

Sierra Leone: Prison Reforms Bring No Relief

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Prisoners still suffer appalling conditions despite legislative changes

Recent reforms to Sierra Leone's prison system have failed to bring much meaningful improvement, according to an IWPR investigation.

Official figures show that the current inmate population stands nationally at 3,184, even though the system only has capacity for 1,785.

New laws introduced by the correctional service in 2014 sought to provide an alternative to incarceration, a major reason for overcrowding.

An antiquated legal system with stiff custodial penalties for even minor offences and lengthy periods of remand had put enormous pressure on the country's prisons.

Poor hygiene and malnutrition meant that disease was rife, with very little hope for rehabilitation and reintegration back into society.

But the legislation seems yet to have had any meaningful impact, with human rights groups warning that overcrowding, inadequate food, poor sanitation and a lack of access to healthcare are still major issues.

The crisis is particularly acute at the country's largest correctional facility, Freetown Central Prison - commonly known as Pademba Road - which was built in the pre-independence era to house 220 prisoners.

According to Sierra Leone's Human Rights Commission, it housed 1,545 people in 2015. Of these 713 were convicted men, 235 were prisoners on remand and 597 people on trial.

In some prisons, cells measuring six by nine feet held nine or more prisoners.

Despite the reforms, the population has only continued to grow. Today, it holds well over 1,600 inmates, some on remand and others serving jail terms. Many face prolonged stays in holding cells because of a massive backlog in court cases.

"It seems as though there hasn't been much appetite to do anything about this," said Wolfgang Kofler of the Don Bosco Fambul NGO, who works with Pademba Road to help provide healthcare, clean water and food as well as advocating for the release of those wrongfully held.

"It's either there are many criminals in the country which the prison capacity cannot accommodate or many are detained for no good reason," Kofler said. "Believe me, those prison cells at Pademba Road were designed for two persons.

"Today you have six persons per cell, some eight and others nine. There are no toilets and water accessibility is a huge challenge," he said adding, "Put about eight persons in one small room day by day... how would you feel if it were you?" he asked.

LEGISLATIVE PUSH

The reforms introduced two years ago were intended to bring the prison system in line with others around the world.

It replaced the Sierra Leone Prisons Ordinance Act of 1960 and was part of a plan to shift the focus away from punitive custodial sentences so as to ease the pressure on facilities.

The Criminal Procedure Act 2014 also regulated criminal trials, introducing several mechanisms intended to simplify and speed up the process as well as provide alternatives to prisonsuch as community service, suspended terms and probation.

The new laws also incorporated international standards by eliminating penalties including corporal punishment, prolonged periods of remand, hard labour and solitary confinement.

Some of these sentences had not been put into practice for years but the step was seen as a symbolic move to reform the sector.

It also introduced measures to reduce preliminary investigation procedures which which contributed to

delay in trials and subsequently overcrowding.

But despite these efforts, the country still has stiff penalties for even minor offences and misdemeanours.

Inmates are sent to prison who could instead be given suspended sentences or community service. For instance, misdemeanours such as civil defamation and libel can carry a prison sentence of up to three years.

All too often, minors detained for petty crimes end up serving prison terms, further exposing them to violence and career criminals, giving them little hope for their lives after release.

“Such rigid obsolete Sierra Leonean laws and the fact that they are still on the books, often provoke humour. But... old-fashioned laws are no laughing matter,” said lawyer Francis Ben Kaifala, a barrister with the High Court of Sierra Leone.

According to a 2015 report on by Human Right Watch (HRW) in Sierra Leone, conditions remain below minimum international standards because of overcrowding, poor hygiene and a lack of medical attention.

Prison cells often lack proper lighting, bedding, ventilation or mosquito nets. Most prisons do not have piped water, and some prisoners lack sufficient access to drinking water.

The Correctional Service Strategic Plan for 2015 -2017, which sets out future policy, showed that the Sierra Leone prison system has an official capacity of 1,785 but a current inmate population of 3,184.

There are 1,605 prison officers in the system, which is below United Nations standards of inmate-staff ratio.

The majority of the country’s prisons, built during the colonial era, are cramped with little possibility for expansion. The strategic plan recommended that most should be relocated so as to provide space for inmates, recreational facilities and accommodation for staff and their families.

“Overcrowding in correctional centres... can lead to serious health problems,” Kofler said.

BRINGING DOWN NUMBERS

A number of local NGOs such as Don Bosco Fambul, Prison Watch Sierra Leone and Caritas Freetown have fought for years to reduce inmate numbers in the country’s prison system.

They have faced challenges including government reluctance and a scarcity of resources.

According to HRW, the Bureau of Prisons received only 2,500 Leones (half a US dollar) per prisoner per day for food.

Furthermore, the failure of the government to pay food vendors at the Pademba Road Correctional facility resulted in severe year-round food shortages and consequent malnutrition issues.

Peter Konteh, executive director of the Catholic charity Caritas in Freetown, said that little effort had been made to counter the national overcrowding crisis. His organisation has been working with partners to mount legal representation on behalf of inmates especially those wrongfully incarcerated.

“We have been working with Don Bosco Fambul and a local law firm, known as Ngevao and Partners, to provide legal assistance to inmates with a view to decongesting the Pademba Road correctional centre, and so far there has been improvement in that aspect, though more works needs to be done. I don’t think there’s been much judicial action in tackling overcrowding,” Konteh said.

Mohamed Opito Jimmy, the spokesman for the Sierra Leone correctional service, argued that there had been some progress in recent years.

He noted that most inmates on death row had had their sentences commuted to life terms and that there was a moratorium on the death penalty.

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