



## **Between Theory and Practice: Assessing Prisoners' Rights and Human Dignity at Winneba Local Prison, Ghana**

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### **Abstract**

This study examined the state of prisoners' rights and human dignity at Winneba Local Prison in Ghana, revealing significant disparities between international human rights standards and actual prison conditions. Using qualitative interviews with prison officers, inmates and other stakeholders, the study identified critical challenges, including severe overcrowding, inadequate access to legal representation, substandard healthcare and psychological barriers to reform. Grounded in Lockean Human Rights Theory, the findings demonstrate systemic failures in upholding fundamental rights, including human dignity, adequate living conditions and access to justice. The study contributes to understanding prison conditions in Sub-Saharan Africa. It offers recommendations for policy reform, including infrastructure investment, enhanced legal aid services, human rights training and mental health support programs. These findings have implications for Ghana's compliance with international human rights obligations and the broader discourse on correctional reform in developing nations.

**Keywords:** Prisoners' rights; human dignity; Ghana prison service; Lockean human rights theory; correctional reform.

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### **Introduction**

The manner in which prisoners are treated in a country defines the country's commitment to human rights and the rule of law. Despite global appreciation of the inherent dignity of all persons, prisoners continue to experience conditions that are below acceptable standards in the world over (Penal Reform International, 2016). The prison system in Ghana faces persistent challenges, such as overcrowding and under-resourcing (Tankebe, 2010) in meeting both national and international standards for the treatment of prisoners even in the

face of her commitment to democratic governance and human rights principles (Boakye et al., 2022).

The principle established by the Universal Declaration of Human Rights (1948) that all human beings are born free and equal in dignity and rights, extends to all individuals regardless of their legal status. In addition, the Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (1988) affirms that detained persons shall be treated in a humane manner and with respect for the inherent dignity of the human person. Notwithstanding, reports reveal that prisons struggle in upholding these principles,

with many prison facilities facing overcrowding, inadequate healthcare, limited access to legal representation and poor sanitation (Commonwealth Human Rights Initiative, 2007; Amnesty International, Ghana, 2017; Walby & Badmus, 2026).

Winneba Local Prison, located in Ghana's Central Region, highlights these systemic challenges. Originally built for about 200 inmates, it now holds over 400 prisoners, causing severe overcrowding and poor living conditions (Nkos & Maweni, 2020). This overload affects all aspects of prisoner welfare, from sanitation to access to healthcare and legal aid. The situation at Winneba reflects wider issues in Ghana's correctional system, where limited resources, poor infrastructure and resistance to reform hinder efforts to protect prisoners' rights. While Boakye et al. (2022) highlights systemic challenges within Ghana's prison system, much of the existing scholarship, such as Cliquennois et al. (2021); Dissel & Ellis (2002); Fazel and Seewald (2012), tends to offer broad, generalized accounts. These studies often lack in-depth, institution-specific analyses and do not sufficiently incorporate multiple stakeholder perspectives. This study fills the gap with detailed qualitative data from Winneba, exploring conditions as well as institutional, cultural and psychological barriers to improvement.

## Literature Review

This section presents the review of related literature, beginning with the theoretical underpinning and followed by the review of empirical studies.

### Theoretical Underpinning

This study is based on Lockean Human Rights Theory, which offers a philosophical basis for understanding and safeguarding the fundamental rights of all individuals, including those who are incarcerated. John Locke's natural rights philosophy asserts that certain rights, such as life, liberty and property, exist inherently in nature and are not bestowed by governments or societies (Simmons, 2020). These natural rights oblige others to avoid violating them and necessitate the creation of systems to protect these rights and penalize those who infringe upon them (Griffith, 1997).

Central to Lockean theory is the concept of human dignity, which remains intact regardless of an individual's legal or social status. Locke argues that

human understanding develops through experience, sensation and reflection, forming the basis for rational morality (Van Zyl Smit & Snacken, 2009). When applied to the context of incarceration, this theoretical framework establishes that prisoners retain their fundamental human rights despite their confinement. The state bears the responsibility not only to prevent violations of these rights but also to create conditions that respect and promote human dignity (Cliquennois et al., 2021).

The Lockean framework is particularly relevant to the Ghanaian prison context because it emphasizes both negative obligations (the duty to refrain from inhuman treatment) and positive obligations (the duty to provide adequate conditions and protection). This dual emphasis aligns with international human rights instruments, including the International Covenant on Civil and Political Rights (1966) and the African Charter on Human and Peoples' Rights (1981), both of which Ghana has ratified. By applying Lockean theory, this study evaluates whether Winneba Local Prison meets the standard of respecting prisoners' inherent dignity and protecting their natural rights.

### International and Regional Standards for Prisoners' Rights

International human rights frameworks establish standards for treating prisoners. The Universal Declaration of Human Rights (1948) prohibits torture and cruel, inhuman or degrading treatment or punishment (Article 5). International Covenant on Civil and Political Rights (1966) requires that all persons deprived of liberty be treated with humanity and respect for their inherent dignity (Article 10). These foundational documents are supplemented by more specific instruments that address prison conditions and prisoners' rights. For example, the United Nations Standard Minimum Rule for the Treatment of Prisoners, also known as the United Nations General Assembly (2015), provide detailed guidance on acceptable prison conditions, covering accommodations, hygiene, healthcare, discipline and access to legal representation. These rules emphasize that restrictions on prisoners' rights should be limited to those necessitated by their detention and that prison regimes should seek to minimize differences between prison life and life at liberty (Penal Reform International, 2016).

At the region of Africa, the African Charter on Human and Peoples' Rights (1981) and the Robben

Island Guidelines (2002) establish standards specific to the African context. The Robben Island Guidelines, for example, prohibit overcrowding, require adequate healthcare and mandate humane treatment of all prisoners. The African Commission on Human and Peoples' Rights has emphasized that African states bear particular responsibility for ensuring prison conditions that respect human dignity, given the continent's history and ongoing challenges with colonial-era prison infrastructures (Sarkin, 2008).

Ghana's domestic legal framework reflects these international commitments. The 1992 Constitution of Ghana guarantees human dignity (Article 15), prohibits torture and inhuman treatment (Article 15(2) and affirms the right to a fair trial (Article 19) (Republican Constitution of Ghana, 1992). The Prisons Service Act (1972) establishes the legal basis for Ghana's correctional system, though critics argue it requires substantial reform to align with contemporary human rights standards (Boakye et al, 2022).

### **Prison Conditions in Ghana**

Research on Ghana's prison system highlights ongoing challenges in meeting international standards. A detailed study by the Commonwealth Human Rights Initiative (2007) documented widespread overcrowding, with many facilities operating at 200-300% of their intended capacity. The report pointed out poor sanitation, limited access to healthcare and inadequate food supplies as major concerns affecting prisoner welfare across the nation.

Amnesty International (2017) examined detention conditions in Ghana, finding that lengthy pre-trial detention remains a serious issue, with many detainees spending months or years awaiting trial due to limited access to legal representation and judicial delays. The report documented cases of prisoners held in conditions that violated their fundamental rights, including prolonged periods in isolation and inadequate medical care for chronic illnesses. Tankebe (2010) investigated legitimacy and procedural justice within Ghana's criminal justice system, discovering that perceptions of fairness greatly influence compliance and cooperation among prisoners. Walby and Badmus (2026) examined the impact of institutional corruption on prisoners' rights, arguing that informal economic practices within prisons further

disadvantage vulnerable inmates and weaken formal rights protections.

Comparative studies have placed Ghana's prison issues within wider Sub-Saharan African contexts. Sarkin (2008) examined prison conditions across Africa, highlighting common problems, such as colonial-era infrastructure, insufficient funding, limited political will for reform and cultural attitudes that stigmatize prisoners. Similarly, Dissel and Ellis (2002) documented how overcrowding in African prisons causes ripple effects on all aspects of prisoner welfare, from healthcare to rehabilitation programs.

### **Barriers to Prison Reform**

Scholarship on prison reform identifies multiple barriers that impede improvements in prison conditions and prisoners' rights. Lippke (2017) argues that philosophical debates about the purpose of punishment, whether primarily retributive, deterrent or rehabilitative, shape institutional priorities and resource allocation. In contexts where punishment and deterrence are emphasized over rehabilitation, investments in prisoner welfare often receive lower priority. Nkosi and Maweni (2020) examined structural barriers to prison reform in developing countries, highlighting inadequate financing, lack of trained personnel and insufficient political will as critical obstacles. They demonstrate that even when legal frameworks exist to protect prisoners' rights, implementation failures often result from resource constraints and competing governmental priorities.

Institutional culture within correctional facilities also presents significant barriers to reform. Van Zyl Smit and Snacken (2009) documented how entrenched attitudes among prison staff can resist external reform initiatives, particularly when reforms are perceived as threatening security or requiring significant changes to established practices. Research on African prisons specifically notes that colonial-era attitudes toward punishment often persist within institutional cultures, creating resistance to more humane and rehabilitative approaches (Dissel & Ellis, 2002).

Cultural and societal attitudes toward prisoners constitute another significant barrier. Research demonstrates that public stigmatization of prisoners can undermine support for reform initiatives and contribute to political neglect of prison conditions (Gottschalk, 2015). In many African contexts, including Ghana, prisoners face severe social stigma

that extends beyond their incarceration, affecting their families and communities and creating reluctance among policymakers to champion prisoners' rights (Sarkin, 2008).

## **Methodology**

This section presents the methodological approach deployed in the study.

### **Design**

This study employed a qualitative research approach and a case study design, utilizing semi-structured interviews to gather in-depth data on the state of prisoners' rights and the barriers to their promotion at Winneba Local Prison. The qualitative approach was deemed most appropriate for this investigation because it allows for detailed exploration of participants' experiences, perceptions and the contextual factors influencing prisoners' rights (Creswell & Poth, 2016). This methodology facilitates understanding of complex social phenomena from multiple perspectives, which is essential in examining the multifaceted issues surrounding prison conditions and prisoner welfare.

### **Study Setting**

Winneba Local Prison, located in the Central Region of Ghana, was the study site. This facility was selected for the following reasons: It exhibits overcrowding challenges typical of many Ghanaian prisons, currently housing over 400 inmates despite a design capacity of approximately 200 (Nkos & Maweni, 2020). It is a local prison that receives both convicted offenders and remand prisoners, providing insight into issues affecting diverse prisoner populations (Boakye et al., 2022). Accessibility and willingness of prison authorities to facilitate research made it a feasible site for conducting in-depth interviews.

Winneba Local Prison, located in the Central Region of Ghana, served as the study site. The facility was purposively selected for three key reasons. First, it reflects the pervasive issue of overcrowding within Ghana's prison system, housing over 400 inmates against an intended capacity of approximately 200 (Nkos & Maweni, 2020). Second, as a local prison accommodating both convicted offenders and remand prisoners, it provides a suitable context for examining the experiences and rights of diverse inmate categories (Boakye et al., 2022). Third, its accessibility and the willingness of prison authorities to grant research access made it feasible for

conducting in-depth qualitative inquiry, particularly interviews.

### **Participants and Sampling**

Purposive sampling technique was deployed to select participants who could provide rich, relevant information about prisoners' rights at Winneba Local Prison in line with Patton (2015) position that purposive sampling allows researchers to select persons with rich and relevant information on issues they are researching on. The selected participants, include eight prison officers, six inmates and a legal person with high interest in human rights advocacy. The officers were at various ranks, including senior officers involved in administration and junior officers engaged in daily interactions with prisoners.

Officers were purposively selected to represent different departments and varying lengths of service. Prisoners were also selected to reflect diversity in incarceration experiences, including both remand and convicted inmates, with consideration given to differences in time served and legal status. A legal expert with an interest in human rights advocacy was included due to his familiarity with conditions at Winneba Local Prison. To ensure confidentiality and protect participants' identities, pseudonyms were assigned to all respondents.

### **Data Collection**

The semi-structured interview guides were used to interview over a period of three months. In line with the research questions and literature review, the interview guides were designed covering topics such as living conditions and basic rights, access to legal representation and justice, treatment, dignity and respect, healthcare and social services, barriers to the promotion of prisoners' rights and perspectives on reform and improvement.

Interviews were conducted in English and, where necessary, in local languages with translation. Each interview session lasted approximately 45-60 minutes. With participants' consent, interviews were audio-recorded and subsequently transcribed verbatim. Field notes were also taken to capture non-verbal cues and contextual observations.

### **Data Analysis**

The interview data was analyzed thematically, following the six-phase process outlined by Braun and Clarke (2006). First, the researchers engaged in familiarization with the data by reading and re-reading and listening to all interview transcripts and

recordings to gain a deep understanding of participants' views. Notes were made on initial impressions and recurring ideas that appeared significant to the research questions. Secondly, initial codes were generated manually from the data. The coding process basically took into consideration wording, consistency, frequency and specificity of respondents' comments. In the third phase, the codes were reviewed and grouped into potential themes. Similar codes were clustered together and emerging themes were named based on the underlying ideas they represented. At this stage, themes were provisional and subject to revision.

The fourth phase involved reviewing the themes in relation to the coded data and the full data set to ensure coherence, relevance and clarity. Some themes were merged or refined to avoid overlapping and to better represent the meanings embedded in the data. In the fifth phase, each theme was defined and clearly named. The researchers wrote analytical summaries that captured the essence of each theme and carefully connected the findings to the research questions. This process involved writing analytical summaries that captured the essence of each theme while relating it back to the research questions. The themes were refined until they offered a comprehensive explanation of the patterns observed. Finally, in the sixth phase, the themes were reported and illustrated with direct quotations from participants. The Lockean Human Rights Theory lens informed the interpretive process, particularly in evaluating whether conditions and practices respected prisoners' inherent dignity and natural rights.

### **Ethical Considerations**

This study received ethical approval from the University of Education, Winneba and permission from the Ghana Prisons Service headquarters. All participants provided informed consent after receiving detailed information about the study's purpose, procedures, voluntary nature and confidentiality measures. Particular care was taken to ensure that prisoner participants understood their right to refuse participation or withdraw without any negative consequences. Interviews were conducted in private settings to ensure confidentiality. Data was stored securely and identifying information was removed from transcripts.

## **Findings and Discussion**

The analysis yielded several major themes addressing the research questions. This section presents findings organized around two primary research questions:

**Research question 1:** What is the current state of the protection and realization of prisoners' rights at Winneba Local Prison in Ghana?

The findings are presented under the following sub-themes:

### **Living Conditions and Basic Rights**

The most immediately apparent challenge at Winneba Local Prison is severe overcrowding. Officer Alpha explained the scope of the problem: "Winneba Local Prison was originally designed to hold about 200 inmates but currently we have over 400 inmates housed here. As you can imagine, this has put a significant strain on our resources and facilities." The 100% overcapacity situation creates cascading effects on all aspects of prisoner welfare. Inmates described living conditions in stark terms. For instance, an inmate Thermos stated, "It's really tough. We're packed into small cells with barely enough room to move around. Sometimes, it feels like we're living in a sardine can. There's hardly any space to sleep comfortably and personal privacy is almost nonexistent. We're just crammed together all the time."

The psychological toll of these conditions was emphasized by Inmate Microscope: "It's exhausting, both physically and mentally. You're always tense because there's no room to relax. It affects your sleep, your mood and your interactions with others. You end up feeling frustrated and stressed out most of the time." Analysis of these accounts reveals that overcrowding at Winneba Local Prison violates multiple international standards. The Nelson Mandela Rules (Rule 13) specify that "all accommodation provided for the use of prisoners shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation" (United Nations General Assembly, 2015). The conditions described by participants fall significantly below these standards.

From a Lockean perspective, the severe overcrowding compromises prisoners' inherent dignity by treating them as objects to be stored rather than as persons with intrinsic worth. The lack of space and privacy creates conditions

incompatible with recognition of prisoners' humanity. Moreover, the psychological stress resulting from overcrowding, including chronic tension, disrupted sleep and deteriorating mental health, undermines prisoners' wellbeing in ways that extend beyond the legitimate deprivation of liberty that incarceration necessarily entails.

The overcrowding also reflects systemic resource allocation failures. While immediate causes include high incarceration rates and slow judicial processes, underlying issues involve insufficient investment in prison infrastructure and inadequate political prioritization of correctional reform. This aligns with findings from broader research on African prisons, which identifies resource constraints as a fundamental barrier to meeting international standards (Sarkin, 2008).

### **Access to Legal Aid and Representation**

Access to justice emerged as another critical concern. Officer Charlie noted:

Access to legal aid at Winneba Local Prison is quite limited, unfortunately. While there are provisions for legal aid in Ghana, many prisoners here don't have adequate access to these services. There are several reasons for this, but one of the main issues is the lack of awareness among the prisoners themselves.

The consequences of inadequate legal representation can be severe. Officer Papa described a representative case:

Yes, there have been several cases. For instance, I recently encountered a prisoner who had been detained for over a year without trial. He didn't know he was entitled to legal aid, and his case was repeatedly delayed because he didn't have a lawyer. When we finally managed to secure legal aid for him, the charges were dismissed due to lack of evidence. But he had already spent a year in prison unnecessarily.

These findings reveal multiple dimensions of legal aid inadequacy. First, there is a critical awareness gap as many prisoners, particularly those with limited education, do not know that they are entitled to legal representation. Second, even when prisoners are aware of their rights, systemic barriers, including bureaucratic delays, insufficient funding for legal aid services and shortage of legal professionals willing to take on prison cases create practical obstacles to accessing representation.

From a rights perspective, these deficiencies violate fundamental guarantees. Article 11(1) of the Universal Declaration of Human Rights establishes the right to be presumed innocent until proven guilty in a public trial with all necessary guarantees for defense. The International Covenant on Civil and Political Rights (Article 14) further specifies that everyone charged with a criminal offense has the right to have adequate time and facilities for the preparation of his defense and to communicate with counsel of his own choosing and to have legal assistance if the person does not have sufficient means to pay for it (Universal Declaration of Human Rights, 1948).

The case of the prisoner detained for over a year without trial because he lacked legal representation demonstrates how these rights violations have profound human consequences. The eventual release due to lack of evidence indicates that the prolonged detention was unjust, yet the person lost a year of his life to incarceration. Such cases undermine the legitimacy of the criminal justice system and violate Lockean principles that require systems to protect rights rather than perpetuate injustices.

### **Treatment and Dignity: Respect and Healthcare**

The treatment of prisoners and preservation of their dignity constitute another critical dimension of prisoners' rights. Interview data revealed practices and attitudes. Inmate Microwave described experiences of disrespectful treatment:

There was a time when we were lining up for food and one of the officers started shouting at us, calling us 'animals.' It felt humiliating because we're already in a difficult situation and being treated like that makes it worse. Another time, an officer pushed me hard just because I asked a question about my visitation rights.

Healthcare emerged as a particularly serious concern. Inmate Autograph explained:

Medical care is a big issue. If you're sick, it can take days before you see a doctor and sometimes, they just give you painkillers and send you back. There's no real treatment for serious conditions. We often have to rely on each other for help because the system is slow and not enough.

These accounts reveal systemic failures in upholding prisoners' dignity and providing adequate healthcare. Verbal abuse and physical mistreatment by officers violate fundamental principles of human dignity. The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Principle 1) explicitly requires that detained persons shall be treated in a humane manner and with respect for the inherent dignity of the human person (The Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment, 1988). Name-calling and physical aggression are incompatible with this standard.

The healthcare deficiencies are equally concerning from both a rights and practical welfare perspective. The Nelson Mandela Rules (Rules 24-35) establish detailed requirements for prison healthcare, including that prisoners should have access to healthcare services equivalent to those available in the community, without discrimination based on their legal status (United Nations General Assembly, 2015). The situation described at Winneba Local Prison, where prisoners wait days to see a doctor and receive only minimal treatment falls far short of this standard.

In line with the Lockean theoretical perspective (Griffith, 1997), both the disrespectful treatment and inadequate healthcare violate prisoners' natural rights. The right to life, which Locke identifies as fundamental, encompasses the right to conditions that preserve health and wellbeing. When prisons fail to provide necessary medical care, they violate this basic right. Similarly, treatment that degrades prisoners' humanity contradicts the Lockean principle that all persons possess inherent dignity that must be respected. These findings align with broader research on African prisons, which documents widespread deficiencies in healthcare provision and instances of disrespectful treatment by staff (Dissel & Ellis, 2002). They also reflect issues identified in previous reports on Ghana's prisons, suggesting that problems at Winneba Local Prison are not isolated but rather symptomatic of systemic challenges.

Overall, the findings highlight the gap between human rights standards and the prisons' realities. One most striking finding is the profound disparity between Ghana's legal and policy commitments to the rights of prisoners and the lived realities of prisoners at the Winneba Local Prison. Ghana has

ratified key international human rights instruments, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights and her constitution explicitly protects human dignity and prohibits inhuman treatment. This notwithstanding, the conditions in the Winneba Local Prison, such as severe overcrowding, inadequate healthcare, limited access to legal representation and instances of disrespectful treatment, reveal a case of systematic failure on the part of the state to uphold these commitments.

**Research question 2:** What barriers hinder the effective promotion and protection of prisoners' rights at the Winneba Local Prison?

Understanding the barriers that impede improvement in prisoners' rights is essential for developing effective reform strategies. The analysis identified three major categories of barriers: (1) resistance to reform, (2) psychological and social barriers and (3) societal attitudes.

### **Resistance to Reform**

Institutional resistance emerged as a significant barrier to improving prisoners' rights. Officer X-Ray articulated a common perspective among staff:

Honestly, I think it makes it really tough. Even when there are proposals for change, there's a lot of pushbacks from the staff. We're not trying to be heartless, but we do believe that too many changes could compromise the safety and order of the prison. Plus, there's a strong feeling that prisoners don't really deserve any better, given what they've done.

Officer Whiskey elaborated on the philosophical underpinnings of this resistance: "Just that while we might resist some reforms, it's not because we don't care. It's more about our belief in what prison should be a place for punishment and deterrence. We have to balance that with any changes being proposed." This resistance reflects deeply entrenched institutional culture that emphasizes punishment and security over rehabilitation and rights protection. Several factors contribute to this culture. First, there is a genuine concern about security and order, staff worry that reforms focused on prisoners' rights might compromise their ability to maintain control of the facility. Second, there is a philosophical orientation that views prison primarily as a site of punishment rather than rehabilitation, leading to the belief that improving conditions or

expanding rights is inappropriate. Third, and perhaps most fundamentally, there is an attitude that prisoners, by virtue of their crimes, have forfeited their claim to certain rights and dignities (Liebling et al., 2010). This perspective contradicts international human rights standards, which affirm that while imprisonment necessarily restricts liberty, it should not involve additional suffering beyond that inherent in confinement itself (Coyle, 2003).

Research on prison reform in other contexts has identified similar institutional resistance. Van Zyl Smit and Snacken (2009) document how entrenched organizational cultures within correctional facilities often resist external reform initiatives, particularly when staff perceive reforms as threatening security or requiring significant changes to established practices. Overcoming such resistance requires not only policy changes but also sustained efforts to transform institutional culture through training, leadership and accountability mechanisms.

### **Psychological and Social Barriers**

Psychological and social factors create additional barriers to promoting prisoners' rights. Officer Kilo described the mental health challenges facing inmates:

The stigma really adds to the psychological stress that inmates already feel. Being in prison is tough enough, but when you add mental health issues to the mix, it becomes unbearable for some. The harsh conditions, the uncertainty about when or if they'll be released, it all leads to severe anxiety and depression. Unfortunately, because mental health isn't prioritized, these inmates often feel hopeless. They don't get the support they need, and this makes it even harder for them to focus on rehabilitation or to stand up for their rights.

Inmate Yankee highlighted the role of social isolation:

Social isolation is a big part of it. Many of us don't have any contact with our families, either because they can't visit or because they've just given up on us. When you don't have that support from the outside, it makes you feel even more worthless. You start to believe that maybe you don't deserve better, that this is just how things are. That isolation makes it hard to think about the future or

about your rights. You just try to survive day by day.

These accounts reveal how psychological stress and social isolation compound the challenges prisoners face in advocating for their rights. The combination of harsh physical conditions, mental health issues, stigma and family separation creates a sense of hopelessness that undermines prisoners' capacity to assert their rights or envision better conditions.

The mental health impacts are particularly concerning. Research demonstrates that incarceration itself increases risk of mental health problems, including depression, anxiety and post-traumatic stress disorder (Fazel & Seewald, 2012). When prisons fail to provide mental health support while simultaneously creating stressful conditions, they exacerbate these problems. The resulting psychological distress not only causes immediate suffering but also undermines prisoners' long-term prospects for successful rehabilitation and reintegration.

Social isolation further compounds these challenges. The Nelson Mandela Rules (Rule 58) recognize the importance of maintaining contact with family and the outside world, stating that prisoners shall be allowed under necessary supervision to communicate with their family and friends at regular intervals (United Nations General Assembly, 2015). When prisoners lose contact with families, whether due to logistical barriers, family abandonment or inadequate visitation policies, they lose crucial sources of emotional support and social connection.

### **Societal Attitudes and Stigmatization**

Cultural and societal attitudes toward prisoners constitute a third major barrier to reform. Officer Spirit described prevailing community perspectives:

In our society, there is a strong belief that once someone is in prison, they have lost their claim to certain rights. Many people, including some of my colleagues, think that prisoners should be punished harshly and that providing them with rights or privileges is a sign of weakness.

Officer Saint noted the challenges this situation creates for reform advocacy: "Advocating for prisoner rights is not popular work. Many people see it as defending criminals rather than protecting human rights. This attitude makes it difficult to garner support for reforms or improvements in the

treatment of prisoners.” These perspectives reflect deeply rooted cultural attitudes that stigmatize prisoners and view them as having forfeited their moral standing in society. Such attitudes have several consequences. First, they undermine political will for prison reform when politicians perceive that advocating for prisoners' rights is unpopular with voters; they are less likely to prioritize or fund reform initiatives. Second, these attitudes influence the behavior of prison staff, who may internalize societal views that prisoners deserve harsh treatment. Third, stigmatization affects prisoners themselves, contributing to feelings of worthlessness and hopelessness that undermine their capacity to advocate for their rights.

Research on public attitudes toward prisoners demonstrates that stigmatization is a widespread phenomenon, particularly in societies with punitive criminal justice orientations (Gottschalk, 2015). In African contexts specifically, studies have shown that colonial-era attitudes toward punishment persist, viewing prisons primarily as sites of retribution rather than rehabilitation (Sarkin, 2008). These attitudes are reinforced by high crime rates and public safety concerns, which can generate support for harsh punishment and resistance to reforms perceived as being soft on crime.

From a human rights perspective, these societal attitudes are problematic because they contradict the fundamental principle that all persons possess inherent dignity regardless of their actions. The Universal Declaration of Human Rights (Article 1) affirms that all human beings are born free and equal in dignity and rights, with no exception for those who have committed crimes (Universal Declaration of Human Rights, 1948). While societies legitimately can punish criminal behavior, punishment should not involve denial of fundamental human rights or degradation of human dignity.

The resistance among prison staff, rooted in punitive philosophies and security concerns, creates obstacles to implementing rights-based reforms. The psychological impacts of incarceration, including hopelessness and social isolation, undermine prisoners' ability to advocate for their rights. Broader societal stigmatization of prisoners generates political resistance to reform and influences the attitudes of both prison staff and policymakers. These barriers are mutually

reinforcing. Societal stigma influences the attitudes of prison officers, which in turn shapes institutional culture, which then affects how prisoners are treated and how they perceive themselves. Breaking this cycle requires coordinated interventions at multiple levels. These problems interconnect with broader issues of staff training, institutional culture and resource allocation. Research demonstrates that prison officers who receive comprehensive training in human rights principles and who work in environments with strong accountability mechanisms are less likely to engage in abusive conduct (Liebling et al., 2010).

## **Conclusions and Recommendations**

### **Conclusions**

The study came up with the following conclusions drawn from the findings. Significant disparities exist between international human rights standards and actual state of prisoners' rights at Winneba Local Prison in Ghana. This violates Ghana's constitutional commitments, international human rights obligations and fundamental principles of human dignity that should govern all correctional systems. The barriers to improving prisoners' rights are substantial and multifaceted. They include institutional resistance, psychological and social factors and broader societal stigmatization of prisoners. These generate political resistance to reform and influences institutional culture within prisons. Grounded in Lockean Human Rights Theory, this study established that prisoners retain fundamental natural rights, including the rights to life, dignity and humane treatment, which the state has an obligation to protect. The conditions at Winneba Local Prison represent systematic failures to fulfill this obligation, undermining the legitimacy of the correctional system and violating the basic principles that should govern the relationship between the state and those it incarcerates.

### **Recommendations**

Based on the conclusions, the study offers the following recommendations. The government of Ghana through the Ghana Judiciary Service must expedite judicial processes to reduce pre-trial detention periods, with specific targets for case resolution timelines, expand the use of bail for low-risk accused persons, with clear guidelines and monitoring mechanisms and increase utilization of non-custodial sentences for minor offenses, including community service, fines and electronic monitoring. Ghana, Non-Governmental

Organizations and Civil Society Organizations must invest in prison infrastructure to increase capacity at facilities experiencing severe overcrowding. To achieve this goal, the government must allocate adequate budgetary resources to improve physical infrastructure, healthcare services, food provision and sanitation. There must also be increase in staffing levels to ensure adequate supervision. Secondly, the government must also significantly increase funding for the Legal Aid Commission to enable it establish mandatory legal aid clinics in all prison facilities and implement systematic information campaigns to ensure all prisoners know their rights and how to access legal representation. There is also a need to create expedited procedures for assigning legal representation to indigent accused persons upon arrest.

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