



COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE

Staff bungalows were in bad state and so some had abandoned it for rented apartments

The cells were extremely overcrowded

There were no pregnant women or nursing mothers in the female prisons

We were allowed to make phone calls using telephones installed at designated booths

CHRAJ'S MONITORING VISITS TO PRISONS:
Protecting the Fundamental, Human Rights of Persons
Deprived of their Liberty in Ghana



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Protecting the Fundamental, Human Rights of Persons
Deprived of their Liberty in Ghana

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ACRONYMS/ABBREVIATIONS

ADR	Alternative Dispute Resolution
BECE	Basic Education Certificate Examination
CDP	Contagious Disease Package
CHRAJ	Commission on Human Rights and Administrative Justice
CID	Criminal Investigation Department
CI	Constitutional Instrument
COA	Chief Officer Administration
CPT	European Committee for the Prevention of Torture and Inhuman Treatment or Degrading Treatment or Punishment
CRS	Complaint Resolution System
CTM	Case Tracking Management
GES	Ghana Education Service
GHS	Ghana Health Service
GPRTU	Ghana Private Road Transport Union
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
ICT	Information Communication Technology
MoMo	Mobile Money
NABCO	Nation Builders Corps
NACOB	Narcotic Control Board
NHIA	National Health Insurance Authority
NHIS	National Health Insurance Scheme
NGOs	Non-Governmental Organizations
NVTI	National Vocational Training Institute
OIC	Officer in Charge
PPAG	Planned Parenthood Association of Ghana
PRO	Public Relations Officer
PWDs	Persons with Disability
SDGs	Sustainable Development Goals
TB	Tuberculosis

TCH	Tamale Central Hospital
TOPP	Twifo-Praso Oil Palm Plantation
UNDP	United Nations and Development Programme
WC	Water Closet
2IC	Second in Command

FOREWORD

This report provides a useful basis to promote sustained preventive and response-oriented correction policies that support rehabilitation, re-integration and non-custodial penalties as well as those that reduce overcrowding and imprisonment.

Against the back drop of the COVID-19 pandemic which plagued the entire global community in year 2020, the CHRAJ applauds the efforts of the Ghana Prison Service, a worthy collaborator over the past years, in promoting the safety of prisoners and prison staff. Relatedly, it commends the President of the Republic of Ghana, His Excellency, Nana Addo Dankwa Akufo-Addo for granting amnesty to more than 700 prisoners within the period of the pandemic.

Since commencing visits to prisons in 1995, the CHRAJ has drawn attention to the disproportionate use of imprisonment for minor or non-violent offences, as well as large numbers of pre-trial detainees, and how these factors contribute to prison overcrowding and violate the fundamental human rights of prisoners.

The general activism of human rights NGOs, civil society groups and state actors about correctional policy, alternatives to custodial penalties, as well as the Justice for all Programme in Ghana have drawn inspiration largely from the CHRAJ's system of regular visits since 1995. The concerted efforts of the Ghana Prisons Service and its related actors have resulted in the reduction in the numbers of remand prisoners as well as modest improvement in material conditions such as pertaining to sanitary facilities, regular supply of water and general hygienic conditions.

Notwithstanding the foregoing improvements, 25 years on, Ghana's prisons are still plagued by poor conditions such as prison overcrowding, some at levels as high as 300%, overstay of remand prisoners and unacceptably low feeding rates. The levels of unacceptably high levels of overcrowding and its implications for the health, welfare, safety as well as the rehabilitation of prisoners cannot be overemphasized. This perennial problem in Ghana's prisons ought to be accorded urgent priority given the susceptibility of prisoners to get infected or transmit COVID-19 under such overcrowded conditions.

In view of the fact that our prisons are populated largely by young people, holistic approaches that promote the acquisition of relevant employable skills must be seriously considered. This is to

ensure that prisoners who benefit from programmes such as the Justice for All Programme or the Presidents Amnesty, are discharged and integrated back into society with useful employable skills.

ACKNOWLEDGEMENT

The Commission on Human Rights and Administrative Justice (CHRAJ) expresses its profound gratitude to the UNDP for their financial support.

The CHRAJ is indebted to the Ghana Prisons Service, who as a worthy collaborator over the past years, facilitated access to the selected prisons and also to officers and inmates. The CHRAJ appreciates the cooperation of staff and inmates at the various prison facilities.

Particular gratitude goes to staff of the Commission who executed the monitoring exercise and ensured the completion of the report. The team comprised the Director of Research Department, Dr. Mrs. Lilian Ayete-Nyampong who had general supervisory oversight of the monitoring exercise; Regional Directors including the Northern Regional Director, Mr Stephen Azantilow; Acting Volta Regional Director, Mr. Carlos Mensah; Central Regional Director, Mr. Theophilus Tetteh-Tuwor; Acting Eastern Regional Director, Mr. Michael Nkansah; Deputy Director, Public Education Department, Mr. Mawuli Avutor; Deputy Director, Project Management, Mrs. Gloria Gyedu; Legal Officer, Human Rights Department, Ms. Yaa Fosuah Asare; Principal Research Officer, Mr. Mawutor Fleku; Senior Investigator, Mr. Godwin Kuyole; Senior Investigator, Mr. Wisdom Senyo; Senior Research Officer, Mr. Isaac Appiah; Senior Research Officer, Mr. Johnson Katsektor; Investigator, Mr. Felix Ayambire and Ms. Evelyn Tsah, a Senior Assistant Registrar. Contributions of National Service Persons (NSPs), Ms. Hannah Otiwaa Gyimah and Ms. Emmanuella Osei Mensah who assisted in report collation are also noteworthy.

SECTION ONE

1.0 INTRODUCTION

The Commission on Human Rights and Administrative Justice (CHRAJ) has a constitutional mandate to promote, protect and enforce fundamental human rights and freedoms for all persons in Ghana including people who are deprived of their liberty.

The Commission on account of this mandate, visited some selected prisons between the 28th of November and 5th of December, 2019. The general objective of the monitoring exercise was to rejuvenate CHRAJ's efforts in monitoring detention institutions and to promote preventive and response efforts, in keeping with international and domestic human rights obligations, that support rehabilitation, re-integration, non-custodial penalties as well as reduce overcrowding, recidivism and imprisonment.

Criminal justice policies such as those regarding rehabilitation and re-integration, etc., contribute towards the achievement of SDGs 1, 4, 5, 8, 10 and 16. These goals provide that states develop individualized rehabilitation and reintegration programmes that address root causes of offending, recidivism and decrease imprisonment.

In addition to the SDG goals, international standards that guided the monitoring exercise in 2019 include the Universal Declaration of Human rights (UDHR) and various human rights treaties that Ghana has ratified such as the International Covenant on Civic and Political rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (OPCAT).

Reference was predominantly and repeatedly made to the Standard Minimum Rules for the Treatment of Prisoners, revised as the Nelson Mandela Rules so as to inspire familiarity with these rules in the report.

The Standard Minimum Rules for the Treatment of Prisoners since their adoption by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 1955, were universally acknowledged as minimum standards for the detention of prisoners. These rules

have been of significant value and influence, as a guide, in the development of correctional laws, policies and practices internationally.

In December 2015, the UN General Assembly adopted the revised Rules as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”. As per the recommendation of the Expert Group, the revised Rules were to be known as "the Nelson Mandela Rules" to honour the legacy of the late President of South Africa, Nelson Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace.

The Nelson Mandela Rules provide a general framework for humane prison conditions and treatment of prisoners in keeping with their inherent dignity and inalienable rights as reflected by the SDG goals.

It is worth acknowledging that Africa has also developed a robust framework for the protection of fundamental human rights including rights of detainees as provided by the African Charter on Human and Peoples’ Rights (ACHPR), which Ghana has ratified. This Charter is complemented by various legal mechanisms including the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol) and the African Charter on the Rights and Welfare of the Child (ACRWC).

The African Commission has also adopted several resolutions and guidelines specifically on the standards of prisons in Africa. These provisions include the Kampala Declaration on Prison Conditions in Africa, the Resolution on Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines 2008), the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (Luanda Guidelines), the Ouagadougou Declaration and Plan of Action on Accelerating Prisons and Penal Reforms in Africa, the Kadoma Declaration of Community Service and the Arusha Declaration on Good Prison Practice.

Additionally, the establishment of a Special Rapporteur on Prisons and Conditions of Detention is a useful initiative taken towards promoting a culture of respect for human rights abuses in prisons in Africa.

The CHRAJ's monitoring activities have constituted an integral part of an overall system that has in the past, sought to protect the fundamental human rights of people who are deprived of their liberty. This is in keeping with the SDGs, the fore going international and regional obligations, as well as the provisions of the 1992 Constitution of the Republic of Ghana, specifically Article 15 which provides that the dignity of all persons shall be inviolable and that no person, arrested, restricted or detained, shall be subjected to torture or condition that detracts or is likely to detract from his dignity and worth as a human being.

Since commencement of visits to detention facilities in 1995 by the CHRAJ, the findings and recommendations regarding conditions in Ghana's prisons as well as the human rights situation of detainees have resulted in increased visibility about conditions in Ghana's prisons. The CHRAJ's reports have over past years, generated active debate by the media, civil society groups, state actors as well as the Ghanaian citizenry. The US Department of State¹ for instance stated in reference to the CHRAJ's Prisons report that:

"The CHRAJ's findings and recommendations generated much positive press coverage and some changes; ..."

The general activism of human rights NGOs, civil society groups and state actors about penal policy, alternatives to custodial penalties, as well as the Justice for all Programme in Ghana have drawn inspiration largely from the CHRAJ's system of regular visits since 1995.

The CHRAJ has from 1995 to 2014, consistently assessed conditions in Ghana's prisons and police detention cells. However, the CHRAJ has not been able to sustain the regularity of visits nationwide in recent past largely due to a number of factors including the lack of sustained trained team of monitors at the regional and district levels. Further, the lack of a robust follow-up mechanism to promote implementation of its recommendations as well as the inadequacy of budgetary provisions to support nationwide monitoring exercises, have also impeded CHRAJ's monitoring efforts.

¹"Ghana Country Report on Human Rights Practices" for 1998

Whereas the CHRAJ has not been able to monitor prisons regularly, there has been an increasing demand to assess conditions in prisons and the treatment of persons held in custody on account of the following:

- The recommendations of the Concluding observations on the initial reports of Ghana on the International Covenant on Civil and Political Rights (CCPR/C/GHA/CO/1; No.30, 2016), pointed to the need for Ghana to take measures to improve the conditions and treatment of persons held in custody and take steps to address the problem of prison overcrowding, including by introducing a genuine policy on the use of non-custodial penalties;
- The inter-agency project supported by the UN Development Operations Coordination Office (UNDOCO) to assess human rights in Ghana by the UN Country Team (UNCT) in Ghana in 2016 documented challenges for prisoners in Ghana which included overcrowding, poor hygienic conditions, lack of access to health care, insufficient nutritious food, and personal safety issues among other challenges².
- The ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in 2016 and its requirement to establish a regular system of visits by means of a National Preventive Mechanism (NPM) so as to ensure that places of deprivation of liberty and similar settings are habitable and that conditions are humane.
- The recommendations of the Special Rapporteur on Extreme Poverty³ and Human Rights on his mission to Ghana in 2018 regarding prolonged imprisonment and deplorable conditions of detention, among other recommendations.

The foregoing, therefore provided a compelling need for the CHRAJ who already had considered the urgency to revitalize its efforts, to do so. The funding support generously made available to the CHRAJ at the tail end of the year by the United Nations Development Programme (UNDP) could however only support a small-scale activity. Nevertheless, the monitoring activity was relevant as

²<https://www.undp.org/content/dam/unct/ghana/docs/Human%20Rights/UNCT-GH-Leaving-no-one-behind-in-Ghana-Human-Rights-Assessment-2016-Final-Report-2017.pdf>.

³ Human Rights Council (2018). Report of the Special Rapporteur on extreme poverty and human rights on his mission to Ghana(No.48) A/HRC/38/33/Add.2.

it constituted the basis to strengthen preventive and response mechanisms that would support rehabilitation, re-integration and non-custodial penalties while reducing overcrowding, recidivism and imprisonment.

1.2 The scope of the 2019 monitoring activity

Specific prisons were purposively selected for the monitoring exercise on the basis of their peculiarities, regional representation and limited budget.

These institutions constituted the Ankafu Maximum Security Prison in the Central region, the Ho Female and Male prisons in the Volta region, the Nsawam Medium Security Prison for males and Nsawam Female Prisons in the Eastern region, as well as and Tamale Prison in the Northern region.

The exercise employed various methods, including in-depth interviews and focus group discussion as well as observation of prison facilities to gather information. Participants included, officers-in-charge, prison officers, and inmates.

The 2019 monitoring exercise sought information pertaining to areas such as:

- Population size of prisoners
- Material conditions such as overcrowding, feeding, health, sanitation etc.
- Mechanisms/avenues for resolving disputes and addressing complaints
- Rehabilitation and reintegration efforts
- Living conditions of staff

It is worthy of note that the 2019 report featured questions that yielded novel information about informal mechanisms of resolving inter inmate disputes, inmate rituals and inter-inmate violence as well as an indication about an informal economy in Ghana's adult prisons. For instance, interviews and interactions with inmates in one of the institutions revealed that on account of excessive overcrowding, inmates promoted an informal economy, where a bed could cost as much as GH¢500 (\$90) and a space between beds cost GH¢200(\$36).

While it is important for National Human Rights Institutions or prison monitors in Africa to continue to draw attention to appalling conditions such as overcrowding, poor ventilation, incarceration of juvenile offenders in adult prisons and overstay of remand prisoners, continual calls for change have yielded modest improvement over the years.

The novel findings in 2019 suggest that monitors may have to approach correctional institutions holistically, that is, render relevance to international human right standards but also to the context of the everyday relational as well as nuanced informal practices that contribute to broader goals of promoting rehabilitation and preventing torture and degrading treatment in prisons.

1.3 Brief outcome of findings of the 2019 monitoring exercise

Modest improvements were observed in respect of the provision of health and educational programmes, sanitary conditions as well as the regular flow and supply of water. The conscious effort by the management and the staff of the prisons visited, to promote transparency, professionalism and efficiency in the face of increasing prisons populations with attendant difficult working situations is commendable.

Notwithstanding these observations, conditions pertaining to feeding and the accommodation of the inmates fell woefully short of the minimum standards required by relevant international, regional and domestic standards

Summary of findings:

- The state of overcrowding in the majority of the male facilities particularly in the remand cells and blocks were unacceptably high, hitting levels exceeding 300%;
- The feeding rate per person per day was GH¢1.80 (\$0.32)⁴ and had not seen an increase since 2011;
- Generally, the material conditions of remand prisoners were worse than other categories of detainees. Whereas the situation of remand prisoners had improved slightly on account of the Justice for All Programme, a number of remand prisoners continued to languish in prisons in Ghana;
- Inmates who appeared to be juveniles were still being held in adult prisons;
- Not much effort was committed to monitoring the reintegration of inmates discharged and released; this had the tendency to increase recidivism.

⁴ At the time of visit, GH ¢1.00 was equivalent to \$0.18 (18 Cents).

1.4 General Recommendations

Majority of the following recommendations pertaining to excessive overcrowding⁵ and arbitrary pre-trial detention, sentencing juveniles to adult cells and poor material conditions including inadequate feeding grants⁶, have featured in the CHRAJ's past reports on monitoring prisons and police cells. Notwithstanding the modest changes that have been observed in some respects (See regional reports), more rigorous efforts must be devoted to addressing these challenges.

1. The CHRAJ recommends that relevant actors in the criminal justice system must commit themselves to regularly discuss and review factors that contribute to age old problems such as excessive overcrowding and arbitrary pre-trial detention, sentencing juveniles to adult cells and poor material conditions, among others.
2. Similarly, the CHRAJ must promote regular stakeholder/research seminars and consultations (national, regional and international) to seek exchange of useful practices pertaining to the following:
 - Reintegration of inmates into society;
 - Alternative sentencing policies;
 - Dispute resolution mechanisms of officers and inmates;
 - Informal governance practices of inmates as well as the incidence of inter-inmate violence. In this respect, appropriate methodologies and approaches must be employed to understand better, the phenomenon of informal governance practices and their contribution to the governance system in prisons;
3. The CHRAJ should collaborate with the Paralegal Unit of the Ghana Prison Service to roll out education programmes on the rights of inmates, in Ghana's prisons.
4. The Parliament of Ghana should expedite the passage of the non-custodial sentencing bill, particularly in the wake of the Covid-19 pandemic, in order to ensure that non-violent and minor offences do not attract custodial sentences.

⁵Similar recommendation was made to the then Ministry of Justice and Attorney General in CHRAJ's Detention Monitoring Report, 2006.

⁶ Similar recommendation was made to the then Ministry of Interior in CHRAJ's Detention Monitoring Report, 2007.

5. The Police Service should ensure that cases are reassigned to new officers before existing officers are transferred.
6. The Attorney General's office should release dockets of remand prisoners on time.
7. The Ministry of Interior should ensure increase in the feeding grant of GH¢1.80 (\$0.32) per inmate per day to reflect the current standard of living in Ghana.
8. The Ghana Prisons Service in collaboration with the National Health Insurance Authority should ensure that all inmates are registered with the National Health Insurance Scheme within the first month of admission to lessen the financial burden on the prison.
9. The Ghana Prisons Service should institute a support system for prisoners who have completed serving their sentence and who have acquired various skills so as to facilitate their re-integration.
10. The Ministry of Interior should address delays in the release of various allowances for Prison officers, including rent, medical bills, contagious diseases package and other allowances.
11. The Ministry of Interior should expedite efforts in addressing the age-old problem of poor accommodation or living quarters (barracks) for prison officers.

SECTION TWO

EXECUTIVE SUMMARY

2.0 Introduction

This summary comprises an abridged composite report followed by summaries of individual regional reports as well as recommendations specific to each region.

2.1 Abridged composite report

Five prisons were visited, namely, the Ankaful Main Camp and the Ankaful Maximum Security Prisons, the Nsawam Medium Security Prison (male and female), the Ho Central Prison (male and female) as well as the Tamale Central Prison (male and female).

The Ankaful Main Camp and Maximum-Security Prisons were the only male prison facilities.

2.3 General Conditions

Accommodation

Rule 13 of the Nelson Mandela Rules⁷ states that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard to... minimum floor space, lighting, heating and ventilation”. Rule 14 further stipulates that, in all places where prisoners are required to live or work;

(a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight;

Again, Rule 21 states that “every prisoner, in accordance with local or national standards.... be provided with a separate bed, and with separate and sufficient bedding...”

⁷In December 2015, the UN General Assembly adopted the revised Rules as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”. As per the recommendation of the Expert Group, the revised Rules are to be known as “the Nelson Mandela Rules” to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace.

The male prisons monitored were extremely and unacceptably overcrowded, with the exception of all the female prisons as well as the Ankafu Main Camp and Maximum-Security Prisons.

The Female Prisons as well as the Ankafu Main Camp and Maximum-Security prisons were the only facilities that had enough bunk beds with mattress and bedsheets for all inmates. The cells in all the other remand blocks visited, were in deplorable states. Reportedly, the extreme situation of overcrowding generated an informal economy among the inmates. At the Nsawam prisons for instance, inmates alleged that those who had money bought beds as well as spaces between beds; a bed cost as much as GH¢500 (\$90) whereas a space between beds cost GH¢200(\$36). Where there were neither beds nor mattresses, inmates resorted to sleeping on paper cartons or the bare cemented floor.

Feeding

According to Rule 22(1) of the Nelson Mandela Rules and Procedure 3.1 of the Ghana Prisons Service SOPs on the subject; Provision of Basic Necessities of Prisoners, every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.

The majority of the inmates interviewed expressed their dissatisfaction about the quality and quantity of food. The feeding rate was GH¢1.80 (\$0.32) and had not seen an increase since 2011. Inmates complained that their menu was not varied and the lunch and supper portions were usually served together. These combined meals were usually provided between 11.00 am and 1:30 pm and this purportedly resulted in inmates sometimes experiencing starvation at night.

Sanitation

According to Rules 15, 16 and 17 of the Nelson Mandela Rules, sanitary installations including bathing and shower installations should be available to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

In keeping with the above, the majority of prisons visited had a toilet facility for general use as well as toilet facility in each cell.

Further, Rule 18 of the Nelson Mandela Rules states that prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

The monitoring exercise revealed that apart from the male remand cells of the Tamale Central Prison, there was regular water supply in all the institutions visited.

The Male prisons were however rarely provided with detergents and toiletries like soap and toilet paper. Inmates, attributed the frequency of skin infections on their bodies to such lack of detergents and toiletries

Health and Medication

Rule 24(1) of the Nelson Mandela Rule states that “the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”.

Apart from the Tamale Central and the Ankaful Main Camp Prisons, all the prisons visited had an infirmary or clinic that was stocked with basic drugs and this was in line with the Nelson Mandela Rule 24.

The male prison at Nsawam had a hospital with a pharmacy, a standard laboratory, an operating theatre, a medical store and a 50-bed capacity ward. The hospital was managed by a medical doctor, assisted by Physician assistants, Nurses and other staff. The majority of inmates at the Nsawam and the Ho Central Prison were registered under the NHIS.

Notwithstanding the observation that health provision had modestly improved, most inmates of the prisons complained during focus group discussions that their ailments were not properly treated and that they were usually provided with only basic medication such as analgesics. According to inmates at the Nsawam prisons, patients who paid cash were provided with ‘*proper medicine*’ whereas inmates on National health Insurance were accorded less attention. A diabetic Patient at the Nsawam male prison lamented that he purchased his own drugs amounting to thousands of Ghana cedis.

Newly admitted Inmates under Observation

Procedure 5.9 of the Ghana Prisons Service on the subject of Receiving Convicts and Procedure 2.7 on the subject of Receiving Remand Prisoners both require that inmates are medically fit upon admission to the prison facility. It explicitly states under Procedure 5.9 that the prisoner should be examined and screened medically by a medical doctor or a physician assistant to ascertain whether he/she is fit to be admitted into the prison to ensure that he/she does not transmit any communicable disease.

According to officers, fresh inmates were observed for a period of time, lasting sometimes between two to four weeks before they were made to join other inmates at the main blocks. Inmates who were sentenced for few months were sometimes kept under lock throughout their period of confinement. Due to the high levels of overcrowding, inmates under observation were separated for only short periods. In keeping with Procedure 5.9 of the Ghana Prisons Service on the subject of Receiving Convicts, inmates under observation were usually screened for infectious diseases like tuberculosis among others.

It is worthy of note that in previous monitoring exercises conducted by the CHRAJ, no question was posed on ‘Newly admitted Inmates under Observation’ The relevance of this question was inspired by scholarly work on the period of observation in Ghana’s Correctional Centers for newly admitted juveniles and young offenders, (Ayete-Nyampong, 2013, 2015, 2018,)⁸. Information on Newly Admitted Inmates under Observation and the need for medical screening, has assumed greater significance in year 2020 due to the COVID-19 pandemic, though at the time of the monitoring exercise, there was no concern whatsoever about the pandemic.

Inmates with special needs

There were inmates with physical (e.g., visual and hearing impaired) and mental disabilities in some of the prisons visited and some inmates were also above 60 years. Youngsters who appeared to be juveniles were held in the various institutions and this was a violation of Rule 112 (2) of the

⁸Ayete-Nyampong, L. (2013). Entangled realities and underlife of a total institution. *PhD thesis*, Wageningen University, The Netherlands; Ayete-Nyampong, L. (2015). Changing Hats: Transiting between Practitioner and Researcher Roles. In: Drake Deborah, H., Rod, E. & Jennifer, (eds.) *The Palgrave Handbook of Prison Ethnography*. Hampshire: Palgrave Macmillan; Ayete-Nyampong, L. (2018). Insider Insights about Educational Provisions for Children in Conflict with the Law in Correctional Centres in Ghana. *Asia Pacific Journal of Contemporary Education and Communication Technology*. 4(1), pp. 92-99.

Nelson Mandela Rules which stipulates that all juvenile offenders shall be kept in separate facilities from adult prisoners. There were no pregnant and nursing inmates at the time of visit.

The longest period an inmate had spent in remand was 8 years. According to the officers, all deaths recorded at the prison were reported to relatives and where bodies were abandoned or not claimed by relatives, the prison assumed the responsibility for burial.

Complaints resolution system

Rule 38(1) of Nelson Mandela rules states that Prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other alternative dispute resolution mechanism to prevent disciplinary offences or to resolve conflicts.

Rule 43(1) of Nelson Mandela rules provides that in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment.

Accordingly, the Prison Service's regulations and standing orders provided the code of conduct for officers and inmates (CI 92 and CI 93) which outlined various rules and corresponding sanctions. Offences by officers sometimes warranted extra duty, demotion or dismissal.

Inmates who committed offences were either required to weed, scrub, wash, sweep or clean. According to some inmates, the worst punishment constituted emptying of the toilet manhole with a bucket or being assigned large portions to weed with a short and blunt cutlass.

Some inmates however stated that some punishments constituted being whipped with a rubber tie or locked up in a room known as punishment.

Rule 54 of the Nelson Mandela rules provides that upon admission, every prisoner shall be promptly provided with written information about..., his or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints. Locally, the Prisons Standard Operating Procedures 2.10 provides that prisoners shall follow laid down procedures in making complaints against any staff and another prisoner and shall not take the law into their own hands to seek revenge.

All the prisons visited indicated some form of inmates' governance system characterized by their own hierarchical levels. In response to enquiries about informal ways by which disputes and complaints were resolved by inmates, some officers responded that the inmate governance system complemented the formal governance structure given the sheer numbers of inmates, or extreme levels of overcrowding, that they had to contend with.

Discussions with the inmates about their informal governance system revealed that inmates had established their own informal code of conduct that was recognized by the prison officers. Inmate executives oversaw the affairs in the cells. The inmate leadership comprised executives that run the affairs of inmates such as porch leaders (in charge of the porch in front of the cell), cell boys (in charge of food), marshals (in charge of water closet), checkers (assisting in taking attendance), policemen (in charge of arrest), inspectors, judges, advisors, cell fathers, and cell leaders.

The cells usually run a court system where cases were handled in the event of a breach of a code of conduct and the option of appeal existed. If there was a case beyond the court system within the cell, it was usually reported to the cell leader. If it was beyond him, the case was handed over to the star class⁹ who in turn handed it over to the yard master. A case beyond the yard master was sent to the chief officer.

As already indicated, interactions with inmates and officers revealed that this informal inmate governance system was an age-old practice that usefully complemented the formal governance system.

Both inmates and officers admitted that despite the usefulness of inmate's governance system, it had its own excesses and sometimes lent itself to inter-inmate violence.

At the Ankafu prisons for instance, inmates shared that senior inmates or those with higher positions meted punishment to other inmates when inmate rules were breached. Such senior inmates beat inmates who did not comply with instructions or set rules. For instance, when a fresh inmate was brought into a cell, he would be asked by the cell leader to salute him continuously, for a number of times, say 200 times. Any inmate who did not comply would be beaten up. Again, an inmate who made a complaint to an officer concerning the actions of an inmate leader or star

⁹This is a special category of inmates appointed by warders.

class¹⁰ was often victimized. Complaints were dealt with, sometimes in favour of the inmate leaders. Complaints were therefore seldom lodged for fear of victimization.

The decision to seek information pertaining to everyday inmate life and inmates' informal governance experiences, draws on ethnographic scholarly work on everyday inmate life as well as inmate rituals in Ghana's Correctional Centres for juveniles and young offenders (Ayete-Nyampong¹¹, 2013, 2015, 2018) as well as ethnographic scholarly contributions pertaining to the role of inmates in prison governance in Africa¹² (Akoensi, 2014; Ayete-Nyampong, 2014; Morelle, 2014; Tertsakian, 2014).

Informal ways of resolving conflicts among inmates, inmate rituals and informal economies may not portray an apparent relevance to human rights standards and rules as will material conditions such as overcrowding, poor sanitary conditions, inadequate food etc. Nevertheless, such information such as regarding inter-inmate violence may significantly contribute to correctional policies such as safe custody and welfare of inmates, reformation and rehabilitation as well as the prevention ill treatment among inmates.

While it is important for National Human Rights Institutions or prison monitors in Africa to continue to draw attention to appalling conditions such as overcrowding, poor ventilation,

¹⁰These leaders occupied various positions, such as National leader, black coat leader, cell leader etc.

¹¹Ayete-Nyampong, L. (2013). Entangled realities and underlife of a total institution. *PhD thesis*, Wageningen University, The Netherlands; Ayete-Nyampong, L. (2015). Changing Hats: Transiting between Practitioner and Researcher Roles. In: Drake Deborah, H., Rod, E. & Jennifer, (eds.) *The Palgrave Handbook of Prison Ethnography*. Hampshire: Palgrave Macmillan; Ayete-Nyampong, L. (2018). Insider Insights about Educational Provisions for Children in Conflict with the Law in Correctional Centres in Ghana. *Asia Pacific Journal of Contemporary Education and Communication Technology*. 4(1), pp. 92-99.

¹² See the *Prison Service Journal*: 'Everyday Prison Governance in Africa', edited by Jefferson; and Martin, T., and contributions by the following: Akoensi, D (2014) Governance through power sharing in Ghanaian prisons: a symbiotic relationship between officers and inmates. *Prison Service Journal: Everyday Prison Governance in Africa* (214), pp27-32; Ayete-Nyampong, L. (2014). Entangled Governance Practices and the Illusion of Producing Compliant Inmates in Correctional Centres for Juvenile and Young Offenders in Ghana. *Prison Service Journal: Everyday Prison Governance in Africa* (214), pp 27-32; Carina, T. (2014). Some Prisons are Prisons and others are like Hell: Prisons Life in Rwanda in the ten years after the genocide. *Prison Service Journal: Everyday Prison Governance in Africa* (214), pp27-32; Morelle, M. (2014). Power, Control and Money in Prison: the Informal Governance of the Yaoundé Central Prison. *Prison Service Journal: Everyday Prison Governance in Africa* (214), pp27-32.

incarceration of juvenile offenders in adult prisons and overstay of remand prisoners, continual calls for change have yielded modest improvement over the years.

The novel findings in 2019 suggest that monitors may have to approach correctional institutions holistically, that is, render relevance to international human right standards but also to the context of the everyday relational as well as nuanced informal practices that contribute to broader goals such as rehabilitation and prevention of torture and degrading treatment in prisons.

Rehabilitation and integration

The third recommendation of the Ouagadougou Declaration on Prison and Penal reform provides that greater efforts should be made to empower prisoners to lead a crime-free life in the future. Also Rule 4(1 and 2) of the Nelson Mandela Rules seeks to ensure that society is protected from crime and recidivism and that efforts are made to promote the effective re-integration of released inmates. Prison administrations and other competent authorities are to offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature. All such programmes, activities and services should be delivered in line with the individual treatment needs of prisoners.

Interviews with prison officials revealed that the majority of the prisons visited run formal, non-formal education as well as promote a number of vocational training skills including carpentry, masonry, beads making, ICT, auto mechanic tailoring, shoe making, barbering and soap making.

The formal training programmes were in line with national structures/syllabi and qualifications of the National Vocational Training Institute (NVTI). However, the training centers in some of the prisons such as the Ho prisons, were situated outside the premises of the prison facility and inmates had to be escorted to these centers.

According to officers, the enrolment of inmates into training programmes depended on the term of sentence, inmates' qualification and previous experience, inmates' interest etc. Thus, those who had long sentences had the opportunity to acquire skills based on their interest. The officers were of the view that one could not adequately learn a skill within a couple of months. Those that got the opportunity were inmates that had more than one year of sentence. Focus group discussions

with inmates confirmed that sometimes one was expected to serve half of one's sentence in order to qualify to partake of a training programme.

It was observed at the Ho prisons that employment opportunities were available for some inmates who were qualified to do so while in custody and such inmates were paid for work done.

With respect to discharge procedures, the Ghana Prisons Service SOPs on the subject; Preparing Convicts Prisoners for Discharge, outlines all the procedures an inmate has to go through to be discharged including the Prison's Discharge Board that prepares the prisoner mentally for his/her reintegration. At the Nsawam Prison, a Discharge Board comprising a counsellor, the OIC, a welfare officer, a representative from some religious organizations met inmates prior to their discharge. The discharge board held periodic sessions with inmates and other board members to discuss, plan and prepare them towards discharge. Family and relatives of inmates were sometimes involved in the discharge process.

Maintaining contact with family

According to Rule 43(3) of the Nelson Mandela Rules, disciplinary sanctions or restrictive measures shall not include the prohibition of family contact. This means family contact may only be restricted for a limited time period as required for the maintenance of security and order. Furthermore, Rule 58 (1) of the same rules stipulates that, prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals by corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and by receiving visits.

Again, recommendation 6 of the Kampala Declaration on Prison conditions in Africa provides that prisoners should be given the opportunity to maintain and develop links with their families and the outside world, and in particular be allowed access to lawyers and accredited para-legal, doctors and religious visitors.

According to the majority of inmates, family and relatives did not visit regularly officers, though officers indicated that family, relatives and friends were allowed to visit the inmates.

It was also observed that the commitment of families to the welfare of the inmates depended on the inmates' relationship with the family. Focus group discussions with officers and inmates

revealed that some inmates who were well off and had thriving business prior to confinement continued to assumed responsibility for the upkeep of their families. In such cases, family members contacted such inmates frequently.

According to officers, inmates were also allowed to contact families and other relatives through phone calls which is line with rule 58(1) of the Nelson Mandela Rules. Monitors observed that telephones were sited at vantage points for this purpose. According to inmates, calls were supervised by officers and this afforded inmates little privacy; inmates usually bore the cost for calls made.

SECTION THREE

SUMMARY OF REGIONAL REPORTS

3.1 NSAWAM MEDIUM SECURITY PRISON

3.1.1 Background

The Nsawam Medium Security Prison had separate facilities for both male and female inmates. The authorized/standard capacity of the male prison was 717 but there were 3524 (3298 *convicts and 226 remands*) inmates at the time of visit. The female prison's authorized/standard capacity was 200 inmates but the actual number of inmates at the time of visit was 89 (82 *convicts and 7 remands*). The male facility was extremely overcrowded and had exceeded its authorized/standard capacity by 491.5%¹³.

3.1.2 General Conditions

Accommodation

The Nelson Mandela Rules¹⁴ 13 stipulate that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation”. In addition, Rule 14 (a) and 14 (b) of same stipulates that in all places where prisoners are required to live or work:

(a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Again, Rule 21 states that “every prisoner, in accordance with local or national standards.... be provided with a separate bed, and with separate and sufficient bedding...”.

¹³This was almost five times the authorized/standard capacity of the prison.

¹⁴In December 2015, the UN General Assembly adopted the revised Rules as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”. As per the recommendation of the Expert Group, the revised Rules are to be known as “the Nelson Mandela Rules” to honour the legacy of the late President of South Africa, Nelson Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace.

The cells at the Nsawam Male Prison were extremely over-crowded. The cells also had small windows leading to poor ventilation as well as illumination. These conditions did not conform to the above stated rules.

Conditions were much better at the Female Prison. The cells for the convict and remand inmates comparatively had larger windows and were fitted with fans providing good ventilation and illumination. Beds in these cells were neatly laid and spaced.

Feeding

Rule 22(1) of the Nelson Mandela Rules states, “every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served”¹⁵.

The feeding rate by government stood at GH¢1.80 (\$0.32)¹⁶ per inmate per day and was supplemented by proceeds from agricultural activities by the prison. The agricultural activities by the prison were in line with the plan of action of the second recommendation of the Ouagadougou declaration on prison and penal reform in Africa which requires African prisons to be more self-sufficient. Inmates in the male prison however, complained of the supply of non-nutritious, non-palatable and non-varied menu. Female inmates were quite satisfied about their feeding conditions and those requiring special meals due to health reasons were allowed to prepare their own food.

Health

Rule 24(1) reads, “the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”.

¹⁵This is localized in Procedure 3.1 of the Ghana Prisons Service’s SOPs on the subject of Provision of Basic Necessities of Prisoners which reads “all prisoner shall be provided at the usual hours with food of nutritional value adequate for their health and strength, of wholesome quality, well prepared and served.

¹⁶At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH-¢/12-12-219> Accessed 9th June, 2020.

The male prison had a Clinic accredited by the National Health Insurance Scheme with about 80% of all inmates being covered by this Scheme. Some inmates of the male Prison claimed that those on the health insurance Scheme were not well attended to as compared to those who paid cash.

Sanitation

Rule 18 of the Nelson Mandela Rules states that prisoners..., shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

The male prison blocks had toilet facility (water closet) in some cells as well as common water closets (WCs). All the female cells had a water closet as well as a shared bathroom. The female inmates indicated that they had regular supply of toiletries, however, the male inmates were not provided with toiletries on regular basis. The prison facility had regular water supply at the time of visit.

3.1.3 Request and Complaint Resolution System

Code of conduct and associated punishment

The operations of the prison facilities were guided by the Ghana Prisons Service' Standard Operating Procedures (SOPs). They also made reference to the CI 92, CI 93, and standing orders in the operation of the facility. Rule 43(1) of Nelson Mandela Rules reads, "in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited: indefinite solitary confinement, prolonged solitary confinement...". The form of punishment meted to inmates included isolation, weeding, scrubbing, washing and sweeping. The inmates also mentioned that there were instances of fights among in which there was blood shed.

Avenues to file a complaint

Rule 56 of the Nelson Mandela Rules states that; "every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her...." Again, Rule 57 of the same Rule stipulates that, "every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority...".

The prison facility had both formal and informal avenues to file complaints and all inmates reportedly had access to the complaints system.

3.1.4 Rehabilitation and Integration

Education/training programmes

Rule 92(1) of the Nelson Mandela Rules stipulates that “to these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release”. Also, the third recommendation of the Ouagadougou Declaration on Prison and Penal reform provides that greater efforts should be made ... to empower prisoners to lead a crime-free life in the future. These efforts include rehabilitative programmes focusing on the reintegration of offenders and contributing to their individual and social development.

Further, Rule 104 (2) stipulates that “so far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty”.

Approximately, three hundred and fifty (350) male inmates at the time of visit were undergoing various forms of educational and vocational training; Junior High School, Senior High School, Information Communication Technology, non-formal education and a degree distance Program at the male Prison. Similar curriculum was followed at the female prison.

Contact with relatives and outside world

Nelson Mandela Rule 58(1) states that “prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits”. Similarly, recommendation 6 of the Kampala declaration on prison conditions in Africa provides that prisoners should be given the opportunity to maintain and develop links with their families and the outside world, and in particular be allowed access to lawyers and accredited para-legals, doctors and religious visitors.

Inmates of both male and female prisons were allowed to contact their families through visits and phone calls. Convicts were allowed to receive visitors once a week whereas remand prisoners could receive visitors every day. They were allowed to make calls using a telephone installed at the designated telephone booths.

Religious bodies and philanthropists regularly visited inmates in both the male and female prisons and sometimes made donations.

3.1.5 Special Categories

The Nelson Mandela Rule 5(2) reads, “the prison administrations shall make all reasonable accommodation and adjustments to ensure that prisoners with physical, mental or other disabilities have full and effective access to prison life on an equitable basis”. Also, the Ghana Prisons Service SOPs on the Subject of Prisoners with Physical Disability is to identify all prisoners with physical disability and their special needs that will enable them function within the prison by virtue of their disabilities.

There was a visually impaired inmate and others with physical disabilities as well as elderly inmates. These inmates were housed and taken care of in special wards at the clinic which is in line with Rule 5(2).

Rule 112(2) of the Nelson Mandela Rules stipulates that “young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions”.

Inmates in the male Prisons confirmed the presence of juveniles in the adult prison. The Officers however indicated that on their records there were no juveniles. Interactions with some of the juveniles suggested that their ages had been inflated by Police offices when their statements were taken at the Police stations.

There were neither pregnant women nor nursing mothers at the time of visit, however, the female facility had a special unit to house nursing mothers until their children were 18 months, after which they were detached from their mothers.

3.1.6 RECOMMENDATIONS

1. The Case tracking system being piloted is commendable and should be regularized.

2. As much as possible, remand prisoners should be kept separate from convicts in keeping with standard practice of accommodation of Prisoners.¹⁷
3. The Ghana Prisons Service should ensure that
 - Cells for condemned female inmates are provided with ceiling to reduce the emission of heat from the zinc roofing;
 - A counselling and Rehabilitation Unit is set up to run programmes among others for inmates with narcotic/alcoholic addiction, anger management problems.
4. The CHRAJ should collaborate with the Paralegal Unit of the Ghana Prison Service to roll out education programmes on the rights of inmates.

3.2 ANKAFUL MAIN CAMP AND ANKAFUL MAXIMUM SECURITY PRISONS

3.2.1 Background

The Ankaful Main Camp and the Maximum Security Prisons are male prison facilities. These prisons receive only convicts. At the time of visit, the Maximum Security Prison received high profile¹⁸, high risk and high sentence prisoners whereas the prison camp did not. The latter received prisoners who had served at least one fifth of their sentence in another prison before being transferred to the camp. The Main Camp had an authorized/standard capacity of 600 inmates and an actual capacity of 149. The Maximum Security Prison had an authorized/standard capacity of 2000 and an actual capacity of 736. Both prisons were therefore not overcrowded.

3.2.2 General Conditions

Accommodation

Rule 13 of the Nelson Mandela Rules¹⁹ stipulates that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard to... minimum floor space, lighting, heating and ventilation”. Rule 14 further stipulates that, in all places where prisoners are required to live or work;

¹⁷Similar recommendation was made to Ministry of Interior in CHRAJ’s Detention Monitoring Report, 2007.

¹⁸High profiled cases are those that attract enough media/public attention, often because of the unique nature of crime.

¹⁹In December 2015, the UN General Assembly adopted the revised Rules as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”. As per the recommendation of the Expert Group, the revised Rules are to be known as “the Nelson Mandela Rules” to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace.

- (a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
- (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Again, Rule 21 states that “every prisoner, in accordance with local or national standards.... be provided with a separate bed, and with separate and sufficient bedding...”.

Accordingly, there was no overcrowding in both prisons²⁰. Some of the blocks were empty. The number of beds outnumbered the number of inmates. All the cells in both prisons had windows to aid ventilation. Apart from the windows, the Ankafu Main Camp had installed electric fans in the cells. All the cells of Ankafu Main Camp had electric light bulbs whereas the Maximum Security had none.

Feeding

Rule 22(1) of the Nelson Mandela Rules stipulates that “every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served”²¹. In both prisons, the second and third rations of food were served together at the same time. Inmates of both prisons expressed their dissatisfaction about the quality and quantity of food. The feeding rate by government stood at GH¢1.80 (\$0.32)²² per inmate per day which was supplemented by proceeds from agricultural activities of the prisons.

Health

Rule 24(1) of the Nelson Mandela Rule states that “the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”.

²⁰ At the time of visit there were no persons on remand in both prisons. The Camp prison does not receive or house remand prisoners.

²¹ This is localized in Procedure 3.1 of the Ghana Prisons Service SOPs on the subject of Provision of Basic Necessities of Prisoners which reads “all prisoner shall be provided at the usual hours with food of nutritional value adequate for their health and strength, of wholesome quality, well prepared and served

²² At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents) <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020

Rule 27 (1) provides that all prisons shall ensure prompt access to medical attention in urgent cases and prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. In line with this, inmates with serious health problems were referred to the Regional Teaching Hospital.

The two prisons had an infirmary/clinic, however, at the time of visit, they were out of stock of medication. The majority of inmates indicated they were not registered under NHIS. Common medications offered were Paracetamol and Aluminum Hydroxide (G-Aludrox).

Sanitation

Rule 18 of the Nelson Mandela Rules states that “prisoners ..., shall be provided with water and with such toilet articles as are necessary for health and cleanliness”. In line with this provision, all the cells as well as the prison compounds had water closets (WCs). There were also bath houses with regular flow of water in both prisons. Inmates were provided with toiletries like soap and toilet-roll at most once in a month.

3.2.3 Request and Complaint Resolution System

Code of conduct and associated punishment

Officers and inmates had certain regulations they complied with including C.I 92, C.I 93 and Standing orders. Rule 43(1) of Nelson Mandela Rules provides that “in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited: indefinite solitary confinement, prolonged solitary confinement...”.

The worst punishment considered by inmates in both prisons was being locked up in their underwear for days or months, in a structure termed “lock-up”.

Avenues to file a complaint

Rule 54 of the Nelson Mandela Rules provides amongst others that upon admission, every prisoner shall be promptly provided with written information about:

- (a) The prison law and applicable prison regulations;
- (b) His or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints.

Information pertaining to the above, according to the inmates was not readily available to them.

Rule 56 of the Nelson Mandela Rules states that; “every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her...” Again, Rule 57 of the same Rules stipulates that, “every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority...”.

In practice, informal complaints by inmates were normally addressed to the welfare officer, whereas formal complaints were often addressed to the Chief Officer. Some inmates of the Maximum Security Prison claimed they were sexually harassed by their fellow inmates. Reportedly, such cases were lodged with their cell/block leaders who resolved the cases to their satisfaction.

3.2.4 Rehabilitation and Integration

Education/training programmes

Rule 92(1) of the Nelson Mandela Rules stipulates that “to these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release”. Also, the third recommendation of the Ouagadougou Declaration on Prison and Penal reform provides that greater efforts should be made ... to empower prisoners to lead a crime-free life in the future. These efforts include rehabilitative programmes focusing on the reintegration of offenders and contributing to their individual and social development.

According to Rule 104 (2), “so far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty”.

In practice, the camp prison had vocational training shops including tailoring, shoe making, electrical and electronics, barbering and soap making shops for inmates whereas the Maximum Security Prison only had a tailoring shop for its inmates.

The Maximum Security Prison held Primary and Junior High educational programmes for its interested inmates whereas the classroom block of the camp prison at the time of visit had no furniture and was yet to be commissioned.

Contact with relatives and outside world

Rule 58(1) of Nelson Mandela Rules states that “prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits”. Similarly, recommendation 6 of the Kampala declaration on prison conditions in Africa provides that prisoners should be given the opportunity to maintain and develop links with their families and the outside world, and in particular be allowed access to lawyers and accredited para-legals, doctors and religious visitors.

Inmates of both prisons were allowed to make calls to relatives and receive visits from relatives, however, they were worried about the frequency as it sometimes took between 3 to 9 months interval to be offered the opportunity to place a call. With regards to the Maximum Security Prison, the call rate was 20p²³ (\$0.035) for every 4 minutes whereas the Camp Prison did not charge any amount. The two prisons received visitation from philanthropists, religious bodies, amongst others.

3.2.5 Special Category

The Camp Prison had no Persons with Disabilities (PWDs) whereas the Maximum Security Prison had some. Also, there were no inmates aged above 70 years in the Maximum Security Prison because they had all received amnesty at the time of visit but the Camp Prison had inmates who aged above 70 years.

²³At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, 20 Pesewas is equivalent to 3.50 Cents. <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020.

3.2.6 RECOMMENDATIONS

1. The Ghana Prisons Service should ensure that:
 - The small windows in Block A are enlarged similar to that of the remaining blocks in the Ankaful Main Camp Prison to improve ventilation;
 - All the cells in the Maximum-Security Prison are equipped with electric fans and malfunctioning fans in Ankaful Main Camp Prison are repaired as soon as possible to improve ventilation;
 - Old and thin mattresses at the Maximum-Security Prison are replaced.
2. Authorities at the male prison should ensure that, meals served to inmates are varied. The lunch and supper should also be served separately to reduce the number of inmates who starved overnight.
3. Inmates should be involved in regular stock taking and usage of donations (including food items) from philanthropists, churches, amongst others.
4. The Ghana Prisons Service in collaboration with Ghana Health Service should ensure that the infirmary and clinic at the Ankaful Main Camp Prison and Ankaful Maximum Security Prison respectively are well resourced with drugs. The malfunctioning stethoscope of the infirmary should also be replaced.
5. Prison officers should be on standby at night to attend to persons with health issues who call for help especially at night when the cells are all locked up.
6. All inmates of both prisons should be provided with toiletries and detergents at least three times in a month.
7. The CHRAJ should engage with the Officers in Charge of both prisons and other authorities of Ghana Prisons Service to investigate claims of brutalization of inmates with rubber tyre whip and electric shockers at the Maximum-Security Prison.
8. The CHRAJ should engage with the Officer in Charge of Ankaful Maximum Security Prison to ascertain how easily and timely an inmate can approach him to lodge confidential issues without having to pass through the other prison officers.
9. Fresh inmates admitted into the Maximum-Security Prison should be offered some level of orientation and counselling in order to adapt to the prison life.

10. The Ghana Prisons Service should ensure that the blacksmith, tailoring and electrical shops at the Main Camp Prison are well equipped whereas the Maximum-Security Prison should set-up additional forms of vocational training aside the tailoring for its inmates. The end-product of these workshops should be sold to the public to provide wage for such inmates.
11. The Ghana Prisons Service in collaboration with Ghana Education Service should operationalise the 12-unit classroom block of the Ankaful Main Camp Prison erected by the GET-Fund.
12. The Maximum-Security Prison and the Ankaful Main Camp Prison should run programmes on anger management, narcotics and other related issues for inmates.
13. Both prisons, particularly the Prison Camp, should increase the frequency of phone calls that inmates can make to relatives.

3.3 HO CENTRAL PRISON

3.3.1 Background

The Ho Central prison had separate facilities for male and female inmates. The authorized/standard capacity of the male and female prison facilities was 150 (12 cells) and 24 (3 cells) respectively. The male facility housed 492 (392 Convicts, 90 Remands, and 10 Lodgers²⁴) inmates, whereas the female facility housed 9 (6 convicted and 3 on remand) inmates at the time of visit. The male facility was therefore extremely overcrowded and had exceeded its authorized/standard capacity by 328%²⁵.

3.3.2 General Condition

Accommodation

The Nelson Mandela Rules²⁶ 13 stipulates that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due

²⁴A lodger is one who is in prison for temporal custody.

²⁵A little over three times the authorized/standard capacity of the prison.

²⁶In December 2015, the UN General Assembly adopted the revised Rules as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”. As per the recommendation of the Expert Group, the revised Rules are to be known as “the Nelson Mandela Rules” to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace.

regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation”. Again, Rule 21 states that “every prisoner, in accordance with local or national standards.... be provided with a separate bed, and with separate and sufficient bedding...”.

The male facility was overcrowded and had exceeded its authorized/standard capacity by 328% as it housed 492 male inmates as against its capacity of 150 inmates. Most of the inmates either slept on the floor or under the bunk beds. There was no overcrowding in the female cells. Also, Rule 14 (a) and 14 (b) of same stipulates that in all places where prisoners are required to live or work:

(a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

The cells of both the male and female prisons were well illuminated with good ventilation.

Feeding

Rule 22(1) of the Nelson Mandela Rules reads “every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served”²⁷.

Prisoners were fed three (3) times daily with a government feeding rate of GH¢1.80 (\$0.32)²⁸ per day per prisoner and was supplemented by proceeds from agricultural activities by the prison. The agricultural activities by the prison were in line with the plan of action of the second recommendation of the Ouagadougou declaration on prison and penal reform in Africa which requires African prisons to be more self-sufficient.

²⁷This is localized in Procedure 3.1 of the Ghana Prisons Service SOPs on the subject of Provision of Basic Necessities of Prisoners which reads “all prisoner shall be provided at the usual hours with food of nutritional value adequate for their health and strength, of wholesome quality, well prepared and served.

²⁸At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020.

Health

Nelson Mandela Rule 24(1) reads “the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”.

The prison had an infirmary that served both the male and female facilities with 5 nurses, who ran shifts.

Sanitation

In line with Rule 18 of the Nelson Mandela Rules which states that “prisoners ..., shall be provided with water and with such toilet articles as are necessary for health and cleanliness”, both prison facilities had water closets (WCs) in each cell as well as a common toilet facility with a regular supply of water.

3.3.3 Request and Complaints Resolution System

Code of conduct and associated punishment

The prison facility had a documented Code of Conduct with associated punishment for both officers and inmates which included C.I 92, C.I 93 and Standing orders. The individual cells also had codes of conduct that regulated the activities in the cells. Rule 43(1) of Nelson Mandela Rules provides that “in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited: indefinite solitary confinement, prolonged solitary confinement...”. The inmates indicated that there had not been any form of torture from officers. Inter-inmate violence was minimally prevalent.

Avenues to file a complaint

Rule 56 of the Nelson Mandela Rules states “every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her....”. Rule 57 also stipulates that, “every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority...”.

The prison had both formal and informal avenues to file complaints and all inmates and officers purportedly were able to access the complaints system.

3.3.4 Rehabilitation and Integration

Education/training programmes

Rule 92(1) of the Nelson Mandela Rules stipulates that “to these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release”. Also, Rule 104 (2) of the Nelson Mandela Rules reads “so far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty”.

Furthermore, the third recommendation of the Ouagadougou Declaration on Prison and Penal reform provides that greater efforts should be made ... to empower prisoners to lead a crime-free life in the future. These efforts include rehabilitative programmes focusing on the reintegration of offenders and contributing to their individual and social development.

In accordance with the above standards, the prison facility offered non-formal education such as tailoring, carpentry, masonry, beads making among others to inmates which was in line with the national educational structures and qualification. The training facility was however situated outside the prison facility.

Contact with relatives and outside world

Rule 58(1) of Nelson Mandela Rules states that “prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits”. Similarly, recommendation 6 of the Kampala declaration on prison conditions in Africa provides that prisoners should be given the opportunity to maintain and develop links with their families and the outside world, and in particular be allowed access to lawyers and accredited para-legals, doctors and religious visitors.

Inmates indicated that they did receive regular visits from relatives, in line with Nelson Mandela Rule 58(1). However, only a small proportion of family and relatives were interested in inmates' welfare, on the basis of their visits. Inmates were given the opportunity to make contact with their families through phone calls at a rate of GH¢1.00 (\$0.18)²⁹ per call. Inmates received regular visits from religious bodies, NGOs, philanthropists, amongst others.

3.3.5 Special Categories

Some inmates had physical and mental disabilities and the only inmate above age 60 was 75 years of age at the time of visit. The research team identified and interviewed three youngsters purported to be juveniles. Here, the provision of Rule 112(2) of the Nelson Mandela Rules which reads that “young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions” was not dully followed. There was neither pregnant nor nursing inmate as at the time of visit.

3.3.6 RECOMMENDATIONS

1. The Director General of the Prison Service should ensure the provision of the following:
 - a temporary observation cell for fresh or newly admitted inmates for the purposes of counselling, medical treatment where necessary and appropriate placements;
 - test kits for quick diagnosis of various diseases including the COVID-19;
 - a waste tanker for the prison facility to enable timely emptying of the waste so as avoid spillage;
 - a vehicle to convey remand prisoners to the court;
 - gloves and boots for inmates for cleaning and farm purposes.
2. The CHRAJ should ensure that juveniles encountered at the time of monitoring are duly discharged from the Prison. Regular contacts with the Officer-in-Charge should also be made to avoid future incarceration of juveniles in adult prisons.
3. The Ghana Prisons Service in collaboration with relevant Institutions should relocate training facilities to the prison yard to avoid possible escapes.
4. The Ghana Prisons Service in collaboration with the Ghana Education Service should

²⁹At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.00 is equivalent to \$0.18 (18 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020.

provide formal education to inmates in order to enhance rehabilitation and reintegration into the society.

5. The Ghana Prisons Service in collaboration with relevant Institutions should follow up on the case of the prisoner from Kete Krachi who had been on remand for 11 years.

3.4 TAMALE CENTRAL PRISON

3.4.1 Background

The Tamale Central Prison had separate facilities for both male and female inmates. The male prison population at the time of visit was 282 (*187 convict and 95 remand prisoners*) and that of the female was eight (8), all convicts. The male and female prison facilities had authorized/standard capacities of 78 and 12 respectively. The male facility was therefore extremely overcrowded and had exceeded its authorized/standard capacity by 361.5%³⁰.

3.4.2 General Conditions

Accommodation

The Nelson Mandela Rule 13 stipulates that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation”. In addition, Rule 14 (a) and 14 (b) of same stipulates that in all places where prisoners are required to live or work:

- (a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
- (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Again, Rule 21 states that “every prisoner, in accordance with local or national standards.... be provided with a separate bed, and with separate and sufficient bedding...”.

³⁰More than 3 times the authorized/standard capacity of the prison.

There was overcrowding in both male convict cells and the male remand cells. For instance, a cell meant for four (4) inmates was occupied by 13 inmates. There were no beds at the remand cells and prisoners had to sleep on the cemented floor. There was frequent disconnection of electricity supply for lack of payment of bills.

The female cells on the other hand, were neat, had fans to aid ventilation, and were not overcrowded.

Feeding

Rule 22(1) of the Nelson Mandela Rules states, “every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served”³¹.

Inmates were fed two times daily³². The feeding rate by government for each inmate per day at the time of visit was GH¢1.80 (\$0.32)³³. The food was supplemented by proceeds from agricultural activities of the prisons.

Health

Rule 24 (1) of the Nelson Mandela Rules states that “the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”. The prison had an infirmary which was poorly stocked at the time of visit.

4.2.4 Sanitation

Rule 18 of the Nelson Mandela Rules states that prisoners ..., shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

³¹This is localized in Procedure 3.1 of the Ghana Prisons Service SOPs on the subject of Provision of Basic Necessities of Prisoners which reads “all prisoner shall be provided at the usual hours with food of nutritional value adequate for their health and strength, of wholesome quality, well prepared and served

³²The lunch and supper meals were combined and given as one ration for both the male and the female inmates.

³³At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020

The male and female prisons had a common toilet facility but no individual toilet facilities in the cells. Also, the prison had a bore hole located outside the premises which served both the male and female prisons.

3.4.3 Request and Complaint Resolution System

Code of conduct and associated punishment

The operation of the prison facility was guided by C.I 92, C.I 93 and Standing orders. Punishment at the prison depended on the severity of the offence by either the officer or inmate. Rule 43(1) of Nelson Mandela Rules reads, “in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited: indefinite solitary confinement, prolonged solitary confinement...”.

The inmates indicated that they were beaten, chained, and sometimes locked up in the isolation cells by the officers when they went against the rules.

Avenues to file a complaint

Rule 56 of the Nelson Mandela Rules states that; “every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her....” Again, Rule 57 of the same Rules stipulates that, “every request or complaint shall be promptly dealt with and addressed without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority...”. The prison had a formal request and complaints resolutions systems in place at both male and female prisons. This was in keeping with Rule 56 and 57 of the Nelson Mandela Rules.

3.4.4 Rehabilitation and Integration

Education/training programmes

Rule 92(1) of the Nelson Mandela Rules stipulates that “to these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking

account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release”. Also, the third recommendation of the Ouagadougou Declaration on Prison and Penal reform provides that greater efforts should be made ... to empower prisoners to lead a crime-free life in the future. These efforts include rehabilitative programmes focusing on the reintegration of offenders and contributing to their individual and social development.

Relative to the above standards, there was no provision of formal education training in the Tamale prison. However, some vocational programs were undertaken by the prison and included; Bolga basket weaving, smock weaving, tailoring, shoe making, kenkey making and bread baking.

Contact with relatives and outside world

Rule 58(1) of Nelson Mandela Rules states that “prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits”. Similarly, recommendation 6 of the Kampala declaration on prison conditions in Africa provides that prisoners should be given the opportunity to maintain and develop links with their families and the outside world, and in particular be allowed access to lawyers and accredited para-legals, doctors and religious visitors.

Majority of the inmates from both the male and female prisons indicated that they were allowed to contacts their relatives. Also, there were visits by religious bodies, philanthropist, NGOs, among others.

3.4.5 Special Categories

There were no inmates observed to be juveniles, pregnant women, nursing mothers or persons who carried any form of disability. Reportedly, all inmates were between the ages of 18 to 59.

3.4.6 RECOMMENDATIONS

1. The Ministry of Interior should as a matter of urgency ensure that Tamale prison is renovated and a separate room is created for observation purposes.
2. The Ghana Prison Service should increase ventilation holes in the male cells and make provisions for the procurement of bunk beds especially at the male remand prison.
3. The Ghana Prisons Service in collaboration with the Ministry of Health (MoH) and the

Ghana Health Service (GHS) should:

- regularly supply the prison's infirmary with drugs;
 - assign permanent and qualified medical personnel (doctors, nurse, a clinical psychologist etc.) to the prison's infirmary;
 - take steps to clean and disinfect the prison yard regularly to avoid the transmission of diseases such as the COVID-19.
4. The Ghana Prisons Service should ensure that the borehole outside the premises of the prison is mechanized to ensure direct supply of water to inmates.
 5. The Ghana Prisons Service in collaboration with the Ghana Education Service should provide formal education to enhance rehabilitation and reintegration into the society.
 6. The CHRAJ, the Ghana Prisons Service and Police Service should investigate allegations of torture made by some inmates against some of the prison officers and appropriate measures taken.

SECTION FOUR

REGIONAL REPORTS

4.1 THE NSAWAM MEDIUM SECURITY PRISON

4.1.1 Background Information and Lock-up Data

The male prison was constructed in 1956 and commissioned in 1960 with the aim of de-congesting existing prisons. Its authorized/standard capacity was 717 inmates but at the time of visit, the actual number of inmates was 3,524. It was therefore excessively overcrowded and had exceeded its authorized/standard capacity by 491.5%³⁴. The staff strength was 532, headed by a Deputy Director of prisons and supported by four Assistant Directors of prison. As part of efforts to further decongest the prison, a 800 bed capacity prison as well as a 300 bed capacity settlement camp were being built behind the prison.

The female prison was established in 1973 for the care and safe custody of remand and convict prisoners. It had four main cells and three other cells for condemned prisoners. It had an authorized/standard capacity of 200 inmates, however, at the time of visit, the number of inmates was 89. It was therefore not overcrowded. The prison was staffed with 143 officers.

4.4.2 General Conditions

Accommodation

Each of the Cells of the Remand, Low sentence and High sentence blocks of the Nsawam male prison had an average of 11 bunk beds with mattresses and bed sheets. Cells in the condemned block were much smaller had two bunk beds each. According to prison officers and inmates, overcrowding was a major cause of concern, particularly in the remand cells. As a result, a number of inmates with neither beds nor mattresses resorted to sleeping on the floor. This overcrowding in the cells generated a situation where some inmates sold their beds for as much as GH¢500(\$90), whereas the space between beds were sold for GH¢200(\$36) as claimed by inmates.

During a focus group discussion with inmates, they demonstrated their sleeping positions (half bone)³⁵. To add up to the woes of inmates with regards to the overcrowding situation, the lockdown

³⁴This was almost five times the authorized/standard capacity of the prison.

³⁵ Inmates lying laterally side by side closely pack to each other with the head of one inmate facing the legs of another inmate.

of cells at 7:30 pm each day forced inmates to lie down in the same positions from that time till the next day.

According to some inmates, convict cells used to be more overcrowded than the remand cells. In order to decongest the convict cells, some inmates had been transferred to occupy cells in the remand block. The cells at the Nsawam male prison had small windows leading to poor ventilation as well as illumination.

The female prison had two (2) blocks; one (1) with four (4) cells occupied by convict and remand inmates, and the other with three (3) cells for condemned prisoners. The cells for the convict and remand inmates had larger windows, as compared to that of the male Prison and they were fitted with fans providing good ventilation and illumination. Beds in the cells were neatly laid and spaced. Discussions with inmates revealed that bed sheets as well as carpets for the floors were purchased by inmates drawing on their own resources. In contrast, female inmates at the cells for condemned prisoners complained of extreme heat because there was no fan and the interior roofing was not ceiled. It was observed that inmates in all the condemned blocks slept on mattresses laid on the floor and yet there were unoccupied beds in the other block. When an explanation was sought about this situation, the OIC responded that, *this is how it has always been, I also came to meet it.*

Feeding

Inmates of the male Prison were provided three square meals every day; porridge without sugar for breakfast, beans for lunch and banku for supper. However, due to the large number of inmates to be served, the lunch and supper were served as one meal. The provision of lunch and supper at the same time during lunch time was problematic for inmates as they struggled to find bowls to keep both meals at the same time. Also, the early consumption of the combined meal of lunch and supper resulted in the majority of inmates being starved through the night. Food served was sometimes inadequate, not varied and non-nutritious. With regards to the female prison, officers indicated that inmates were served with sizeable and nutritious meals separately thrice daily and meals were often varied. Moreover, their porridge was sugared and lunch and Supper often served with meat. This assertion was corroborated by female inmates as well as kitchen staff.

The feeding rate per prisoner per day had been GH¢1.80 (\$0.32)³⁶ since 2011 and this, according to staff and inmates, was inadequate. Produce from the prison farms as well as donations from churches and other benevolent institutions supplemented the feeding of inmates.

The supply of foodstuff to the prison usually went through a tendering process and payments were done from the Head office which was not regular. These payments to suppliers were not regular and some had not been paid for over a year. As a result, some suppliers were unable to provide regular supplies. Firewood was the major source of fuel used in cooking for the inmates. Interviews with staff revealed that the Netherlands Embassy had considered supporting the production of biogas for cooking from the excreta of the inmates.

Health

The male prison had a clinic accredited by the National Health Insurance Scheme (NHIS) with about 80% of all inmates covered by this scheme. The clinic had a medical store, a pharmacy, standard laboratory, operating theatre, consulting room and a 50-bed capacity ward. The staff strength of the clinic was 45; these included a medical doctor, physician assistant, nurses, biomedical scientists and an accountant. Health services were provided to inmates, prison officers and their families as well as the general public. The common ailments treated were malaria, TB and skin conditions. The average clinic attendance was 150 for inmates and 30 for civilians each day. Health officials claimed most of their drugs were not covered by the NHIS scheme or not were not in stock. For such instances, inmates had to bear the cost themselves. However, patients who had money were provided the same type of medicine that were claimed to have been out of stock. Additionally, it was reported that patients on NHIS were given common medicines like paracetamol whereas those with cash were provided with medicine of high quality. One inmate said he was injured upon admission to the prison and had to pay for his injections and other costs. A diabetic patient lamented how he footed the cost of his own drugs amounting to GH¢38,000 (\$6840). Prison staff as well as some inmates mentioned that, the cost of treatment of inmates who were not registered with the NHIS was borne by the government.

³⁶At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> Accessed 9th June, 2020.

The female prison had an infirmary equipped with the necessary pharmaceutical drugs as well as a nurse and two health aids who attended to emergencies and other minor health needs of inmates. Cases beyond the nurse's ability were referred to the clinic at the male wing.

Sanitation

During the monitoring visit, it was observed that the male prison blocks, cells and environment were neat, with the grass neatly mowed. However, due to prison congestion, there was some lingering stench in almost all the cells inspected. The prison blocks had common toilet facilities for all inmates as well as in some cells. Inmates indicated that they were provided with toiletries but not on regular basis.

The environment of the female prison was clean and had cells with neatly laid carpets. The cells of the remand and convict blocks had two water closet toilets (WCs) facilities each with regular water supply. Inmates were provided with toiletries every two (2) weeks. Prison Blocks at both the male and female cells had common bathroom facilities for inmates.

Living Conditions of Staff

The Prison facility had a barracks and a school which runs from crèche to the Junior High level. The barracks accommodated staff from both the male and female prisons. The barracks was very old and dilapidated and had not been renovated over a decade. Staff complained about the extremely small sizes of their rooms causing crowding and discomfort. There was rent allowance available for staff who opted to live outside the barrack, however, they indicated it was woefully insufficient.

Officers requested that allowances that would enable them put in place measures that protected them from contagious diseases, be paid regularly.

4.1.3 Request and Complaint Resolution System

Code of conduct for officers and/or inmates

Interactions with inmates and staff of both male and female prisons indicated that, there was a documented code of conduct for inmates. The conduct of officers was regulated by the C I. 92, C I. 93 and the Standing Orders. Inmates at both the male and female prison mentioned that, even

though by-laws were read to them during their admission process, they were not provided with copies.

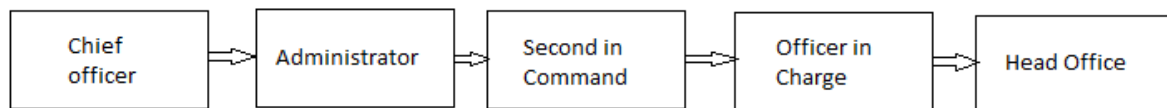
Associated punishment with regard to a breach of the code of conduct

Responses obtained during the monitoring visit suggested that, depending on the nature of offence by both staff and inmates, a number of punishments were meted out for breaching the code of conduct. For officers, certain offences warranted extra duty, demotion or dismissal. For inmates, punishments such as isolation, weeding, scrubbing, washing, sweeping and cleaning were meted out to them.

Formal and/or informal avenues to file complaint

Complaints from Prison Staff were channelled to the Chief Officer, and if unresolved, were further channelled to the Administrator, then to the Second in Command and finally to the Officer in Charge. Instances where a complaint could not be resolved by the OIC, it was further channelled to the Head Office for final redress. *See Figure 2.*

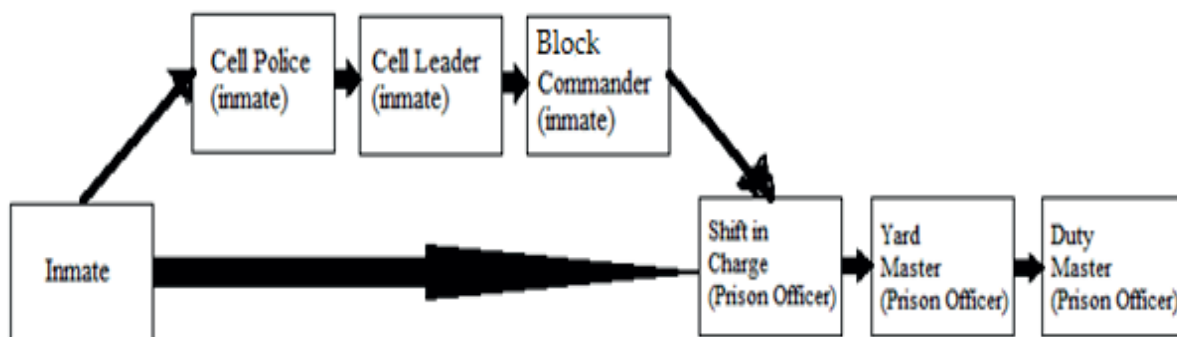
Figure 2: Complaint channel for Officers



Formally, complaints from male inmates were reported directly to the Officer-in-Charge, the Yard Master and then to the Duty Officer.

Informally, the male inmates run a court system in each cell; each cell had a Cell Police, a Cell Leader and a Block Commander who were inmates. Complaints were channelled to the Cell Police and then to the Cell Leader who then sat on cases for redress. Issues beyond any Cell Leader were forwarded to the Block Commander. Furthermore, issues beyond the Block Commander were passed on to the Shift-in-Charge as depicted in Figure 3. The National leader had a general oversight of all the inmates and served as a liaison between all inmates and the Prison Administration. The Legal Department of the Prison also received complaints from inmates.

Figure 3: Complaint channel for inmates



At the female Prison, the Chief Officer reportedly recorded complaints of inmates every morning during parades and resolved these complaints during the day. An Inmate could also approach any of the senior officers directly to lodge a complaint.

When internal mechanisms in both the male and female prisons were exhausted and the complaint was criminal in nature, inmates were handed over to the Police Service for action.

Torture (physical and mental) and inter-inmate violence

Officers indicated that there were no reported cases of torture against inmates and this was corroborated by inmates. However, inter-inmate violence was reportedly common at the male prison. Interviews with the female prisoners also revealed that there was no record of physical violence though petty quarrels were prevalent.

4.1.4 Rehabilitation and Integration

Special Provisions for fresh Inmates

Fresh inmates upon admission into the Male Prison were observed in cells at the Diagnostic Centre between two (2) to four (4) weeks before they were made to join other inmates at the main block. Inmates who had shorter sentences, often less than six months, were sometimes kept in the cells at the Diagnostic centre throughout their sentence. Fresh inmates were made to fill a questionnaire which gave some background information for appropriate counselling.

The Diagnostic Centre was headed by an officer who was a counsellor and therefore counselled and advised fresh inmates on how to relate to other inmates.

Fresh female inmates were usually screened for infectious diseases, counselled, educated on prison regulations.

Provision of Counselling Services during detention and upon discharge

During the period of stay, inmates were periodically counselled by the officers on a one-on-one basis. A Discharge Board comprising religious leaders, and prison officers counselled inmates before they were discharged.

Education/Training Programmes

The male prison facility had a separate building for educational purposes. The school ran a Junior High, Senior High, ICT, and degree programmes as well as adult education. Teachers at the school included those posted by the Ghana Education Service (GES), Nation Builders Corps (NABCO) programme, and some inmates who were teachers. The facility also ran vocational trainings such as door mat making, carpentry, sewing, barbering, among others. At the time of visit, about 350 male inmates were undergoing these forms of trainings.

The female prisons also ran vocational training and formal education such as Junior High and Senior High. Beads making, soap making, fascinators making, tailoring, and catering were some of the vocational skills taught. There was also a Bible School from which many inmates had graduated. The training programmes at both prisons were aligned with the national educational structures which is in line with Procedure 3.5 of the Prisons Service SOP.

Programmes for Inmates with Narcotic/drug /alcoholic and Anger Management Issues

There was no special program for narcotic/alcoholic as well as inmates with anger management issues. However, prison officers indicated that they usually handpicked such inmates and advised them as and when the need arose. Also, the medical doctor at the prison facility clinic went from block to block periodically to advise inmates on the harmful effects of the use of tramadol and other drugs. In addition, faith-based groups (Christians and Muslims) also counselled inmates on narcotic/alcohol usage.

Contact with families and Commitment to the welfare of inmates

Inmates of both the male and female prisons were allowed contact with families through visits and phone calls. They were allowed to make phone calls using telephones installed at designated telephone booths in the prisons. Convicts were allowed to receive visitors once a week, whereas

remand prisoners could receive visitors every day. A good number of inmates at the female prison were foreign nationals and indicated their embassies had been notified but seldom visited. Visits from families and friends reportedly helped some of the inmates to get over depression as a result of their detention. Some family members sent food and or foodstuff to their incarcerated family members. At the female prison, inmates on special diet were allowed to cook their own meals from foodstuff sent to them by family.

Contact by Philanthropists, Religious bodies among others

Religious bodies and philanthropists regularly visited inmates in both the male and female prisons and sometimes made donations to the inmates. Churches sometimes counselled inmates and provided financial support. Some churches adopted inmates purported to have been reformed. Team members of Justice for all Programme also visited the prisons periodically to interact with staff and inmates especially those on remand.

Microcredit, Seed Capital, Employment and Internship Opportunities

There were no employment or internship opportunities available for both male and female inmates while in custody. Some inmates from the vocational training programmes were engaged by Officers in a number of projects which earned them some amount of money occasionally. The Prison Service did not provide any microcredit or seed capital to inmates after their release, however, some churches and philanthropists sometimes provided transportation fares and *start-up capital*.

Discharge Procedures

The Discharge Board of both male and female Prisons met with all inmates to be released the following month and counselled as well as educated them on the discharge process. Inmates were called to the reception a day before discharge to go through the discharge procedure before the actual day. On the actual discharge day, they were subsequently discharged from the official documents and released. They were however not provided escort upon release.

4.1.5 Special Categories

Persons with Disability (PWDs) and the Elderly

Some inmates at the male prison lived with various forms of disabilities including those who were visually impaired and physical challenged (cripple and amputee). There were however no persons

with disabilities at the female Prison. There were also inmates above 60 years (the elderly). Some of these elderly inmates lived with certain health conditions such as stroke. Special provisions were provided for inmates with visual impairments as well as older inmates with severe health conditions. These inmates had been admitted permanently to special wards of the clinic where they were provided with special care. However, inmates with physical disability were not treated differently from other inmates. During the tour of the male facility, the team encountered a 76-year-old inmate who taught ICT at the prison's school and an 85-year-old inmate at the condemned block. At the female prison, the oldest inmate was 68 years.

Juveniles in Adult Prisons

Both OICs of the male and female prisons indicated that there were no juveniles in their prisons. Discussions with inmates however revealed that there were juveniles in custody of male prisons which was in contravention with regulations regarding the treatment of juveniles stated above. Some of these juveniles were purportedly convicted of crimes such as robbery and murder among other common crimes. According to some of these juveniles, they were in adult prisons because the CIDs who handled their cases inflated their ages when their statements were being taken. The medical doctor in charge of the clinic while being interviewed, said carbon dating and X-rays could be used to confirm ages of persons suspected to be juveniles. Carbon dating was more accurate and more expensive to conduct whereas X-rays were cheaper.

Pregnant Women and Nursing mothers

At the time of visit, there were no pregnant women or nursing mothers in the female prison. Babies were allowed to be with their mothers until after 18 months after which they were sent to the Social Welfare if there was no family to take care of them.

Remand Prisoners/Prisoners on trial

At the time of visit, there were 226 male and 7 female inmates on remand. Male inmates were housed in a remand block which also housed some convicts. Inmates on remand at the female Prison were housed in same cells as convicts. The length of time for these inmates on remand was between one (1) and eight (8) years. Majority of inmates on remand lamented that they had not been to court since their detention. For some, they claimed the CID and other officers handling their cases had been transferred to different stations hence their inability to ensure they appeared in court on time.

Prison officers stated that in order to ensure that inmates on trial attended courts, officers of the Paralegal Unit periodically placed calls to police officers handling such cases to follow up and renew expired warrants. These warrants were issued as and when the court fixed dates for hearing. According to the OIC, long distance and lack of logistics such as vehicles as claimed by Police officers were reasons for delays in renewal of warrants. Interviews with officers revealed that a case tracking system which was being piloted had been useful in ensuring that inmates on remand were sent to courts on their scheduled dates.

Deceased Prisoners

According to officers at the male Prison, all deaths were as a result of ill health and occurred at the hospital. However, some inmates said some deaths occurred in cells. They further stated that some deaths that occurred at the hospital could have been avoided if Prison officers were around to unlock the cells and carry seriously sick inmates to the clinic at nights. Family members were contacted by the Prison officials in the event of death of an inmate. Instances when it became difficult to trace any family member, the dead body was buried by the prison facility.

4.2 ANKAFUL MAIN CAMP AND ANKAFUL MAXIMUM SECURITY PRISONS

A. ANKAFUL MAIN CAMP PRISON

4.2.1 Background Information and Lock-up Data

The Ankaful Main Camp Prison was established in 1945. Three out of the six inmate blocks were occupied by inmates at the time of visit. The prison did not admit directly from the courts but received prisoners transferred from other establishments within the country. All prisoners received at the facility had already served at least one fifth of their sentence in another prison before the transfer. It did not receive high profile prisoners³⁷, lifers³⁸, remand³⁹ or condemned⁴⁰ prisoners.

³⁷ High profiled cases are cases that attract enough media/public attention, often because of the unique nature of crime.

³⁸ Lifers are prisoners serving life sentences.

³⁹ Remand prisoners are persons in prison custody, awaiting trial by a court or sentencing.

⁴⁰ Condemned prisoners are persons who are on a death row, awaiting execution after being convicted of a capital crime.

Over the past four years, prior to the time of visit, the prison recorded one death, which occurred few weeks to the monitoring exercise.

The prison had an authorized/standard capacity of 600 inmates and an actual capacity of 149 inmates out of which one was a foreigner of Ivory Coast Nationality. It had a staff strength of 116 officers comprising 15 senior and 101 junior officers. The total inmate population from 2017 to the reporting day was 688. However, 539 (78.3%) had been discharged leaving 149 at the prison. Between 2017 and 2019, majority (50% of the prisoners) were aged between 22 and 30. The oldest inmate was over 70 years.

Renovations and installations

In April 2019, the British High Commission initiated renovation of the prison. The renovation works included the changing of all pit-latrines to Chinese Water Closets (WCs)⁴¹, installation of electric fans in inmate's dormitories, changing of old electrical wiring and improvement of the prison's lightening system. They also installed a data entry software to manage inmates' data but that was yet to be operational since they had to wait for the system to be synchronized with other security facilities. With this system the facility would be able to access data at a click of a button and can as well send data to the headquarters in Accra. The National Security also drilled a bore hole with pumps and reservoirs for the prison to supplement the daily water requirements.

Escapes

Between 2017 and 2019, there were 10 attempted escapes.

4.2.2 General Conditions

Accommodation

The outer sections of the Ankafu Main Camp were entirely fenced with barbed wire except the common boundary shared with the Ankafu Annex Prison which was walled. The Camp Prison had six (6) blocks, from A to F. At the time of the visit, Blocks A, B and C were occupied by inmates whilst the remaining three were empty. Block A had three (3) cells whereas blocks B and

C had two cells each. The Camp also had one isolation cell that was meant to house inmates with communicable diseases.

Blocks B and C which housed 43 inmates each had relatively wider windows to aid ventilation. Block A which housed 63 inmates had relatively smaller windows as compared to the remaining blocks. At the time of visit, Block A felt warmer as compared to Blocks B and C. All the cells inspected had enough bunk-beds and separate mattresses with bedsheets for all the inmates. Each inmate had a mattress with a bed-sheet. In block B-cell one for instance, the number of mattresses outnumbered the number of inmates. All the cells inspected had a light bulb, electric fans, television set and a decoder, however some of the electric fans were faulty and had been sent for repairs at the time of visit. Each block had a water closet within each cell. The WCs were neat and had running water at the time of visit. The compound of block C had about 20 mud pots for cooking and warming food.

The facility also had two general bathhouses and toilet facilities for use by the inmates. Each of the two (2) general bathhouses were tiled, had about 19 showers with running water and were kept neat. Likewise, the toilet facilities had about 12 Water Closets, kept relatively neat and had running water.

Interactions with some inmates revealed that the Ankafu Main Camp Prison was by far better than whichever prison they were transferred from, in terms of accommodation. One inmate said:

“This place is far better than Nsawam where we slept like sardines and the odour in the cells very unbearable”

Some of the inmates mentioned that their cells were well ventilated and were even better because of the fans fixed in their cells. However, others who occupied block A mentioned that the heat in the cells got unbearable at certain times due to the block holes in the cells which were not wide enough to keep the cells well ventilated.

Feeding

Interactions with the OIC revealed that inmates' feeding rate stood at GH¢1.80 (\$0.32)⁴² per inmate per day which was woefully inadequate. As a result, there was a reduction in the portion of food served to prisoners due to the increase in prices of foodstuff without a commensurable adjustment in the feeding rate by government.

The Ankaful Main Camp prison engaged in agricultural activities and its produce from the farms was used to supplement feeding grants from the government. In instances where there was a bumper harvest, the Camp Prison supplied its surrounding prisons with some of its farm produce at a fee. The inmates were fed three times in a day, however, the second and third rations were served at once. He concluded that the quantity and quality of food was relatively good compared to other prisons.

However, some inmates shared a different view from comments of the OIC. According to them, the food served was woefully inadequate. Majority of the inmates interviewed expressed their dissatisfaction about the quality and quantity of food. They indicated that the food was often not well cooked and sometimes gave them stomach upset and diarrhoea. They were usually fed with the same type of food: porridge with no sugar in the morning (at 7am) and gari or banku with palm soup (at 11am) for lunch and dinner. The lunch and dinner portions were usually served together so inmates had the liberty to keep some for the evening or eat all at once. Some inmates also shared that the starvation at night was unbearable and so they normally would not eat the meal served at 11am but wait until 5:30pm to sustain them for the next day.

Inmates further commented that food items such as canned sardines, milk, *raw indomie*⁴³ and rice from family members, philanthropists, churches and other groups were hardly given to them except when the donations came in the form of an already prepared or cooked food. They alleged that these items were kept in the storeroom and officers periodically picked them to their homes.

⁴²At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219>. Accessed 9th June, 2020.

⁴³Uncooked noodles.

Health

The Camp Prison had an infirmary with six nurses that served both inmates and officers. The infirmary had a neat environment with three beds, one for examination and the other two for admissions. The size of the infirmary was relatively small and the number of beds was woefully inadequate to serve the entire prison population. A ceiling fan as well as one of the two stethoscopes available at the time of visit were not functioning. The nurse at post at the time of visit indicated that drugs were often in short supply. She lamented that the infirmary received supply of drugs from the government only once in a year and they therefore depended on NGOs, churches and philanthropists for such assistance.

Some inmates who had been to hospitals outside the facility had their medication kept at the infirmary for easy monitoring. The nurse indicated that the facility provided a 24-hour service to the prison. She further stated that the prison could also access a medical officer at the Maximum Security Prison when the need arose and serious health problems were referred to the Regional Teaching Hospital.

Majority of the inmates were not registered with the National Health Insurance Scheme (NHIS). According to the OIC, personnel of the National Health Insurance Authority (NHIA) sometime ago visited the facility to register inmates on the scheme but could not do so due to poor internet connection signals. The OIC added that inmates generally had normal and stable health conditions; however, some medical conditions that could not be managed such as anaemia, asthma, hernia and mental disorders were often referred to nearby hospitals for treatment.

Some inmates shared their frustration about the refusal of nurses to give them medicines whenever they fell sick with the claim that there were no drugs in the store. According to them, the nurses would often tell them to drink water when they complained of their ill health. They also claimed that drugs that were provided in rare instances were suspected to have expired. Inmates mentioned that some nurses spent more hours on break to the extent that they sometimes had to complain to the 2IC to call the nurses back from break to their post.

Inmates also alleged that even though the infirmary was meant to serve both inmates and officers and their families, the latter was given preferential treatment including Laboratory tests. They

mentioned that the facility had four nurses that usually run shifts; contrary to the OIC's figure of six.

Sanitation

The prison had a neat environment at the time of visit. However, the OIC indicated that toiletries were often in short supply. Interactions with inmates revealed that they were only given detergents once in a month; a cake of soap and toothpaste per inmate once in a month. The same soap was used to wash utensils, bath and wash their clothes for the whole month. There were some months that they did not receive detergents. This, according to them had contributed to the development of skin infections on their bodies. The prison had well-kept bathrooms and toilet facilities.

The Ankaful Main Camp Prison had regular supply of water through the taps as well as from a borehole to supplement daily requirements. Inmates also had strict sanitation rules, for instance, no slippers were allowed in the cells.

Living conditions of staff

According to the OIC, the living conditions of staff were not the best. Officers occupied old flats and junior and senior staff were assigned one and two rooms respectively. The size of the rooms in the staff barracks were very small (some of which measured 10x10 feet, 12x10 feet or 12x12 feet). Most of the prison officers stayed in the barracks. About 35 prison officers who did not live in the barracks were provided 20% of their basic salary every month as allowance for rent.

4.2.3 Request and Complaint Resolution System

Code of conduct

Both officers and inmates had certain regulations they complied with. A breach of the code of conduct was dealt with according to a standing order. New inmates were educated on the by-laws of the prison by senior inmates. Also, all inmates were periodically educated on the rules and regulations of the facility.

Associated punishments

Interactions with inmates revealed that, when one breached any of the rules and regulations, he was either made to empty a toilet manhole with a bucket, weed, or whipped with a rubber tie. They were sometimes locked up in a room known as "lock-up". Other times, they were assigned large

sections of the compound to weed with a short and blunt cutlass. Inmates considered ‘Lock up’ to be the worst form of punishment, followed by the emptying of the toilet man-hole.

Interactions further revealed that inmates had their own level of hierarchy and senior inmates could easily mete out punishment to other inmates. They beat inmates who did not comply with instructions or set rules. For instance, when a fresh inmate was brought into a cell, he was asked by the cell leader to salute him continuously, for a number of times, say 200 times. Any inmate who did not comply with such directives was beaten up. Also, any inmate who lodged a complaint to an officer concerning the actions of a prison leader (Black coat, National or cell leader) was often victimized. According to them, complaints were often dealt with, in favor of the prison leaders, hence they would hardly lodge a complaint for fear of victimization.

Avenues to file a complaint

In practice, informal complaints by inmates were normally addressed to the welfare officer whereas formal complaints were often addressed to the Chief Officer/Officer in Charge. The OIC indicated that all inmates were allowed to freely lodge complaint to any of the officers on duty. The inmates also had leaders they respected and would complain to. Leaders were chosen by officers upon exhibition of good behaviour and observed for at least three years.

Complaint Resolution

Resolution of complaints by officers depended on the nature of the complaint. Serious ones like stabbing called for investigations by the police. However, minor complaints were resolved by the service through investigation, inviting the parties and using the standing orders. The duration of resolving a case normally depended on the nature of case, however, complaint resolution usually took a minimum of one day. Instances where internal mechanisms were unable to resolve a complaint, an appeal to the head office in Accra was allowed.

Inmates mentioned that a complaint usually followed a command chain. Thus a complaint was first made to the cell leader and then to the “National leader⁴⁴”. Complaints beyond the National Leader were referred to a prison officer.

⁴⁴ An inmate who acts as the overall inmate leader

Torture and inter-inmate violence

There were no reported cases of physical or mental torture, however, there were informal reports of inter-inmate violence. Inter inmate violence was reportedly resolved by the prison leaders.

4.2.3 Rehabilitation and Integration

The Ankaful Main Camp Prison observed and held vocational training programmes for its inmates.

Observation for fresh inmates

Whenever inmates were brought to the facility, the welfare officer and the aftercare agent interacted with them by orienting them about the conditions in the prison and also encouraging them to take advantage of the skill and training opportunities available. Inmates who were screened and found to be ill were provided medical attention.

Education and vocational training programs

A tour of the facility sighted an educational facility by the GETFund (Ghana Education Trust Fund) and a number of vocational training shops including a tailoring, shoe making, electrical and electronics, barbering and soap making shops, under the supervision of some officers. The blacksmith and electrical shops were not fully functional because inmates were not interested in taking up such trainings. The soap making workshop was being reconstructed by inmates at the time of visit. Because the Prison facility was an agricultural station, all inmates were involved in farming activities.

One of the officers indicated that the enrolment of an inmate into a vocation depended on the inmate's interest, previous experience or the term of sentence. Thus, those who had long sentences had the opportunity to acquire skills based on their interest. The officers were of the view that one could not adequately learn a skill within a couple of months. Those that got the opportunity were inmates that had more than one year of sentence.

The classroom block of the prison at the time of visit had no furniture and its library was also not furnished. The school was yet to be commissioned and enrolled.

State of some of the Educational/Vocational Training shops -send to appendix

Educational/Vocational Shop	State	No. of Instructors	Inmate Trainees
Tailoring	10 out of 12 sewing machines malfunctioned	5	7
School building	<ul style="list-style-type: none"> • A 12unit class room • No furniture • School yet to be commissioned and enrolled • Unfurnished library 	0	0
Shoe making	Yet to install shoe making machines	3	3
Kente Weaving	Both trainees were made to partake in NVTI exams	2	2

A dilemma by an inmate's fears of getting employed after work is quoted as follows:

"I am not learning a trade because my main interest is to go back to school so I can work in an office. However, that has become impossible because the get-fund school building is not being used. Because of this dream, I am not interested in learning any vocation... My other worry is that I heard that once someone is an ex-convict, the person can never work in an office".

Counselling services to inmates to be discharged

The OIC indicated that the station collaborated with Department of Social Welfare, Prison Discharge Board, and the Narcotics Control Board to render counselling and related services to inmates especially those who were about to be discharged. Inmates with drug related problems were always referred to NACOB for counselling. The discharge board held periodic sessions with inmates and other board members to discuss, plan and prepare them for the society upon discharge. The discharge board comprised a counsellor, OIC, welfare officer, a representative from the clergy and the GPRTU. The board often met inmates two weeks before their discharge to get them prepared for the society. The meeting sometimes involved relatives.

Hard Drugs (Marijuana)

Some of the inmates noted that they were convicted for smoking marijuana but they still got the chance to smoke at the prison. They claimed that some of the officers were aware of the practice. According to some inmates, they were able to buy *weed* (marijuana) anytime they went outside the prison yard to work. They fix the weed in-between their buttocks so that they would not be caught when prison officers searched them at the prison entrance. They claimed some officers allowed them to smoke so that they can work harder.

Contacts with family

According to the OIC, inmates were allowed visits by their relations and also allowed to make phone calls to their relations after a review of their intents for the call was made. Phone calls were normally regulated and supervised by the station's welfare officer. Philanthropic organizations were also allowed to visit, fraternize and make donations to the inmates.

Interactions with inmates also revealed that they were seldom allowed to make calls to their family members. According to them, many of them never got the opportunity to make calls whereas few who had the opportunity said they did so about five months ago. They could only call to request money and the calls ended within 30 seconds.

Another inmate shared,

“The only problem I have at this facility is the way and manner the welfare officer handles our calls to our relatives. One is always under pressure to finish up and

that is just not nice. You cannot just call someone and without exchanging pleasantries”

Most of them had never been visited by their relatives. Though some mentioned that before their transfer, their relatives used to visit them at their previous facilities. They attributed that to the distant proximity to the camp.

One inmate explained,

“Since being at the Ankaful, I have not received any visit by family members but while I was at the Nsawam, I received a visit from my children. The distance to this prison would discourage them from visiting, since they live at Ada”

Contributions by philanthropists, churches, etc.

According to the OIC, the conditions of release of some inmates by the court included payments of certain fines. Some philanthropists pay fines so that inmates with such conditions could be discharged. Some churches also involved inmates who were discharged in their church activities as part of efforts to re-integrate them into the society.

All the inmates interviewed mentioned that the officers never gave them items donated by philanthropists. The only thing they received was cooked food. There was a room where items donated by people were kept and officers, according to inmates, go to make their choices and nothing got to them, not even soap toiletries.

One of them stated:

There was a time an organization donated a sack of bathroom slippers but none of us was given any. Some Officers took them home for whatever reason.

B. ANKAFUL MAXIMUM SECURITY PRISON

4.3.1 Background Information and Lock-up Data

The Ankaful Maximum Security prison, an all-male prison, was established in 2011 and the first inmates were admitted in January 2012. The authorized/standard capacity was 2,000 and as at the time of visit, there were 736 inmates. Majority of the persons brought to the prison were high

risk⁴⁵, high sentence⁴⁶ or high-profile cases. The least sentence was between five to six years. Some prisoners with high sentences were brought in from other prisons within the country as a means to decongest those prisons.

According to the PRO, about 90% of inmates were serving long sentences and a few, misdemeanour⁴⁷ offences; these few were usually allowed to carry out household chores. Inmates whose conducts endangered lives and properties were usually put in a separate cell until they behaved well.

The prison had received support from the British High Commission for a Case Management System and some officers had received training on managing this system. The system was to track the various stages of cases from arrests to court processes till day of release. At the time of visit there were renovation works, including welding of gates and fences ongoing. The facility had not seen any escape of prisoner since its establishment.

4.3.2 General Conditions

Accommodation

The prison has 6 blocks (Block A to Block F). Each block had at least 200 inmate capacity. Block B and block C had a capacity of 400 inmates each.

A section of the prison had a functional lighting system but the cells did not have any due to security reasons. Reportedly, some inmates had tampered with the wiring to charge electrical devices smuggled into the prison. The cells however got reflections of light from the prison yard. Each cell had 10 bunk beds and each inmate had a bed and a mattress to lie on.

According to some inmates, the cells felt hot at night because the windows were not big enough to keep the cells well ventilated and none had electric fans.

Whereas some had new latex foam mattress, others complained of very thin and old mattresses which caused back aches. The cells had no TV or radio as was the case at the Ankaful Main Camp Prison. However, each block had a common hall with a Television fixed and locked on the wall.

⁴⁵ Persons convicted of high level of crime including robbery, murder, man slaughter etc.

⁴⁶ Inmates with long sentences by the court

⁴⁷ Misdemeanour offences are crimes that are less serious than a felony

Recreation

The Ankaful Maximum Prison had a large playing field with a level grass and poles. Inmates were allowed to play football matches on Tuesdays, Wednesdays and Fridays.

Feeding

According to the PRO, inmates were served three times a day. The second and third rations were put together. He indicated that the feeding rate per inmate per day remained at GH¢1.80 (\$0.32). He added that the prison awarded contract for food supply through open tender and provided the best meal relative to other prisons. The facility had an arrangement with Twifo Praso Oil Palm Plantation (TOPP), hence contractors who supplied food items got their palm produce at a reasonable rate. It supplied quality palm at a very good price. Other facilities with farms such as the Ankaful Main Camp also supplied the prison with foodstuff from time to time. The source of protein included beans and “*Keta School boys*”⁴⁸. The beans was however, served once in a week. The prison had a snack bar where prisoners could buy food including fish. The facility usually planted maize to supplement the food supply from the service but produce from the maize farm in the year of reporting was poor due to irregular rainfall pattern.

Some inmates complained that they were fed the same food for years. They were served banku or gari with palm soup continuously (morning and afternoon). They added that the banku and the palm soup were often not well cooked. Beans stew which was served only on Saturdays was mostly without oil. They further indicated that previously, inmates were served bread as part of their breakfast; the bread was very hard, though they claimed it added some nutritional value. Inmates had agreed in a meeting with the Prison Authority to forgo the bread so that the cost of purchasing the bread could be used to improve upon the quality of other meals. Inmates however complain that the quality and quantity had not improved. According to the inmates, rice which was rarely served was full of stones and beans full of weevils.

Inmates commented that, whenever relatives visited them with food items like canned fish and the likes, officers claim the items were too many and then they divided them into three and asked them to return two portions. If relatives decided that they could not return them because of distance and weight, the officers would keep them. On the contrary, inmates claimed that if they requested to

⁴⁸Small sized herrings.

purchase a whole box of the same item from the prison, it would readily be sold to them without officers claiming that the items were beyond what they could keep.

Health

The infirmary had been raised to the status of a health centre and accredited by the Ghana Health Insurance Scheme and the Ghana Health Service. It had two physician assistants, one pharmacist, two general nurses and one psychiatric nurse.

Inmates said that they were usually be offered paracetamol for head ache and an Aluminum Hydroxide (G-Aludrox) when taken ill or for any kind of abdominal upset. Other inmates shared that most of the medications given them had expired but such medicines seemed potent because of the grace period following expiration.

There were times that physicians requested that inmates were brought back for reviews but reportedly such inmates were seldom sent for such reviews on time. Inmates were also required to pay for some prescribed medicines though they did not have any means of earning money at the prison.

Thus, though the existence of the clinic was beneficial, inmates complained that they were not given the best care. An inmate who suffered from diabetes purportedly died out of neglect by officers. One inmate lamented:

“Sometimes, we are asked to buy our own medications; when our relatives bring us medication, the officers will ask them to take them back. Where do they expect us to get money from? The same officers will go round and search our belongings and when money is found they seize it.”

Inmates lamented that when someone fell sick at night, the only thing they could do was to hope and pray the person survived till the next morning, reasons being that the facility was all locked up at night so the sick could not get help from anywhere.

Sanitation

Each cell had a water closet and a common toilet facility with about ten WCs within each Block. Each block also had a big bathroom with about ten showers. However, each inmate was offered one toilet roll and a bar of soap once a month, as a result, majority only used water to rinse their

private parts after using the toilet facility. Each cell was also given a liquid soap and a *dettol* (disinfectant) monthly. The soap and other detergents were supplied by the government. The prison had no problem with water supply. The National Security had drilled two bore holes for the prison and one for the barracks.

The staff quarters

A new staff quarters was under construction at the time of visit. It had two bedrooms for senior officers and a bedroom for junior officers. Most of the officers had an accommodation in the facility, however, those who did not have apartment within the staff quarters were paid a certain percentage of their salary each month for accommodation.

4.3.3 Request and Complaint Resolution System

Code of conduct for officers and/or inmates

The conduct and discipline of officers were regulated by Standing Orders (NRCD 46, 1942), C.I 92 and C.I 93. Every cell had its own regulations, made by the inmates themselves.

Associated punishments

According to the PRO, punishment for wrong doing varied and usually depended on the level of misbehaviour. There were situations where inmates attacked themselves and the OIC added days or months to their sentences.

One inmate also indicated that there were times the OIC would call an inmate to his office for wrong doing, and then ask other officers to beat him up before he was given the chance to talk. They were sometimes locked up naked in a particular cell termed as ‘lock up’. They shared that an inmate could be locked up for as long as 3 to 6 months. They were also beaten with a rubber tyre or with an electric shocker. They would normally whip any part of the body including the neck, back and sole of the foot. There was a way they would whip the sole of the foot until one feels severe pain in the private part of the body and in the eye.

Complaint Resolution

The PRO explained that inmates were free to lodge complaints against inmates and against officers. Each block had a complaint book where an inmate could communicate his intention to lodge a complaint. The block master (an officer) would then inform the Chief Officer Administration (COA) about it. It normally took up to a day to get in contact with the COA. The

senior COA served as a link between the administration, officers and inmates. The COA then contacted the inmate to take the details of the complaint for resolution. However, if the COA was unable to resolve the complaint, the complaint was forwarded to the 2IC. Some inmates preferred to lodge their complaints only to the OIC and no other officer. This normally happened when there was a threat to life or property or when the inmate wished to disclose certain ill-practices.

The Block master also went round each block every morning and some inmates could complain directly to him without using the complaint book. The block master would then handle the issue at his level or have such complaints referred to the COA if necessary. Any inmate who was not satisfied with internal processes of complaint resolution, was free to petition to the Director General. The prison also instituted an operation's team that gathered intelligence on the prison ground in the event of any ill-practice.

An inmate explained how he was sexually harassed by other inmates until he reported to the cell father who in turn reported to the block leader. He indicated that his complaint was resolved to his satisfaction.

Other inmates shared that one could make complaints directly to the regional commander but in such cases, they had to persistently follow-up on their intention to speak to him from other prison officers until they were given the opportunity to do so. They added that they were left to their fate if the OIC did not do anything about their complaint.

Whenever there was inter inmate violence, inmates resolved the issue by themselves.

Torture and inter inmate violence

The PRO indicated that there was no allegation of torture between officers and inmates, however, there were some few instances of ill treatment as a result of bullying between inmates. In such cases the persons involved were tried by a panel and the case referred to the police for further actions where necessary. Some inmates also mentioned that bullies were usually separated from other inmates.

4.3.4 Rehabilitation and Integration

Observation for fresh inmates

Fresh inmates underwent health examination which entailed medical check-up after which they were taken to the cells if deemed fit. There was no counselling of any kind for fresh inmates.

Education and training programmes

The PRO indicated that primary and Junior High educational programs were organized for inmates, however the prison was yet to present candidates for BECE. Many of the inmates did not have any motivation for education because they were serving very high sentences such as 160years. He added that the prison was expanding its yard to set up workshops and schools for the inmates.

Some inmates indicated that there was a tailoring shop with only five sewing machines which was for use by some few inmates and officers. According to an inmate who works at the shop, inmates who came to train as tailors did not accept the fact that they would not receive any wage. The inmates however suggested that, they be given opportunity to work under supervision in the prison so that their product could be sold to the public in order to make some money to care for their health, food and other needs.

Inmates generally seemed to have cordial relationships with fellow inmates as well as officers.

Reformation programmes

There were no programmes for inmates with substance addiction such as Narcotics and alcoholics, not even for those who had withdrawal syndrome⁴⁹. The prison did not have any program that focused on anger management. Such programmes were handled by the religious groups through their sermons.

Contacts from family

Inmates were allowed to make calls to relatives in a language that the supervising officer understands. The calls were placed on a loud speaker so the officers could listen. The call rate was 20p⁵⁰ (\$0.035) for every 4 minutes.

⁴⁹Physical or mental symptoms that after stopping or reducing intake of drug.

⁵⁰At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, 20 Pesewas is equivalent to 3.50 Cents. <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219>. Accessed 9th June, 2020.

According to the PRO, majority of relatives of inmates did not show any kind of commitment towards the welfare of inmates. An inmate however indicated that he had never contacted the relatives ever since he was transferred to the Ankafu Maximum Security Prison because he did not have money to pay for calls. He was however visited twice by his Auntie while he was at the Ho Central Prison.

Some inmates also indicated that the last time the centre was opened for calls was about three months ago. There were however no limits on what to say or how long they talked on phone.

Contributions of philanthropists, churches, etc towards reintegration

Visits by philanthropists were not regular. The number of donations by religious bodies and philanthropists ranged between 10 to 15 times in a year.

For inmates who were ready to be discharged, their family members were often contacted to pick them up.

4.3.5 Special Category

Inmates who were 70 years and above had been given amnesty at the time of visit. No juveniles were observed. Some inmates lamented that some of them were fit before admission into the Prison but had developed disabilities as a result of ill health. According to some inmates, PWDs were not given preferential treatment.

4.3.6 A concern of an inmate

One inmate shared a concern that he was to go to court to appeal his case, but he was supposed to pay an amount of GH¢230 (\$41.4) before the officer would convey him. He could not afford this amount since he was not on any income.

4.4 HO CENTRAL PRISON

4.4.1 Background Information and Lock-up Data

Background information

The Ho Central Prison had two separate institutions for both male and female inmates headed by the Regional Commander of Prisons as the Officer-in-Charge (OIC). The authorised/standard capacity of the male and female prison facilities was 150 and 24 respectively. The male facility

housed 492 inmates, whereas the female facility housed 9; *6 convicted and 3 remand* inmates at the time of visit.

Criteria for cell occupancy

The following were the criteria for placing inmates in cells:

- a) convict prisoners;
- b) remand prisoners;
- c) isolation for mentally ill inmates;
- d) isolation for sick and seriously sick inmates;
- e) contagious disease inmates.

Staff Strength

The Ho Central Prison facility had 145 staff operating in various capacities. About 85(58.6%) of the staff performed general duties, whereas 13(9.0%) were administrative staff. The rest of the staff 41(28.3%) were in charge of the training programmes of the facility. The facility had put in place a number of staff to handle the welfare of inmates. In addition, they partnered other institutions such as the Social Welfare Department in the discharge of their duties.

Electronic Management of lock up data

The Prison Service was piloting a data management system software known as Case Tracking Management (CTS) at the time of visit. This system was expected to track cases and processes from the police station through the court, to the prison.

4.4.2 General Conditions

Accommodation

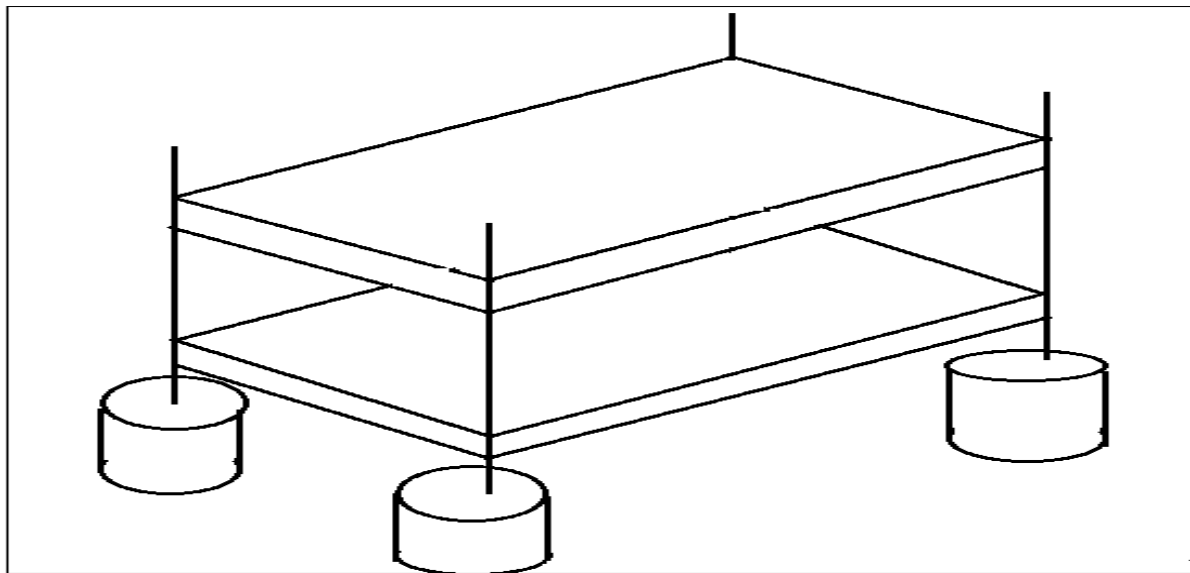
The authorised/standard capacity of the male prison was 150 inmates. The facility was extremely overcrowded and had exceeded its authorised/standard capacity by 328%⁵¹ as it housed 492 male inmates as at the time of visit. The prison facility had two blocks, A and B with 12 cells. Block A had 4 cells, categorised as small, each measured 12ft by 12ft in dimension. Each cell had 3 bunk beds (6 beds) with a mattress and blanket. In addition, each inmate was provided with a blanket.

⁵¹A little over three times the authorized/standard capacity of the prison

The block B with 8 cells which measured 18ft by 18ft in dimension were considered as large. Each cell had 11 bunk beds (22 beds) with a mattress and blanket. In addition, each inmate was provided with a blanket. At the time of visit, block B cells housed between 74 to 102 inmates on the average.

Cell B3 of block B served as the remand cell, the only cell for such a purpose. It had 11 bunk beds, all with mattress and bed sheets, one toilet facility with 102 inmates. The levels of overcrowding in the remand cell was unacceptable; beds were placed on wooden stands to create space under the bed for other inmates to sleep. See Figure 4.

Figure 4: A Sketch of a Bed Placed on Wooden Stands



The official sleeping arrangement for block A cells was one (1) inmate per bed and that for block B cells was two (2) inmates per bed. However, due to overcrowding, most of the inmates either slept on the floor or under the bunk beds.

The facility also had 2 kitchen cells housing 26 and 27 inmates. These kitchen cells also served as cells for solitary purposes.

As a measure to address overcrowding, inmates who had served part of their sentence at the facility benefited from transfers. There had been three (3) different transfers in 2019 as at the time of visit; thirty (30) inmates were transferred to Ankaful Central, 35 to James Camp, and a swap of 20 with a prison in Koforidua where 20 inmates were received and 20 were given in return.

It was observed that all the cells were well illuminated and focus group discussions with inmates also confirmed this.

The female prison had three (3) cells and each had three (3) bunk beds with mattresses and a blanket for each bed. Two (2) of the cells were occupied by 9 inmates; one (1) had five (5) inmates, whereas the other had four (4). There was no overcrowding in the female cells. The environment was very neat, beds well-dressed and fitted with mosquito nets, clean toilet facility and bathroom, regular water supply, a shed to serve as an auditorium, a bakery, a new kitchen (commissioned in November, 2019), stores, gas cylinder for cooking and a borehole.

Feeding

Prisoners were fed 3 times daily according to the Prison officials and this was corroborated by inmates. A typical menu included porridge in the morning, akpele/banku with soup in the afternoon, and “*gari soakings*⁵²” or gari with soup in the evening. Fish was usually ground and added to the soup, however, inmates indicated that food served had no fish or meat.

According to prison officials, the government provided GH¢1.80(\$0.32)⁵³ for feeding per day per prisoner which was insufficient to properly feed inmates. The prison officials claimed that the insufficiency as well as the poor quality of food contributed to the ill-health of inmates and therefore increased their medical expenditure. Nevertheless, family members and donors (Churches, Muslim groups, philanthropists, NGOs, etc.) donated food or money coupled with farm produce from the prison’s farm to supplement feeding.

Health

The monitoring exercise observed that the Ho Central Prison facility had an infirmary that served occupants of both male and female prisons. The infirmary had no doctor but functioned with 5 nurses, who run shifts. The facility also had a first aid box. Occasionally, doctors were invited to conduct routine check-ups and attend to cases beyond the nursing staff. Some cases beyond the nursing staff capability were sometimes referred to the hospital for further treatment. The common ailments were malaria, chicken pox, hemorrhagic conjunctivitis (APPOLLO), tuberculosis (TB), and skin rashes.

⁵²This is gari mixed with water and sugar.

⁵³ At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219> .Accessed 9th June, 2020.

Most inmates were registered with the National Health Insurance Scheme (NHIS), though not all the drugs and diseases were covered by the NHIS and so inmates relied on parents' support during such times. The facility had a *corporate form* completed by the prison authorities when the NHIS did not cover the expenses. Expenses recorded in the corporate form were borne by the Government. As at the time of visit, the Ho Central Prisons had been indebted to the NHIS as the Government was yet to pay outstanding bills. Families also lent support when the need arose. For instance, at the time of visit, there was an inmate who needed to undergo surgical operation so the prison officials had planned to inform the family for support.

Fresh inmates were usually tested for HIV or AIDs and other related STDs upon arrival. The test kits were supplied by Planned Parenthood Association of Ghana (PPAG). The status of the inmate was not disclosed to other inmates to avoid stigma. As at the time of visit, the facility had only the test kits for HIV and AIDs. There were no test kits for other diseases such as Hepatitis B & C, sexually transmitted diseases, among others.

In the area of health care, it was observed that the facility was on top of issues, however, they faced financial challenges.

Sanitation

At the male prison facility, all cells had water closet (WC) toilet facilities except two (2) isolation cells. However, the inmates indicated that the flashing system for the WCs did not work. There were eight (8) general toilets with one large open bathroom for all inmates. It was observed that the facility had adequate bathing and shower installations.

The prison facility had a regular supply of water with connections to two bore holes. Toiletries including toilet rolls and soap were issued to the inmates from the stores.

The prison officers as well as the inmates however complained that the septic tank was not often emptied so it overflowed most of the time. In addition, they usually cleaned the WCs with their bare feet and hands since gloves and wellington boots were not provided.

Inmates also mentioned that cells were fumigated regularly to avoid invasion of bedbugs and other insects.

The female prison had a clean environment with cells and washrooms. The administration block however flooded anytime it rained as a result of a leaking roof. To resolve this problem, an estimated cost of renovation amounting to GH¢17,645 (\$3,176.10) had been forwarded to the head office of the Prisons Service and awaiting their response and action.

Living Conditions of Staff

The living quarters for officers, close to the prison facility, were in a deplorable state and needed renovation. The quarters had only seen repairs since 2012. There were cracks in the building and the roof of one of the quarters had ripped off. A request for repairs was lodged at the Prisons' Head office to which the prison management directed that the renovation works be executed by a contractor on credit basis. The prison had only one bungalow which was meant for the Regional Commander (Officer in charge).

Previously, officers were housed in premises rented by the Prisons Service but majority got ejected due to delay in payment by the service. As at the time of visit, most officers rented places of accommodation on their own. Even though rent allowance was paid to staff, the amount provided, being 20% of their basic salary, was insufficient to satisfy conditions of payments set by landlords i.e. 2 years of advance payment. Officers therefore had to resort to taking loans to be able to settle for a house.

Officers also expressed the difficulty in securing accommodation for newly transferred staff as most houses available for rent were located far from the prison facility. The lack of proximity made it difficult to mobilize officers for emergency situations such as fire outbreaks and jail breaks.

In addition, officers who resided at the quarters were expected to pay for utilities such as water and electricity bills themselves, which put a strain on their salary. Further, there was the risk of officers contracting diseases due to contact with prisoners in the prison yard. Example of such diseases included chicken pox, heat rashes, bedbugs, hemorrhagic conjunctivitis (APPOLLO).

4.4.3 Request and Complaints Resolution System

Code of Conduct for officers and/or inmates

According to the officers, the Ghana Prisons Service regulations and standing orders provided the code of conduct for officers and inmates:

- General Administration Regulations (C.I 92);

- Staff discipline Regulations (C.I 93);
- Prison Standing Orders;
- Arrangement of regulations.

Associated Punishment

Whenever inmates breached the code of conduct, they were punished. For instance, they forfeited either part or their full remission as a form of punishment⁵⁴. The prisoner could also be arraigned before court and given additional sentence in some cases.

With respect to Officers, the prison officers indicated that when an officer went contrary to any of the code of conduct, he/she was given a charge sheet to explain why he/she should not be charged. A panel was then constituted to investigate the case. If an officer was not satisfied with the outcome of the case, he or she had to write to the head office through the Officer in Charge of the prison.

According to the inmates, they were taken through the dos and don'ts and their associated forms of punishment upon arrival at the facility. For instance, the don'ts included smoking of narcotics or cigarettes, alcohol, sexual intercourse, fighting, quarrelling, mobile phones, homosexuality, stealing, use of abusive words, among others.

One common form of punishment was to isolate an inmate from the rest as indicated by both the officers and inmates. This was done usually when the individual was rowdy or engaged in a fight. The isolation did not however extend to the following day.

Formal and/or informal Avenues to File Complaint

Formally, every cell had a note book which was inspected by the Chief Warden every day for possible records of complaints. Inmates accused of misconduct were given a hearing after which an appropriate punishment was meted out, which included reduction of remission period.

Informally, a complaint could be made to cell leaders who then forwarded same to officers on duty. Complaints could also be made to any Prison Officer including the Officer in Charge. Direct complaints were also made by inmates who did not have confidence in the complaint system,

⁵⁴Reportedly, prisoners were given one third of their sentence as remission.

According to the inmates, each cell had an informal code of conduct and executives that oversaw the affairs in the cells and this was recognized by the prison officers. The executives that run the affairs of each cell were Porch leaders (in charge of the porch in front of the cell), Cell boys (in charge of food), Marshals (in charge of water closet), Checker (assist in taking attendance), Policeman (in charge of arrest) as well as other leaders such as Inspector, Judge, Advisor, Cell father, and a Cell leader. Beyond the cells, they had black coats/star class⁵⁵ who were inmates and a yard master who was a prison officer.

The cells usually run a court system where cases were handled when there was a breach of a code of conduct just like the outside world. In this court system, there was an option for an appeal. If there was a case beyond the court system within the cell, it was usually reported to the cell leader. If it was beyond him, the case was handed over to the star class who in turn handed it over to the yard master. A case beyond the yard master was sent to the chief officer.

According to the officers, inmates usually placed requests in writing to the prison administration when they needed something to be addressed outside the prison such as from the police cells from which they were transferred.

Cases beyond the facility were also usually directed to the Officer-In-Charge who added a cover letter and forwarded to the appropriate agency for redress. Sometimes, the Social Welfare officers were invited to listen to complaints from inmates for redress.

According to the officers, Alternative Dispute Resolution (ADR) methods were only employed prior to commitment to the prison facility. Once committed to the prison facility, the only option available was an appeal. The facility had support from a paralegal who provided support in the appeal processes.

Prison officers usually filed complaints to the Officer-In-Charge. It is the regulation of the prison that all complaints whether internal or external should be filed through the Officer in Charge even if the complaint was against him. Complaints by officers could be addressed to the Director General through the Officer-In-Charge.

⁵⁵Prison officers are considered as *stars* by the inmates. The inmates who look up to them (*stars*) are referred to as *star class*. There were four star-class as at the visit. The appointment, done by the yard officer, is based on good conduct and hard work.

Torture and inter-inmate violence

Both officers and inmates indicated that there had not been any form of torture meted to inmates. However, according to the officers, there had been reports of inter-inmate violence in the form of fights and this was corroborated by the inmates.

4.4.4 Rehabilitation and Integration

Provisions for fresh inmates

According to the officers, fresh inmates were observed over a period, however, they were not isolated from other inmates. The prison facility had a special provision for fresh inmates for the purpose of observation. These included counselling as well as taking them through the prison's code of conduct, and medical screening. In cases where a communicable disease was detected while under observation, the prisoner was discharged because the facility had no isolation cell.

According to the inmates, they were usually handed over to the yard officer by the warrant officers upon arrival at the facility. The yard officers then enquired about their cases and then offered them a cell thereafter. Majority of the inmates indicated that they only received counselling but there was no screening done as indicated by the officers. They further added that screening was only done when they were sick. The minority who seemed to support the views of the officers that fresh inmates were screened medically upon arrival, indicated that the officers took note of their names and gave them a particular date on which such screening would take place. They were however placed in cells before such screening took place.

Education/Training Programmes

The Prison officers indicated that the prison facility offered vocational and technical training, formal as well as non-formal education for inmates. These included weaving of kente and sponge, tailoring, carpentry, masonry, beads making, ICT, auto mechanic, shoe making and repairs, and plumbing works. The formal training programmes were in line with national structures/syllabi and qualifications of the National Vocational Training Institute (NVTI). However, the training centres were situated outside the premises of the prison facility and inmates had to be escorted to these centers. This was confirmed by the inmates, however, they indicated that one must be qualified; one must serve half of his/her sentence in order to partake in such a training programme.

Officers further added that within the prison, most of the inmates engaged in weaving of sponge and doormats. This was confirmed during the tour of the facility.

Psychiatric nurses were invited to counsel and roll out treatment methods for inmates with narcotic/drug and alcoholic issues. Also, a counsellor provided regular talks on anger management for those in that category. For instance, an inmate testified that he used to be very rowdy, but through such counselling services he could now relate very well with his colleagues.

Contact with family

Officers said family relations and friends were allowed to visit inmates once a week. They visited on working days except Sundays and holidays.

Inmates were also allowed to contact families and other relatives through phone calls. They were provided with two (2) phones for communication purposes supervised by the welfare officer. There was no privacy to calls made. When there was a language barrier, an inmate was made to translate the conversation to the welfare officer. Also, inmates were charged GH¢1.00 (\$0.18)⁵⁶ per call irrespective of the duration.

Majority of the inmates confirmed that they did not receive regular visits from their relatives. Most of the visits were done by their mothers. However, there was an inmate who indicated he had never had a visit or a call from a relative for the past three (3) years. His parents were deceased and had no contact with friends either.

The commitment of families to the welfare of the inmates depended on the inmates' relationship with the family as indicated by officers. Both officers and inmates mentioned that some of the inmates were rather responsible for the welfare of their families while in prison⁵⁷; in such cases, family members contacted such inmates frequently.

Relatives usually brought cooked food and money to inmates during their visit. Inmates were allowed to receive money through the mobile money (MoMo) system. An officer who was referred to as *Arrow Officer* by the inmates was in charge of monies sent to the inmates. He took record of

⁵⁶At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.00 is equivalent to \$0.18 (18 Cents).
<https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219>. Accessed 9th June, 2020.

⁵⁷Some inmates remotely supervised their businesses while in prison.

all monies received and also recorded expenditure by inmates. Inmates were allowed to keep a maximum of GH¢10.00(\$1.8) on them in the cell per day.

Visitations by Philanthropist, Religious bodies etc.

Inmates said they received regular visits from churches, Muslims, NGOs, Philanthropists, and other groups of people. The churches organized services for them on Sundays, and also provided inmates with food items, toiletries, and other staff. Muslims also provided inmates with food items.

Employment and Internship Opportunities

Internship and employment opportunities were available for inmates while in custody. The prison officers took inmates who qualified⁵⁸ out to work and both inmates and officers were provided wages from the service rendered.

Discharge Procedures/Plan

Family/relatives of the inmates were usually involved in the discharge process; the Social Welfare contacted families of outgoing inmates and counselled them to accept the inmates and this aided their reintegration.

The Prison facility had no micro credit, start-up loans, or seed capital facility provided for inmates after release. Neither was there any monetary contribution by philanthropists, churches, muslims, among others towards their reintegration.

4.4.5 Special Categories

Persons with disabilities and elderly

Some inmates had visual impairments (one eye), hearing impairments (dumb), physical disabilities (one leg) and mental disabilities. The oldest inmate who happened to be the only inmate above age 60 was 75 years of age as at the time of visit. These categories of inmates were usually exempted from hard labour.

Juveniles

Prison officials indicated that there were two inmates below 18 years. Their ages were 14 and 17 years and offenses committed were robbery and rape respectively. During the tour of the facility, the monitoring team identified and interviewed other two (2) inmates who appeared like juveniles.

⁵⁸One must serve half of one's sentence to qualify.

The two (2) juveniles stated their ages as 16 and 17 years. They were accused of robbery and rape and had no legal representation.

According to the Prison Officials, they usually liaised with parents of such juveniles and the Department of Social Welfare to have them removed from the prison.

Pregnant/Expectant Women

There was no pregnant inmate as at the time of visit. Female Prison officials indicated that pregnant women were normally given special treatment. This included the provision of double ration and access to regular antenatal care which was based on doctor's request. Also, they were exempted from hard labour.

Nursing Mothers

There was no nursing mother as at the time of visit. However, the prison facility had provision for nursing mothers. Nursing mothers were given special treatment such as double ration of food, provision of mosquito net, pampers, access to postnatal care, and donations of sanitary pads, baby foods and other products by philanthropists. The babies were kept with the mother for exclusive breastfeeding until after one year. After this time, the child was detached from the mother and given to the inmates' families or the Department of Social Welfare. However, there was no educational provision for the child while in prison.

Remand Prisoners/Prisoners on Trial

Prison officers indicated that the longest time an inmate had spent on remand was 4 years. However, they pointed out that an inmate who was on trial⁵⁹, was brought from Kete Krachi and had been in the remand cell for 11 years.

According to officers, usually, the delays in discharging cases of remand inmates were attributed to the Attorney General's Department. There was usually a delay in the release of their dockets from the Attorney General's office; it sometime took as long as 4 to 5 years for the release of a docket. Also, there was difficulty in reassigning a police officer to a case upon transfer of the police officer in charge or when the officer was on peace keeping assignment. In addition, the

⁵⁹The officers indicated that once the case is on trial, the inmate ceases to be a remand prisoner.

police officer might not have completed the investigation process so the case might then be adjourned on several occasions.

Deceased Prisoners

The Prison recorded 3 deaths between 2017 and 2018, all deaths occurred at the hospital. The cause of deaths, according to officers, was ill health.

Usually, families were informed about the deaths of inmates. However, in most cases, the families rejected the bodies. Families sometimes promised to come for the bodies of their family members but never did. When the bodies were rejected by families, the prison administration consulted the needed institutions such as the Police, Municipal Assembly, among others for approved documents such as a *certificate of burial* before proceeding with a burial for the deceased.

4.4.6 General concerns

- Lack of proximity of prison facility from officers' bungalows, resulting in the lack of quick response in case of emergencies.
- Leakage of the roof of the administration block of the female facility during the rainy season
- The likelihood of officers contracting infectious and contagious diseases from inmates due to overcrowding.
- Lack of ambulance. Inmates usually assist to convey other inmates to the hospital.
- Lack of official vehicles to convey remand prisoners to court and to empty septic tank.

4.5 TAMALE CENTRAL PRISON

4.5.1 Background Information and Lock-up Data

The Tamale Central Male and Female Prisons are the two prison establishments located in the Tamale Township. The male prison was built in 1914 and with an inmate capacity of 78. However, at the time of visit it had exceeded its authorized/standard capacity by 361.5%⁶⁰ as it housed 282 inmates, 187 convicts and 95 remand prisoners. The female facility on the other hand, had an authorized/standard capacity of 12 but only housed 8 inmates who were all convicts.

Having operated as a single facility in the past, the prison shares the same gate with the two blocks of the female prison.

4.5.2 General Conditions

General State of Administrative Block

Tamale Central Prisons' administrative block was in a deplorable state requiring urgent renovations. According to the Second in Command (2IC), virtually all the Prisons including the Tamale Central Prison in the region were established in the colonial era. The administrative blocks had two toilet facilities for officers but were not in good condition and needed to be replaced. Most offices in the block are without computers and require refurbishment.

Accommodation

The male inmates' blocks comprised small and large cells usually referred to as the dormitories. The actual prison population for the male as at the time of visit stood at 282 instead of authorized/standard capacity of 78 inmates. It comprised 219 Ghanaians and 63 foreigners. The block is made up of convicts blocks and the remand block. The convicts block is divided into four (4) blocks (A to D) and had 13 cells with a Water Closet (WCs) toilet in each of them. All the cells had bunk beds with the exception of block A cell 4 and block D cell 1. The block had four (4) cells with no WC toilet. There were no bunk beds in the remand cells so some prisoners slept on mats, others on carton of boxes, and the rest on the cemented floor.

There were no toilet facilities in the remand block. During the day time remand prisoners used the open toilet in the convict block. The story is different at night where inmates used paint rubbers as

⁶⁰More than 3 times the authorized/standard capacity of the prison.

toilet bowls; excreta were disposed off at the convict block early in the morning. There was general overcrowding in both convict male cells and the remand male cells.

The lighting system at the entire prisons was fairly good. The lighting system was controlled by prison officers, who determined when the lights should be on or off. The prisons relied on post-paid metres which resulted in frequent disconnection for lack of payment. Inmates complained about severe heat in the cells; some of the convict cells had fans, however, the remand cells had none. The isolation room of the prison was not well illuminated and ventilated. There was no observation room for fresh inmates in the prison. Thus, when new inmates came, they were directly mixed with the already existing ones without any waiting period.

The female prison had three (3) cells with eight (8) Ghanaian inmates who were all convicts. Inmates occupied only two (2) cells with four (4) inmates each. There were two (2) bunk beds and mattresses in each cell. Thus, there was no overcrowding in the female cells; there was even a full cell without any occupancy. The cells were very neat, fitted with fans that enhanced ventilation. They had water closets (WCs) in the cells which were in good condition and there was no stench emanating from the cells.

Feeding

The male inmates at the Tamale Central Prison were fed two (2) times daily. The feeding grant per inmate per day as at the time of visit was GH¢1.80 (\$0.32).⁶¹ Breakfast was usually taken in the morning at 6am and the last meal at 11am or latest 1pm. The second meal served as lunch and supper, inmates were supposed to eat their afternoon meals and reserved some for the evening. Inmates lamented about the small quantity and poor quality of food served in the prisons. However, the inmates were allowed homemade meals from their families.

Respondents said the food was good in terms of quality and quantity. They were entitled to a three-square meal, but they decided to combine lunch and supper because of the time intervals between them.

The officers acknowledged that there was a vast difference in the quality and quantity of meals for the male and female prisoners. The prison officers attributed the difference in meals to some

⁶¹At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.80 is equivalent to \$0.32 (32 Cents). <https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219>. Accessed 9th June, 2020.

initiatives by the prison authorities such as preparing kenkey to sell to the populace and using some of the proceeds to supplement the feeding grant. The prison officers also attributed the difference in meals to the difference in prison population.

The establishment owned a backyard vegetable garden. Its produce supplemented food provided to the inmates. The facility also had a corn mill.

Health

The Tamale prison facility had an infirmary managed by a visiting nurse and a *locum*⁶² doctor. The nurse in charge attended to minor ailments and referred the major ones to the Tamale Central Hospital (TCH) situated close to the prison. The officers benefited from a series of health care training programmes for effective health care delivery. According to the 2IC, the prison administration had contacted the National Health Insurance Scheme (NHIS) to register the inmates under the scheme.

At the time of visit, the infirmary was poorly stocked and had no sick inmates. There was often shortage of drugs. In a group discussion with the inmates, one indicated that: *when we are sick the prison officers will tell us the drugs at the infirmary are out of stock.*

Sick remand inmates were referred by the Prison Officers to their assigned CID officers who in turn informed parents of these inmates who subsequently sent them to the hospital. According to the inmates, it was really a challenge to them since the CID officer often delayed. They rather wished to inform their parents directly due to the delay in the process. For instance, one inmate said, *Prison officers don't allow us to inform our families to take us to the hospital.*

In some cases, social workers accepted to contact their CID officers or family members at a fee of GH¢1.00 (\$0.18). It was indicated by inmates that the assigned CID officers were responsible to provide medical care to them as informed by the officers. This arrangement, according to inmates, resulted in the death of two (2) of the inmates in 2016. They added that the two inmates complained of sickness but reportedly, could not reach their CID officers. When they were finally taken to the hospital, it was too late to save their situations. They later died.

⁶²Someone who substitutes temporarily for another member of the same profession.

The 2IC further stated that some NGOs, doctor-philanthropists, and religious bodies occasionally screened inmates, made referrals for further treatments, and donated first aid medications to the infirmary.

Sanitation

The Female prison had functional water closets but water was not in regular supply. The prison had a borehole but was located outside of the prison yard. Inmates drew water from the borehole to flush toilets.

The general environment at the male prison was dirty and the cells needed repainting. The environment in the remand cell was worse with intermittent water supply.

Living Condition of Staff

With regard to staff accommodation at the Tamale Central Prison, their bungalows were in bad state and staff had abandoned it for rented apartments. The bungalows needed urgent attention to avert their eventual collapse.

The medical bills of staff were not paid regularly and officers complained of a Contagious Disease Package (CDP) which they did not receive though other officers from other prison facilities, for instance, the Ankaful Maximum Security Prison did benefit from the package.

There was lack of protective gadgets for officers. Prison Officers said there was lack of protective gadgets to protect them from being attacked by some aggressive inmates in the prison. A prison officer complained of being attacked by an inmate with knife but could not defend himself due to lack of protective gadgets.

4.5.3 Request and Complaint Resolution System

Code of Conduct for Officers and/or Inmates

There were formal request and complaint resolution systems in place at both male and female prisons in the form of code of conduct that prescribed sanctions for both the prison officers and inmates. These codes of conduct were also contained in the Constitutional Instruments 92 and 93 as well as the standing orders of the Ghana Prisons Service. Officers and Inmates said they were aware of the code of conduct for them. Some of these rules and regulations included; no fighting, no use of phones, respect for officers etc.

Punishment

Punishment at the Tamale prison depended on the severity of the offence by either the officer or inmate.

When officers breached the code of conducts of the prison, punishment such as withholding one eighth of one's monthly salary, reduction in rank, and dismissal from service were meted to officers, whereas for inmates there was forfeiture of remission⁶³ or cancellation of visits by family and friends. Informal forms of punishment included scrubbing, weeding, sweeping, etc. In case an inmate refused to comply with the informal structures, prison officers ensured that disciplinary actions were enforced.

Avenues for filing complaints

Informal structures were institutes by the inmates themselves in the form of disciplinary procedures which are also in conformity with the code of conduct. Regarding the informal avenues; inmates normally lodged complaints with their leader in the cell whereas with the formal avenue, inmates normally lodged complaints with the chief warder officer. The Prison officers had only formal avenues to file complaints. Officers lodge complaints with the Officer in Charge of the prison for further investigations and appropriate actions.

All inmates said they had access to the complaint systems. It was however revealed that for fear of victimization, inmates did not always feel safe to file complaints concerning officers.

Most inmates said they preferred the informal structures to that of the formal in resolving complaints or disputes as the latter took a longer time. Informal mechanisms for resolving complaints took between 5 minutes to 3 days whereas formal mechanism could last for 4 months. However, some complaints never got resolved. Inmates were not aware of any other avenues for redress when internal mechanisms were exhausted.

Inmates alleged that cases lodged against officers were often ruled in favour of the officer. In this case, they were rather punished.

⁶³According to the officers, prisoners were given one third of their sentence as remission. Part or the full remission may be served by the inmate as a form of punishment.

Mechanisms for the resolution of complaints

According to the 2IC of the Tamale Prison, any inmate found liable for breaking the rules governing the prison was subject to investigations, and where there was the need for sanctions, it was authorized in accordance with the prison by-laws. He added that disputes among inmates as well as between inmates and officers were sometimes settled through mediation.

Allegation of torture (physical and mental)

Inmates at the Tamale prisons indicated that they were beaten, chained and sometimes locked up in the isolation cell, when they went against the rules and regulations. For instance, an inmate expressed that he was chained for four days for fighting with a colleague inmate. Another inmate recounted that officers chained one of his hands and a leg daily from 6am to 6pm for a month for breaching the code of conduct. In another instance, an inmate said an officer lashed his back with a cane for fighting with a colleague inmate. He showed the fresh bruises on his back to the field officers. However, in a focus group discussion with officers, they refuted all these claims but said only aggressive inmates were mostly locked up, not in chains, in a guard room to calm them down. The 2IC added that, the prison administration had no reason to torture prisoners by way of discipline.

On the issue of verbal assault by officers, inmates indicated that they experienced same when they refused to obey rules.

4.5.4 Rehabilitation and Integration

Provision for fresh inmates

Unfortunately, due to the prison's limited space and overcrowding, the facility had no special cell or dormitory allocated for the observation of newly admitted inmates.

Provision of counselling service

Inmates said some officers and NGOs provided counselling services during their stay in prison. The institution and organizations such as churches, Islamic groups, NGOs among others also provided counselling services for inmates upon discharge.

Education/Training Programmes

There was no formal education training at the Tamale prison. Inmates received non-formal as well as Vocational and Technical training. The vocational training was provided for convict inmates

who were interested. Some vocational programs undertaken by the prison include; Bolga basket weaving, smock weaving, tailoring, shoe making, kenkey making and bread baking. At the time of visit, five of the male inmates were engaged in tailoring. The prison provided three (3) sewing machines for these inmates.

The prison had a computer lab with six (6) functional computers and five (5) non-functional ones. Three (3) inmates were undergoing computer training at the time of the visit.

According to the prison officials, these vocational programs were aligned with the NVTI syllabus and some were allowed to write the national exams with their colleague non-prisoners for certification. Remand prisoners were not allowed to enjoy any of these informal educational training⁶⁴.

The female prison benefited from adult education programmes facilitated by the Non-Formal Education Division but this had been put on hold for some time.

Programmes for Narcotic/drug /alcoholic inmates and Anger Management

Though, there were no formal structures put in place by the prisons to counsel the inmates, some officers and NGOs within the Tamale Metropolis devised ways to counsel some inmates on the use of narcotics, alcoholism and anger management. Some of the inmates expressed their satisfaction with these programs. There were no formal plans of discharge put in place by the prisons where the families were involved except those done by the organisations.

Contact with families

At the male prison, some inmates said they received regular visits from relatives. These relatives visited with food and monies. The food is handed over directly to the inmates, however, the money is kept with the officers. Few inmates indicated that they had never been visited by a relative since their committal to the prison facility, attributing that to proximity of the facility to their relatives. Inmates expressed their frustration on how they found it difficult to contact their families via phone. The general rule in the prison was that inmates were not permitted to own phones within the prison facility. The reason was that it could be an avenue to contact other colleagues outside to perpetuate further crimes or facilitate escape. Therefore, either the prison officers got in touch with the families directly or a social worker did it on their behalf. In case the social worker accepts

⁶⁴ The officers indicated that only the convicts qualified to participate in the training.

to get in touch with their families, they were asked to pay GH¢1.00 (\$0.18)⁶⁵ since such calls were made from their own resources.

At the female prison, six (6) out of eight (8) (75 percent) inmates indicated they had no visitors, with the explanation that their families were far away, so they resorted to phone calls and text messages which were done through the social welfare officer. Two out of the six (6) (33.3 percent) were able to establish contact through these means. The remaining said the social welfare officer took their messages and never brought any feedback. An inmate was of the view that though her relatives were committed to her welfare, distance kept them apart.

Contact with external charitable groups such as churches, philanthropists

In the Tamale Central Prison, the churches, philanthropists, NGOs, and other religious groups do not visit inmates regularly. They visit occasionally with food items and also supply T-roll, detergents etc. especially during the festive seasons.

Employment and Internship

The prison had neither programmes to advance micro credit facilities, loans, seed capital nor internship for any inmate. However, the fortunate ones usually benefitted from NGO support. For instance, an inmate had some support from SADACA⁶⁶ and Zakat⁶⁷ foundation to start a trade in smock weaving after successfully learning the trade while in custody.

4.5.5 Special Categories

Person with disabilities, elderly, juveniles and pregnant women

There were no inmates who carried disabilities, neither were there juveniles, elderly, pregnant/expectant women nor nursing mothers.

Remand Prisoners/Prisoners on trial

It was observed that one of the inmates accused of murder had been on remand for four (4) years and four (4) months, the longest inmate on remand. The CID officer on this case had travelled outside the country and had not returned since. The Police Service had not re-assigned the case to another CID officer as such the court kept adjourning the case in the absence of CID officer.

⁶⁵At the time of visit, \$1.00 was equivalent to GH¢5.69. Therefore, GH¢1.00 is equivalent to \$0.18 (18 Cents).
<https://www.exchange-rates.org/Rate/USD/GH¢/12-12-219>. Accessed 9th June, 2020.

⁶⁶Islamic language meaning to help the needy.

⁶⁷ Giving arms to the needy.

There was another remand prisoner who was arrested during the fight between the Konkombas and Chakosis. He claimed innocence but was picked up by the police when the conflict broke up. He reportedly had no docket but was just arrested and arraigned before a court of which a warrant was issued. The prison officers attributed his continuous stay to lack of a medium of communication since he could hardly speak or understand any language. According to them, anytime he appeared before the judge he would not utter a word and so his warrant was renewed. One of CHRAJ officers managed to communicate with him in the Konkomba language during the one-on-one interviews but when he was recalled in the presence of the officers to speak the same language he declined. Since his arrest no family member had visited him and it was difficult getting access to any family member.

Deceased Prisoners

There were five (5) deaths recorded between 2015 and 2018, all deceased were males. The inmates blamed the prison officers and their CID officers for being the cause of death of their colleagues. However, prison officers denied the accusations but attributed their deaths to natural causes at the hospitals though not in the prison facility.

SECTION FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSION

General improvements were observed in the overall prison administration towards provision of care and treatment of persons in custody. However, material conditions pertaining particularly to accommodation and feeding fell woefully short of the minimum standards required by relevant international, regional and domestic standards as well as the SDGs. The perennial problem of prison overcrowding, including the need to implement a genuine policy on the use of non-custodial penalties needs to be taken seriously. All stakeholders need to double up commitment and efforts through regular consultation utilizing both preventative and response measures.

This report highlights for the first time, some novel findings which accord relevance to the everyday relational as well as nuanced informal practices that contribute to broader goals such as rehabilitation and prevention of torture and degrading treatment in prisons.

In presenting the findings of the 2019 monitoring visit, the CHRAJ, has highlighted the relevance of the revised Standard Minimum Rules for the Treatment of Prisoners known as the Nelson Mandela Rules so as to promote acquaintance with these rules by various actors within the criminal justice system. The Mandela rules, provide for the protection of basic human rights for persons deprived of liberty and the improvement of living conditions and treatment of inmates.

Yet again, the CHRAJ reiterates the commitment made by states that adopted the Sustainable Development Goals (SDGs) that no one, including the prisoner should be left behind.

5.2 RECOMMENDATIONS

1. The CHRAJ recommends that relevant actors in the criminal justice system must commit themselves to regularly discuss and review factors that contribute to age old problems such as excessive overcrowding and arbitrary pre-trial detention, sentencing juveniles to adult cells and poor material conditions, among others.
2. Similarly, the CHRAJ must promote regular stakeholder/research seminars and consultations (national, regional and international) to seek exchange of useful practices pertaining to the following:

- Reintegration of inmates into society;
 - Alternative sentencing policies;
 - Dispute resolution mechanisms of officers and inmates;
 - Informal governance practices of inmates as well as the incidence of inter-inmate violence. In this respect, appropriate methodologies and approaches must be employed to understand better, the phenomenon of informal governance practices and their contribution to the governance system in prisons.
3. The CHRAJ should collaborate with the Paralegal Unit of the Ghana Prison Service to roll out education programmes on the rights of inmates and officers.
 4. The Parliament of Ghana should expedite the passage of the non-custodial sentencing bill, particularly in the wake of the Covid-19 pandemic, in order to ensure that non-violent and minor offences do not attract custodial sentences.
 5. The Police Service should ensure that cases are reassigned to new officers before existing officers are transferred.
 6. The Attorney General's office should release dockets of remand prisoners on time.
 7. The Ministry of Interior should ensure increase in the feeding grant of GH¢1.80 (\$0.32) per inmate per day to reflect the current standard of living in Ghana.
 8. The Ghana Prisons Service in collaboration with the National Health Insurance Authority should ensure that all inmates are registered with the National Health Insurance Scheme within the first month of admission to lessen the financial burden on the prison.
 9. The Ghana Prisons Service should institute a support system for prisoners who have completed serving their sentence and who have acquired various skills so as to facilitate their re-integration.
 10. The Ministry of Interior should address delays in the release of various allowances for Prison officers, including rent, medical bills, contagious diseases package and other allowances.
 11. The Ministry of Interior should expedite efforts in addressing the age-old problem of poor accommodation or living quarters (barracks) for prison officers.

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