

THE URGENT NEED FOR AN INDEPENDENT POLICE COMPLAINT BODY IN GHANA

Problem Statement:

The Ghana Police Service is mandated to maintain public order and safety, enforce the law, and prevent, detect, and investigate criminal activities. Accordingly, the Police is vested with powers to enable it, where necessary, to make incursions into the fundamental rights of individuals. The recent examples of police misconduct and brutality – the Midland Assault, the shooting of seven suspected robbers in the Ashanti region and the death of Emmanuel Amofa – demonstrate that the use of power has sometimes been misused with fatal consequences for the general public. A fraction of police officers appears to be still steeped in operating under a Force instead of Service regime, thus their resort to the use of unjustified force, in violation of the fundamental human rights of all persons enshrined in Chapter 5 of the 1992 Constitution of the Republic of Ghana. This conduct appears to be further affirmed within the Police Service by its inability and sometimes refusal to hold such officers accountable, creating a culture of impunity and reducing public confidence in the Service.

The key issue is that the structure of the current institutional framework for police related complaints does not promote independent and reliable means for redress. The existing police oversight mechanism, the Police Intelligence and Professional Standards (PIPS), now the Police Professional Standards Bureau (PPSB), is ineffective in addressing complaints against police officers. Several reported cases remain unresolved or their outcomes have been seriously contested. Citizens therefore have no trust in the complaint procedure, nor the outcomes of PIPS investigations. Although the Commission on

Human Rights and Administrative Justice which is mandated to investigate complaints in relation to the Ghana Police Service, the scope of such mandate appears to be limited. In any case, the capacity of CHRAJ to investigate violations of human rights involving police officers may not be adequate having regard to the nature of the investigations required.

Proposed Solution:

There is an urgent need for an Independent Police Complaints Body (IPCB) for the Republic of Ghana to independently and competently investigate police related complaints. This will restore public confidence in the Service which is necessary for effective policing. It will also ensure that officers within the Service are held accountable for their wrongful conducts, bring closure to victims of abuse, rid the Service of incompetent officers and boost the image of the Service.

A Coalition of NGOs including HRAC under the leadership of the Commonwealth Human Rights Initiative has embarked on many advocacy activities for the establishment of an IPCB. These include community level engagements around the country, media engagements, strategic meetings with the Association of



Members of Coalition IPCB after a meeting with the Police Council

Retired Police Officers, Chief Justice of the Republic of Ghana, the Commissioner of CHRAJ and the Police Council. These institutions and the general population have indicated their support for the establishment of an IPCB. The responsibility now lies with Government to make this call a reality.

UPDATE ON MENTAL HEALTH RESEARCH

The research on Improving Access to Quality Mental Healthcare and Rights for Persons with Mental Illness in Traditional Mental Healing Centres in Ghana continued this quarter in four districts- Wa West, West Gonja, Yendi and North Tongu- in the Upper West, Northern and Volta Regions of Ghana. Community members including survivors of mental illness and their families participated in surveys and focus group discussions. They shared their experiences in accessing mental health care both in mental health units in orthodox facilities and traditional and faith-based healing centres.

Information currently available to the study based on the preliminary data collected, elucidates abusive practices of operators of traditional and faith-based healers in centres visited. These take the form of shackling, caning, forced fasting (denial of food) 'nsuobor' or 'water bath', and inhuman conditions including unavailability of toilet facilities and proper shelters to separately accommodate male and female clients. There were indications that community support for persons with mental illness was also inadequate. Persons with mental illness are accordingly neglected-some are evicted from their own premises or have resorted to staying in dilapidated structures. There were reports of attempted violence and acid attacks on persons with mental illness by community members who accused them as 'evil' beings from 'smaller gods'.

Interestingly, care givers of persons with mental illness are often reluctant to report cases of abuses due to a misconception that traditional and faith-based healing practices such as shackling, caning, forced fasting (denial of food) 'nsuobor' or 'water bath' constitute treatment for Persons with Mental Disorder (PMDs). Further giving the research team an indication of the general lack of information on the rights of PMDs.

It is the expectation of the research to highlight such findings in the final report in order to influence policy reforms aimed at targeting

OUTREACHES

Commercial Drivers

HRAC's Human Rights Clinic embarked on three outreaches targeting commercial vehicle drivers on the Traffic Regulations 2012. A total of ninety-three (93) drivers and their "mates" were reached. The outreach is part of the Clinic's "Know Your Rights" campaign which targets communities and groups to improve knowledge on rights and responsibilities among communities and groups. The outreaches, which were undertaken in collaboration with Donewell Insurance Company, The Motto Transport and Traffic Directorate (MTTD) of the Ghana Police Service and the Driver and Vehicle License Authority (DVLA), benefitted drivers at the Nima, and Ashaiman lorry stations.



Young People and Mental Health in a Changing World



HRAC and MindFreedom Ghana (MFGh) organized a school outreach activity with funding support from STAR-Ghana to educate students and increase awareness surrounding mental

health issues and the vulnerability of young people to mental illness. According to the World Health Organization (WHO), suicide is the second leading cause of death among 15 to 29 year olds and depression is the third most common illness among teenagers. In fact, half of all mental illness begins around the age of 14. This is linked, in many instances, to the fact that teenage years are subject to many life changes and transition periods which can bring stress and anxiety.

The outreach was in the form of a panel discussion to enlighten students and demystify mental illness while also elaborating on preventive measures. The panelists comprised a clinical

psychologist, a representative of the Mental Health Authority, a school counselor and a survivor of mental illness.

It was an opportunity to bring students and professionals together to

better understand mental health and to equip them with the knowledge they need to recognize and address mental health issues. The activity which coincided with the World Children's Day was held at the St. Thomas Aquinas Senior High School to commemorate the World Mental Health Day. A total of **Two Hundred and Thirty-Four (234)** students selected from four Senior High Schools in the La Dadekotopon Metropolitan Assembly participated in the activity. The participating schools were St. Thomas Aquinas, Labone, La Presbyterian and Forces Senior High Schools.

The highlight of the event was the experience sharing moment by Rev. Emmanuel Bulley, a survivor of mental illness. He shared his experience with drug addiction, his journey through mental illness and recovery with the students. The students engaged directly with the panel to seek clarification on various issues on mental health.

Some of the key take-home points included the need for students to surround themselves with positive friends and influencers and seek help immediately they see or experience signs of mental illness.



School Outreach



The School's outreach was conducted as part of the Know Your Rights Campaign – a community outreach initiative by the Human Rights Advocacy Centre (HRAC). A total of one hundred and eighty-six (186) students from St. Peters Anglican Basic School were reached with information on Gender-Based Violence (GBV), including how to identify and protect themselves from GBV as well as report and seek redress in the event of such abuse. Two sessions were held with students of Forms 1 to 3 at the Junior High School level.

The Sessions informed students about the differences between gender roles and GBV and discussed several avenues through which students could be sexually exploited or suffer GBV. We thoroughly expatiated various types of sexual abuse such as rape, sexting, defilement, pornography and sodomy. We also highlighted how persons, including pedophiles use various social media platforms to perpetrate such acts. Students actively participated in discussions and shared their opinion on GBV.

IMPROVING ACCESS TO HEALTH FOR MSM

Introduction

Ghana is committed to protecting human rights in fulfillment of its domestic and international obligations. The Constitution makes provision for the right of all persons to be treated equally and without distinction on grounds including gender and economic status.

The enjoyment of human rights including health care by men who have sex with men (MSM) however, is often challenged. Human rights violations, particularly discrimination against MSM continue to act as a major barrier to their access to healthcare and other services. In addition to this challenge encountered by the MSM, Ghana's attempt to treat and manage STIs, including HIV, is adversely impacted due to MSM vulnerability to STIs.

Problem Statement

During HRAC's implementation of previous interventions, we made three observations. First, the three Northern regions are left out in human rights and advocacy activities, which address factors that promote the prevalence of HIV in the country. Second, there is a fast growing, but hidden Key Population (KP) communities in the three Regions. Among these KPs are Men who have Sex with Men (MSM) who are at higher risk of contracting and transmitting STIs. Third, the MSM community does not access medical treatment for STI and HIV infections due to high incidence of stigma and discrimination. In view of these, HRAC with support from ViiV Positive Change is implementing the project, "Creating MSM Human Rights Awareness to Improve Access to Healthcare" in the Northern Region. Below are the highlights of some of the interventions by HRAC in the first year of implementation.

ADVOCACY

Stakeholders Consultative Meeting

HRAC held a Stakeholders' Consultative Meeting to kick off the 'Creating MSM Human Rights Awareness to Improve Access to Health' Project in the Northern Region. The goal of this meeting was to bring together members of the Key Population, and stakeholders including those in the health and justice sectors, to unveil the project and foster dialogue on better healthcare and justice outcomes for MSM in the Northern Region. Eighteen (18) representatives from major stakeholders participated in the activity. These included representatives from the National AIDS Control Programme (NACP), Legal Aids

Scheme (LAS), Ghana Police Service and the Domestic Violence and Victims Support Unit (DOVVSU) of Ghana Police Service. Others are Ministry of Health (MOH), Ghana AIDS Commission (GAC), Ghana Health Service (GHS), the Commission on Human Rights and Administrative Justice (CHRAJ), and the Alliance for Equality and Diversity (AfED).

Advocacy Workshops

We also organised an advocacy workshop for **twenty-two (22)** representatives of stakeholder organisations in the Tamale Municipality of the Northern Region of Ghana. We discussed with stakeholders, the human rights situation and concerns of



MSM and its implication on access to health for MSM. The discussions improved participants' knowledge on human rights to enable them become effective advocates and protectors of human rights of MSM, particularly in relation to access to health and justice. The workshop activities included presentations on 'understanding human rights and factors that influence stigma and discrimination; understanding rights of MSM in the national context; and strategies to remove major barriers to access to health and Justice. Participants included representatives from Civil Society Organisations, Religious



and traditional leaders and State institutions like Ghana Education Service, Ghana AIDS Commission, CHRAJ Ghana Police Service, Ghana Health Service and Legal Aid Scheme.

HUMAN RIGHTS AND LEGAL EDUCATION WORKSHOPS

Promoting access to health care for MSM is impossible in the absence of an enabling legal environment. Accordingly, we also conducted human rights and legal education workshops for health workers and Police Officers in the Tamale Municipality of the Northern Region of Ghana. **Twenty-three (23)** Police Officers selected



from various departments of the Police Service in the Tamale area, including the Criminal Investigation Department and the Domestic Violence and Victim Support Unit (DOVVSU and **Twenty-four (24)** health workers selected from the Laboratory,

Midwifery and ART departments of Tamale West, Tamale Regional and Tamale Teaching Hospitals participated in the workshops. The workshops educated and sensitized participants on the rights of MSM by building their capacity on fundamentals of human rights and

stigma and discrimination reduction among others, to improve service delivery for MSM. The workshop presentations also highlighted the role of law enforcement officers and health care providers in promoting access to health and justice for MSM.

COMMUNITY DURBARS

HRAC Marks International Human Rights Day 2018

On 10th December 2018, the Human Rights Advocacy Centre (HRAC), in collaboration with the Ghana AIDS Commission, organized a community durbar at the Tamale Jubilee Park to commemorate the International Human Rights Day. The 2018 Human Rights Day marked the 70th anniversary of the Universal Declaration of Human Rights. The aim of the durbar was to emphasize the importance of the fundamental Human Rights as laid down in the Declaration, and to gain support for HRAC's mission of protecting the rights of all persons living in Ghana. The theme of the celebration: "Shine your light for human rights; Different does not mean less human", was intended to remind all those present and civil society that human rights are universal.

Declaring the purpose of the event, Cynthia Nimo-Ampredue, the Executive Director of HRAC highlighted that: "Irrespective of our differences, we are all born free and equal in dignity with different complementary capabilities. Our differences make us human and human dignity is sacred and not subject to a person's appearance or the choices he or she makes."



The event was attended by representatives of key stakeholders from State institutions and agencies, Civil Society Organizations, media, traditional authority, local school children and the general public. With short solidarity messages, dignitaries showed their support towards HRAC's mission of ensuring the realization, respect, promotion and protection of the rights of all persons living in Ghana.

The Durbar included performances by a traditional dance group and a theater group from the Centre for National Culture. The theater group performed different scenes on human rights related issues to educate the durbar participants. The scenes included discrimination against persons living with HIV or disabilities, mob justice and gender equality. The performance was crowned with

the lighting of a torch to signify utmost respect for human rights and unity. As part of the celebration, there was free HIV/AIDS screening by Staff from the Technical Support Unit (TSU) of the Ghana AIDS Commission.

In his concluding remarks, the chairperson for the Day, Chief Alhassan Issahaku Amadu (representative of the Gul-kpe Naa of the Gulkpegu Traditional Area) stated that the laws go beyond religion and culture and that this must be respected by everybody. He pledged the readiness of the traditional leaders to protect all those who are vulnerable which he identified as necessary for development and security in the communities. "We have to care for each other and uphold a culture of respect", he added.



Mental Health Sensitization Durbar

The Human Rights Advocacy Centre and MindFreedom Ghana, embarked on a community durbar in Anyinam in the Eastern Region as part of community awareness raising activities under the project "Promoting quality access to mental health care and rights of persons with mental disabilities in traditional mental health centres in Ghana." The durbar was aimed at garnering community support for protection of the wellbeing and rights of Persons with Mental Disorders (PMDs). Approximately **one hundred and seventy (170)** community members were reached with information on the law on mental health in Ghana, factors to consider in the early detection of mental illness and community-based health units available for treatment, care and support of persons with disorders in the Eastern Region.



The durbar received immense support from leaders and members from the community. These included the District Chief Executive of the Atiwa East District, Honourable Kwabena P. Nkansah, Aboakesehene Barima Akroma Akyeampong, the District Director of Health Administration, Mr, Atuahene Agyaman and the District Special Education Coordinator. In addition, the District Mental Health Focal Person, Mrs. Eunice Aidoo and the District Coordinator of the Domestic Violence and Victims Support Unit (DOVVSU) as well as the Parish Priest of Anyinam Presbyterian Church, Rev. Ampadu Daaduem. Health workers, market women, youth groups and students from the community also

participated in the durbar.

It is expected that such community engagement will contribute to increasing awareness amongst community members and strengthen the collaboration between service provider, community and opinion leaders to support and protect the rights of persons with mental disorders and their caregivers.

