



## **HUMAN RIGHTS COMMISSION OF SIERRA LEONE (HRCSL) REPORT ON THE VISIT TO THE PADEMBA ROAD CORRECTIONAL CENTRE, (PAOLO CONTEH & OTHERS) ON 20TH APRIL 2020**

A team from the Human Rights Commission of Sierra Leone, led by the Chairperson Patricia Narsu Ndanema, conducted a specific monitoring visit to the Correctional Service at Pademba Road, Freetown. Other members of the team included Simitie Laval, Over Sight Commissioner for Complaints, Investigations and Legal Services and Mr. Emmanuel Thomas- Senior Human Rights Officer. This visit falls in line with **section 9 (1) of the HRCSL Act No. 9 of 2004 which gives the Commission access 'to all government offices, facilities and places of detention, including prisons, police cells, remand homes and probation facilities, in order to investigate a human rights matter initiated by the Commission or brought to the attention of the Commission'**.

The specific visit was intended to assess the human rights issues surrounding the under mentioned persons, detained on allegations of treason and perjury.

1. Retired Major Alfred Paolo Conteh
2. Mr. George Hughes- Commissioner of Oaths & Justice of the Peace
3. Retired Colonel Saa Anthony Sinah - Small Arms and Light Weapons Commission.

The visit commenced with an engagement with the above mentioned persons in the presence of four Correctional Service personnel.

Opportunity was given to the above mentioned persons to have private engagements with the team, if so desired. Thereafter, an inspection of the cells occupied by the said persons was conducted by the team.

### **The HRCSL focused on monitoring the following rights:**

- I. Right to legal representation
- II. Respect for non-derogable rights i.e. freedom from torture, inhuman and degrading treatment
- III. Right to visitors/communications
- IV. Right to health
- V. Right to food/water
- VI. Access to other basic essentials.
  - Clothing
  - Text books and other reading materials

### **FINDINGS/ OBSERVATIONS**

The findings/observations of the visit are detailed below:

- i. Right to legal representation: All three persons interviewed have legal representations of their own choice and had been able to communicate with their lawyers.
- ii. Respect for non-derogable rights i.e. freedom from torture, inhuman & degrading treatment The team did not observe any form of physical torture on the bodies of all three of them i.e. scars, swelling or lash marks etc. All persons informed the HRCSL that since their arrival at the Correctional Centre on diverse dates commencing on 20th March 2020, they have not suffered any form of torture or been maltreated by



the Centre staff. Rtd. Major Paolo Conteh in his own words informed the team by stating thus: 'Since I arrived at this Correctional Center, no one has laid a single finger on me'.

- iii. Access to Visitors/Communication: This aspect of rights has been difficult for all three of them and other inmates. With the COVID-19 outbreak, all non-official visits to the Correctional Service Centers have been banned nationwide. Due to the unavailability of Centre phones, they cannot communicate with family members via phone calls.
- iv. Right to Health: Two of the said persons raised health concerns, which they have been suffering from before entering the Correctional Centre. The team took up their concerns with the appropriate Correctional Centre authority. The said persons further informed the team that they have not been denied access to their medications. All medication provided by their relatives are inspected by the Correctional Centre Staff in their presence before being handed over to them.
- v. Right to Food/water: The said persons informed the team that they are served their two daily rations; the same for other inmates in the centre. One of them, who is diabetic, has also been able to meet his dietary requirement through the Correctional Service Management. Although they have access to bathing and drinking water, they however prefer buying drinking water and other food items from the Tuck Shop located in the center. None of them have been prevented from doing so.

#### **INSPECTION OF CELLS**

- vi. vi. The Team was taken on a conducted tour of the cells in the apartment in which they had lived since their arrival. These cells were separated from the rest of the inmates in the same apartment. It was observed that they were put in individual cells that are of the same sizes as other cells occupied by two inmates in the same apartment. Very large upper windows were observed in the cells visited. Two of the three cells have toilet facilities, whilst the other one has a makeshift toilet. The team observed a common gathering place within their section and found the above mentioned persons spending time with each other. Rule 44 of the Mandela Rules 2015 defines solitary confinement as 'the confinement of prisoners for 22 hours or more a day without meaningful human contact'. The team as at the time of visit to the cells did not observe any form of solitary confinement as so defined.
- vii. The team was informed that initially, they had only 1 hour a day out of their cells for the first 72 hours at the centre, but now they are locked and unlocked for the same hours as other inmates in the centre in general.
- viii. vii. Access to other basic essentials:
  - Clothing: The team saw some clothing in all cells inspected. Initially, they were unable to have timely access to personal clothing and other essential items during their early detention week, but this has now been resolved.
  - Books/Other Reading Materials: The team observed the presence of text books and other reading materials in all cells. The team was informed that the issue of reading materials is now a thing of the past, as they now have reading materials of their choice with them.



## **RECOMMENDATIONS**

In light of the above observations/findings, the HRCSL recommends as follows:

- Right to Health: That the health concerns raised by two of persons be addressed by the Correctional Service authorities pursuant to Rule 24(1) of the Mandela Rules .