



## **Sierra Leone: Civil Society Urges Government to Review Cases of Women and Girls in Detention who were Overlooked in the Presidential Pardon Process**

12 January 2021

[AdvocAid](#) and [Purposeful](#) are dismayed that only five women out of 160 incarcerated people were pardoned during the New Year's Day Presidential pardons. Further, that no women imprisoned in Correctional Centers in the provinces were pardoned or two girls incarcerated at the Approved School.

A number of women who are imprisoned with young children were not considered for a Presidential Pardon, despite international and regional standards which stress that alternatives to imprisonment should be preferred in these cases. For example, in Bo Correctional Centre there is a young woman with a baby who is serving a three year sentence and in Freetown Correctional Centre there is a woman with a young baby who is serving a seven year sentence. These facilities do not have the appropriate medical, educational or support services for such children who are at risk during detention.

### **Young Woman Imprisoned with Twins For Over a Year**

A young woman is currently imprisoned in Kabala Correctional Centre with twins. She has been detained since October 2020, while pregnant, and gave birth in the Correctional Centre. She was sentenced to seven years imprisonment for wounding with intent and did not have adequate legal representation during the length of her trial. She had an altercation with a woman who was having an affair with her husband. The provocation and emotional abuse were not fully taken into consideration and she was given a severe sentence given that she has children to take care of inside and outside of detention.

AdvocAid wrote to the Office of the Vice President in April 2021 requesting that she be considered for pardon and has conducted follow up advocacy. However, her case was not considered.

Two girls who were convicted were also not considered for pardon. One of these girls was imprisoned at the Bo Remand Home, serving an eighteen month sentence for larceny, and has just been transferred to the Approved School in Freetown. International and regional standards urge governments to consider alternatives to incarceration and support for such children, rather than detention.

#### **15 Year Old Survivor of Child Marriage and Gender-Based Violence Detained at the Approved School**

A 15 year old girl was convicted of murder in April 2021 and sentenced to be detained at the Approved School in Freetown “at the pleasure of the President” by a High Court in the provinces. She was the victim of forced child marriage, in breach of the Child Rights Act 2007, when her parents married her to a much older man over twenty years her senior for economic reasons. She suffered abuse and violence by her husband and co-wives in breach of the Domestic Violence Act 2007. When she tried to flee this abusive situation, she was beaten by her family and sent back.

As a final cry for help, she pushed the child of one of the co-wives down a water well and he later died. She was arrested and charged with murder. We believe that her human rights were breached whilst in police custody. For example, she did not have access to a lawyer, she was not provided with a guardian or representative during police questioning despite being a juvenile, she was not provided with a translator during police questioning and she was detained in degrading conditions at the police station. She also alleges that she was physically and sexually abused by a police officer.

During her trial, there was no assessment of her mental health. The judge deduced that she was of sound mind at the time of incident from the fact that she had appeared throughout the trial, and directed the jury that this was the case. Thus, any defence of diminished responsibility or loss of control was not appropriately considered. Further, her experience of forced child marriage and gender-based violence during the marriage was also not considered by the court. The jury deliberated on her case for just three minutes, demonstrating the lack of consideration around the complicated factors in her case.

Her sentence, to be detained “at the pleasure of the President” does not meet the principle of legality – the requirement that penalties must be defined precisely.

She is still a child and barely above the age of criminal responsibility. She was the only girl detained at the Approved School for several months which left her isolated and at risk of further human rights violations. She is suffering from stress which is having a negative impact on her mental and physical health.

AdvocAid and Purposeful wrote to H.E President Bio in October and December 2021, requesting for her to be pardoned and conducted follow up advocacy. However, her case was not considered.

We are concerned that several men were pardoned for serious offences, such as murder, when women and girls convicted for lesser offences were not considered for pardon. For example, there is a woman with a young child who is imprisoned in Kenema Correctional Centre for fraudulent conversion (debt) and is serving a sentence of one year and two months.

We urge the Government to review the pardon process. It should be open and transparent with key criteria for when a pardon will be considered. The process should also be open to submissions from legal representatives and civil society organisations.

Further, we call on the Government to review the cases of all women and girls currently detained in police stations and detention facilities across the country and to consider them for early release measures and alternatives to incarceration. This is especially urgent for women and girls who are pregnant or detained with young children, in light of the tragic case of a [baby who died in a police cell](#) in Makeni whilst detained with its mother in December 2021. We also call on the Government to heed [calls](#) by the UN and WHO to facilitate early releases of people in detention in order to reduce overcrowding considering the rising number of COVID-19 cases.

**Review Cases of Women and Girls in Detention and Consider for Early Release Measures/  
Alternatives to Imprisonment**

For example, a girl is currently detained at the Remand Home in Bo.

A pregnant woman is detained in the Freetown Correctional Center.

A pregnant woman is detained in the Kenema Correctional Centre with a 1 year, 9 month old child for owing money.

In Waterloo Correctional Centre, a woman is detained with a 5 month old baby for fraudulent conversation (debt). She has been granted bail but cannot find a surety and has been detained for around 4 months.

**For Further Information, please contact:**

**Zynab Binta Kamara**, Executive Director, AdvocAid - +232 76 605101

**Nicky Spencer-Coker**, Head of Advocacy and Movement Building, Purposeful - +232 78 200009