

Journal of

Modern Law and Policy

(JMLP)

**Dire Consequence in Assessing the Inhuman Treatment
of Prisoners to Promote Human Rights at Awutu Camp
Prison in Ghana**



**CARI
Journals**

Dire Consequence in Assessing the Inhuman Treatment of Prisoners to Promote Human Rights at Awutu Camp Prison in Ghana

¹Kwadwo Bioh Agyei, ²Millicent Yenkangyi, ^{3*}Michael Oppong, 

¹Esq. Law lecturer, Faculty of Law, KNUST

²Lecturer Liberal Studies, Kumasi Technical University

^{3*}Assistant Librarian, Kumasi Technical University Library

<https://orcid.org/0000-0002-5246-9738>

Accepted: 16th Oct 2023 Received in Revised Form: 2nd Nov 2023 Published: 9th Nov 2023

Abstract

Purpose: In our contemporary society, the recognition of human rights stands as a crucial and paramount phenomenon. Undoubtedly, every individual inherently deserves certain rights and freedoms, which are universally acknowledged by governments, activists, and corporate organizations alike. However, regardless of the other reasons society locks up its criminals, rehabilitating them and bringing them back to normal society has always been the expectation, if not the implicit goal. With the hindsight of the circumstances of prisoners in Ghana, this study brought to light the dire consequences in assessing the inhuman treatment of prisoners to promote human rights at Awutu Camp Prison in Ghana.

Methodology: The study relied on constructive philosophy using a qualitative approach to investigate Human Rights Compliance at the prisons. The study used a purposive non-probability sampling strategy to identify nineteen (19) prison officers and inmates to subject them to interviews.

Findings: The study concluded that the prisoners' rights regarding accommodation, humanely hygienic conditions, access to healthcare, torture, and skill training or reformation are violated according to the UDHR. The study recommends that the GHC 1.80p cost of meal per prisoner should be reviewed to meet the UDHR. Also, the accommodation and sanitary conditions of inmates should be improved to meet the humane treatment of inmates. Additionally, inmates should be engaged with education and training that could instill trade in them.

Unique Contribution to Theory, Practice and Policy: The study recommends that prison officers and inmates should be educated on their human rights as indicated by the UDHR and Human Rights document. Finally, this study should be replicated in other jurisdictions to ascertain equity.

Keywords: *Human Rights, Inhumane Treatment, Prisoners*

INTRODUCTION

The unfavorable conditions in the cells contribute to many preventable illnesses that impact prisoners. Conditions can sometimes be so bad that they amount to cruel, and inhumane abuse (Akapule, 2014). The Director General of Ghana Prison Service (2021) reported the overall capacity of inmates as 9,945; however, overcrowding of the prison population is now hovering at 15,461, which contributes to over 55% of the entire inmate population (Myjoyonline, 2021). The rationale of overcrowding has called for authorities to maintain remanded or before-trial detainees in the same premises, but in different cell rooms. Blocks reserved for remanded prisoners are now used as Nsawam Prison facility. Even though the prisoners did not suffer in terms of portable water, the inadequacy of food is a challenge. Prisoners have no option but to rely on donors and family support for food because their meals constantly were in short supply of meat, vegetables, or fruits (Myjoyonline, 2021). According to the Country Reports on Human Rights Practices (2020), inmate feeding has been reported by the Prisons Public Relations Officer in the year 2019 as one of the key challenges to inmates. Hence, this situation has not received any reliable attention to be addressed by the government or stakeholders.

The Ghana Prisons Service envisages its building of a world-class service to attain sustainable public safety through excellence in corrections management. Arguably, the operation of the Ghana Prisons Service testifies that it is committed to undertaking the safe custody, humane treatment, reformation, rehabilitation, and reintegration of inmates to make them responsible, productive, and law-abiding citizens to ensure public safety (Ghana Prisons Service, 2022). On various platforms of the Ghana Prisons Service, this position is readily admitted. Meanwhile, the 2019 Report of the Commission of Human Rights and Administrative Justice suggests otherwise. Added to that, a flurry of studies in Ghana shows that prisoners' rights are being grossly violated continually in the country (Edudzi & Chelsea, 2006). A study of the Ankaful Prisons by Baffour (2020), for instance, highlighted squalid conditions, poor food, and overcrowding in the prisons. According to this and many other studies like Ansah et al. (2023); United Nations (2014); and Ghana Prisons Service (2015), Ghana's prisons situation faces much the same challenges noted as overcrowding, poor physical and mental health, rehabilitation difficulty, ineffective supervision and relationship between prison officers and inmates, and the likes.

According to Adu (2009), the absence of food, water, clothing, adequate medical care, and detergents for convicts to use in their washing and bathing does not appear to aid in the reformation of criminals. However, regardless of the other reasons society locks up its criminals, rehabilitating them and bringing them back to normal society has always been the expectation, if not the implicit goal (Bolkas 2000). With the hindsight of the circumstances of prisoners in Ghana, the questions that emerge are: first, against the provisions of human rights law that regulate the treatment of prisoners, are there any violations occasioned in the manner that prisoners are treated? Second, are there known consequences or implications for the compliance of human rights standards in the prison facility? Third, do prison officers or correctional officers understand the thresholds for

human rights violations and the matters consequent to those violations? The study intends to assess human Rights compliance in Ghanaian prisons, considering the treatment of prisoners on their rights and reformation in Awutu Camp prison as a case study. Hence, the study was focused on the following objectives:

- To explore the treatment measures meted out to Prisoners in the Awutu Camp Prison
- To examine the factors influencing compliance with human rights standards in the Awutu Camp Prison.

Problem statement

In the face of the numerous challenges of the Ghana Prisons Service, the problem of this study is to investigate compliance with human rights standards by the Prisons Service. Although several studies on prisons in Ghana exist, they have concentrated on the socioeconomics of crime and discretionary punishment (Akpalu & Mohammed, 2013), difficulties faced by prison staff (Baffour, 2016), inmates' human rights concerns (Amnesty International, 2012), alternatives to incarceration and community service (Parimah, Osafo, & Nyarko, 2016), and stigmatization and discriminatory experiences of inmates (Dako-Gyeke & Baffour, 2016). Unfortunately, thorough research to bring out issues about compliance with human rights standards in the prisons has not received much attention in Ghana. Unlike many studies on prisons, which tend to cover multiple facilities, this study provides knowledge on compliance by limiting the scope of the investigation to a smaller, lower prison facility in terms of classification—the Awutu Camp Prison—through a purely qualitative inquiry from realistic, institutional, and reformational theory perspectives to emphasize compliance to human right standards from a much-neglected section of the prison system in Ghana.

Awutu Camp Prison was built for 150 people but held over 317, and failed to provide sufficient food, beds adequate living quarters, and rehabilitation of inmates. Ghana is a signatory to the UDHR, which set out principles that uphold the basic tenets of Human Rights. Notwithstanding the various efforts by the Ghana government and other non-governmental agencies like Amnesty international, Human Rights Watch, the international Federation for Human Rights, Human Rights First, and Interights to educate and eradicate violations of prisoners' rights, the problems exist in the camp prison with its implications for human rights. Compliance is a vital area in the protection and promotion of Human Rights. Section 7 (c) of the US Department of State (2017) Country Report on Ghana observed that some laws were not enforced effectively or consistently. Why this is best examinable by delving into issues of compliance. This study investigates compliance with human rights standards to shed light on the issues of human right protection in the Awutu Camp Prison.

Brief literature review

Several factors contribute to the violation of human rights within prisons, including hopeless leadership, misuse of force with no accountability, ineffective supervision and staff training, ineffective policies and poor protection of prisoners with unnecessary force. (Human Rights Watch, 2015). According to Sarkis J. (2008), achieving rehabilitation, a right entitled to inmates, poses a significant challenge for many African prisons, primarily due to limited resources. She further emphasizes that overcrowding and underfunding obstruct the implementation of effective rehabilitation programs. Despite the stated goal of many penal policy makers in Africa to prioritize rehabilitation, a lack of political will hinders its actualization.

The Ghanaian Prisons Service's ten-year strategy plan has noted that Ghanaian society looks indifferent to the reformation and reintegration of offenders, as a result of which a significant proportion of them experience stigmatization upon release. The service laments the fact that governmental authorities cannot effectively administer the criminal justice system on their own; instead, the full spectrum of societal resources must be mobilized to help and promote the reformation and social reintegration of criminals. Slow police investigations, drawn-out court cases, and an increase in remand detainees are characteristics of the system. According to the service's strategic plan, there is a lack of coordination or synergy between the various institutions that make up the criminal justice system. The service has once more declared Again, the agency has indicated that the service's rehabilitation and reformation program has been hampered by a lack of resources, deteriorating physical facilities, a lack of staff training, and a shortage of tools and equipment for training offenders (www.ghanaprison.gov.gh).

Amnesty International has noted a few other issues in its 2018 assessment of the human rights of inmates in Ghana. The report claims that because some prisoners do not have access to facilities at night, they urinate and defecate in buckets or plastic bags, the jail in Ghana needs to be repaired, refurbished, and maintained. The study asserts that extended pretrial detention is common and in violation of human rights laws around the world. Along with this, medical facilities lack skilled medical staff and enough equipment. Additionally, according to a 2018 United States Department of State assessment, the actual prison buildings were once colonial forts or abandoned public or military structures with poor ventilation and sanitation, shoddy construction, and insufficient room and light. The report highlighted the dire conditions in the prisons, specifically addressing the issue of inadequate toilet facilities. Shockingly, there were instances where up to 100 prisoners had to share a single toilet, resulting in frequent overflowing with fecal matter. Moreover, the report lamented the state of healthcare services provided to the inmates. The medical assistants responsible for administering medical care were overwhelmed and ill-equipped, lacking basic supplies and medications. Furthermore, the human rights report shed light on the problem of insufficient record-keeping practices. As a result, numerous prisoners were subjected to prolonged pretrial detention, some enduring confinement for as long as 10 years. This situation is further aggravated by the absence of a prison ombudsperson or any comparable authority to address and investigate complaints effectively.

Methodology

An interpretive philosophy was adopted to answer the research questions for the study; this study is inductive in nature. This investigation used a qualitative methodology, which is consistent with the philosophical viewpoint chosen for the study. The method of gathering qualitative data comes in diverse forms; however, interviews and observation were used to gather data for this investigation. A case study design was employed as the research design whilst the Awutu Prison Camp in Kasoa was used as the contextual setting for the investigation. A non-probability sampling method using purposive sampling to identify the overall participants of the study. The target population comprises prisoners and prison officers summing up to 211. The accessible population consists of prison officers and prisoners in Awutu Camp. Prison situated near Kasoa in Ghana's Central Region Overall, using a maximum variation strategy to select both prison officers and prisoners, nineteen (19) participants were interviewed. The researcher ended the interviews at the point of saturation. The rationale for employing interviews allowed for the clarification of questions that might otherwise be obscured and for the respondent to elaborate on any particularly significant or illuminating responses (Fraenkel & Wallen 1996). In this regard, the researcher spoke with prisoners directly to get information on them, the types of treatment that affect their rights, and the rehabilitation programs that are available to them. They were also questioned about their thoughts, intentions, and prison experience. The data gathered from this research was transcribed. The researcher therefore assigned codes to the primary data to relate the codes to the answers using the thematic content analysis technique. The various responses were compared to identify the core issues. The researcher started making meaning out of data collected from research participants by looking for patterns and integrating what differences were interpreted (Patton, 2002). Hence, the data gathered were subjected to interpretations to arrive at the results and conclusions.

Ethical considerations

This study ensured voluntary participation, where participants were explicitly informed about the preservation of their anonymity and the strict maintenance of confidentiality. Before commencing the study, the researchers obtained official permission from the office of the director of Awutu prison service, duly adhering to all required protocols. Additionally, before conducting the interviews, the researchers conscientiously explained the study's purpose to all participants, ensuring their understanding and informed consent.

Results and discussions

Self-reported response on treatment measures meted out to prisoners in the Awutu Camp Prison

The researcher sought information on housing for inmates in terms of the structure and bedding. Given that, this question was posed “What forms of deficiencies have you observed in the living standards of prisoners in the prison”? All the participants both officers and inmates, said poor infrastructure, not well-organized reformatory structure, unresolved complaints, tasteless and

inadequate food served, unhygienic sanitary conditions, inadequate medical care, poor bedding in terms of mattress, and an invasion of bed bugs in the prison facility. Example was (CP 18) “no reformatory structures to equip prisoners with trade skills” The researcher delved into the nature of accommodation in terms of floor space and others. A follow-up question was asked “what is the nature of your accommodation in terms of natural light, fresh air, artificial light, and floor space?” Their responses were coded. The majority of the participants both inmates and Officers, said it was good. Others said it was manageable. Those who said it was good were coded (N) and those who said it was manageable and other words to express dissatisfaction were coded (N). Responses that indicated that it was good were coded (N) and presented as follows, CP 16 said: “It is good even though the place is overcrowded one thing we must know is that we are prisoners”. CP 6: said it is good for the fact that we get a place to sleep, we do not sleep in the open. CP 18: said, “it is good because we have a roof over our head even though it is not the best”. My observation and the inmates’ responses show that the mere fact that they have a place to lay their heads is good even though it is not the best.

With respect to the nature of the food served to inmates, all opinions were centered on the GHC1.80 pesewas for meals per Prisoner. All the participants both officers and inmates, said it was not enough to use various expressions to describe it. For example, DSP 2 said: “it is woefully inadequate”. One inmate CP 19 serving 5yrs in hard labour (IHL) also said, “in fact, it is not reaching us’’. The answers to the question brought to light the inmate's situation in terms of their meals. The participants were asked to describe the kind of meals served to the inmates. Corporal 7 who has been in the service for 10 years and currently an infirmary attendant in the yard described the meals as lacking a balanced diet. She described most of the inmates as mal-nourished. Other officers agreed that it is not the best and generally not edible. Assistant Chief Officer (ACO) 8 who is in charge of inmate welfare said “it is bad, to face the reality, the food is bad to the extent that they don’t even eat it.” CP 15 serving 8 years reported that the morning porridge that they always take in the morning is without sugar while the soup is tasteless. Another convict prisoner (CP) serving three years noted that the supper was always served at midday alongside the launch and this made the super run cold. The others made similar comments. Some of the prisoners in this group thought that they were even lucky to be given food three times daily as prisoners. An example was (CP) “how can you commit a crime and still want to enjoy good food.” The conclusion drawn from these observations was that they thought that they were not under any obligation to be given food because they were prisoners. All participants confirmed that clean water is always available for use when they were asked about the water situation in the yard.

Inmates access to medical care, health personnel, medication and critical health care

According to Article 25 of the UDHR, everyone has the right to a standard of living that is sufficient for his or her own health and well-being. According to Rules 24 and 25 of the Mandela Rules for the Treatment of Prisoners, prisoners must have free access to essential medical care provided by a licensed healthcare provider. Additionally, it stated that prisoner health treatment

must advance, safeguard, and develop inmates' physical and mental well-being, paying particular attention to those with exceptional medical requirements or health conditions that impede their ability to undergo rehabilitation. However, the health care situation in the Prison violates the provisions of these documents. According to some inmates, anytime they reported sick, they were only given paracetamol. Other inmates said the infirmary attendant told them there was no medicine for their kind of sickness. Majority said they have stopped depending on the infirmary for drugs and instead depend on friends and family members for drugs. One prisoner mentioned that when you report sick, you are not allowed to recover properly before they escort you to the farm to work. ACO 10 who is in charge of inmate's welfare said, "you will see a prisoner complaining about his health but there is no money to take the prisoner to the hospital." The infirmary attendant the researcher interviewed admitted there are difficulties in inmate's access to health care. She said, "we don't have enough drugs and even the ones we have when it gets finished, it takes time to replace. Making referrals is difficult because the administration will tell you no money unless severe wounds that need to be stitched." She said the presence of diseases such as TB, HIV and chicken pox made matters worse. My personal observation shows that officers who go out with inmates on outside labour purchase drugs that have not been prescribed for the inmate by health personnel.

Complaints Unit, Lodgment Procedure and Record Keeping

According to the Amnesty international report (2019) on human rights of inmates in Ghana asserts that the prisons do not have a system that ensures that inmates' complaints are resolved. However, the situation as it pertains in the Camp Prison falls in line with the Ghana Prison Service Act 1972, which stipulates that "(1) Any prisoner shall be entitled, without prejudice to any other means of redress legally available to him, make a complaint in writing, signed by him as to any instance of assault, maltreatment or intimidation by a prison officer."

In my personal observation during the research, I observe the dearth of trustworthy information on staff assaults. When inhumane treatment of inmates happens, it is rarely adequately examined, leading to a lack of responsibility for those involved. This is due to poor record keeping, inadequate complaint processes, and other transparency impediments. A significant barrier to holding decision-makers accountable is the lack of openness and the failure to hold offenders accountable for their actions. However, this contravenes the Mandela Rules for the Treatment of Prisoners, which state at Rule 5(1) that "The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings." This means that the prison officers must make room for prisoners to lodge complaints when necessary.

Torture or ill-treatment, or punished inhumanely in the prison

According to United Nations (1987), torture is defined as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as

obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by, or at the instigation of, or with the consent or acquiescence of a public official or other person acting in an official capacity”. With this definition, we can say without doubt that majority of the responses point to torture. The reference made to the Bible indicates a possibility that punishments of prisoners necessitate rights violation by officials especially in the absence of checks. The issue of an inmate cutting a fellow inmate with a blade also raises concerns of personal insecurity. In 2015, the UN special rapporteur told Ghana that both guards and other authorities were physically abusing detainees.

In the case of Awutu prisons, majority of officers responded that inmates are sometimes beaten to ensure that they succumb to lay down rules and regulation of the Prison. CO 10 made reference to Proverbs in the Bible that “if you spare the rod, you spoil the child” some were very uncomfortable with the questions and said they had not observed any. An Officer said, “if the inmate is caught with a prohibited item, he is beaten sometimes to say where he got it from or why he was in possession of such an item” ACO 10 mentioned that “psychological torture is there, the language we sometimes use is even a psychological torture to them.” The same question was asked of the inmates of the Prison. Some of the inmates reported that they had not experienced or observed any human rights violation in the yard. Those who said they have not observed were coded (N) further interrogation shows that he does not know the difference between physical abuse and verbal abuse and finally agrees that he has observed verbal abuse. “Yes, I have seen an officer insult a prisoner” but one said he witnessed an inmate cut another inmate with a blade in a fight. CP 18 responded to the same question with a YES and NO answer. He noted, “the NO is because some officers speak to you well and encourage you and YES because some officers talk to you as if we are not human beings. They treat us like outcast.” Some of the participants had said the retaliatory beatings was not proper, they however explained the necessity for such things in some circumstances and others also think that the fact that an officer did not use his hand on him cannot be turned into torture.

Training, Education and Recreation

The researcher sought to find out the measures put in place to train and educate the prisoners that will make them law abiding persons and help them to be gainfully employed upon their discharge. On the question of “Do you have educational programs and well-equipped training Centers?” the majority of the inmates said No, and few said Yes. Some said they used to learn “Kente” weaving but the shop has collapsed. Others said the only time they learned something was when there was an ongoing project like masonry, carpentry and electrical works. One inmate reported that the ICT program he was running has only three computers and the officers are also not always available to teach. Most of the officers interviewed confirmed that there was no training and educational program. While some said, the inmates who were taken to the vegetable farm acquired some skills

in vegetable farming. On the question of “what recreational activity do you have”, all the participants said the Officers and inmates play football and volleyball together intermittently.

The picture painted by the participants plus my personal observation show that the Camp Prison has not put in place a formal structure to propel education and training. What it means is that inmates are not properly engaged in an income generating activity or trade such as carpentry, shoe making, tailoring, draftsmanship, joinery, printing, electrical and metal work. Similar observation was made by the 2019 Amnesty international report on human rights of inmates in Ghana. It stated that “The existing training options seen by Amnesty International, while welcome in themselves, seemed not adequate to equip prisoners for life after release, tended to have only basic and outdated equipment and were also relatively poorly attended by prisoners.”

Knowledge of Fundamental Human Rights

On the issue of “knowledge of fundamental human rights” the researcher sought to find out what Prison Officers know regarding Human Rights. In this regard, this question was posed on what they will say Human Rights is?” Their responses were coded. Responses that captured the meaning of Human Rights precisely were coded (Y) and presented as follows, ASP 3 said: “Fundamental rights to which a person is entitled simply because he/she is a human being” and LCP 6 said: “It is a basic right that every human being is entitled to, regardless of who you are or where you come from etc.” These responses contain the key elements of what Human Right is. That is, the basic/fundamental rights and freedoms, and the entitlement of every human being. Besides the above, other responses that also expressed Human Rights as legal claims or universal values or legal guarantees that every human being is entitled to, were also coded.

With responses that were coded (Y), a careful assessment of them suggested that officers memorized directly from some sources and did not come directly from the participants’ own knowledge and understanding of Human Rights. For instance, Assistant Chief Officer 4, Corporal 8 and Chief Officer 7 seem to have memorized from the same source but Chief Officer 6 ended up with a misconstruction of the sentence as underlined below. These were their responses.

(Assistant chief officer 4) “Human rights are rights inherent to all human beings, whatever our nationality, sex, ethnic group and origin, colour, religion, place of residence or any other status.”

(Corporal 8) “Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic, status, colour, religion, language or any other thing.”

(Chief Officer 7) “Human rights are rights that every human being inherent to all humans, whatever our nationality, place of residence, sex, national or any other status. “Meanwhile, I witnessed (second class 9) peeping via a mobile phone. Her response was (Second class 9) “They are moral principles or norms that describe certain standards of human behaviour and are regularly protected as legal rights in municipal and international law.”

Knowledge of the UDHR

The researcher set out to seek information on the officer's knowledge of the UDHR. On the question of, “What do you know about the Universal Declaration of Human Rights (UDHR)?”

One participant asked me to skip the question and did not respond to the question. Majority of the participants said they did not know anything about it at all, while few said that they knew little about the documents. None of the majority participants said they knew “very much” about the UDHR. They were asked to express what they knew about the said document. And the responses of the few participants who had said they knew little about the UDHR were analyzed. Responses that explained the UDHR precisely were coded (y). Examples were (Corporal 8), “Is a Human Right document that has been accepted as a contract between a government and its people throughout the world” and (Second class 5) “It’s a declaration that was adopted by the UN general assembly on 10th Dec 1948 due to the 2nd world war. It talks mainly on Human Rights.” The UDHR has already described in this study that it was the key document that ushered in the contemporary concepts of fundamental human rights in the early twentieth century. The cardinal determinant for the (Y) coding was whether the response identified the UDHR as a document. Any other facts related to the UDHR like the date of its adoption and some names associated with it were considered as added information.

Moreover, there were some responses that could not describe the UDHR precisely which includes: (ASP 1), “Free movement of people without any hindrance” and (Assistant Chief Officer M) “They are the rights that exist everywhere and must be enjoyed by everyone no matter where you find yourself.” These responses were coded (Y) because they portrayed the UDHR as a kind of rights by itself and not as a document that contains a set of rights as it really is. For some of the responses that were coded (Y) it was identified that the participants concerned really exhibited lack of knowledge or even ideas about the UDHR even though they had claimed otherwise in a previous question. Examples included (Chief officer 7), “All inmates have the right to live because they are here for reformation” and (Supt 1) “Is an international organization that wants to protect Human Rights.”

Knowledge of the Mandela Rules for the Treatment of Prisoners

With regard to knowledge of Mandela Rules for Treatment of prisoners, majority of the participants said they did not know anything at all about the said Human Rights document. A few of the participants said they knew little about the document. None of the few participants said he/she knew “very much” about the document. In a follow-up question respondent were asked, “Briefly describe any specific thing that is contained in the documents.” When the data was examined, it was realized that the few who said they knew could not make any expressions of what they had said they knew. The remaining participants provided responses but only one: (Corporal 6) “Torture or other ill treatment is prohibited. Their Human Right.”: was singled out and coded (y). Some provisions in the Nelson Mandela rules actually discuss a number of rights that are

applicable to prisoners. Therefore, the expression “torture or other ill treatment is prohibited” was considered as an expression that could be associated to the Nelson Mandela rules.

With the rest of the responses that were coded (N), some of them were considered to be participants’ own ideas of what the Mandela rules might be. Those responses were put under a category that indicated the participants had some idea; albeit the expressions were more of general statements. Examples included (Assistant chief officer 8), “Prisoners are human beings and therefore must have basic human rights” and (Chief Officers 7) “It is the law that protects every prisoner.” They lack any specific reference to provisions that are contained in the document. Others were considered expressions that indicated the participants lacked idea of the said document. Examples included (Sgt 3), “Rescue and reintegration in the larger society” and (Second class 4) “It is an international body advocating for institutionalizing the fundamental human rights throughout the world.”

The data gathered produced some findings in relation to the theme “what Prison officers know regarding Human Right.” The first was that, although the majority of the participants had said they had knowledge of fundamental human rights, a deeper probe revealed a few actually did. Many expressed ideas of Human Rights that suggested common mass media knowledge. Also, a few of the participants exhibited accurate knowledge of the Nelson Mandela rules. This was actually a reflection of the fact that they knew nothing about these documents.

The inference drawn by this review regarding seeming lack of knowledge on Human Rights by the police might not be too far from the reality. This was because in a study conducted by Adomako-Boateng in 2008 to measure people’s knowledge of the abortion laws of Ghana, he found that as many as 77 percent of the participants had low knowledge about the law (p. 33). While the particular study was on a different issue, it suggests that Ghanaians have limited knowledge of rights and legal issues. It could be inferred that Adomako-Boateng’s findings only gave an indication of what might be the case in the larger Ghanaian societies and among Law Enforcement Originations knowledge of Human Rights law be examined.

Participants’ self-rating of ability to practice human rights

The inquiry started with a foundational question of “How well can you practically *apply* human rights in your work?” This question provided participants with an opportunity to make a self-assessment of themselves prior to attending to the practical situation. The data gathered on this came up with the following result.

Few participants said they could not apply human rights, whereas majority participants said varying degrees of how well they could practically apply human rights in their work.

Participants’ Position on Human Right Violations beyond Physical Abuse

As part of setting the grounds, participants were tested on, “The only way to violate a prisoner’s human rights is to physically assault him or her. Large majority of the participants disagreed that

physical assault was the only way to violate a prisoner's human rights. The inference was that they acknowledged there are various ways through which a prisoner's human rights could be violated.

Considering the findings from the data on the two preliminary questions above, there were indications that participants would be able to identify the various rights captured in the given scenarios. On this established foundation, participants were then tested on some practical set up. The expectation was to get data that would either corroborate the above indications or refute them.

A Situation Involving Right to Dignity

The first of the three-situation read: "In a situation where an officer verbally insults a prisoner for possessing a mobile phone, are there any human rights issues involved?" From the data, few of the participants said there were no human rights involved in the insults. However, the majority said a varying degree of human rights involvement. This sought to ascertain if participants could identify the verbal insult in the given setup as a violation of the inmate's fundamental human rights. Specifically, the situation bordered on a violation of the inmates' *right to dignity*. The subsequent explanations given by the majority participants were subjected to coding.

Responses that appropriately identified verbal insult as an issue of *rights* were coded (Y) Example was (corporal 6), "You can charge him for possessing a mobile phone not insulting him. Insulting him is the abuse of his human right." In some cases, even though the bar was lowered for some responses just because they mentioned rights, they could not mention categorically that it was a rights violation. An example was (DSP 2), "The rights of a person should be respected and need to be talked to in a rightful manner." These responses above were all coded (Y).

Responses that did not link the verbal insult to issues of rights were coded as (N). A careful study of the responses that were coded (N) revealed that some of them were quite *unclear* and intangible. An example was (ASP 1), "Insult is respectively some people call a bitter truth an insult."

Another category of responses that dominated the (N) coded responses were based on a *moral, ethics or courtesy* points of view. An example was (SGT 3) "The inmate sometimes may know or may not know that possessing a mobile phone is against the prison regulation so it is up to you the officer to exercise patience and talk to the inmate." The third category of responses were those that seemed to align with standard operating procedures. And that is, simply sanction any person who offended the law without side issues. An example was (DSP 2), "The officer is not supposed to insult an inmate for using a mobile phone. The officer is supposed to sanction the inmate"

Many state institutions like the Ghana Prison Service have a documented standard operating procedure (SOPs) that guide its personnel on how to carry out duties. In many cases, following the SOP leads to protecting people's fundamental rights.

However, the concept of providing Human Right Education to Law enforcement officers (LEOs) go beyond the application of Standard Operating Procedures. This is because not all Standard Operating Procedures were strictly prepared with the sole intention of ensuring that all possible

human rights issues are catered for. If that were the case, like the various setup featured in this data would find their way in such SOPs for officers to be aware of how to handle such situations to ensure that rights are protected. However, the fact remains that all these nitty-gritty human rights scenarios are not normally provided for in Standard Operation Procedures. That was why there was the introduction of Human Right Education to Law Enforcement Officers (LEOs). The concept was that with a proper knowledge and understanding of human rights, Law Enforcement Officers would by themselves be able to recognize the various rights and protect them as and when they came up in their operations. For this reason, though some participants opted for the sanction of the offender in the above given setup (i.e., following the SOP), they still failed to recognize that there had been a violation of the person's rights. And that is the core of this study.

Two participants did not give any meaningful explanations and for the rest who did, three participants linked the verbal insult to an issue of human rights violation. For those who said not at all in the initial question, they provided explanations which suggested that they really could not identify any wrong doing let alone human rights issues in the given set up. Some examples were (SUPT 2), "Because possessing a mobile phone is a big offense." and (LCP 5) "That will at least stop them from bringing mobile phones into the yard".

Conclusions and recommendation

The study concludes that the GHC1.80 pesewas for meal per prisoner according to the officers and inmates was not enough. They described the meals as lacking a balanced diet which has rendered the majority of the inmates as mal-nourished. Meals given to inmate were generally not edible, in reality the food is bad to the extent that some do not even eat it. The morning porridge that they always take in the morning is without sugar while the soup is tasteless. Also, the supper was always served at midday alongside the launch and this makes the supper run cold. The observations drawn from this context was that there is a misconception that inmates are not under any obligation to be given food because they are prisoners. All the participants confirmed that clean water is always available for use. The investigations concluded that the inmate's rights to food is being violated in this instance and in effect the inmate's human rights to health and life is violated.

With respect to sanitary conditions, the study concluded that it was not the best; however, they always ensured that the place was always tidy by sweeping and scrubbing it. In addition, the bathhouse was not tiled and no detergent to scrub it, the floor develops some "green green." The toilet was too small for the inmate's population and "when the toilet gets full, they have to fetch it out of the hole with a bucket". Another was the complaint of irregular supply of hygiene kits such as soaps, toilet roll, toothbrush, toothpaste and shaving stick and so when the inmates come to the office, their body odor is bad. The picture painted by the participants plus my personal observation show clearly that the sanitary condition in the prison is very poor and inmates' personal hygiene is also not the best. The fact that inmates have to empty their septic tank with the use of a bucket is dehumanizing and degrading to say the least. The Camp Prison environment generally is a bedrock for cholera, malaria, typhoid fever and the likes. The fact that there is no constant supply

of personal hygiene kits such as shaving sticks, tooth brush, tooth paste, washing soap and toilet roll to the prisoner, makes the prisoner prone to diseases. The study further concludes that inmates' rights to humanely sanitary conditions are violated.

In regard to inmate rights to healthcare, inmates maintained that anytime they report sick, they were only given paracetamol. There was no medicine for their kind of sickness. Hence, they stopped relying on the infirmary for drugs and instead depend on friends and family members for medicines and access to healthcare. Also, when prisoners report being sick, they are not allowed to recover properly before they are escorted to the farm to work. In terms of torture or inhumane treatment, inmates are sometimes beaten to ensure that they succumb to lay down rules and regulation of the Prison. Furthermore, there were no educational programs and well-equipped training centers available, even though few of them indicated yes. Notable example given was "Kente" weaving but the shop has collapsed. The only time they learned something was when there was an ongoing project like masonry, carpentry and electrical works. Also, the ICT program running has only three computers and the officers are also not always available to teach. With recreational activities, officers and inmates play football and volleyball together intermittently. The study concluded that the Camp Prison has not put in place a formal structure to propel education and training.

Alternatively, with the expression and understanding of human rights, officers memorized directly from some sources, they were unable to express their own knowledge and understanding of Human Rights. Hence, inadequate knowledge of what human rights is. The study further concluded that the majority had little or no knowledge about the Universal Declaration of Human Rights (UDHR) as the majority did not know anything about Human Rights. None of them were certain that they knew "very much" about the UDHR. They were asked to express what they knew about the said document. Few prisons that seem to know a little about the UDHR. Also, they did not know anything about Mandela's rules for the treatment of prisoners. Hence, they were ignorant of the Human Rights document. However, the expression "torture or other ill treatment is prohibited" was considered as an expression that could be associated to the Nelson Mandela rules.

The study recommends that the GHC 1.80p cost of meal per prisoner should be reviewed to meet the UDHR. Also, the accommodation and sanitary conditions of inmates should be improved to meet humane treatment of inmates. Additionally, inmates should be engaged with education and training that could instill trade in them. The study recommends that prison officers and inmates should be educated on their human rights as indicated by the UDHR and Human Rights document. Finally, this study should be replicated in other jurisdictions to ascertain equity.

References

- Ansah, E. W., Addae, J., Hagan, J. E., & Baidoo, M. A. (2023). Assessing stress levels, predictors and management strategies of inmates at Ankaful Prison Complex in the Central Region, Ghana. *Behavioral Sciences, 13*(3), 201.
- Baffour, F. D. (2020). *Factors Contributing to Recidivism among Inmates in Selected Ghana Prisons*. Doctoral Thesis, James Cook University, Townsville, Australia.
- Dupré, C. (2013). Constructing the meaning of human dignity: Four questions. In McCrudden, C. (Ed.), *Understanding Human Dignity*. OUP, Oxford, pp. 113-121.
- Fraenkel, J. R. & Wallen, N.E. (1996). *How to design and evaluate research in education* (3rd Ed.). London: McGraw-Hill Inc.
- Ghana Prisons Service (2022). *Ghana Prisons Service*. Available at: <https://ghanaprison.gov.gh/about-us/about-us.cits>
- Jackson, E. and Keown, J. (2012). *Debating Euthanasia*. Oxford: Hart.
- McCrudden, C. (2008). Human dignity and judicial interpretation of human rights. *European Journal of International Law, 19* (4), 655-724
- Myjoyonline. (2021). *Overcrowding a major challenge of Ghana Prison Service*. Available at: <https://www.myjoyonline.com/overcrowding-a-major-challenge-of-ghana-prison-service/>
- Newman, I., & Benz, C. R. (1998). *Qualitative-quantitative research methodology: Exploring the interactive continuum*. Southern Illinois, USA: SIU Press.
- Ofori, E. N. A. (2011). *Perceptions of police powers of arrest, detention and human rights of suspects in Effutu municipality of Ghana*. (M. Phil. thesis). University of Education, Winneba.
- OHCHR. (2015). *Basic principles on the use of force and firearms bylaw enforcement officials*. Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>
- OHCHR. (2015). *Convention against torture and other cruel, inhuman or degrading treatment or punishment*. Retrieved from <http://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf>
- Reichstein, A. (2020). A right to die for prisoners? *International Journal of Prisoner Health, 16*(1), 56-66.
- Rights sites news. (2009). *Promoting human rights education in the classroom. Advocates of human rights*. Budapest, Hungary: COE Publishing.

- United Nations (2014). *Framework of Analysis for Atrocity Crimes: A tool for prevention*. New York: United Nations Office on Genocide Prevention and the Responsibility to Protect.
- Universal declaration of human rights. (1948). *Adopted and proclaimed by*
- United Nations (2014). *Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. United States of America: New York, United Nations.
- United Nations (2014). *Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. United States of America: New York, United Nations.
- United Nations. (1945). *Charter of the United Nations*. New York: UN Information Department. Retrieved from <http://www.treaties.un.org/doc/publication/ctc/uncharter.pdf>
- US Department of State. (2011). *Country report on human rights practices in Ghana - 2010*. Retrieved from [http://www.state.gov/j/drl/rls/hrrpt/2010/af/154349 .htm](http://www.state.gov/j/drl/rls/hrrpt/2010/af/154349.htm)
- Yiribaare, F. K. (2006). *The role of the Ghana police service in achieving the goals of the African charter on human and people's rights*. (Master of Arts dissertation). Available at University of Ghana, Legon Balme library.

