

# JUSTICE FOR ALL: EMERGENCY COVID PRISON RELIEF

SOLVING THE DILEMMA BETWEEN CRIME CONTROL AND DUE PROCESS



Peace  
and security

COUNTRY  
OF ORIGIN

Ghana

REGION OF  
IMPLEMENTATION

Africa - Ghana



## PRESENTATION OF THE ORGANIZATION

The POS (Perfector of Sentiments) Foundation is a leading civil society organization in Ghana with a primary focus in the areas of criminal justice and prison reforms, human rights advocacy, law/policy reforms, youth development, gender equity/women economic empowerment and drug policy reforms. The two primary aims are:

### **Policy/Law Reforms**

Identifying and blocking legislative/policy loopholes within the criminal justice system in order to support prison decongestion. Activities include the implementation of a non-custodial sentencing regime (community services, parole and probation), drug policy reforms, the use of paralegals to strengthen prisoners' legal aid, the decriminalization and classification of petty offences and other crime, and introducing technology in case management in line with the Mandela Rules.

### **Access to Justice Intervention Programs**

The Justice for All and In-Prison Paralegal Programs establish a mobile virtual special court to review remand cases, and train prisoners and officers as paralegals to assist fellow convict prisoners to appeal their cases. Providing sustainable legal support and representation for inmates without financial commitment to their freedom, the intervention programs can easily be replicated in prisons around the world.

## PROJECT OVERVIEW

Justice for All can serve as a model of best practice to decongest Africa's overcrowded prisons and provide sustainable legal support.

Ghana's criminal justice system, though admired by many countries in the region, faces alarming prison overcrowding rates in addition to long pre-trial/remand cases. The Justice for All Program (JFAP) helps alleviate prison overcrowding by setting up mobile in-prison special courts to adjudicate remand/pre-trial prisoner cases throughout the country. This initiative is a unique partnership between the state (criminal justice institutions led by the judicial service) and civil society organizations in Ghana.

## HOW IT WORKS

In order to ensure the delivery of justice and deal with the backlog of remand cases as a result of the Coronavirus pandemic, the POS Foundation organized virtual court sittings, donated personal protective equipment (PPE) and organized training exercises to selected prisons across the country.

The POS Foundation and its able team of paralegals and lawyers visit prisons across Ghana to interview and file cases on behalf of prisoners, ensuring cases are being heard in a special mobile prison courts in a timely and effective manner. These Justice for All virtual court sittings will continue to ensure the promotion and protection of human rights among prisoners are upheld amidst the Covid-19 pandemic and beyond.

Following initial criticism, the program has since expanded to extend the same In-prison paralegal program (IPP) to convicted prisoners; both prison inmates and officers receiving paralegal training to assist convict inmates in appealing their cases by self-representation.

## ACCOMPLISHMENTS

The POS Foundation is a facilitator of the project since 2014 - paralegals and lawyers conduct inmate interviews, prepare/file applications and represent them at the in-prison court. The project has brought significant reduction of remand prisoner population from 33% in 2007 at project inception to 8.71% as of 20<sup>th</sup> November 2023.

Among other pragmatic measures by Ghanaian prisons themselves, this intervention adapted practices in the face of the Covid-19 pandemic, managing to successfully prevent the spread of Covid-19: no cases have been recorded so far in prisons in Ghana.

## FUTURE OUTLOOK

In the years to come, the JFAP will expand the number of court sittings held in Ghanaian prisons, with aims to further decrease the remand population rate. By providing additional equipment and offering awareness training, they aim to keep the coronavirus out of correctional facilities in the region.

In the longer term, the JFAP aims to expand the program into Kenya, Liberia, and Nigeria, where remand populations in correctional facilities in some of these countries are as high as 65%.



## SUCCESS STORY

Ama Forson, a 65-year-old food vendor in Ghana was sentenced to 11 years imprisonment over narcotics charges. Ama was among the beneficiaries of the In-Prison Paralegal Program. She was successfully acquitted and discharged on appeal during the peak of the Covid-19 crisis after spending 4 years 11 months in prison.

"The most affected and yet marginalized group of people amidst a pandemic such as Covid-19 are prisoners, orphans and persons living with disabilities. They need assistance to survive, lend a hand."

- Jonathan Osei Owusu, Executive Director, POS Foundation, Facilitator of Justice for All Program

