a deadly cholera outbreak in a group of villages in northern Sierra Leone provided *Timap* with the chance to combat cholera and distrust simultaneously—a chance that grew from a misunderstanding of *Timap's* roles. After hearing that *Timap* held mobile clinics, community members in a small farming community contacted *Timap* for assistance, assuming that it was a health organization. Because they did not have expertise in this area, the paralegals advised community leaders to contact the Disease Surveillance Unit of the local hospital and a health organization based in a nearby community, and assisted by transporting victims to the hospital and advocating for medicine for those afflicted.

As the outbreak died down, *Timap* paralegals decided to investigate its causes, which many in the affected communities attributed to chemical dumping from a nearby factory. After speaking with government health officials, interviewing respondents in six affected communities, and conducting on-site assessments, paralegals confirmed that poor water and sanitation practices had led to the outbreak. Realizing that the findings presented an opportunity to both prevent future outbreaks and to stem the rising conflict between the factory and the communities, the *Timap* paralegals sought and received funding from headquarters to conduct a community education session on the causes and prevention of cholera. Together with a Community Health Officer (CHO) from the government hospital, *Timap* advised the community on the results of the assessment and discussed basic prevention techniques. According to the CHO, the number of reported cholera cases dropped drastically in the villages where *Timap* held its community meetings, and in interviews conducted six months after these efforts, several community members provided detailed explanations of the changes—such as covers for water sources and regular cleaning of latrines—that had been made to prevent future outbreaks. Further, respondents discussed the ways in which this advocacy had increased their trust in *Timap* as an organization that is willing to go above and beyond, investigate cases thoroughly, and follow up until solutions are found.

#### ***Litigation Power***

*"People, especially youths, don't obey chiefs but fear Timap and respect them, maybe because Timap has lawyers and can refer cases to the police and the magistrate court."* – Youth (Male, 20s), Bo District

*"Timap has the power to go to the police, Social Welfare, magistrate, etc., to ensure that their client's rights are maintained. For us chiefs, our mediation power stops at our houses."* – Chief (Male, 50s), Tonkolili District

In many of the cases brought to *Timap*, its convening power and the skills of its trained mediators allowed it to broker effective solutions to justice problems. Most cases are resolved through direct discussion and advocacy between disputants, though often with support from local authorities,

family members, or other mediating partners. However, in particularly intransigent cases or those involving acute injustices or power asymmetries, *Timap* is able to fall back on its litigation power—the threat and capability of arguing cases in court—to encourage or enforce resolution. According to the organization’s theory, the threat of legal action should in itself be enough to encourage disputants to come to the table, and while the research team did not study any cases where *Timap* represented a party in court, they did uncover anecdotal evidence supporting this theory.

Several respondents pointed to *Timap*’s litigation abilities as evidence of its power or authority in resolving disputes. Others believed that awareness that their actions could be challenged in a court of law if found to be discriminatory encouraged police and traditional leaders to take more fair and equitable decisions. In a case studied by researchers in which a community challenged a company it believed had unfairly altered the terms of a collective agreement (described in detail in Box 6: *Labor and Collective Action*), paralegals, local authorities, and community members all indicated that the company began to take their case more seriously and responded to worker demands after *Timap*’s lawyers became involved in the dispute.<sup>45</sup>

It is worth noting, however, that it is difficult to determine how much of this power is related to litigation or the presence of lawyers *because of their professional capacity*, and how much is due simply to the presence of very educated and well-connected staff (who happen to be lawyers). It is feasible that *Timap*’s influence, access, and power relative to local communities and other formal institutions and informal authorities are due in part to the possibility of litigation, but more broadly to its willingness to challenge authorities or its fairly powerful national and international connections (including those to organizations such as the World Bank). Most respondents interviewed for this research were unaware that *Timap* had the capacity to litigate cases. Though awareness was higher in Magburaka, where *Timap* paralegals had recently mediated and/or threatened to litigate several high-profile disputes, respondents in most communities expressed doubt that *Timap* had the ability to take cases to court, impeding *Timap*’s ability to realize any impact of its litigation power, and casting doubt on assumptions that its influence in communities may extend from this power. Further, as detailed in the section on *Reaching Agreements* above, litigation power can also be constrained by fears of upsetting power relationships. For example, one respondent in a land dispute had been promised a lawyer by *Timap*, but dropped his case because he feared retribution from the official against whom he was pursuing action. These are difficult issues to overcome, and the impact of *Timap*’s litigation power on dispute resolution, if any, bears further exploration.

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<sup>45</sup> Despite repeated attempts over several weeks to meet with senior company officials involved in the negotiations, the team was unable to interview these parties for this study. However, in an informal meeting, one company representative stated that the company’s actions were not affected by *Timap*’s involvement with the case.

## Box 6: Labor and Collective Action

*“Because of Timap’s intervention in the strike, even the management [of the factory] is now afraid of doing things the way they used to.” – Farmer (Male, 50)*

In the years since the factory was built, it had been dogged by conflict. While some saw it as an important source of development and jobs for a desperately poor community, others viewed it as a corporation that had done little for community development more broadly and made a profit on the backs of underpaid workers. Over the years, the community leaders and the local *Timap* office had received complaints about land use, safety concerns, benefits packages, and demotions/firings without cause. Feeling that the government-approved labor union was not making adequate efforts on their behalf, the factory’s Sierra Leonean employees had developed a Worker’s Union to press for changes in working conditions. By the middle of 2007, the employees and management had undertaken a long tug-of-war on salaries and benefits, and were at the point where agreement seemed out of reach. So in September, a few short months before the harvest season, the employees decided to strike.

The reasons for the strike were manifold, but focused largely on a dispute around salaries. According to the workers, the management was bound by a collective agreement (CA) included in Sierra Leonean labor law to provide an incremental salary increase bringing the lowest salaries up above Le 6,000 (approximately \$2) per day. The management, however, insisted that the company was exempted from the labor law, and the applicable salary rate was one that had been agreed between the company and the government before the law was put into place. While the employees had been paid less than the amount in the agreement for some years, they argued that since the company had justified termination of workers on the basis of violations of the CA, the agreement should be the standard used by both the employer and employees.

In the weeks leading up to the strike, the factory workers had contacted a multitude of authorities for support, including the trade union, various government ministries, chieftancy officials, journalists and police. However, when they did not see progress at the pace they expected, the Worker’s Committee representatives decided to contact *Timap* for assistance. Upon receipt of the complaint, *Timap* paralegals went to see the District labor officer (DLO). They explained that while the factory workers understood that no negotiations could take place before the general manager (GM), who was currently away, returned to Sierra Leone, the workers wanted some assurances before returning to work. The DLO called the minister of labor, who promised that the case would be taken seriously.

Shortly thereafter, the regent chief called a meeting of the striking workers, police, government ministries, labor representatives, and *Timap*. In this meeting, he encouraged the employees to resume work pending the return of the GM, informing them that their actions were illegal because they had not given the company 21 days of written notice before the strike commenced. The union officials also pressured the workers, saying that the government had gone through a lot of trouble to bring the company to Sierra Leone, and the demands for higher wages risked pushing them away. The employees were hesitant to return, and the meeting ended in a deadlock. *Timap* paralegals visited the personnel managers at the company to negotiate an end to the strike, asking that the company commit to implementing a temporary pay scale until November 1, putting in place the full terms of the CA upon the return of the GM, and a commitment from the company not to take any action against the leaders of the strike. The company agreed to the first point only, but the Worker’s Committee chair agreed to return to work on the understanding that should the CA not be implemented in full by November 1, the strike would begin again.

By late October 2007, the GM had returned to the factory and salary discussions had resumed, but the workers and management had yet to agree to salary terms. Seeing the deadline for a new strike approaching, *Timap* representatives convened a meeting with factory management, bringing along the

organization's two directors, who are attorneys licensed to practice in Sierra Leone. In this meeting, the directors distributed a document detailing workers' concerns, questioned company officials on their articles of incorporation, and indicated that *Timap* would consider legal action if the terms of the CA were not followed. Company management objected to this intervention, stating that by law, it was the duty of the labor union to represent the workers and *Timap* should not take on that role, and noting that the management was currently conducting separate negotiations with the government-appointed labor union.

By early November, as no further progress had been made on the negotiations and workers renewed their strike, company management shared the terms of an agreement that had been reached in Freetown between the factory and the labor union, offering to provide a salary increase equivalent to 50 percent of that proposed in the CA. However, when the workers rejected this offer and threatened to continue their strike throughout the planting season, management agreed to implement the salary terms delineated in the original CA. In response, just three days after the start of the second strike, the employees returned to work at the factory with guarantees for higher wages and with more confidence in their ability to stand up to a more powerful party. Despite the factory management's objections to *Timap's* involvement, several workers interviewed for the evaluation shared their belief that the threat of legal action, combined with the strike, played an important role in convincing company representatives to move forward in negotiating an acceptable agreement.

While not all parties were satisfied with the outcome of this agreement or with *Timap's* intervention—the company continues to insist that it is obliged to negotiate only with the union representatives, and both union and ministry officials point out that bringing business investment and development into the country requires a careful balance—there is a commonly held belief that the outcome would have been very different if not for *Timap's* involvement and litigation power. Misunderstandings between the company and employees persist, and there will doubtless be additional disputes in the future, but to the striking workers in this community at least, *Timap* has shown that it is possible to bridge inequalities of influence and bring powerful interests to the negotiating table—and win.

## VI. Observed Impacts

### Empowerment

*"Timap is the voice of the voiceless."* – *Timap* client (Male, 44), Tonkolili District

*"We would have been marginalized and denied our rights if Timap was not in our community, especially we the women."* – Farmer (Female, 38), Bo District

The research team found strong evidence that *Timap's* interventions were indeed empowering their clients, the paralegals themselves, and the community as a whole to claim their rights and pursue cases that had previously stagnated. Although one cannot attribute empowerment effects solely to *Timap*, which is but one of many nongovernmental and international organizations advocating for women's and minority rights and social change in Sierra Leone, a substantial number of respondents clearly indicated that *Timap's* presence and advocacy programs encouraged them to demand rights that may otherwise have gone unrecognized. Interviews with respondents in both districts yielded the impression that having an alternative, unbiased means to bring claims encouraged them to pursue redress for problems they otherwise would have ignored or endured. In particular, high-profile cases involving claims against authorities or powerful interests, such as the labor dispute described in Box 6 or the bridge dispute from Box 9, were cited by respondents as incidents that

increased their knowledge and confidence and spurred them to pursue new claims. These high-profile cases also had a strong impact on the paralegals themselves, as they became more confident in their abilities and felt able to pursue other complex disputes in the future. Though research findings point to a sense of renewed confidence in the community more widely, the research team was particularly impressed to find evidence of empowerment of women and youths. These findings are discussed in more detail below.

### ***Empowerment of Women***

*“Now we work hand and hand with our wives all because of Timap.”* – Member of a nongovernmental organization (NGO) (Male, 40s), Bo District

*“I chose not to go to the court or the chiefs because that could have resulted into something more serious between me and my father. Also, the chiefs would not have supported me because I am a child and a young woman.”* – Petty Trader (Female, 35), Bo District

Though evidence of increased legal empowerment of women interacting with *Timap* is far from conclusive and various studies have discussed the continuing barriers to access facing women in the judicial system in Sierra Leone, interviews with respondents generated an overwhelmingly positive picture of *Timap*'s impact on women. In several cases, particularly those involving rights to marry and divorce, the team was impressed with women who fought against family pressures, tradition, and local authorities to earn a voice in marital decisions. Often, these women stated that having a justice institution support them gave them the confidence to keep pursuing their rights. Box 7: *Standing Up for a Choice in Marriage*, is an illustration of one such case.

#### **Box 7: Standing Up for a Choice in Marriage**

Over the past two years, Musukoko, a young woman with a regal bearing and a stubborn streak, has stood against pressure from her family, friends, elders, and former husband in a fight to choose her spouse. After eight years of marriage and three children with Foday, she declared that she was no longer in love with him and wanted a divorce. Foday, on the advice of his brother, reported to *Timap* to seek intervention in bringing her home. The *Timap* paralegal invited Musukoko, her uncle, and the couple's *sababu* to her office to discuss the case and attempt to find a way to reunite the couple. She then organized a meeting between the couple's extended families, where the families pressured Musukoko to return to her husband so that they could raise their children together. While the paralegal believed it would be best to reunite the couple, especially because of their children, she explained that it was Musukoko's right to decide whom to marry. Despite the attempt at mediation, the gathering ended at an impasse when Musukoko declared her intention to divorce Foday.

Musukoko moved with the children to a nearby village where her parents lived on a small farm. Shortly after she moved, Foday came to speak with her father, who said that because Foday had paid bride price and observed the necessary marriage rituals, Musukoko should return to him. Musukoko again refused, declaring that she had made up her mind to seek a divorce and would work to earn the money to repay the bride price rather than return. Despite her refusal, Foday and Musukoko's father continued to discuss ways to reunite the two parties. However, when Foday later came, at Musukoko's father's request, to take her back to his home, Musukoko declared that she had married another man and was pregnant.

On the day of the interview, months after Musukoko had given birth to her fourth child, her father and Foday were still pressuring her to leave her new husband to go back to Foday, threatening to take away her children if she continued to object. But Musukoko's refusal remains as steadfast as ever. Although *Timap* does not mediate divorce cases and has not been involved in the case since Musukoko decided to

pursue a divorce, the paralegal explained her rights under the law and Musukoko has found strength from that knowledge. Musukoko says she has made her choice, and *Timap*'s declaration that she had the right to choose a spouse and could not be forced to marry has helped her to realize that she is not alone in her decision.

Indications of increased empowerment of women were also identified in conversations with male respondents, who reported (often grudgingly) women's increased involvement in household decision making.<sup>46</sup> Throughout the research period, the research team heard from respondents that women were demanding greater control over their earnings and refusing to return to abusive relationships. As expected, though, the research team did encounter individuals who were vocal in their opposition to *Timap*'s support of women's rights claims, or who questioned the role of an external organization in decisions around familial disputes. In several cases, discussed in more detail in the section on identifying the "client" in *Collaborative Searches for Solutions*, women were excluded from decision making around issues that very clearly impacted their lives. For example, in one divorce case that came to the Kaniya *Timap* office after unsuccessful mediation attempts at the local level, one local authority explained that "we did not invite the woman (seeking a divorce) to the meeting because we thought it was the two men and the woman's father that could resolve the matter. Once it was resolved between those people, the woman would not have any more option but to abide by that decision." Though the impact of *Timap*'s presence on women's empowerment was not universal, the research team was impressed with the magnitude of the effect on the individuals it did reach through casework or advocacy efforts.

### ***Empowerment of Youth***

*"Timap has also helped to minimize the migration of youths in the sense that they now have an alternative to the local courts. Before now, they go to court and they are fined so heavily that they cannot pay, so they run away. It is through Timap that people have come to know that even children can take their parents to court and women have rights over their husband's property."* – Teacher (Male, 40s), Tonkolili District

*"Without the presence of Timap, a lot of youths would have been in prison due to lack of money and the unfair treatment of court officials."* – Schoolteacher (Male, 30), Tonkolili District

Youth in Sierra Leone, officially defined as those between 18 and 35, comprise approximately 34 percent of the population.<sup>47</sup> Despite their numerical strength, however, they often play a very limited role in community decision making and face discrimination in both formal and informal justice institutions. The persistent marginalization of youth has been identified by some scholars as a key

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<sup>46</sup> As noted above, this effect should not be attributed solely to *Timap*. Women's economic and social empowerment is a priority for the government of Sierra Leone and many human rights organizations, and there are many empowerment programs in existence throughout the country. The author includes this information on empowerment merely to show that *Timap* is playing an important role—recognized and lauded by many respondents—in increasing women's empowerment.

<sup>47</sup> World Bank and ENCISS, "Consultations with Youth in Sierra Leone" (Washington: World Bank, 2006), [http://siteresources.worldbank.org/INTWDR2007/Resources/1489782-1137012196309/2112807-1150737906527/Draft\\_Consultations\\_with\\_youth\\_in\\_Sierra\\_Leone.pdf](http://siteresources.worldbank.org/INTWDR2007/Resources/1489782-1137012196309/2112807-1150737906527/Draft_Consultations_with_youth_in_Sierra_Leone.pdf).

contributing factor in the country's 12-year civil war.<sup>48</sup> This turbulent history makes *Timap*'s role in youth empowerment all the more important—and impressive.

As with women's empowerment, it is impossible to separate *Timap*'s impact from that of other organizations or forces. However, several respondents interviewed in the course of this study shared their view that one of the most visible impacts of *Timap*'s presence in their community was its ability to limit involuntary migration of youths by providing an alternative system that allowed them to access justice without excessive or unpredictable fees. As local authorities levied heavy fines, youths would flee to neighboring villages to avoid imprisonment for their inability to pay. As one respondent, a 50-year-old man still often labeled as a child in his community, explained:

*"If we the young people follow the local courts we will run away from the town and go to the bush because they fine you money that you cannot pay. That is why we the young people no longer go to the NA (Native Administration) courts, but we go to Timap."<sup>49</sup>*

Though the researchers found one case in which a young respondent had fled his village because he felt that neither the chiefs nor *Timap* had handled his case fairly, respondents reported that indications of youths running away because of fear of legal action were much less common after *Timap* started its work in the communities. By providing youths an alternative that allows them to pursue justice and remain in villages where they have stronger social and familial ties, *Timap* undoubtedly impacts the quality of life and opportunities of the youths with whom it engages. In interviews with youths themselves, they often discussed their previous hesitancy in pursuing cases, especially those that put them in conflict with elders or other authorities, because of fear of discrimination as "small boys/girls" without influence. Reports of bias on the part of chiefs or other local authorities were very common. This may partially explain why, in the cases examined in the course of this study, youth reported cases to *Timap* with greater frequency than their older peers.<sup>50</sup> *Timap*'s presence may therefore be empowering youths to pursue justice in circumstances where they might otherwise have given up.

#### **Box 8: Moving towards Marriage: Negotiating Family, Custom, Religion, and Power**

*"I like the role [paralegal] played in the whole affair. She worked very hard to mend a relationship that broke down, both between a boyfriend and a girlfriend on the one hand, and between a daughter and her father on the other."* – Petty trader (Female, 35), Bo District

Today, a young farmer and petty trader in southern Sierra Leone is preparing to marry her childhood sweetheart, the father of the youngest of her four children. But just months ago, before the intervention of *Timap*, this day looked like it would never come.

Many years ago, Zainab was given in marriage to Abdulai, a wealthy landowner who had provided land for her father to farm and paid the cost of her initiation into a secret society. However, five years ago, her father had a falling out with Abdulai over the land parcel, and encouraged Zainab to divorce him as a result of this conflict. Zainab consented and was granted a divorce by the local court. Years later, she began a relationship with her childhood boyfriend, Ishmael, who was currently serving as imam of her community. Ishmael approached her father asking for permission to marry Zainab, and the couple began preparing for marriage.

<sup>48</sup> This is subject to debate. Others point to natural resource wealth, lack of discipline/disrespect towards authority among youth, poverty and social exclusion, interference by external forces, or other causes.

<sup>49</sup> Community member (Male, 50), Bo District.

<sup>50</sup> Sixty-six percent of youths interviewed for this report were reporting parties/clients of *Timap*.

However, as relations gradually began to thaw between Abdulai and Zainab's father, Abdulai requested that Zainab return to his home. With the support of her father, he insisted that though the divorce had been granted by the courts, he was still her husband according to custom because he had paid her secret society initiation fees. Zainab blanched at the suggestion that she should return to her former husband, revealing that she was expecting Ishmael's child. She prevailed on her relatives to speak to her father on her behalf, but they insisted that she should abide by her father's wishes and return to Abdulai. She considered bringing her case to the local chiefs, but believed that bringing a case against her father would tarnish her reputation in the village and that chiefs would not support her because she was "a child and a young girl" facing two powerful older men.

In the meantime, relations between Abdulai and Ishmael were deteriorating rapidly. Abdulai reported Ishmael to the chiefdom imam, saying that his relationship with Zainab made him unfit to be an imam and threatening to attack him and disrupt the inauguration of a new mosque unless he was removed from his post. To prevent the conflict from escalating, the chiefdom imam and other authorities convened a meeting between Abdulai, Ishmael, Ishmael's father, and Zainab's father, in which each man was asked to present his case. After hearing the dispute, the imams advised Ishmael to discontinue his relationship with Zainab, saying that though they believed he had taken the proper steps to arrange a marriage, he should abandon the relationship because of the damage it was doing to the mosque and because he was "a small boy" and should not engage in conflict with his elders. After seeking advice from his father, who feared that Abdulai would physically and financially harm the family, Ishmael gave in and agreed to discontinue all contact with Zainab.

When Zainab learned of the meeting and its result, she was very unhappy. Her father, angry at her disobedience, had refused to support her unless she returned to Abdulai, and she was left pregnant and alone. After much deliberation, she decided to speak with the *Timap* paralegal, whom she had heard about at a community meeting in her village. When Zainab explained the problem, the paralegal responded by inviting all parties for a mediation. However, they refused to honor the request. After repeated attempts to meet with the disputants, the paralegal reported the case to the paramount chief, a respected and powerful figure in the community. The paramount chief, who had strong relationships with *Timap*, informed all parties that they should report to *Timap* to take part in the mediation. All except for Abdulai abided by this request.

In a discussion with Zainab's father, the paralegal informed him that human rights principles permitted Zainab to choose her own husband. She also explained the dangers of neglecting pregnant women and young children, and warned him that he would be held responsible for any harm that came to Zainab because of this neglect. While still offended that Zainab had taken the dispute outside of the family, her father consented to allow Ishmael to continue seeing Zainab and supporting the child. In the weeks following this mediation, relations between Zainab, her father, and Ishmael improved, and Zainab and Ishmael are to be married soon. Ishmael has retained his post as imam and prepared a small farm for his future bride, and though Abdulai is still angry that Zainab has not returned to him, he has not pursued further efforts to disrupt the relationship or undertake reprisals against Ishmael and Zainab.

### Impacts on Institutions

*"Timap even has the power to challenge the police. That has made the police watch their manner of doing things, because they know that someone is somewhere watching them. They know they have a watchdog."* – Chief (Male, 65), Tonkolili District

*"Chiefs do not easily fraud<sup>51</sup> cases these days because they know that people will go to Timap when not satisfied. I had a case at court and I threatened to refer the case to Timap if justice was not done, but it was fairly adjudicated, maybe because of my threat."* – Farmer (Male, 50s), Tonkolili District

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<sup>51</sup> In this case, the term "fraud" means to decide cases in favor of those who offer bribes.

*“I think it was because of Timap’s presence that the police gave my case the attention they gave to it. If I had gone alone, my matter would not have been treated seriously.”* – Community member (Male, 45), Tonkolili District

*“I don’t levy fines on disputants. We have been sensitized about the effect of levying fines.”* – Chief (Male, 50s), Bo District

As explained in the introductory sections of this report, the case-study methodology used in this study allows the team to present a picture of *Timap*’s dispute-resolution process, but does not allow for a thorough assessment of institutional impacts. Many of the cases detailed in this report depict an attempt by *Timap* to influence the functioning of the institution in question—for example, the use of advocacy on child rights to change secret society initiation practices (Box 1) and community health education campaigns and advocacy targeting hospitals on access to medicine for cholera patients (Box 5). In these cases, it is possible that mixed-methods evaluations could reveal long-term institutional changes from *Timap*’s interventions. However, this study will present findings from the cases as evidence of the efficacy (or not) of the methodologies used in those cases, and not as an overall assessment of *Timap*’s institutional impact.

Though *Timap* seeks to fill an important gap in access to justice services for the poor, it is not (and does not attempt to be) a substitute for a functioning formal justice system. Indeed, the organization recognizes the need for improvements in the formal justice system, and uses a wide range of tools—including case work (particularly cases that challenge institutions or authorities), court/case monitoring, advocacy, human rights education, joint mediations, and informal training for traditional leaders and community members, among others—to improve the functioning of rule of law institutions. The idea that *Timap* can create a “pressure by presence” on officials to improve the transparent and equitable delivery of justice is a key premise of its work.

Researchers found that there were improved community perceptions of institutional fairness and effectiveness that respondents attributed to *Timap*’s presence. Casework is a key element of *Timap*’s attempts to ensure institutional accountability. Many respondents believed that police, chiefs, and courts (and, to a lesser extent, secret society leaders) were more thorough, fair, and fast in their dispute resolution than would have been the case had *Timap* not conducted case monitoring. Respondents, particularly in Bumpe and Magburaka, emphasized that *Timap*’s court-monitoring activities and follow-ups on cases referred to the police or courts led to much faster processing of cases, often with lower fees. Several respondents seemed to conceive of *Timap* as a sort of “court of appeal”—that is, they would first bring a case to traditional leaders, but with the understanding that the case would be moved to *Timap* should they feel that justice was not being done.<sup>52</sup>

Both chiefs and disputants stated that lower fines were being assessed due to *Timap*’s presence in communities. The reasons presented for this were multifold. Several chiefs noted that *Timap* had educated them about the legally proscribed limits to the amount of fees traditional leaders could assess, or had mediated with them to lower fees on behalf of particularly poor disputants. Others explained that the reason had little to do with *Timap* and was instead related to greater understanding

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<sup>52</sup> Though there is evidence both that respondents are increasingly reporting first to *Timap* and that others use it mainly as one of many justice fora handling the same dispute, there was no clearly identifiable pattern of which routes respondents had chosen. The author recommends that *Timap* include questions in its quantitative research that will help determine which clients use *Timap* as a “court of first instance” versus a “court of appeal.”

of the role fines and fees played in the country's civil war and in youths' dissatisfaction with traditional leaders. Disputants were more likely to attribute lower fines to the chiefs' fears that they would no longer receive any cases unless they made their services more affordable.

This last point is particularly interesting when assessing *Timap*'s impact on institutions. Researchers identified a large number of cases, particularly those involving younger respondents, where *Timap* had been used as a "court of first instance," bypassing traditional leaders, police, or courts entirely. Many respondents pointed out that local or Native Administration courts have seen a decrease in cases in areas covered by *Timap*, which could be attributed either to a decrease in disputes or a decrease in cases brought before these courts. Though they noted some exceptions—such as wounding, rape, or land disputes—that should first be taken to police or chiefs, many respondents indicated that *Timap* was the most effective and least expensive institution to use for family and small-loan disputes, and stated that they would continue to take cases directly to *Timap* in the future. This will be an important development for *Timap* to consider in its future program planning, as it does not have the capacity or the desire to supplant the country's official justice bodies.

Up until this point, the author has focused primarily on *Timap*'s potential impact on traditional and formal justice institutions. However, Sierra Leoneans often experience disputes with institutions and authorities that do not reach the courts, or are not adequately addressed by traditional leaders. There are examples throughout this text—government and union officials in Box 6, religious institutions in Box 8—of *Timap*'s challenges to institutions on behalf of clients. The case below expands on this, detailing how various dispute-resolution tools have been used to pressure institutions to respond to the demands of citizens. In another case reviewed by the research team, *Timap* paralegals used both the formal legal system and advocacy targeting powerful community leaders in an attempt to bring action against a teacher who was accused of severely beating a boarding school student. While the case was eventually withdrawn by the child's guardian, who was distantly related to the accused teacher, the school's principal later invited *Timap* to conduct human rights education campaigns for children in the school. In a later school abuse case that was also brought to *Timap*, the school's principal encouraged the teacher to comply with *Timap*'s demands in order to prevent a long and public dispute such as had occurred in the earlier case. While these cases cannot be used to make a more general statement on institutional impact, they provide an interesting illustration of how individuals can be supported to confront power structures.

### Box 9: Building a Bridge between Communities and Institutions

*“We are happy with the work that Timap is doing, as they are making us become more aware of how to deal with problems.”* – Imam (Male, 50s), Bo District

In one of her regular visits to speak at community meetings in rural Sierra Leone, a *Timap* paralegal came across a problem much different from those that were normally brought to her office. According to the town chief selected by the community to present their problems, a bridge in the village had been destroyed some time before, and had yet to be replaced. With no functioning bridge to cross, commercial drivers were passing through the stream that supplied water to local communities, polluting the water and contributing to the illness of local children. Further, the drivers and their passengers were often verbally abusive to the townspeople as they passed through the stream. Though the community had previously approached their paramount chief about this problem, he had so far been unable to find a solution, and had instead advised the community to continue laying palm logs over the stream to form a temporary bridge.

In response to the community’s complaint, *Timap*’s paralegal and one of its interns visited the paramount chief to seek his guidance. He supported demands for a new bridge, but indicated that he had previously had a poor relationship with the Sierra Leone Roads Authority (SLRA), the government agency responsible for constructing roads and bridges. In the past, the agency had given no response to his requests for roads, bridges, or speed bumps for communities in his chiefdom. After meeting with the paramount chief, the *Timap* paralegals decided to approach the SLRA directly to ask for construction of a new bridge. During an initial meeting in Bo, Sierra Leone’s second largest city, the *Timap* team was advised to speak with the regional engineer of the SLRA, and on his encouragement, a team of engineers visited the community soon after to take pictures of the existing bridge.

In the meantime, *Timap* paralegals held a meeting with the district Driver’s Union to discuss the drivers’ behavior and the problems it was creating in the local communities. In response to this report, the head of the Drivers’ Union and the Union District chairman held a meeting with the four communities surrounding the bridge site and apologized for the drivers’ behavior. They also spoke directly with the drivers themselves, advising them to behave respectfully towards the community members in the future. The Union representatives indicated to *Timap* that they had been approached previously about this dispute by area chiefs, but had refused to curb the drivers’ behavior because they had not felt that they were approached respectfully.

Within three months of *Timap*’s receiving the community’s report, SLRA representatives began construction of a new bridge. Though the SLRA indicated that the bridge had already been a priority and would have been constructed regardless of *Timap*’s intervention, representatives admit that *Timap*’s presence expedited the bridge-building process. Interviews with local authorities and community members in the four communities surrounding the bridge site reveal both their satisfaction with the speed of the SLRA response and surprise at *Timap*’s ability to bring it about. Though some community members were disappointed with the quality of the bridge, which causes some blockage of water flow in the dry season, all indicated that they had had no further problems with the drivers since its construction, and were now able to access clean and safe water. *Timap*’s intervention helped to build a bridge over the stream—and between communities and their institutions.

Researchers believe the information discussed in this section will be particularly valuable to *Timap*, and suggest that *Timap* directors undertake a quantitative survey to determine whether respondents’ perceptions of increased fairness and speed and lower fines and turnout at local courts are empirically sound.

## VII. Areas for Improvement

### Case-File Management

Although the research team was able to identify and contact most respondents for the cases considered in the course of this study, feedback from the team pointed to problems with the case management and tracking systems currently used by *Timap*. *Timap* is in the process of developing a computerized tracking system for case files, which will likely help prevent some of the problems with missing case data and files in the future. However, a brief discussion of the main data-management problems encountered may be useful.

First, the team found on several occasions that case files were either missing or incomplete. This was particularly common in the Magburaka office, though this may be partially due to the fact that some case files had been taken to Freetown as part of the computerization process. Missing case files not only caused difficulties in the research process, but could presumably impede follow-up efforts and future evaluations. In one case, a respondent indicated that his case was dropped after a change in paralegals—a circumstance in which having a complete and accurate case record is essential.

More frequently than incomplete case files, the team found inconsistencies between case records and respondents' recollections of events. In a substantial number of cases, respondents' accounts of *Timap*'s interventions, the parties involved, actions pursued, or compensation awarded differed from the paralegals' case notes. For the research team, this occasionally caused difficulties cross-checking data or developing a reliable account of the dispute. Further, one can imagine that it would create difficulties with enforcement of agreements or with follow-up efforts. These discrepancies might be due to problems with recall (either on behalf of the respondents or the *Timap* paralegals), but researchers noted on several occasions that paralegals had held off on completing case files until an impending visit from their supervisors. Presumably, some of the accuracy of the information in case reports suffered because of this delay in completion. However, these discrepancies could likely be addressed by relatively small measures, such as having clients read (or be read) and then sign or otherwise indicate their agreement with the completed case record, similar to *Timap*'s standard practice with mediation agreements.

Finally, the research team noted that in several of the selected cases, paralegals seemed to register as cases what were in fact very small problems on which they had been approached in their capacity as friends or family members (rather than as paralegals). In one such case, a respondent indicated that he remembered the dispute and had brought it up with his relative (the paralegal), but did not know what *Timap* was. In another, respondents indicated that the paralegal had been invited to participate in a community mediation because of his status as a community member with a stake in the outcome, not because he was a paralegal. Though this is not inherently problematic, the research team believes that cases such as those described above may contribute to respondents' confusion about *Timap*'s roles and their difficulties identifying *Timap* as an organization rather than just a collection of individual paralegals.

Suggestions for addressing these problems are included in the section on *Recommendations* below.

### Enforcement of Agreements

*"Parents always demand support from men who impregnate their school children. Often the agreements end in limbo, because the men, mostly school children themselves, end up running away because they are unable to support themselves, let alone the woman."* – Researcher

*“I am poor. If I were a rich man, nobody was going to call me to go to Timap.”* – Tribal Authority (Male, 70), Bo District

A consistent refrain heard in the course of this study was the difficulty faced in enforcing mediation agreements. *Timap* relies on various tactics to bring about compliance, including family and social pressures, partnerships with tribal leaders or police, signed mediation agreements, follow-up visits to disputants, and occasionally threats of legal action. However, *Timap* cannot legally compel mediation and the decision to come to the table—and to abide by the terms of the final agreement—rests with the disputants. That said, its litigation power likely helps the organization to encourage disputants to resolve conflicts through mediation/mutual agreement rather than the court system.

Enforcement difficulties are not confined to the work of *Timap* or other human rights organizations, as traditional authorities interviewed in the course of this study expressed difficulties ensuring compliance similar to those faced by *Timap*. Increased population mobility in particular seems to limit enforcement, as disputants flee to neighboring villages and chiefdoms to avoid penalties. Though the most recent national census depicted a largely immobile population, the researchers found that many respondents, particularly in Magburaka, had moved since the time of mediation in pursuit of job opportunities or in flight from fines or penalties imposed by the courts. Though feedback from respondents shows that *Timap*'s free mediation may in fact help to stem conflict-related migration, this was not universally true and others noted that disputes often festered while parties remained out of contact.

*Timap*'s focus on mutually agreed solutions likely increases the willingness—and ability—of parties to fulfill their obligations. In several cases reviewed by researchers, respondents who had previously resisted pressure to repay loans or make child support payments explained that they had been experiencing temporary financial difficulties, often caused by illness or crop failure, that prevented them from making lump sum or regular monthly payments. When *Timap* mediated a solution that allowed them to make payments according to a flexible schedule that took into account the economic realities facing both parties, the disputants were more often able to reach (and hold to) agreements.

However, the above case assumes that respondents are willing to fulfill an agreement, but find themselves temporarily unable to do so. In several of the cases the research team studied, disputants indicated that they had committed to an agreement in principle because they felt pressured or wanted to avoid further argument, but had no intention of meeting the terms of the agreement. In these cases, the mediation agreements often remained unfulfilled, even though the case was filed by *Timap* paralegals as “closed.”

Interestingly, several respondents who were parties to agreements that remained unfulfilled still indicated that they were satisfied with *Timap*'s performance and the case outcome. In these cases, they emphasized the importance of having been “given their right,” or found to be the party in the right, and saw the written agreement provided by *Timap* and external support for their position to be an important victory in and of itself.

Finally, there were a few cases in which respondents seemed to be forum shopping and had come to *Timap* as one of several outlets in which they were pursuing resolution. In cases where *Timap* and another justice organization/institution offered incompatible solutions, respondents selected the

most favorable outcome and disputed the legitimacy of the other result. Again, in these cases, *Timap* was often unable to compel compliance with the mediated agreement.

#### **Box 10: Another Brick in the Wall**

*“Paralegals are funded by NGOs and they are paid well and on time, not like we the police. We don’t have facilities like them. But we are more powerful because people fear us.”* – Local Unit Police Commander (Male, 48), Tonkolili District

In early 2007, Morie decided to begin construction of a house and paid a local contractor Le 130,000 (approx \$44) to construct 2,000 mud bricks. However, when he went to the building site to check on the progress of the bricks, he found that a neighbor had confiscated the bricks and sold approximately 200 of them to the Local Unit Commander (LUC) of the police. Morie went to see the LUC and explained that the bricks he had been sold in fact belonged to him. The LUC apologized and agreed to replace the missing bricks within the week.

A short time later, Morie noticed a truck pull up to the building site and begin removing the recently constructed bricks. He chased the driver, who informed him that he had been paid by the LUC to take the bricks to the site where the LUC was building his house. Angry at this deception, Morie traveled to the LUC’s home, where an argument ensued. According to Morie, he was beaten by young men paid by the LUC, a charge the LUC himself denies. Following the confrontation, Morie reported the case to the local police unit. However, the police officers were hesitant to lodge a complaint against a fellow officer and asked Morie to drop the case. When three weeks passed with no investigations undertaken by the officers, Morie reported the case to the local *Timap* office.

By the time *Timap*’s investigation into the allegations began, the LUC had been transferred to a new unit several hours away and his unit would not provide the paralegal with a phone number with which to contact him. However, the new LUC agreed to work with *Timap* to ensure that Morie’s bricks were returned. After several phone calls, the former LUC agreed to ask the contractor to construct new bricks for Morie. Nevertheless, a short time thereafter the promised bricks had still not materialized, and Morie returned to the *Timap* office and asked the paralegals not to follow up on the case, stating that the new LUC was a neighbor and a “big man,” and he did not want to sully the relationship by asking for the remaining bricks. In the end, unable to pursue the case further without the consent of the client, *Timap* paralegals ended the case.

## **VIII. Client Feedback and Recommendations**

### Feedback

One of the most important sources of data *Timap* can use to evaluate its effectiveness is feedback from its clients themselves. Measures of satisfaction were solicited from each respondent interviewed during this study, and then disaggregated by age, gender, office, dispute type, and the respondent’s standing in a case (reporting party, contesting party, institution). Data on satisfaction was culled by the author from a thorough analysis of each interview, and was based on both the respondent’s stated satisfaction with *Timap*’s intervention and the client’s later comments about his

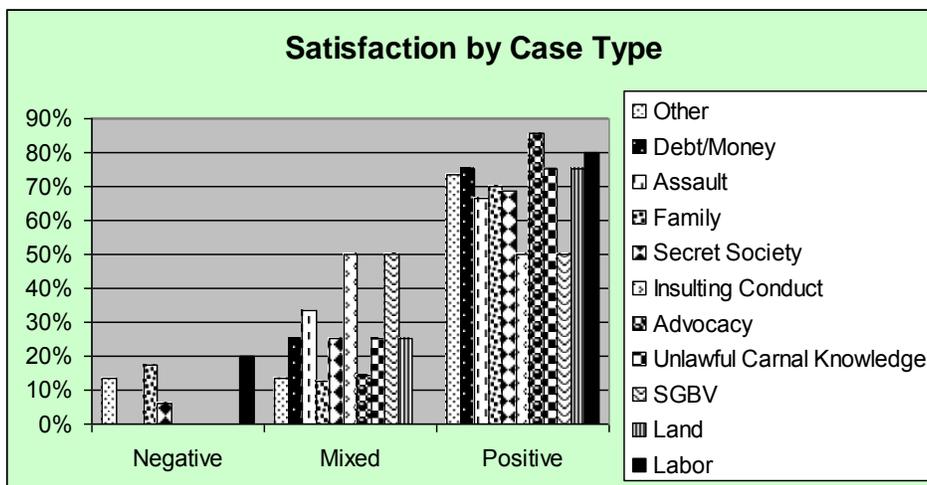
or her experience with *Timap*.<sup>53</sup> This was done because it was felt that the raw data on stated satisfaction alone might not accurately portray a respondent's experience.<sup>54</sup> For example, quite a few respondents stated that they were satisfied with *Timap*'s intervention, but then later stated that they wished there had been more follow-up or they were disappointed that *Timap* had not been able to enforce the eventual agreement. In cases such as this, the author recorded the satisfaction as "mixed" rather than positive. It is also important to note that there is no definite way to gauge whether the respondent was speaking generally of his or her satisfaction with *Timap* or of his or her *relative* satisfaction when compared to other institutions.

Of the respondents interviewed for this study, 73 percent indicated that they were satisfied with their experience with *Timap*, and an additional 17 percent had a mixed opinion.<sup>55</sup> There was some variation in statistics by office; while feedback in both Magburaka (89 percent satisfied or mixed) and Kaniya (88 percent) was consistent with the overall numbers, an overwhelming 96 percent of respondents in Bumpe reported being either somewhat or entirely satisfied.

There was some variation in satisfaction across age groups, and though dissatisfaction was low across all categories, just 64 percent of respondents over 50 were outright satisfied with the *Timap* intervention. Although it is difficult to ascertain the reasons for this difference, it could be related to the fact that older respondents are more likely than their younger counterparts to report to and be

successful in disputes before traditional authorities.<sup>56</sup>

Though there was virtually no difference in satisfaction by respondent gender, differences emerged when disaggregated for case type and standing. As shown in the chart at left, respondents were most satisfied with *Timap*'s advocacy



efforts, followed by labor, land, and debt cases. Although insulting conduct and sexual/gender-based violence cases showed the lowest overall positives, the sample size was very small, with only two respondents interviewed for each of these case types. Even though the satisfaction rates for all case types were very high, these numbers are made even more impressive by the fact that many

<sup>53</sup> Note that respondents were asked about their satisfaction with *Timap*, *not* with the outcome of the mediation. In several cases, respondents reported satisfaction with the fairness of *Timap*'s mediation even when they were dissatisfied with the eventual resolution of the case.

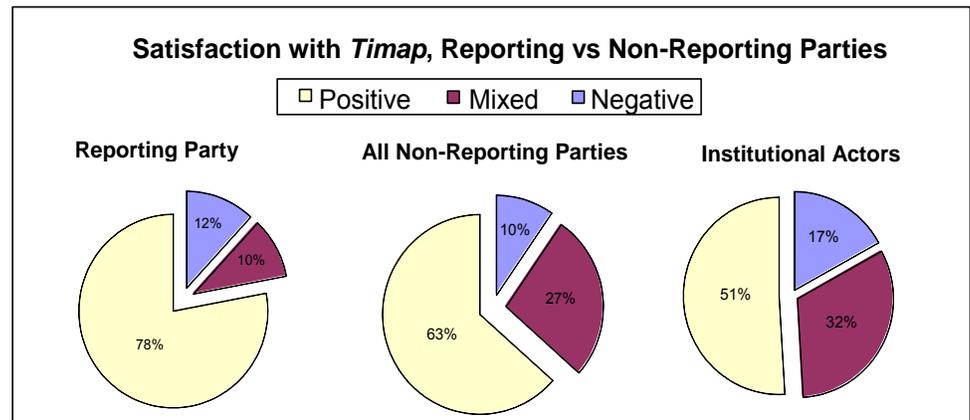
<sup>54</sup> Previous research conducted by J4P and others in Sierra Leone has found that Sierra Leoneans are generally very positive and loathe to express dissatisfaction in their responses to survey research. For example, in a recently completed National Public Service Survey, 97 percent of respondents reported satisfaction with the resolution of their disputes.

<sup>55</sup> A broad range of questions were used to gauge respondents' satisfaction with their experience with *Timap*. For more information, please see the interviewer manual, Annex A.

<sup>56</sup> Ryann Manning, Pamela Dale, and Elizabeth Foster, "Crime and Conflict Statistics from the GoBifo/ENCISS/Decentralization Survey" (Washington, DC: World Bank, 2006).

respondents indicated that *Timap* received only the most difficult cases—those that families and traditional authorities had found intractable. Though this study did not yield detailed statistics on the trajectory of disputes before reaching *Timap*, evidence from a recent crime and conflict evaluation indicates that nearly half of all disputes in Sierra Leone are not reported at all outside of the family, and of those reported, only a very small percent are first reported to an NGO, so it is likely that many of the disputes reaching *Timap* were at first mediated at several other venues.<sup>57</sup>

Finally, there were substantial differences in satisfaction depending on the disputants’ “standing” in the case—that is, if they were the one who reported the case to *Timap* (here, “reporting parties”), the contesting party, or an institutional actor. Overall, 78 percent of



reporting parties spoke positively of their experience working with *Timap*, versus 63 percent of all nonreporting parties, and 54 percent of institutional actors. As shown in the chart, the numbers of parties reporting dissatisfaction with *Timap* were similar across categories; the difference comes in the much larger number of institutional actors who had mixed opinions of the organization. Commonly, this mixed view was as a result of fear that *Timap* would begin to address disputes that were specifically addressed in chieftom bylaws. In interpreting these statistics, it is also important to reiterate that *Timap* does not (in most cases) seek to represent the interests of only one party, and therefore its performance cannot be judged simply by reviewing the “reporting party” satisfaction in the same way a law firm would a client’s.

### Recommendations from Respondents

Respondents offered a considerable amount of feedback on *Timap*. Most expressed a desire for *Timap* to expand its role, both physically (by adding more offices) and topically. Among the recommendations that surfaced most often are feedback that *Timap* should:

- Hold trainings for chiefs and other tribal authorities on national and international law and mediation techniques. This recommendation came from both community members and the chiefs themselves.
- Increase sensitization efforts, including detailed presentations on *Timap*’s mission and strategies for all people who come to the office for mediations.
- Work with schools and teachers to develop sessions for students on the rights of the child, human rights, handling conflict, and mediation techniques.
- Keep a written record of each agreement reached for enforcement purposes. Generally, respondents emphasized the need for a stronger enforcement mechanism.

<sup>57</sup> Ibid.

- Expand the use of trained volunteers from the community to assist in dispute resolution.
- Increase the number of staff and offices to ensure broader coverage, particularly in large chiefdoms. Both paralegals and respondents recommended providing paralegals with additional funding for transport to ensure that they could reach disputants in remote areas.
- Make efforts to recruit and keep well-qualified staff, including increasing pay and benefits, providing additional training for paralegals, and hiring additional legal practitioners.
- Publicize cases, especially large cases, to increase awareness and trust in *Timap*.
- Take on a role as advocates for economic justice, even if not tied to specific cases.
- Send paralegals to areas where they do not have family or friends to avoid the possibility of bias, perceived or actual.
- Establish human rights clubs in each community where paralegals are present.

## **IX. Conclusions and Recommendations**

Overall, respondents to this study were very positive about their experience with *Timap*, and felt that they had received high-quality, responsive justice services. Despite the overwhelmingly positive feedback, there are several areas in which the research team believes *Timap* could make changes to improve its effectiveness and help achieve its objectives. In addition to the recommendations provided by respondents (in the *Client Feedback* section above), the research team would like to recommend the following:

### ***Improving Case-File Management***

- Complete electronic filing of all cases, and regularly update case-file database.
- Require each completed case file to be initialed or otherwise approved by all parties involved in the case.
- Perform random spot checks in field sites to ensure that case files are kept up-to-date and filled out in a timely and accurate manner.
- Perform random follow-ups with past clients to check accuracy of case files.

### ***Sensitization, Information, and Branding***

- In cooperation with all *Timap* team members, reframe goals and objectives to make them more actionable and measurable, and to increase understanding and buy-in.
- Encourage paralegals to wear t-shirts or badges with the *Timap* logo when presenting at community meetings or other public fora.
- Enforce the requirement that paralegals carry identification cards, and encourage community members to look for such cards.
- Require paralegals to provide a full, standardized explanation of *Timap's* goals, methods, and so forth to each party at the start of a case.
- Restart mobile legal clinics in areas where they have been stalled or discontinued.
- Consider developing a minimum number of outreach events per paralegal per month/year.

- Increase advertisements on radio, particularly during programs popular with women and youth.
- Pursue outreach opportunities at events with a high proportion of women and youth, such as sporting events, market days, and women and youth committee meetings.

### ***Conflicts of Interest and Inappropriate Behavior***

- Enforce a requirement that paralegals recuse themselves from all possible conflict of interest cases, including but not limited to cases involving family and/or friends or touching on the paralegals' financial interests.
- Bring in lead paralegals to mediate disputes with any potential conflict of interest, including those involving institutions (such as secret societies) in which the paralegal maintains membership.
- Develop and publicize reporting mechanisms for allegations of abuse of power or requests for unofficial fees for *Timap* services.
- Hold a workshop or brainstorming session with the full *Timap* team to discuss policies or methods of addressing the role of peripheral parties, such as family members, in dispute resolution.

### ***Rights Education and Advocacy***

- Actively pursue advocacy opportunities on justice-related topics.
- Consider involving chiefs or other traditional leaders in *Timap* trainings on national law, human rights principles, and mediation techniques.
- Actively involve community members and clients in developing sustainable, locally grown solutions to disputes.
- Increase school-based advocacy efforts, as time and resources permit.
- Widely publicize important cases, such as those involving litigation, through popular fora such as radio programs or community theater.
- Develop relationships with paralegal programs in other nations to share lessons learned and good practice.

### ***Transportation***

- Review amount of funding given for transportation allowances and vehicle repair to take into account site size and available modes of transportation. Consider developing guidelines presenting minimum distance required for use of paid transportation (that is, motorbike, taxi, and so on).
- If a further quantitative analysis is performed, determine the average distance travelled by disputants to take part in *Timap* dispute resolution.

### ***Future Evaluations of Timap's Work***

The *Justice for the Poor* team highly recommends that *Timap* conduct a mixed-methods program evaluation to capture some important data on the impact of its programs. Such an evaluation might include the following topics or questions:

- Attempt to collect comprehensive baseline data in each new and future office. Include topics such as the average income of reporting and nonreporting parties, the distance travelled by disputants for *Timap* dispute resolution, the average time taken to resolve a dispute, and an estimate of the amount of fines and fees charged by other dispute-resolution fora.

- Gather biographical and income data similar to that collected in recent household and local courts surveys, in order to provide a basis for comparison of clientele and test targeting.
- Collect information on whether *Timap* was the only organization or one of several justice institutions approached for a dispute. If one of several, in what order did clients approach *Timap*?
- Compare outcomes in cases that do and do not involve local authorities or powerful figures in the community.
- Generally, solicit feedback from each *Timap* client through confidential evaluations, supplemented by yearly random case-study review of a small number of clientele.

***Enforcement***

- Discuss internally the challenge of enforcement, and possible partnerships, advocacy, or other means of enforcing agreements.

## Annex A: Question Guide

### TIMAP ANALYSIS Qualitative Question Guide October 2007

#### QUESTION GUIDE

#### GENERAL / COMMUNITY INFO

##### *Institutions*

- Is there a primary school in this chiefdom/town/village? a junior secondary school? a senior secondary school?
  - How many students attend the school(s)?
  - How many government teachers work in each school? How many community teachers? How many other teachers? (specify)
- Is there a health facility in this community? Which type? (e.g., community health center, maternal and child health center, etc.)
  - Are there other health providers in this community? (e.g., traditional doctors, pharmacies, private doctors, etc.)
- What NGOs are operating in this chiefdom? What do they do?
- Is there a Sierra Leone Police post or unit in this chiefdom? If so, how many police are based there? If not, where is the closest SLP post?
- How many local courts are in this chiefdom? Where are they located?
- How many churches and mosques are there in this chiefdom?
- Which secret societies are present in this chiefdom?

##### *Socioeconomic/ Demographic*

- How do people in this chiefdom/town/village make a living? What are the three most common livelihoods?
- What are the main ethnic (tribal) groups resident in this chiefdom? How big is each group in comparison with the others?
  - Which group is considered the “indigenes”?
  - Where are the groups located/concentrated?
- How many ruling families are there in this chiefdom (i.e., how many families are eligible to stand for paramount chieftaincy)? Which families? Why are they eligible?
- Who in this chiefdom/town/village are the most poor? Who are the least poor/most rich?

- Why are certain families more poor than others? What characteristics do the very poorest families share besides being poor? What characteristics do the wealthier families share besides being wealthy?
- Are the poor families more likely to belong to certain groups (e.g., ethnic groups, livelihood groups, age groups, etc.)

*Authorities and power*

- Who are the most important authorities in this chiefdom? Why/what makes them authorities?
  - Who are the most powerful individuals in this chiefdom? Why?
  - Which are the most powerful families? Why?
- Are there any informal authorities: people who do not hold official positions but are considered authorities? Why/what makes them authorities?

## PARALEGAL INTERVIEWS

### Identifying High-Impact Cases

- What 3–5 cases do you feel have had the greatest impact on:
  - Helping people achieve concrete solutions to justice problems
    - *Example: a particularly difficult/intractable problem that Timap was able to help solve where other institutions and individuals could not*
  - Increasing the accountability and fairness of either/both traditional and formal-governmental institutions
    - *Institutions could include: police, local courts, magistrate courts, chiefdom authorities, local councils, government officials, schools, or clinics*
  - Empowering the individuals and communities with whom we work

### Specific Cases

*(Need to interview at least one of the paralegals directly involved in the case, plus a lead paralegal familiar with the case if possible. If the responsible paralegals are not available, make a note and interview the lead paralegal instead.)*

- How was the case first presented to you/how did you find out about the case?
- Who first brought you the case (the individual(s) involved, family members, etc.)?
- What was the nature of the problem or grievance? What were the parties hoping would happen to resolve the problem? What were they seeking?

*Note to researchers: questions on “steps” and “tools” may be repetitive. Test and see.*

- What steps did you take to seek resolution in this case? What happened at each step? (Go through steps chronologically, and in detail—the trajectory of the case)
  - Why did you take each step? (Ask for each, may differ from one to another)
  - What were you hoping would happen at each step? (Ask for each)
  - What other steps (if any) did you consider taking? Why did you choose not to take those steps?
  - What happened when you took each step? Was the outcome different from what you expected? In what way? Why do you think that was the outcome?
  - What role did the “client” play in deciding what steps to take? (Not sure about wording, but want to figure out how involved clients are after bringing case)
- What tools were used to handle this case? Why did you decide to use those tools?
  - Which tools were effective? How and why? Which were not effective? Why not?
  - What other tools did you consider using? Why did you decide not to use them?
- Did you engage with any institutions (*police, local courts, magistrate courts, chiefdom authorities, local councils, government officials, schools, or clinic*) in the process of resolving this case?
  - If so, describe your interactions? What did you do? How did they respond?

- Did the institutions or individuals resist Timap's involvement in the case? If so, what steps did you take to overcome this resistance?
- Did they help you resolve the case? How and why?
- Did they obstruct/make it more difficult to resolve the case? How and why?
- Do you think the case changed the knowledge, attitudes, or behavior of the institutions and individuals involved? If so, how and why?
- Are there institutions you decided not to involve in this case? If so, why?
- What was the outcome of the case?
  - Were there any parties that benefited more / less from this outcome?
  - Were you (paralegals) satisfied with the outcome? Why or why not? What would you have wished to happen differently?
  - Were the clients / parties to the case satisfied? (Be clear about who was and was not satisfied). Why or why not? What did they wish would have happened differently?
- How would you compare and contrast this case with other cases you see at Timap?
  - Was it similar or unusual? How and why?
  - Was it more or less difficult to resolve? How and why?
- What were the greatest difficulties in reaching resolution?
- Were any power relations confronted/overtaken in the course of resolving the case? If so, how and why?
- Did you do any follow-up on the case after it was resolved? If so, what?
- Do you know what happened after the end of Timap's involvement?
  - If the outcome was a fine or penalty of some sort, was it paid in full?
  - Did the parties reconcile?
  - Did the problem resurface? If so, why? What happened? Was there any violence or escalation? What did the parties do?
  - Did the parties approach any other institutions after Timap to resolve the case?
- What did you learn in the course of this case?
- What would you do differently if you had another chance to resolve this case?
- What impact, if any, did this case have on your relationship with the institution(s) involved?

## CLIENT INTERVIEWS

*Note: “client” refers to the person who brought the dispute to Timap.*

### Sociodemographic Information

*The point here is to identify relative levels of power/powerlessness, wealth/poverty, and marginalization relative to 1) other people in the community and 2) other parties to the case.*

*Get as much information about the respondent and his or her household, along the following categories:*

- Livelihood/poverty
  - o How does the person make a living? What is the quality of his or her house? How would you rate their wealth or poverty in relation to 1) other people in the community and 2) other parties to the case?
- Level of education
- Links to authority
  - o Does the respondent hold a position of authority? Did he or she previously hold such a position? Is he or she considered an informal authority?
  - o Is the respondent from a ruling family?
  - o Is he or she (or anyone in his or her immediate family) closely related to a paramount chief, section chief, local councilor, government official, etc.?
- Indigene/stranger
  - o Is the respondent considered an indigene or stranger to this chiefdom? Does this affect his or her standing in the community? Does it affect his level of power/marginalization?
- Gender and youth
  - o How old is the respondent? Is he or she considered a youth in this chiefdom?
  - o Is the respondent a man or woman? How does this affect his or her access to power?
- Disability
- Marital status

### Perceptions of/Interaction with Timap

- When, and from whom/what source, did you first hear of Timap/the paralegals?
- What did you hear about them? How are they seen in the community?
- What do you think Timap’s role should be? What is Timap’s purpose or goal(s)?
- What kind of cases does Timap handle? What cases do they not handle?
- Would you recommend Timap to a family member or friend who had a problem or dispute?
  - o What kind of cases would you recommend people take to Timap?
  - o What kind of cases would you recommend they not take to Timap?

- What is different about Timap’s approach compared to other judicial and quasi-judicial institutions?
- Has Timap’s presence impacted the way the police behave in the community? If so, how? (ex., collecting money for cases, collecting bail, detaining suspects unfairly) Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the local courts behave in the community? If so, how? (ex., levying excessive fines, corruption, biased judgments, unfair detention) Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the chiefs behave in the community? If so, how? Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the school officials behave in the community? If so, how? Why do you think Timap had this impact? (ex., compelling students to do farm work? requiring “lunch money” or other bribes for grades or services?)
- Have you ever heard of Timap being involved in a case that was taken to magistrate or high court?
  - If so, can you describe any specific case?
  - Do you know what Timap’s role was in that case? In other cases/more generally?
- What do you think about the fact that Timap is involved in cases in court? Does that affect your (or others’) opinion of Timap?

### Specific Case

- You brought a case to Timap. Can you tell us about that case? (Let person tell the narrative, starting from how the problem began through to how it was resolved. Then ask follow-up questions as needed. Also, be sure to get timeline—when did dispute occur, how long was it with other institutions before coming to Timap, etc.)
- Was this the first time you had a dispute of this type, or a dispute with this person? If not, how was it resolved in the past?
- What was the nature of the problem or grievance? How did it begin?
- What were you hoping would happen to resolve the problem/what were you seeking? What did you think would happen?
- What actions did you take (if any) to resolve the problem before you went to Timap? Did you talk to the other party? Did you report the problem to family elders/village authorities/others? Did you go to any other justice organizations (NGOs, courts, the police, etc.)?
  - If so, what were you seeking from each person/institution? What were you hoping would happen? (Ask for each, may differ from one to another)
  - What happened when you went there? (Case trajectory...Get details: How were you received and treated? Did you pay money? Did they try to solve your problem? If so, how? (call other party? mediate/adjudicate? etc.) Did they refer you elsewhere? Did they give you advice? etc.)

- Did they resolve the case? If so, how? Were you satisfied with that resolution? Why or why not?
  - If case was resolved, what happened later to make it open again?
- How did you feel about how the institution or individual handled the case? Were you pleased with the steps they took? Why or why not?
- How did this individual/institution react to your decision to take the case to Timap? Did you discuss this decision with them?
- (*For complex/ community-level cases*): Who was involved in pursuing the case?
  - Who decided which steps to take? Who actually took the actions (e.g., reported to police or to Timap, etc.)?
  - Who, if anyone, contributed money? Who did not?
- Did you consider any other actions that you decided not to pursue? (e.g., did you consider reporting to the police but decide not to?) Why didn't you take those actions?
- When and how did you decide to bring the case to Timap? Was someone else involved in that decision? Did someone suggest it to you? If someone else suggested it, had you heard of Timap before that time?
  - Did you face any resistance, for example from family or other institutions, to bringing this case to Timap? Did anyone tell you not to bring the case to Timap? Why?
- Why did you decide to bring the case to Timap? Why did you think they could help?
- What outcome were you hoping for when you brought the case to Timap?
- What happened when you brought the case to Timap? (Case trajectory...Get details)
  - How were you received and treated? Did you pay money?
  - Did they try to solve your problem? If so, how? What exactly did they do?
    - (Researchers: get a clear sense of timeline. What happened when? How long did each step take?)
    - Who did Timap involve in the case? (e.g., other party, your family members, other person's family members, etc.)
    - What institutions did Timap involve/engage (e.g., police, chieftom authorities, government officials, etc.)?
    - What tools / actions did Timap take? (e.g., mediation, court case, etc.)
    - Were you consulted / involved in decisions about what people or institutions to approach?
  - Did Timap resolve the case? How long did the case take to resolve? Was that longer or shorter than you would have expected?

- If Timap didn't resolve the case, did they refer you elsewhere? Did they give you advice? Did they explain why they were unable to resolve the case?
- How did you feel about how Timap handled the case? Were you pleased with the steps they took? Why or why not?
  - What was different about Timap's approach compared to other judicial and quasi-judicial institutions?
- What was the outcome of the case?
  - Who benefited more from the outcome, you or the other party?
  - Were you satisfied with the outcome? If so, why? If not, what would you have wanted to be different? Did you consider going to another institution or doing anything else after Timap to try to get another outcome? Why or why not?
  - Was the outcome different from what you had expected? If so, how?
  - Was the outcome different from what you would have gotten from another institution (e.g., the police or courts, or chiefdom authorities? Another NGO?)? Different than what you would have gotten alone?
- Did anything else happen with the case after you were finished with Timap?
  - If the outcome was a fine or penalty of some sort, was it paid in full?
  - Did you reconcile with the other person/party?
  - Did the problem resurface? If so, why? What happened? Was there any violence or escalation? What did the parties do?
  - Did the parties approach any other institutions after Timap to resolve the case?
- How has your relationship with the other person/party to the case been affected by the case? by the resolution found by Timap? How?
- What did you learn in the course of this case?
- Do you feel better prepared to successfully resolve a similar dispute in the future without Timap's assistance?
- Have you had any problems/disputes since this case was resolved? If so, how did you address them? (get details on where they went, what steps they took to resolve...)
  - Did you bring the case(s) to Timap? Why or why not?
- Have you or the community ever had a similar problem in the past (before the arrival of Timap)? If so, when? What happened? (*If more than one, ask about just one example*)
  - How did you/the community deal with the problem at that time?
  - What was the outcome of that problem?
  - What are the differences, if any, between how you/the community handled the last case and how you handled this case? Why do you think things were different this time?

- Was the solution reached by Timap better or worse (more or less just) than the solution in the last case? Were you more or less satisfied this time than last time? Why or why not?
- Would the outcome have been different in the earlier case if Timap had been involved?

## CONTESTING PARTY(?) INTERVIEWS

*Note: “contesting party” refers to the person whom the client brought the case against.*

### Sociodemographic Information

*The point here is to identify relative levels of power/powerlessness, wealth/poverty, and marginalization relative to 1) other people in the community and 2) other parties to the case.*

*Get as much information about the respondent and his or her household, along the following categories:*

- Livelihood/poverty
  - o How does the person make a living? What is the quality of his or her house? How would you rate their wealth or poverty in relation to 1) other people in the community and 2) other parties to the case?
- Level of education
- Links to authority
  - o Does the respondent hold a position of authority? Did he or she previously hold such a position? Is he or she considered an informal authority?
  - o Is the respondent from a ruling family?
  - o Is he or she (or anyone in his or her immediate family) closely related to a paramount chief, section chief, local councilor, government official, etc.?
- Indigene/stranger
  - o Is the respondent considered an indigene or stranger to this chiefdom? Does this affect his or her standing in the community? Does it affect his level of power/marginalization?
- Gender and youth
  - o How old is the respondent? Is he or she considered a youth in this chiefdom?
  - o Is the respondent a man or woman? How does this affect his or her access to power?
- Disability
- Marital status

### Perceptions of/Interaction with Timap

- When, and from whom/what source, did you first hear of Timap/the paralegals?
- What did you hear about them? How are they seen in the community?
- What do you think Timap’s role should be? What is Timap’s purpose or goal(s)?
- What kind of cases does Timap handle? What cases do they not handle?
- Would you recommend Timap to a family member or friend who had a problem or dispute?
  - o What kind of cases would you recommend people take to Timap?
  - o What kind of cases would you recommend they not take to Timap?

- What is different about Timap’s approach compared to other judicial and quasi-judicial institutions?
- Has Timap’s presence impacted the way the police behave in the community? If so, how? (ex., collecting money for cases, collecting bail, detaining suspects unfairly) Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the local courts behave in the community? If so, how? (ex., levying excessive fines, corruption, biased judgments, unfair detention) Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the chiefs behave in the community? If so, how? Why do you think Timap had this impact?
- Has Timap’s presence impacted the way the school officials behave in the community? If so, how? Why do you think Timap had this impact? (ex., compelling students to do farm work? requiring “lunch money” or other bribes for grades or services?)
- Have you ever heard of Timap being involved in a case that was taken to magistrate or high court?
  - If so, can you describe any specific case?
  - Do you know what Timap’s role was in that case? In other cases/more generally?
- What do you think about the fact that Timap is involved in cases in court? Does that affect your (or others’) opinion of Timap?

### Specific Case

- You were involved in a dispute that was brought to Timap. Can you tell us about that case? (Let person tell the narrative, starting from how the problem began through to how it was resolved. Then ask follow-up questions as needed. Also, be sure to get timeline—when did dispute occur, how long was it with other institutions before coming to Timap, etc.)
- Was this the first time you had a dispute of this type, or a dispute with this person? If not, how was it resolved in the past?
- What was the nature of the problem or grievance? How did it begin?
- What were you hoping would happen to resolve the problem/what were you seeking? What did you think would happen?
- What actions did you take (if any) to resolve the problem before it was brought to Timap? Did you talk to the other party? Did you report the problem to family elders/village authorities/others? Did you go to any other justice organizations (NGOs, courts, the police, etc.)?
  - If so, what were you seeking from each person/institution? What were you hoping would happen? (Ask for each, may differ from one to another)
  - What happened when you went there? (Case trajectory...Get details: How were you received and treated? Did you pay money? Did they try to solve your problem? If so, how? (call other party? mediate/adjudicate? etc.) Did they refer you elsewhere? Did they give you advice? etc.)

- Did they resolve the case? If so, how? Were you satisfied with that resolution? Why or why not?
  - If case was resolved, what happened later to make it open again?
- How did you feel about how the institution or individual handled the case? Were you pleased with the steps they took? Why or why not?
- *(For complex/ community-level cases):* Who was involved in pursuing the case?
  - Who decided which steps to take? Who actually took the actions (e.g., reported to police or to Timap, etc.)?
  - Who, if anyone, contributed money? Who did not?
- Did you consider any other actions that you decided not to pursue? (e.g., did you consider reporting to the police but decide not to?) Why didn't you take those actions?
- What happened when the case was brought the case to Timap? (Case trajectory...Get details)
  - How were you received and treated? Did you pay money?
  - How did Timap approach you? How did you react? Were you treated fairly and respectfully?
  - Did they try to solve your problem? If so, how? What exactly did they do?
    - (Researchers: get a clear sense of timeline. What happened when? How long did each step take?)
    - Who did Timap involve in the case? (e.g., other party, your family members, other person's family members, etc.)
    - What institutions did Timap involve/engage (e.g., police, chieftom authorities, government officials, etc.) ?
    - What tools/actions did Timap take? (e.g., mediation, court case, etc.)
    - Were you consulted/involved in decisions about what people or institutions to approach?
  - Did Timap resolve the case? How long did the case take to resolve? Was that longer or shorter than you would have expected?
  - If Timap didn't resolve the case, did they refer you elsewhere? Did they give you advice? Did they explain why they were unable to resolve the case?
  - How did you feel about how Timap handled the case? Were you pleased with the steps they took? Why or why not?
    - What was different about Timap's approach compared to other judicial and quasi-judicial institutions?
- What was the outcome of the case?
  - Who benefited more from the outcome, you or the other party?

- Were you satisfied with the outcome? If so, why? If not, what would you have wanted to be different? Did you consider going to another institution or doing anything else after Timap to try to get another outcome? Why or why not?
- Was the outcome different from what you had expected? If so, how?
- Was the outcome different from what you would have gotten from another institution (e.g., the police or courts, or chiefdom authorities? Another NGO?)? Different than what you would have gotten alone?
- Did anything else happen with the case after you were finished with Timap?
  - If the outcome was a fine or penalty of some sort, was it paid in full?
  - Did you reconcile with the other person/party?
  - Did the problem resurface? If so, why? What happened? Was there any violence or escalation? What did the parties do?
  - Did the parties approach any other institutions after Timap to resolve the case?
- How has your relationship with the other person/party to the case been affected by the case? by the resolution found by Timap? How?
- What did you learn in the course of this case?
- Do you feel better prepared to successfully resolve a similar dispute in the future without Timap's assistance?
- How, if at all, has this case changed the way you perceive Timap, or Timap's role in the community?
- Have you had any problems/disputes since this case was resolved? If so, how did you address them? (get details on where they went, what steps they took to resolve...)
  - Did you bring the case(s) to Timap? Why or why not?
- Have you or the community ever had a similar problem in the past (before the arrival of Timap)? If so, when? What happened? (*If more than one, ask about just one example*)
  - How did you/the community deal with the problem at that time?
  - What was the outcome of that problem?
  - What are the differences, if any, between how you/the community handled the last case and how you handled this case? Why do you think things were different this time?
  - Was the solution reached by Timap better or worse (more or less just) than the solution in the last case? Were you more or less satisfied this time than last time? Why or why not?
  - Would the outcome have been different in the earlier case if Timap had been involved?

## INTERVIEWS WITH OTHER INSTITUTIONS (“JUDICIAL AND QUASI-JUDICIAL”)

### Perceptions of/Interaction with Timap

- When and how (from whom/what source) did you first hear of Timap/the paralegals?
  - What do you know about Timap’s work?
  - Can you think of cases in which Timap/the paralegals have been involved?
  - When did Timap begin working in your community?
- What do you hear about Timap? How are they seen in the community?
- Do you believe Timap/the paralegals to be fair? Professional? Effective?
- Do you believe that the presence of Timap/the paralegals will lead to disputes being resolved more fairly? If so, why? If not, why not?
- In general, what kind of cases does Timap handle? What cases do they not handle?
- Can you think of specific cases in which Timap/the paralegals have been involved? If so, tell about (a few of) those cases?
  - How did they handle the case? Do you think they helped resolve the case/get a better resolution?
- Have you ever referred a case to Timap? If so, which case(s)? Why did you refer to them?
  - If not, why not? Would you refer cases to them in the future? If so, which kind of cases?
- Have you worked directly with Timap before, or been involved in any Timap cases? If so, in what capacity?
  - How did you get involved in the case?
  - (Get details about case: nature of problem, trajectory)
  - What do you think about Timap’s involvement? Should they have been involved in this case? Did they help resolve the case? Did they help achieve a better outcome than if they hadn’t been involved? If so, how and why? If not, why not?
- Have you ever heard of Timap being involved in a case that was taken to magistrate or high court?
  - If so, can you describe any specific case?
  - Do you know what Timap’s role was in that case? In other cases/more generally?
  - What do you think about the fact that Timap is involved in cases in court? Does that affect your (or others’) opinion of Timap?
- Would you recommend Timap to someone who had a problem or dispute?
  - What kind of cases would you recommend people take to Timap?
  - What kind of cases would you recommend they not take to Timap?
- Has Timap’s presence affected your work? If so, how?

- In what ways have they made it more difficult to do your job?
- In what ways have they made it easier for you to do your job?
- Do you believe your colleagues are behaving differently since Timap became active in your community?
- In what ways can your institution (the police, the courts, the chiefs, the schools, etc.) and Timap work together? Is this happening currently? What could be done to facilitate cooperation?
- What do you think Timap's role should be? (*Note for researchers: not sure if this question will work, if people will have answers, but is worth asking.*)

### Specific Cases

*(When institutions and individuals at those institutions are involved in cases we have sampled—the same cases for which paralegals and clients are interviewed—we should also interview those individuals/officials who were involved. This could mean they were a party to the case, or that they previously (or subsequently) attempted to resolve the case before (or after) it was brought to Timap, or that Timap involved the institution in resolving this case.)*

- You were involved in a dispute that was (later) brought to Timap. Can you tell us about that case? What was your involvement? (Let person tell the narrative, starting from how the problem began through to how it was resolved. Then ask follow-up questions as needed. Also, be sure to get timeline.)
- What was the nature of the problem or grievance? How did it begin?

### ***Questions for institutions which were approached before Timap***

- How was the case first presented to you/how did you find out about the case?
- Who first brought you the case (the individual(s) involved, family members, etc.)?
- What were the parties hoping would happen to resolve the problem? What were they seeking?
- What steps did you take to seek resolution in this case? What happened at each step? (Go through steps chronologically, and in detail—the trajectory of the case)
- What was the outcome of the case?
  - Were you satisfied with the outcome? Why or why not? What would you have wished to happen differently?
- What obstacles did you face in resolving this case?
- Were you supportive of the decision to take this case to Timap?
- What role, if any, did you play in resolving this case after it went to Timap? Was Timap respectful of your role?
- Do you know what actions Timap took to try to resolve this case?
  - How well do you think Timap performed in resolving this case?

- Did you learn anything from Timap's handling of this case?
- How has your relationship with the other person / party to the case been affected by the case? by the resolution found by Timap?
- How, if at all, has this case changed the way you perceive Timap, or Timap's role in the community?
- After observing Timap's performance on this case, would you consider referring any other cases to them? Have you referred any cases (pls provide specific examples)?
- Have you tried to resolve any similar problems/disputes since this case was resolved? If so, did you use any new methods to try to resolve it because of what you observed in the case that went to Timap?

***Questions for institutions which were contesting parties in a case***

- What were you hoping would happen to resolve the problem/what were you seeking? What did you think would happen?
- What actions did you take (if any) to resolve the problem before it was brought to Timap? Did you talk to the other party? Did you report the problem to family elders/village authorities/others? Did you go to any other justice organizations (NGOs, courts, the police, etc.)?
  - Did they resolve the case? If so, how? Were you satisfied with that resolution? Why or why not?
    - If case was resolved, what happened later to make it open again?
  - How did you feel about how the institution or individual handled the case? Were you pleased with the steps they took? Why or why not?
- What happened when the case was brought the case to Timap? (Case trajectory...Get details)
  - How were you received and treated?
  - How did Timap approach you? How did you react? Were you treated fairly and respectfully? Why did you agree to speak/work with Timap?
  - Did they try to solve the problem? If so, how? What exactly did they do?
    - (Researchers: get a clear sense of timeline. What happened when? How long did each step take?)
    - What tools/actions did Timap take? (e.g., mediation, court case, etc.)
    - Were you consulted/involved in decisions about what people or institutions to approach?
  - Did Timap resolve the case? How long did the case take to resolve? Was that longer or shorter than you would have expected?
  - How did you feel about how Timap handled the case? Were you pleased with the steps they took? Why or why not?

- What was different about Timap's approach compared to other judicial and quasi-judicial institutions?
- What was the outcome of the case?
  - Who benefited more from the outcome, you or the other party?
  - Were you satisfied with the outcome? If so, why? If not, what would you have wanted to be different? Did you consider going to another institution or doing anything else after Timap to try to get another outcome? Why or why not?
  - Was the outcome different from what you had expected? If so, how?
- Did anything else happen with the case after you were finished with Timap?
  - If the outcome was a fine or penalty of some sort, was it paid in full?
  - Did you reconcile with the other person/party?
  - Did the problem resurface? If so, why? What happened? Was there any violence or escalation? What did the parties do?
  - Did the parties approach any other institutions after Timap to resolve the case?
- How has your relationship with the other person/party to the case been affected by the case? by the resolution found by Timap? How?
- What did you learn in the course of this case?
- Do you feel better prepared to successfully resolve a similar dispute in the future without Timap's assistance?
- How, if at all, has this case changed the way you perceive Timap, or Timap's role in the community?
- Have you had any problems/disputes since this case was resolved? If so, how did you address them? (get details on where they went, what steps they took to resolve...)
  - Did you bring the case(s) to Timap? Why or why not?
- Have you or the community ever had a similar problem in the past (before the arrival of Timap)? If so, when? What happened? (*If more than one, ask about just one example*)
  - How did you/the community deal with the problem at that time?
  - What was the outcome of that problem?
  - What are the differences, if any, between how you/the community handled the last case and how you handled this case? Why do you think things were different this time?
  - Was the solution reached by Timap better or worse (more or less just) than the solution in the last case? Were you more or less satisfied this time than last time? Why or why not?
  - Would the outcome have been different in the earlier case if Timap had been involved?

***Questions for institutions which were approached after Timap***

- How was the case first presented to you/how did you find out about the case?
- Who first brought you the case (the individual(s) involved, family members, etc)?
- What were the parties hoping would happen to resolve the problem? What were they seeking? Why did they decide to take the case to you after going to Timap? What problems remained with the solutions offered by Timap?
- What steps did you take to seek resolution in this case? What happened at each step? (Go through steps chronologically, and in detail—the trajectory of the case)
- What was the outcome of the case?
  - Were you satisfied with the outcome? Why or why not? What would you have wished to happen differently?
- What obstacles did you face in resolving this case?
- Do you know what actions Timap took to try to resolve this case?
  - How well do you think Timap performed in resolving this case?
  - What problems remained with Timap's solution in this case?
- How, if at all, has this case changed the way you perceive Timap, or Timap's role in the community?
- After observing Timap's performance on this case, would you consider referring any other cases to them? Have you referred any cases (pls provide specific examples)?

Annex B: Map of *Timap* Offices in Sierra Leone



Source: [www.timapforjustice.org](http://www.timapforjustice.org)

The Legal Vice Presidency  
The World Bank  
1818 H Street, NW  
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