REPORT ON THE STATUS OF WOMEN AND JUVENILES IN DETENTION.


With support from British High Commission in Freetown, Sierra Leone.

Trained Monitoring Team.
Introduction.

This report catalogues findings of human rights violations and abuses of people in detention. It specifically focuses on women and Juveniles in prisons and police cells. These two categories of the human population are considered the vulnerable group. They are easily prone to abuse and violation especially when they are held beyond the tall walls.

Access to all detention institutions was immediately granted by both Prison and Police Officers. We view this as the result of a combination of:

1. Credible image and character Prison Watch Sierra Leone has built over the years.

2. Our Prisons and Police Officers are sensitive to Human Rights values of those they hold in trust for the State.

3. The willingness and openness of Government to Human Rights audit.

Prison Watch Sierra Leone continues to enjoy a cordial relationship with both Prison and Police Officers.

The following detention centers were monitored:

**Northern Province:** - Makeni Prison and Police Stations, Magburaka Prison and Police Station, Kambia Prison and Police Station, Port Loko Prison and Police cell and Kabala Prison and Police Station.

**Eastern Province:** Kenema Prison and Police Station, Kono Prison and police Station and Kailahun Prison and Police Station.

**Southern Province:** - Bo Prison and Police Stations, Bonthe Prison and Police Station, Moyamba Prison and Police Station and Pujehun Prison and Police Station.

**Western Area:** - Pademba Road Maximum Prison, Approve School, Remand Home, Kissy Police Station, Waterloo Police Station, Ross Road Police Eastern Police Station, Central Police Station,
New England Police Station, Aberdeen Police Station, Lumley Police Station Congo Cross Police Station and Adonkia Police Station (Originally not part of Project implementation).

Aim.

The main focus of this project is to monitor the status of women and children in both our prisons and police cell. And to measure the level of compliance in the processing and handling of women and Juveniles in prison and police custody.

Objectives.

Specifically, the main objectives are to:

1. To create a data base of all Juveniles and female prisoners held in detention nationwide.
2. To document and report on human rights abuse and violation against women and juveniles.
3. To ensure that Women and Juveniles are treated humanely and their rights as guaranteed by law is protected.
4. To follow up in court the trial of women and juveniles on remand.
5. To outreach to the public and civil society organization on the conditions of detention for women and juveniles in detention.

Duration.

The life span of this project is six months, beginning in October 2008 and ending in March 2009.

Operational Area.

Even though the operational life span was six month, yet in terms of it operational area, it extended to all districts with functional prisons and police establishments. There are 13 functional prisons nationwide. 12 in all twelve districts and one in the Western Area. The following were the operational areas covered.
<table>
<thead>
<tr>
<th>No.</th>
<th>Region</th>
<th>No. of Prisons</th>
<th>Location</th>
<th>Distance from Freetown</th>
</tr>
</thead>
<tbody>
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<td>1</td>
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<td>1</td>
<td>Western Urban</td>
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<td>Northern Province</td>
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<td>115 Miles</td>
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<td></td>
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<td>Magburaka</td>
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</tr>
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<td></td>
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<td>Port Loko</td>
<td>75 Miles</td>
</tr>
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<td></td>
<td></td>
<td>Kabala</td>
<td>190 Miles</td>
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<td></td>
<td></td>
<td>Kambia</td>
<td>Miles</td>
</tr>
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<td>Southern Province</td>
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<td>Bonthe</td>
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</tr>
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<td></td>
<td></td>
<td>Moyamba</td>
<td>75 Miles</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Pujehun</td>
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</tr>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kono</td>
<td>212 Miles</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kailahun</td>
<td>270 Miles</td>
</tr>
</tbody>
</table>
SECTION II - STRATEGIES AND APPROACHES.

In accomplishment of the aims and objectives of the project, the following strategies and approaches were adopted.

I. Consultative visit.

II. Training Workshop.

III. Monitoring Visits.

IV. Data Base on Women Prisoners and Juveniles

V. Outreaching to the Public.

Consultative Visits.

Consultative visits and meetings were held in all regions with functional prisons. The aim of this visit was:

1. To inform prison and detention managers about project.

2. To recruit detention monitors at least two per district.

3. To update records on detention population.

Team Members exhausted from long journey and very bad road

Consultative tour to Bonthe via Bumpeh
TRAINING WORKSHOP.

This preceded detention monitoring exercise of Prison, Juvenile Remand Home (Bo & Freetown), Approve School and Police Cells. A two day workshop was organized for detention monitors. The aim of this workshop was to train detention monitors in Detention Monitoring, Investigation of Human Rights Abuses and violations, Reporting and documentation and data collection on prisoners. The training focused on the following:

MODULE 1- ABOUT PRISON WATCH SIERRA LEONE.

MODULE 2. – INTRODUCTION TO HUMAN RIGHTS.

MODULE 3. – DETENTION MONITORING.

MODULE 4. – REPORTING AND DOCUMENTATION OF HUMAN RIGHTS VIOLATION AND ABUSE.

MODULE 5 – RULES OF GENERAL APPLICATION TO PRISON AND DETENTION MANAGEMENT.

MODULE 6- INTERNATIONAL AND NATIONAL STANDARDS RELATING TO DETENTION AND THE TREATMENT OF PRISONERS/DETAINEES.

MODULE – 7. ADVOCACY.

MODULE – 8. MAKING THE PRISONS A BETTER AND SAFE PLACE.

Opening Session of Day I Chaired by the Snr Legal Advisor Human Rights, UNDP (Nana Bursia Jr).
Training Session

Programme Coordinator Making a statement at the Opening session

Trained Monitors posed for a shot.
MONITORING.

Monitoring remains to be the cardinal activity of prison watch Sierra Leone. Detention monitors visited prisons, remand homes and the Approve School once every month and the police stations once every fortnight. The purpose was to ensure compliance and investigate reports of abuse and violations. 13 prisons were monitored, 12 police stations in the provinces and 11 police stations in the western Area. During theses visit, data was collected/updated on detention population of those in custody at the time of visit.
Outreaching the Public.

Radio discussions on awareness raising on the status of women, Juveniles and general prison conditions was organized in Bo, Kenema, Freetown and Makeni. News Letters on prison conditions were also published.
Programme Coordinator and Campaigner Ann-Marie P. Bangura Emerging for Studio at CTN after Radio Programme.

Administrative Secretary in the Studio in Bo on Radio Programme.

Research Officer and presenter in the Studio in Kenema

Vol I issue I of News Letter

With Support from British High Commission in Freetown, Sierra Leone
SECTION III – FINDINGS

This section deals with findings of our monitoring visits to Prisons, Police Cells, Approve School and Remand Home. This has been discussed under the following headings.

1. Issues Affecting Women in Detention.
2. Issues Affecting Juveniles in Detention.
4. Other Issues.

ISSUES AFFECTING WOMEN IN DETENTION.

Lactating Mothers.

During our monitoring, we have been able to record children aged from a few weeks old to two years old living with their mothers in the prison precincts. Currently, there are three (3) children in Kenema Prison and four (4) in the Pademba Maximum prison, one (1) in Moyamba and one (1) in Port Loko. Given the fact that the prison environment is not ideal for the development of children, but the sad reality is that, to many, the prison yard is their first world of contact.

Delay in Trials.

This seems to be a general phenomenon for all prisoners on trial regardless of gender and age. Some people spend years in prison lock up awaiting trial. Some spend far more years than necessary. Prisoners have reported that their court verdict have been hampered because the complaint failed to show up in court. Every morning, prisoners complained that are taken to court with the pretext to attend courting sittings but yet they spend their whole in the prison custody in the court premises. Follow-up on court attendance revealed one Juvenile in the Remand Home gas 23 court appearances but complaint fails to appear. A significant proportion is yet to receive their indictment.
Sentenced with fine Options.

A lot of female prisoners have been sentenced with fine option. But given the fact that the bulk of them are poor and with weak family support, female prisoners have been left to the mercy of serving their sentence even where they have been fined for as much as Le 50,000. Statistics collected shows that almost all had no sustained means of livelihood before their detention.

ISSUES AFFECTING JUVENILES IN DETENTION.

Illegal Detention.

In Bo, a 13 year old Juvenile was illegally detained without a valid commitment order. His detention was neither authorized by the Justice of Peace nor the Magistrate. The warrant of detention was prepared and signed only by the JPs Court clerk. Imprisonment of minors in adult prison and above all imprisonment of persons illegally constitute one of the worst human rights violations.

Feeding.

Juveniles in both the Approve School and Remand Home, continue to complain about poor and inadequate feeding. Monitors were able to corroborate evidence by tasting the food. The cooks maintained that they cook what they are given. One serious problem with the food is that, food is supplied by contractors. The contractor claimed that they are not paid on time to supply food. Most times this creates serious food scarcity.

Juveniles on Outdoor Labour.

Monitors discovered that Juveniles in the Approve School are taken outside to work in private household premises of some of the Officers in charge.

Court Attendance/ Appearance.

This poses a very serious challenged. Court attendances of juveniles are seriously hampered by the unavailability of vehicles to take the children to court. Normally, Juvenile court sittings
commence sitting at 1PM. In the past, the vehicle is always nowhere. Of recently however, the vehicle is available but it normally takes children to court after 1PM. Delay in court attendances have resulted in violent destructive behaviors of the children. The children admitted that their unruly conduct is often precipitated by the inability to attend court.

**Juveniles locked up with Adults.**

On countless occasions, monitors have observed that when Juveniles on trial from the Remand Home are taken to court, they are kept in the same detention facilities housing adult prisoners within the court precincts. This has much debilitating effect on these juveniles.

In every cell and prison, detention monitors found juveniles and adults sharing the same detention facility without separation. The excuse by Magistrates, Police and Prison officers is that, there is no separate detention facility built for Juveniles in the provinces. With only one in Bo in the Southern Province been the exception. Given the magnitude of crime they may have been alleged to have committed, (murder Burglary), Prison Officers, Police Officers, Magistrates and JPs within the provinces especially in the North and the Eastern Provinces have held juveniles to adult prisons and detention facilities.

**Sentence by Justices of the Peace.**

Monitors discovered that majority of Juveniles sentenced from the Lungi axis, were done by JPs. In Bo prisons, JPs sentenced two people to seven years imprisonment. A nine (9) years old boy in the Approve School was sentence by a JP.

**Family Contacts.**

Monitors discovered that Juveniles detained in the Juvenile and Approve school, are arrested on the street and taking to police cells and sometimes to prison. In most case cases, they are detained without their families/friends not knowing their where about. They have been found in custody sometimes naked.
Rehabilitation/Recreational Facilities.

With exception of the recent intervention of JSDP in the Approve School and Remand Home in Freetown, there is a general lack and absence of rehab/correctional facilities in prisons and detention centers. Prison Watch Sierra Leone through Humanitarian Support Programme (HUSP) has been able to support a small scale rehab programme for women in the Kenema Prison and for youths in the Port Loko Prisons.

Computation of Sentence.

Monitors discovered that Juveniles in the Approve School over stayed their sentence dates due to wrong computation of their sentence dates. Officers in the Approve have argued that these Juveniles in question are given into their custody without their warrants which normally have clear information of their dates of remand and where they were held in custody before their conviction to the Approve School.

Access to Information on their Dates of Release.

Almost all sentenced juveniles and women complained that they do not know their date of release. Some further claimed that even when they asked the officers, they often tell them that they will be informed when the time is due. As a result of this, monitors discovered that Juveniles detained in the Approve school were detained beyond the legal period prescribed by law.

Post Detention Care.

It has been observed that children released from custody after serving their terms of sentence are released without due post detention care by Government. Children especially from the provinces are released on the street without adequate arrangement to take them back to their communities where they were arrested. These children often stand the risk fallen in conflict with the law and taken back to prison, police cells and Approve School.
A case in point of Juvenile who was detained was in Approve School custody lost his father and mother while in detention and only knew the day he was released and taken back to his relatives. *Reuniting with his family was only made possible by courtesy of Prison Watch Sierra Leone.*

**Age Determination.**

Determining the ages of children at the time of their arrest and sentencing is the most contentious issue. In most cases, juveniles as young as 9 years have been detained. In prisons, monitors have always discovered juveniles who are fit to be juveniles but given adult ages by the police legitimizing their incarceration in adult detention facilities. In most cases, Prison Officers have argued that “we can only reject juveniles whose cases are made clear to us by the court and their details indicated on their warrants. In places upcountry, the absences of Approve School or Remand Homes have always excused the presence of juveniles in our adult prisons by both Magistrates Police and Prison Officers.

**Hygiene Condition.**

Unlike the Remand Home, Juveniles complained that they urinate in a rubber kept in the same dormitory used for sleeping. Evidence of this is seen below. The officers in charge explained that this is due to damage in the septic pipe.

**Escape.**

*With Support from British High Commission in Freetown, Sierra Leone*
Escapes and attempted escapes have been reported in both the Remand Home and Approve School by the officers in charge. Juveniles in the Remand Home claimed that their long and indefinite remand without court attendance have left them with the only option to escape or try to escape given the slightest opportunity. *If we are allowed to attend court regularly and on time and given the opportunity to be heard in court we cannot escape. We know we are to be punished if we go against the law. But been kept indefinitely without knowing whether you are going to be tried or not and having no opportunity of making our voices heard is very depressing.*” *Quoted one Juvenile.*

*Damage showing escape routes in the Remand Home.*

*Programme Coordinator showing an escape route in the gutters used by Juveniles to escape through the fence.*
Issues Affecting Detainees in Police Custody.

Arrest Procedures.

All detainees found in police custody reported that were arrested without warrant. Even though Monitors are aware of the fact the police Can arrest without, but when all detainees are arrested without warrant, then it seems to be worrisome.

Over Detention.

Monitors were able to record a significant number of detainees in police custody who were held in detention beyond the stipulated time as prescribed by law. In Central Police Station, two suspects were charge as illegal immigrants were in police custody for more than 12 days. This situation is worse at the Waterloo Police Station, were inmate are held for more than ten days and in Lungi even months without been charged to court.

Dark Cell and poor Sanitary Condition.

This is an evidence of what inside a cell looks like at 2pm at the Eastern Police Station in Bo. Inside this same through the opening as seen bellow, is the urination outlet used by detainees. There have been a number of escapes when detainees are taken out to satisfy nature. To avoid a reoccurrence, a hole has been dug through the cell wall through detainees use for urination.

Juveniles in Police Cell.

Juveniles were found in both prison and police detention. Usually, these Juveniles are arrested and detained in rags, without clothing and without Prior knowledge of their relatives/guardians.

What is of concern is that they are often locked up with adults. The Police have however blame the lack
of adequate detention space to hold Juveniles, Female Detainees and Male Suspects.

Juveniles detained in Eastern Police Station - Bo
OTHER ISSUES.

Even though the project is originally concerned with

Monitoring the status of women and children in detention,

Yet it was also able to capture issues beyond the scope

Of the project to include torture/ill treatment of police

Detainees.


Even though issues of torture were hardly reported, yet isolated incidence revealed that some

detainees were subjected to physical violence and brutality. One detainee found at the central

police station, reported that he was beaten and water pour on him by the police. Monitors

were able to witness physical evidence of wounds and scratches on the body of the detainee in

question. In corroboration of the fact with the Police Officers, they maintained that the

detainee in question was alleged to have committed assault on police and that the police used

minimum force.

Evidence of torture picture showing an

inmate at the Central Police station with

swollen lip and blood stained eyes.
### ANALYSIS OF PRISON POPULATION.

<table>
<thead>
<tr>
<th>No.</th>
<th>Prisons</th>
<th>Region</th>
<th>Construction Capacity*</th>
<th>Population at time of last visit</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Pademba Rd</td>
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<td>324</td>
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<td>Makeni</td>
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<td>75</td>
<td>142</td>
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<tr>
<td>3.</td>
<td>Port Loko</td>
<td></td>
<td>105</td>
<td>100</td>
<td>31/03/09</td>
</tr>
<tr>
<td>4.</td>
<td>Kambia</td>
<td></td>
<td>60</td>
<td>23</td>
<td>31/03/09</td>
</tr>
<tr>
<td>5.</td>
<td>Magburaka</td>
<td></td>
<td>100</td>
<td>35</td>
<td>31/03/09</td>
</tr>
<tr>
<td>6.</td>
<td>Kabala</td>
<td></td>
<td>75</td>
<td>38</td>
<td>31/03/09</td>
</tr>
<tr>
<td>7.</td>
<td>Bo</td>
<td>Southern Province</td>
<td>80</td>
<td>146</td>
<td>30/03/09</td>
</tr>
<tr>
<td>8.</td>
<td>Bonthe</td>
<td></td>
<td>70</td>
<td>23</td>
<td>25/03/09</td>
</tr>
<tr>
<td>9.</td>
<td>Moyamba</td>
<td></td>
<td>90</td>
<td>56</td>
<td>28/03/09</td>
</tr>
<tr>
<td>10.</td>
<td>Pujehun</td>
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<td>31/03/09</td>
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<tr>
<td>11.</td>
<td>Kenema</td>
<td>Eastern Province</td>
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<td>166</td>
<td>31/03/09</td>
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<td>12.</td>
<td>Kono</td>
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<td>13.</td>
<td>Kailahun</td>
<td></td>
<td>80</td>
<td>64</td>
<td>31/03/09</td>
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</table>

* An inventory and assessment of prisons in Sierra Leone – UNIOSIL May 2007
## Analysis of Detention Population.

<table>
<thead>
<tr>
<th>No.</th>
<th>Prisons</th>
<th>Region</th>
<th>Total No. of Women</th>
<th>Date</th>
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<td>Northern Province</td>
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<td>31/01/09</td>
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<td>3.</td>
<td>Port Loko</td>
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<td>06</td>
<td>31/03/09</td>
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<td>4.</td>
<td>Kambia</td>
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<td>04</td>
<td>31/03/09</td>
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<tr>
<td>5.</td>
<td>Magburaka</td>
<td></td>
<td>02</td>
<td>27/02/09</td>
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<td>6.</td>
<td>Kabala</td>
<td></td>
<td>00</td>
<td>31/03/09</td>
</tr>
<tr>
<td>7.</td>
<td>Bo</td>
<td>Southern Province</td>
<td>05</td>
<td>30/03/09</td>
</tr>
<tr>
<td>8.</td>
<td>Bonthe</td>
<td></td>
<td>00</td>
<td>30/03/09</td>
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<td>9.</td>
<td>Moyamba</td>
<td></td>
<td>03</td>
<td>28/03/09</td>
</tr>
<tr>
<td>10.</td>
<td>Pujehun</td>
<td></td>
<td>01</td>
<td>31/03/09</td>
</tr>
<tr>
<td>11.</td>
<td>Kenema</td>
<td>Eastern Province</td>
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<td>31/03/09</td>
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<tr>
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<td>02</td>
<td>31/03/09</td>
</tr>
<tr>
<td>13.</td>
<td>Kailahun</td>
<td></td>
<td>00</td>
<td>31/03/09</td>
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## Analysis of detention population by Educational Background - Juveniles.

<table>
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<tr>
<th>No.</th>
<th>Detention Center</th>
<th>History of Academic Qualification</th>
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<td>2.</td>
<td>Approve School</td>
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<tr>
<td>3.</td>
<td>Remand Home – Bo</td>
<td>00</td>
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</tbody>
</table>
Challenges

Project completion was not without challenges. These included the following:

Short Falls

There was a short fall of Le 4,500,000. This adversely affected project implementation as the organization was left in deficit to satisfy project demands.

Late Disbursement of Funds.

Late disbursement of funds presented quite a challenge. This was however cushioned by the utilization of funds from other project sources. This however created some embarrassment for management.

Inflation in Prices.

General inflation caused a hike in prices. This resulted in substantial differential between the approved budget and the actual implementation cost.

Mobilizing and Accessing Funds.

Accessing funds to support our work is a very serious challenge. The importance of human right protection and promotion in prisons and other detention centers can only be supported with resources. This remains one of our biggest challenges. Without resources good intensions are just but wishful thinking.
RECOMMENDATIONS.

Lactating Mothers and Pregnant Women.

We urge government to consider the adoption of other forms of none custodial measures for lactating mothers and pregnant women who have foul of the law.

Delay in Trials.

We urge government to ensure speedy trials of all persons on remand and awaiting trials within a relatively short period of time.

Illegal Detention/Torture and Ill-treatment.

There is a need for constant monitoring of all places of detention by credible organizations like Prison watch Sierra Leone.

Justice of Peace (JP).

There is an urgent need for the improvement in the justice delivery service through the training of Justices of the Peace in all districts in Human Rights and their roles, and their limitations in adjudicating matters.

Family Contacts,

There is a need for capacity and institutional support to detention monitors to compliment the efforts of Prisons, Police and Social Welfare Officers to do family tracing of persons in detention who may require it.

Rehabilitation/Correctional Facilities and Services.

We urge Government and donor assistance in providing appropriate correctional facilities and services so as to ensure that those who go to prisons do not work out more dangerous as they walked in.
Computation of Prisoners Sentence.

We strongly recommend a training session on how to compute the sentence dates of all persons convicted and that all persons convicted should be promptly inform of their release dates.

Post detention Care.

Government should ensure that adequate means are available and provided to reintegrate and reunite all juveniles with their families after completion of their terms of sentence.

Age Determination.

In the absence of birth Certificates, standard and professional means should be employed to determine the ages of all juveniles that come in conflict with the law.

Other Recommendations.

1. There is also the need for special and professional training for all persons/staff in the Remand and Approve School in the area of Juvenile Justice, handling and care.

2. The need to popularize the Prison Rules and ordinance and Rules on Juvenile handling and care for both Adult Prison and Juveniles in Detention.

3. The illegal detention of the 13 year old minor be investigated by government and legal and appropriate actions be taken to ensure that a reoccurrence of such grave violation is avoided.

4. We continue to advocate for the general improvement of detention conditions. To this we urge government to make the prisons, police cells, Remand Homes and Approve school more humane and conducive for human Habitation.