

The Ghanaian Criminal Justice System: An Expert Analysis

I. Introduction: Overview of the Ghanaian Criminal Justice System

The Ghanaian criminal justice system stands as a multifaceted framework designed to uphold law and order, administer justice, and ensure public safety within the Republic of Ghana. Its development reflects a blend of historical influences, constitutional mandates, and evolving socio-cultural norms. Notably, the system bears a dual legal heritage, with its foundations rooted in English Common Law, inherited from the colonial era, and Ghanaian customary law, which continues to play a significant role, particularly at the local level ¹. This confluence of legal traditions shapes the structure, principles, and procedures that govern the administration of justice in Ghana.

A defining characteristic of the Ghanaian criminal justice system is its centralized nature. The government exerts considerable control over the key institutions that constitute the system, including the courts, prisons, the appointment of judges, and the police service ². This centralization can facilitate the implementation of national policies and standards across the country but also raises important considerations regarding the independence and potential for political influence within these institutions.

This report aims to provide a comprehensive analysis of the Ghanaian criminal justice system. It will delve into the main components of the system, including the Ghana Police Service, the judicial system, and the Ghana Prisons Service. Furthermore, the report will examine the foundational principles and the legal framework that underpins the system's operations. A critical aspect of this analysis will be the exploration of human rights considerations within the context of the criminal justice system, alongside a review of recent reforms and proposed changes. Finally, the report will identify and discuss the major challenges and criticisms associated with the Ghanaian criminal justice system, offering a nuanced understanding of its strengths and areas requiring improvement.

II. The Foundational Principles and Legal Framework: Examining the Constitutional and Legal Underpinnings of the System

At the apex of the Ghanaian legal framework lies the 1992 Fourth Republican Constitution, which serves as the supreme law of the land ². This constitutional supremacy dictates that all other laws, including legislative acts and common law principles, are subordinate to its provisions. Consequently, the interpretation and review of the Constitution by the judiciary, particularly the Supreme Court, plays a pivotal role in shaping the evolution and application of justice within Ghana ⁵.

The influence of the English Common Law tradition remains significant in Ghana's legal system ². This inheritance includes the principle of stare decisis, which mandates that judicial decisions are based on legal precedents established in previous cases ². While this reliance on precedent provides a degree of stability and predictability to the legal system, it can also present challenges in adapting to rapidly changing societal norms and values.

The operational backbone of the criminal justice system is formed by various legislative enactments, including Acts of Parliament. Key among these are the Criminal Offences Act and the Criminal Procedure Act ². The Criminal Offences Act defines various categories of crimes, such as felonies and misdemeanors, and specifies the elements and penalties associated with a wide range of offences, including corruption, theft, and murder ⁶. Recent amendments to this act reflect ongoing efforts to modernize the legal framework and address emerging societal concerns ⁶. The Criminal Procedure Act, on the other hand, outlines the procedures that govern the investigation, prosecution, and adjudication of criminal cases, from the point of arrest to sentencing ⁴.

Ghanaian law enshrines fundamental principles of justice that serve as both aspirational goals and legal standards for the functioning of the criminal justice system. These principles include fairness, equity, due process, habeas corpus, the rule of law, and the protection of human rights ². The system operates on an adversarial model, where the prosecution and defense present their cases before an impartial judge or jury ². A cornerstone of this system is the presumption of innocence, which dictates that an accused person is considered innocent until proven guilty beyond a reasonable doubt ². This principle places the burden of proof squarely on the state to demonstrate the guilt of the accused.

The philosophical underpinnings of the Ghanaian criminal justice system are influenced by various theories of punishment, including retributivism, utilitarianism, reformation, rehabilitation, and deterrence ¹⁶. Retributivism

emphasizes punishment as a form of just desert for wrongdoing, while utilitarianism focuses on the consequences of punishment, such as deterring future crime. Reformation and rehabilitation aim to transform offenders into law-abiding citizens, and deterrence seeks to discourage both the offender and others from committing similar crimes. The interplay between these different theories shapes sentencing policies and the overall approach to criminal justice in Ghana.

In addition to the formal, state-administered criminal justice system, an informal system based on customary laws continues to exist and operate in many rural areas of Ghana². This traditional system plays a significant role in local dispute resolution, particularly for less serious offences and matters that fall within the purview of traditional authorities. The survival of this parallel system underscores the pluralistic nature of justice delivery in Ghana.

III. The Architecture of Justice: Key Components

A. The Ghana Police Service: Structure, Mandate, and Operational Dynamics

The Ghana Police Service (GPS) is the primary law enforcement agency in the country, operating under a centralized national command led by the Inspector General of Police (IGP)². The IGP is assisted in the administration and management of the service by two Deputy Inspectors-General of Police and the Police Management Board (POMAB), which comprises senior officers¹⁷. This hierarchical structure ensures clear lines of authority from the national headquarters in Accra down to regional and local levels¹⁸.

The GPS is organized into numerous departments and specialized units, each with specific responsibilities¹⁷. The Criminal Investigation Department (CID) is responsible for investigating criminal cases and includes specialized units such as the Anti-Human Trafficking Unit (AHTU), the Forensic Science Laboratory (FSL), and the Domestic Violence and Victim Support Unit (DOVVSU)¹⁷. The Motor Traffic and Transport Unit (MTTD) is tasked with enforcing traffic laws and promoting road safety¹⁷. Regional commands are established across the country, with each region headed by a Regional Police Commander responsible for the administration and operations within their jurisdiction¹⁷. This decentralized structure aims to provide more effective and flexible service delivery¹⁹.

The core responsibilities of the Ghana Police Service are fundamental to maintaining public safety and security. These include the maintenance of law and order, and the protection of life and property². The service also undertakes other functions such as motor vehicle and driver licensing².

To ensure professionalism and effectiveness, the GPS invests in the training and qualification of its personnel². Institutions like the National Police Training School in Accra and regional training schools across the country provide basic and specialized training for recruits and serving officers²⁷. The curriculum covers areas such as police science, legal studies, human rights, and communication skills²⁸. However, challenges such as a lack of proper equipment and training materials have been noted²⁸.

Oversight of the Ghana Police Service is provided through both internal and external mechanisms¹⁷. Internally, the Police Professional Standard Bureau (PPSB) is responsible for handling complaints against police officers and ensuring adherence to professional standards¹⁷. External oversight is exercised by bodies such as the Police Council, which advises the President on matters related to the police service, the Ministry of the Interior, under which the GPS operates, and the Commission on Human Rights and Administrative Justice (CHRAJ), which can investigate allegations of human rights violations by public officials, including police officers¹⁷. Despite these mechanisms, concerns persist regarding their independence and effectiveness in addressing issues such as police brutality and corruption³³.

B. The Judicial System: Hierarchy, Jurisdiction, and Criminal Procedures

The Ghanaian judicial system is structured in a hierarchical manner, with the Supreme Court as the final court of appeal¹. Below the Supreme Court is the Court of Appeal, which hears appeals from the courts below it⁴⁰. The High Court is the third highest court and possesses broad jurisdiction over all civil and criminal cases, except those concerning treason, which falls under the Supreme Court's appellate jurisdiction from the High Court¹. The High Court also includes specialized divisions such as the Fast Track Division, Commercial Division, and Human Rights Division⁴¹.

The lower courts consist of the Circuit Courts and the District Courts². Circuit Courts handle most civil cases involving sums up to a certain threshold and all criminal cases except treason and those punishable by death¹. District Courts are the lowest courts in the hierarchy and handle the highest number of cases, including minor civil cases and criminal cases where the maximum penalty is a fine or a term of imprisonment not exceeding two years⁴⁰. Specialized courts such as Juvenile Courts for those under 17 years of age and Family Tribunals also exist within the District Court

structure 1. The Chief Justice serves as the administrative head of the judiciary, with significant supervisory powers over all courts 41.

Criminal procedures in Ghana are primarily governed by the Criminal Procedure Act (Act 30) 4. The process typically begins with an arrest, which can be made with or without a warrant depending on the circumstances 4. Persons arrested have the right to be informed of the reasons for their arrest and the right to a lawyer 4. They must be brought before a court within 48 hours of arrest, unless granted bail 15.

Bail procedures allow for the release of an accused person from custody upon the provision of a guarantee, known as a bail bond, with or without sureties 15. The police can grant bail during the initial investigation phase, known as police inquiry bail 15. Once a case is before the court, bail pending trial can be granted by the court, either on application by the accused or on the court's own motion 15. The conditions for granting or refusing bail are outlined in the Criminal Procedure Act, and the courts consider factors such as the nature of the accusation, the evidence available, and the likelihood of the accused appearing for trial 15. If bail conditions are deemed excessive, an application can be made to the High Court or Circuit Court for review 44. Recent Supreme Court pronouncements have emphasized the constitutional presumption of innocence in bail considerations 15.

Evidence law in criminal cases determines what information is admissible in court to prove the guilt or innocence of the accused 48. The Evidence Act governs the admissibility of various forms of evidence, including oral testimony, documents, and material objects 50. Relevant evidence, which makes the existence of a fact more or less probable, is generally admissible unless otherwise provided by law 51.

Sentencing guidelines dictate the types of punishments that can be imposed on individuals convicted of criminal offences 2. These punishments can include fines, imprisonment, and, until recently for ordinary crimes, the death penalty 40. Judges have some discretion in sentencing, particularly where the law provides a range of penalties 58. Recent reforms include the introduction of plea bargaining, which allows accused persons to relinquish their right to a full trial in exchange for benefits such as a reduced charge or punishment 13. There is also a move towards non-custodial sentences like community service as alternatives to imprisonment 56.

In certain serious criminal cases, such as treason and offences punishable by death or life imprisonment, the accused is entitled to a trial by a judge and a jury 4. However, there is an ongoing debate among stakeholders in the Ghanaian justice system regarding the use of juries, with some advocating for their abolition while others argue for their retention or expanded use with modifications 63.

Table 1: Hierarchy and Jurisdiction of Ghanaian Courts in Criminal Matters

C. The Ghana Prisons Service: Custody, Conditions, and Rehabilitation Efforts

The Ghana Prisons Service is responsible for the safe custody and welfare of prisoners, operating under the oversight of the Prisons Service Council and the Ministry of the Interior 2. The Director-General of Prisons is appointed by the President and is responsible for the operational control and administration of the service 2. The Prisons Service Council advises the President on matters of policy relating to the organization and maintenance of the prison system 69.

Conditions within Ghanaian prisons are generally harsh, primarily due to severe overcrowding 37. Many prisons, often aging or abandoned buildings, suffer from inadequate sanitary conditions, a lack of sufficient medical care, and substandard and inadequate food 37. Overcrowding is significantly higher in medium-security prisons compared to lower-security "camp prisons" 37. Prisoners often rely on charitable donations and family support to supplement their diets 37. There is a shortage of toilets, poor ventilation, and inadequate space and light in many facilities 37.

Despite the challenging conditions, the Ghana Prisons Service undertakes rehabilitation programs aimed at equipping inmates with skills for their reintegration into society 43. These programs include vocational training in areas such as carpentry, tailoring, and auto mechanics, as well as formal and informal education 84. Agricultural activities are also undertaken in settlement and open camp prisons to provide food and train inmates in modern farming practices 70. Collaboration with the Ghana Education Service allows for basic and secondary education in prisons, with inmates sitting for national examinations 84. However, the effectiveness of these programs is often hampered by overcrowding, underfunding, and a lack of adequate resources 73.

The Ghana Prisons Service faces numerous challenges in fulfilling its mandate 70. Persistent funding shortages impact all aspects of prison operations, including feeding, healthcare, and rehabilitation 70. Inadequate infrastructure and the aging state of many prison facilities contribute to the poor living conditions 70. High recidivism rates, with a significant percentage of released inmates returning to criminal behavior, indicate challenges in the effectiveness of

current rehabilitation efforts 75. Negative public perceptions of prisoners also contribute to the low prioritization of prison concerns by the government 78.

IV. Navigating the Legal Landscape: Laws and Procedures in Criminal Cases

The journey through the Ghanaian criminal justice system commences with arrest, which can occur with or without a warrant 4. The Criminal Procedure Act (Act 30) stipulates the circumstances under which an arrest can be made. Individuals apprehended must be promptly informed of the reasons for their arrest and their right to legal counsel, preferably in a language they understand 4. Following an arrest, the accused is typically taken to a police station for further processing. Unless released on police inquiry bail, the constitution mandates that an arrested person must be brought before a court within 48 hours 15.

Bail procedures in Ghana serve to balance the fundamental right to personal liberty with the necessity of ensuring the accused's presence at trial 15. Police inquiry bail may be granted by the police during the investigative phase for less serious offences 15. For more serious offences or once the case is before the courts, an application for bail pending trial can be made to the court 15. The decision to grant or refuse bail rests with the court, which considers various factors such as the nature and gravity of the alleged offence, the strength of the evidence against the accused, the severity of the potential punishment, and the risk of the accused absconding or interfering with witnesses 15. The accused may be required to provide a bail bond, often with sureties who guarantee their appearance in court 44. If the conditions of bail are deemed excessively stringent, the accused has the right to apply to a higher court for a review 44. Recent judicial pronouncements have underscored the importance of the constitutional presumption of innocence when considering bail applications 15.

A significant recent reform in Ghana's criminal justice system is the introduction of plea bargaining, formalized through the Criminal and Other Offences (Procedure) (Amendment) Act, 2022 (Act 1079) 13. This process allows an accused person to negotiate with the prosecution to relinquish their right to a full trial in exchange for certain benefits, such as a reduction in the charged offence, a lesser punishment, or the withdrawal of some charges 61. Plea bargaining aims to improve the efficiency of the judicial system by reducing case backlogs and saving time and resources 61. However, certain serious offences, including treason, murder, rape, and kidnapping, are excluded from plea bargaining 13. The successful implementation of this reform hinges on public awareness and a clear understanding of the process 61.

The trial process in Ghana is adversarial, with the prosecution bearing the burden of proving the accused's guilt 4. The accused has the right to a fair hearing within a reasonable time, including the right to legal representation, to examine witnesses, and to present their own defence 4. For offences punishable by death or life imprisonment, the accused is entitled to a trial by a judge and a jury, although there are ongoing discussions about the future of jury trials in Ghana 4.

Sentencing policies in Ghana have seen some notable developments recently 56. A landmark reform was the abolition of the death penalty for ordinary crimes in 2023, replacing it with life imprisonment 59. This aligns Ghana's criminal justice system more closely with international human rights standards. Furthermore, there is a growing emphasis on non-custodial sentencing options, such as community service and parole, aimed at reducing prison overcrowding and promoting the rehabilitation and reintegration of offenders 56.

V. Upholding Rights: Human Rights within the Criminal Justice System

The 1992 Constitution of Ghana guarantees a range of fundamental human rights and freedoms that are directly relevant to the criminal justice system 3. These include the right to life, the right to personal liberty, the right to human dignity, and the right to a fair trial 4. These constitutional provisions establish the baseline standards for the treatment of individuals who come into contact with the criminal justice system.

However, reports and analyses from various human rights organizations, including Amnesty International and Human Rights Watch, as well as the US State Department, consistently highlight significant concerns regarding the human rights situation within the Ghanaian criminal justice system 34. Credible reports of police brutality, including beatings and other forms of abuse against detained suspects and citizens, remain a persistent issue 34. Arbitrary arrests and detentions, often without proper warrants or charges, are also reported, particularly affecting vulnerable groups 37. Prison conditions across Ghana are frequently described as harsh and inhumane, primarily due to severe overcrowding, inadequate sanitation, and limited access to medical care and food 37. Lengthy pretrial detention, often caused by delays in investigations and judicial proceedings, is another major concern, contributing to prison overcrowding and violating the right to a timely trial 37.

United Nations reports and observations have also raised concerns about human rights practices within Ghana's criminal justice system 80. These reports have highlighted instances of torture and ill-treatment by the police during arrest and interrogation, as well as the dire conditions in prisons due to overcrowding and a lack of resources 80. The UN has also noted the "death row phenomenon" and the denial of family visits for children under 18 years old in prisons as potentially constituting cruel, inhuman, and degrading treatment 82.

Specific human rights issues disproportionately affect vulnerable groups within Ghana. LGBTQ+ individuals face widespread discrimination, intimidation, and violence, exacerbated by the existence of colonial-era laws criminalizing same-sex conduct 37. Reports indicate that the anti-gay law contributes to a climate where violence against LGBT people is common, and victims are often afraid to report to authorities 99. Persons with psychosocial disabilities are also particularly vulnerable, with reports of shackling and inhumane treatment in prayer camps and traditional healing centers 82.

Table 2: Key Human Rights Concerns in the Ghanaian Criminal Justice System

VI. Evolving Justice: Recent Reforms and Proposed Changes

The Ghanaian criminal justice system has witnessed several notable reforms in recent years, indicating a commitment to modernization and alignment with international best practices. One significant reform is the introduction of plea bargaining, which was enacted through the Criminal and Other Offences (Procedure) (Amendment) Act, 2022 13. This reform aims to enhance the efficiency of the judicial process by allowing accused persons to negotiate with the prosecution for potential benefits in exchange for a guilty plea, thereby reducing case backlogs and saving judicial resources 61.

Another landmark achievement was the abolition of the death penalty for ordinary crimes in 2023 59. This amendment to the Criminal Offences Act and the Armed Forces Act replaced capital punishment with life imprisonment for these offences, bringing Ghana's criminal justice system more in line with international human rights standards that advocate for the sanctity of life 59.

Drug policy reforms introduced in 2020 through the Narcotics Control Commission Act (Act 1019) represent a shift towards treating drug use as a public health issue 101. This legislation introduced alternatives to incarceration for drug possession for personal use, emphasizing harm reduction and diverting individuals who use drugs away from the criminal justice system 101.

The adoption of technology is also playing an increasingly important role in reforming the Ghanaian criminal justice system. The introduction of the Case Tracking System (CTS) is a key initiative aimed at improving efficiency and coordination among various justice sector institutions, including the police, prosecution services, and the courts, by digitally tracking criminal cases from inception to conclusion 103.

Looking ahead, there are proposed changes that could further transform the system. One notable proposal is the introduction of community sentencing as an alternative to imprisonment for minor offences 56. This non-custodial sentencing option aims to reduce prison congestion, promote the rehabilitation and reintegration of offenders, and align with international best practices in correctional management 60.

Table 3: Recent Reforms and Proposed Changes to the Ghanaian Criminal Justice System

VII. Challenges and Areas for Improvement: A Critical Analysis of the System

Despite the progress made through recent reforms, the Ghanaian criminal justice system continues to grapple with several significant challenges that impede its effectiveness and fairness. One of the most pressing issues is the persistent problem of prison overcrowding 37. The number of inmates often far exceeds the capacity of prison facilities, leading to dire living conditions, inadequate sanitation, and increased health risks, all of which raise serious human rights concerns and undermine rehabilitation efforts.

Corruption remains a pervasive challenge within the criminal justice system, affecting various institutions including the police and the judiciary 34. Reports suggest that bribery and other forms of corruption can influence case outcomes, erode public trust in the integrity of the system, and lead to miscarriages of justice.

Allegations of police brutality and the difficulty in ensuring police accountability are also significant areas of concern 33. Despite the existence of internal and external oversight mechanisms, reports of excessive force and abuse by police officers persist, highlighting the need for stronger accountability measures and a cultural shift within the police service.

Lengthy pretrial detention is another major challenge that contributes to prison overcrowding and raises human rights concerns 37. Delays in investigations and judicial processes result in individuals, many of whom are eventually acquitted or receive non-custodial sentences, spending extended periods in detention.

Low levels of public trust in the judiciary and law enforcement institutions are also a significant issue 34. This lack of confidence can undermine the legitimacy and effectiveness of the criminal justice system, potentially leading to a reluctance among citizens to report crimes or cooperate with law enforcement.

Furthermore, the effectiveness of rehabilitation programs in reducing recidivism remains a challenge 70. High rates of re-offending suggest that current rehabilitation efforts may be inadequate or are being undermined by factors such as overcrowding, insufficient resources, and societal stigmatization of former prisoners.

Other areas requiring improvement include the provision of adequate legal aid to ensure access to justice for all, particularly the indigent, and the need for clearer and more consistent sentencing guidelines to promote fairness and predictability in judicial outcomes 37.

VIII. Conclusion: Towards a More Effective and Just System

The Ghanaian criminal justice system is a complex and evolving entity with a dual legal heritage and a centralized structure. It operates under the supreme authority of the 1992 Constitution and is guided by fundamental principles of justice and the rule of law. The system comprises key components including the Ghana Police Service, the hierarchical judicial system, and the Ghana Prisons Service, each playing a crucial role in maintaining law and order and administering justice.

Recent years have witnessed significant reforms aimed at modernizing the system and aligning it with international human rights standards. The introduction of plea bargaining, the abolition of the death penalty for ordinary crimes, drug policy reforms, and the adoption of technology are all positive steps towards a more efficient and humane criminal justice system. Proposed changes such as the introduction of community sentencing also hold promise for addressing long-standing challenges.

Despite these advancements, the Ghanaian criminal justice system continues to face considerable challenges. Persistent issues such as prison overcrowding, corruption, police brutality, and lengthy pretrial detention remain major impediments to achieving a truly effective and just system. Low public trust in justice institutions and the limited effectiveness of rehabilitation programs further underscore the need for sustained and comprehensive reforms. Addressing these challenges will require a concerted effort involving government agencies, civil society organizations, and the public to ensure that the Ghanaian criminal justice system upholds human rights, promotes fairness, and contributes to a safe and secure society for all.

References

Judicial System in Ghana - Commonwealth

Governance<https://www.commonwealthgovernance.org/countries/africa/ghana/judicial-system/>

World Factbook of Criminal Justice Systems - Ghana<https://bjs.ojp.gov/content/pub/pdf/wfbcjs.pdf>

Crime and Punishment in the Republic of Ghana: A Country

Profile<https://www.ojp.gov/ncjrs/virtual-library/abstracts/crime-and-punishment-republic-ghana-country-profile>

Criminal Procedure | Big Sam

Connect<https://bigsamconnect.com/wp-content/uploads/2024/02/Criminal-Procedure.pdf>

Making Ghana's Criminal Procedure Law Conform to Its Grundnorm: Decisions of the Supreme Court - Edinburgh

University Press[https://www.eupublishing.com/doi/10.3366/ajicl.2023.0451](https://www.euppublishing.com/doi/10.3366/ajicl.2023.0451)

criminal offences (amendment) act, 2020 (act 1034)<https://ir.parliament.gh/bitstream/handle/123456789/1795/CRIMINAL%20OFFENCES%20%28AMENDMENT%29%20ACT%2C%202020%20%28ACT%201034%29.pdf?sequence=1&isAllowed=y>

criminal offences (amendment) bill, 2022<https://chraj.gov.gh/wp-content/uploads/2023/08/Criminal-offence-Bill-new.pdf>

Imprisonment in 'Ghana - Criminal Offences Amendment Act 2012 EN' -

CJAD<https://cjad.nottingham.ac.uk/en/legislation/1447/keyword/744/>

Criminal Offences Act - Laws of Ghana -

EOCO<https://eoco.gov.gh/index.php/files/12/Relevant-Laws/10/Criminal-Offences-Act.pdf>

Criminal Offences Act 1960 (Act

29)<https://ir.parliament.gh/bitstream/handle/123456789/2434/ACT%2029.pdf?sequence=1&isAllowed=y>

Arrest in 'Ghana - Criminal Procedure Code 1960 (2003) EN' -

CJAD<https://cjad.nottingham.ac.uk/en/legislation/545/keyword/511/>

Criminal Procedure Code, 1960 (Act 30) - WIPO<https://wipolex-res.wipo.int/edocs/lexdocs/laws/en/gh/gh011en.html>

Ghana: Criminal Procedure Law Amended to Introduce Broad Use of Plea Bargaining<https://www.loc.gov/item/global-legal-monitor/2023-03-05/ghana-criminal-procedure-law-amended-to-introduce-broad-use-of-plea-bargaining/>

Litigation & Dispute Resolution Laws & Regulations | Ghana - Global Legal Insights<https://www.globallegalinsights.com/practice-areas/litigation-and-dispute-resolution-laws-and-regulations/ghana/>

Bail In Ghana Today<https://ghanalawhub.com/bail-in-ghana-today/>

(PDF) Theories of Punishment and Its Effect on the Ghanaian Prisoner - ResearchGatehttps://www.researchgate.net/publication/358332489_Theories_of_Punishment_and_Its_Effect_on_the_Ghanaian_Prisoner

Ghana Police Service – ...a world class police service!<https://police.gov.gh/>

Law enforcement in Ghana - Wikipediahttps://en.wikipedia.org/wiki/Law_enforcement_in_Ghana

Ghana Police Service - Wikipediahttps://en.wikipedia.org/wiki/Ghana_Police_Service

Leadership – Ghana Police Service<https://police.gov.gh/en/index.php/leadership/>

Police Management Board – POMAB - Accra - Ghana Police

Service<https://police.gov.gh/en/index.php/police-management-board-pomab/>

Ghana Police Service - Ministry of the Interior<https://www.mint.gov.gh/agencies/ghana-police-service/>

[en.wikipedia.orghttps://en.wikipedia.org/wiki/Ghana_Police_Service#:~:text=6%20References-,Organisational%20structure,Railways%2C%20Ports%20and%20Harbours%20Division.](https://en.wikipedia.org/wiki/Ghana_Police_Service#:~:text=6%20References-,Organisational%20structure,Railways%2C%20Ports%20and%20Harbours%20Division.)

Criminal Investigation Department – CID - Ghana Police

Service<https://police.gov.gh/en/index.php/criminal-investigation-department-cid/>

National Police Training School Clinic<https://ghanapolicehospital.com/national-police-training-school-clinic/>

Training – Ghana Police Service<https://police.gov.gh/en/index.php/training/>

Police Training School - Accra<https://police.gov.gh/en/index.php/the-police-college/>

Assessment of training practices in the Ghana police<https://ir.ucc.edu.gh/xmlui/handle/123456789/3537>

Regional Police Training School – Ho - Ghana Police

Service<https://police.gov.gh/en/index.php/other-training-institutions/>

accessed December 31, 1969, <https://police.gov.gh/recruitment/training/>

GHANA POLICE SERVICE COUNCIL - Ministry of the Interior Republic of Ghana<https://www.mint.gov.gh/ghana-police-service-council/>

Oversight Bodies – Ghana Police Service<https://police.gov.gh/en/index.php/oversight-bodies/>

Police Accountability in Ghana - Commonwealth Human Rights

Initiativehttps://www.humanrightsinitiative.org/publications/police/police_accountability_in_ghana.pdf

Ghana: Independent oversight urgently needed to increase trust in criminal justice & law enforcement institutions -

Transparency International<https://www.transparency.org/en/blog/ghana-trust-criminal-justice-law-enforcement-citizens-independent-oversight-needed>

GII Crime Just Policy.cdr - Ghana Integrity Initiative<https://www.tighana.org/assets/Uploads/Policy-Brief-Assessing-Accountable-of-Law-Enforcement-and-Justice-Institutionns-in-Ghana.pdf>

Sub-national Governance, Law Enforcement and Oversight in Five African countries: Ghana, Kenya, Nigeria, South Africa and Zambia - Dullah Omar Institute <https://dullahomarininstitute.org.za/acjr/acjr-publications/subnational-law-enforcement-in-5-african-countries-jm.pdf>

2023 Country Reports on Human Rights Practices: Ghana - Department of State <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/ghana/>

2022 Country Reports on Human Rights Practices: Ghana - Department of State <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/ghana>

Ghana - The Law on Police Use of Force <https://www.policinglaw.info/country/ghana>

Hierarchy of the courts - Accra - The Judicial service of Ghana <https://judicial.gov.gh/jsweb/index.php/about-the-judiciary/hierarchy-of-the-courts>

THE STRUCTURE AND JURISDICTION OF THE COURTS https://csdsafira.org/wp-content/uploads/2017/10/Structure_Courts.pdf

accessed December 31, 1969, <https://judicial.gov.gh/about-us/the-judiciary/>

Ghanaian juvenile justice system - Wikipedia https://en.wikipedia.org/wiki/Ghanaian_juvenile_justice_system

Bail.docx - Big Sam Connect <https://bigsamconnect.com/wp-content/uploads/2024/02/Bail.docx>

grant of bail in murder cases [1980] vol. xii rgl 182—192 - KUC Law Students Union <https://kuclawstudentsunion.com/wp-content/uploads/2024/09/GRANT-OF-BAIL-IN-MURDER-CASES-1980-VOL.-XII-RGL-182%E2%80%94192.htm>

PRE-TRIAL REMANDS IN CUSTODY - Commonwealth iLibrary <https://www.thecommonwealth-ilibrary.org/index.php/comsec/catalog/download/869/869/7214?inline=1>

accessed December 31, 1969, https://books.google.com/books/about/Criminal_Procedure_in_Ghana.html?id=pXF4nAEACAAJ

Offences against administration of justice - CJAD <https://cjad.nottingham.ac.uk/en/state/57/keyword/394/>

THE RIGHT TO A FAIR TRIAL: RE- DEFINING THE DISCLOSURE TEST IN CRIMINAL TRIALS IN GHANA - HeinOnline https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/knust9&ion=8

LAW OF EVIDENCE MADE SIMPLE Prepared by DANIEL MARFO - Big Sam Connect <https://bigsamconnect.com/wp-content/uploads/2024/02/Evidence-made-Simple-.pdf>

When What Matters Not, Matter! – A Review of the Law on Privacy and Admissibility of Evidence Secretly and Unlawfully Obtained, In Civil Proceedings, Vis-à-Vis Article 18(2) of the 1992 Constitution of Ghana <https://ghanalawhub.com/when-what-matters-not-matter-a-review-of-the-law-on-privacy-and-admissibility-of-evidence-secretly-and-unlawfully-obtained-in-civil-proceedings-vis-a-vis-article-182-of-the-1992-consti/>

THE DEATH PENALTY IN GHANA KRISTINE LARTEY* I. INTRODUCTION: It is a well known fact that as a whole, the justice system the wor https://www.biicl.org/files/2195_country_report_ghana_lartey.pdf

accessed December 31, 1969, <https://lawsdocbank.com/ghana/acts/evidence-act-1975-nr-323/pdf-download>

National penalties - death sentence - CJAD <https://cjad.nottingham.ac.uk/en/state/57/keyword/534/>

Full article: Navigating criminal sanctions through a plea of guilty or not in Ghana: the perspective of prison inmates - Taylor & Francis Online <https://www.tandfonline.com/doi/full/10.1080/23311886.2024.2329795>

Non- Custodial Sentencing Policy - POS Foundation <https://posfoundation.org/law-and-policy-reforms/non-custodial-sentencing-policy/>

criminal - benchbook - Judicial Training Institute <https://jtighana.org/educational/publications/uploads/CriminalBench.pdf>

The Criminal Justice System of Ghana: Is the focus on Reformation or Mere Retribution <https://bpaghana.com/the-criminal-justice-system-of-ghana-is-the-focus-on-reformation-or-mere-retribution/>

Ghana and the Death Penalty - Parliamentarians for Global Action <https://www.pgaction.org/ilhr/adp/gha.html>

Ghana to introduce Community Sentencing to aid Justice System <https://www.mint.gov.gh/ghana-to-introduce-community-sentencing-to-aid-justice-system/>

Article on 2023 Research for Publication - MOJAGD<https://mojagd.gov.gh/?p=9733>

POS Foundation | World Justice Project<https://worldjusticeproject.org/world-justice-challenge-2022/pos-foundation>

"Ghana's Jury System on Trial" by Dennis D. Adjei - Duke Law Scholarship Repository<https://scholarship.law.duke.edu/mjs/2/>

ghana's jury system on trial thesis master of judicial studies - Duke Law Scholarship Repository<https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1013&context=mjs>

Ghana Prisons Service - Ministry of the Interior Republic of Ghana<https://www.mint.gov.gh/agencies/ghana-prisons-service/>

Ghana | World Prison Brief<https://www.prisonstudies.org/country/ghana>

Ghana Prisons Service - Ghana.GOV<https://www.govgh.org/mdas/038241ea96/>

Ghana Prisons Service – Vigilance, Humanity and Fortitude<https://ghanaprison.gov.gh/>

The Prisons Service<https://judicial.gov.gh/index.php/the-prisons-service>

Ghana Prisons Service - Wikipediahttps://en.wikipedia.org/wiki/Ghana_Prisons_Service

About US - Ghana Prisons Service<https://ghanaprison.gov.gh/about-us/about-us.cits>

Prisons Service Act, 1972 - NRCD 46https://ghanaprison.gov.gh/downloads/NRCD_46.pdf

Rehabilitation in Ghana: Assessing prison conditions and effectiveness of interventions for incarcerated adults | Request PDF - ResearchGatehttps://www.researchgate.net/publication/370650868_Rehabilitation_in_Ghana_Assessing_prison_conditions_and_effectiveness_of_interventions_for_incarcerated_adults

Ghana: What's happening in the prisons? | Amnesty International<https://www.amnesty.org/en/wp-content/uploads/2021/07/afr280022008eng.pdf>

Ghana's prison problems — why prisoners reoffend - JCU Australia<https://www.jcu.edu.au/this-is-uni/people-and-societies/articles/ghanas-prison-problems-why-prisoners-reoffend>

statement on the state of the ghana prison service, challenges and the way forward, by hon. freda prempseh, mp. tano north constituency<https://ir.parliament.gh/bitstream/handle/123456789/162/doc02654720151026133246.pdf?sequence=1&isAllowed=y>

Prison Overcrowding and Harsh Conditions: Health and Human Rights Concerns to Persons in Custody, Staff, and the Community - Frank Darkwa Baffour, Abraham P. Francis, Mark David Chong, Nonie Harris, 2024 - Sage Journals<https://journals.sagepub.com/doi/10.1177/00938548231219803>

Ghana's Penitentiary System: Challenges and Solutions - Libel - IFLRY<https://libel.iflry.com/ghanas-penitentiary-system-challenges-and-solutions/>

Human Rights Watch declaration on prison conditions in El Salvador for the J.G.G. v. Trump case<https://www.hrw.org/news/2025/03/20/human-rights-watch-declaration-prison-conditions-el-salvador-jgg-v-trump-case>

Report of the Special Rapporteur on torture - Mission to Ghana in English - ohchrhttp://www.ohchr.org/en/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-60-Add-1_en.doc

"Country Report on Human Rights Practices 2018 - Ghana", Document #2004160 - ecoi.net<https://www.ecoi.net/en/document/2004160.html>

Ghana's criminal justice and mental health practices need critical attention to be more humane | OHCHR<https://www.ohchr.org/en/statements/2013/11/ghanas-criminal-justice-and-mental-health-practices-need-critical-attention-be>

The Church Donates Equipment for Inmate Rehabilitation in Ghana Prison<https://news-africa.churchofjesuschrist.org/article/the-church-donates-equipment-for-inmate-rehabilitation-in-ghana-prison>

Rehabilitation - Ghana Prisons Service<https://ghanaprison.gov.gh/projects/agric.cits>

UNLOCKING POTENTIALS BEHIND BARS: THE PRISONS SKILL TRAINING PROGRAMS<https://ghanaprison.gov.gh/2024/05/14/unlocking-potentials-behind-bars-the-prisons-skill-training-programs/>

EFFECTIVE TREATMENT MEASURES FOR PRISONERS TO FACILITATE THEIR REINTERGRATION INTO SOCIETY: THE GHANAIAN EXPERIENCE Asiedu Willam

Kwadwohttps://www.unafei.or.jp/publications/pdf/RS_No54/No54_25PA_Kwadwo.pdf

Building a Better System: Ghana Prison Service prioritizes compliance with Nelson Mandela Ruleshttps://www.unodc.org/unodc/justice-and-prison-reform/cpcj-prison-reform/news/building-a-better-system_ghana-prison-service-prioritize-s-compliance-with-nelson-mandela-rules.html

Reaching prison officers across Ghana with the Nelson Mandela Rules<https://www.unodc.org/unodc/justice-and-prison-reform/cpcj-prison-reform/news/reaching-prison-officers-across-ghana-with-the-nelson-mandela-rules.html>

accessed December 31, 1969, <https://www.prisons.gov.gh/reformation-and-rehabilitation/>

Prisons II - Welcome to Foresight For Development<https://www.foresightfordevelopment.org/featured/prisons-ii>

Full article: Triggers to repeated criminal behaviour in Ghana: An analysis of the Nsawam prison through a case study approach<https://www.tandfonline.com/doi/full/10.1080/23311983.2023.2268394>

Due process or crime control? An examination of the limits to the right to silence in criminal proceedings in Ghanahttps://scielo.org.za/scielo.php?script=sci_arttext&pid=S1996-20962022000100009

Ghana: Freedom in the World 2024 Country Report<https://freedomhouse.org/country/ghana/freedom-world/2024>

Ghana abolishes the death penalty for ordinary crimes - News Center<https://www.pgaction.org/news/ghana-abolishes-death-penalty-ordinary-crimes.html>

Ghana: Police brutalities against student protestors must trigger comprehensive reforms<https://mfwa.org/ghana-police-brutalities-against-student-protestors-must-trigger-comprehensive-reforms/>

Ghana | Country Page | World - Human Rights Watch<https://www.hrw.org/africa/ghana>

Ghana: Supreme Court Upholds Colonial-Era Anti-LGBT Law - Human Rights Watch<https://www.hrw.org/news/2024/07/29/ghana-supreme-court-upholds-colonial-era-anti-lgbt-law>

Ghana: Submission to the UN Committee on the Rights of Persons with Disabilities<https://www.hrw.org/news/2024/07/12/ghana-submission-un-committee-rights-persons-disabilities>

"No Choice but to Deny Who I Am": Violence and Discrimination against LGBT People in Ghana | HRW<https://www.hrw.org/report/2018/01/08/no-choice-deny-who-i-am/violence-and-discrimination-against-lgbt-people-ghana>

Comment by UN Human Rights Office spokesperson Liz Throssell on Ghana court ruling<https://www.ohchr.org/en/statements/2024/07/comment-un-human-rights-office-spokesperson-liz-throssell-ghana-court-ruling>

New approaches to regulating drugs in West Africa: Exploring the impact of Ghana's drug policy reformhttps://globalinitiative.net/wp-content/uploads/2024/01/800856-RR-ISS-OCWAR-T-WA_Ghanas-drug-policy-reform-ENG-05.pdf

New approaches to regulating drugs in West Africa: Exploring the impact of Ghana's drug policy reform - Global Initiative Against Transnational Organized Crime<https://globalinitiative.net/analysis/regulating-drugs-west-africa-ghana-drug-policy-reform/>

Challenges Facing Justice Delivery In Ghana To End Soon With The Introduction Of CTS – Rule Of Law Expert - Legal Resources Centre<https://lrcghana.org/challenges-facing-justice-delivery-in-ghana-to-end-soon-with-the-introduction-of-cts-rule-of-law-expert/>

Uptake of Technology in Ghana's Justice Delivery System - Legal Resources Centrehttps://lrcghana.org/storage/2022/06/LRC_Policy-Brief_Uptake-of-Technology-in-Ghanas-Justice-Delivery-System-Examining-the-Ghana-Case-Tracking-System.pdf

MINISTRY OF THE INTERIORhttps://mofep.gov.gh/sites/default/files/pbb-estimates/2024/2024-PBB-MoI_.pdf

(PDF) Corruption in the criminal justice system of Ghana: Perspectives of criminal justice officials - ResearchGatehttps://www.researchgate.net/publication/329650466_Corruption_in_the_criminal_justice_system_of_Ghana_Perspectives_of_criminal_justice_officials

Ghana's judiciary must act fast to regain public trust | ISS Africa<https://issafrica.org/iss-today/ghana-s-judiciary-must-act-fast-to-regain-public-trust>

Justice for Gains, a Potential Threat to National Security-a Tortuous Trip to Ghana<https://www.heraldopenaccess.us/openaccess/justice-for-gains-a-potential-threat-to-national-security-a-tortuous-trip-to-ghana>

2024 Trafficking in Persons Report: Ghana - Department of State<https://www.state.gov/reports/2024-trafficking-in-persons-report/ghana/>

Assessing Public Trust in Ghana's Courts | Journal of Law and Courts | Cambridge Core<https://www.cambridge.org/core/journals/journal-of-law-and-courts/article/assessing-public-trust-in-ghanas-courts/15F6E44B1B91D9ABF4011D75DE1CB701>

Court Level	Criminal Jurisdiction
Supreme Court	Appeals from the Court of Appeal; appeals from the High Court in cases involving treason; interpretation of the Constitution; electoral petitions 40
Court of Appeal	Appeals from the High Court, Regional Tribunals (abolished), and Circuit Courts 40
High Court	All civil and criminal cases except treason (original jurisdiction); serious criminal offences such as rape, murder, treason 1
Circuit Court	All criminal cases other than treason and those punishable by death 1
District Court	Criminal cases where the maximum fine is 500 penalty units or imprisonment for a term of not more than 2 years; juvenile cases 1

Human Rights Concern	Reference
Police Brutality	37, 38, 37, 38, 34, 95, 37, 38, 81, 37, 37, 37
Arbitrary Arrest and Detention	37, 37, 37, 37, 37
Prison Overcrowding	37, 38, 73, 74, 75, 70, 76, 75, 77, 78, 37, 38, 79, 80, 81, 37, 37, 37, 38, 37, 82, 105
Inadequate Prison Conditions (Sanitation, Healthcare, Food)	37, 38, 70, 76, 37, 38, 79, 80, 81, 37, 37, 37, 38, 37, 82
Lengthy Pretrial Detention	37, 74, 76, 37, 62, 37, 62, 103, 37, 52
Discrimination against LGBTQ+ Individuals	37, 96, 97, 37, 99, 100, 96, 82
Treatment of Persons with Psychosocial Disabilities	96, 98, 82

Reform/Proposed Change	Year/Status	Brief Description/Aim
Introduction of Plea Bargaining	2022	Allows accused persons to negotiate with the prosecution for potential benefits in exchange for a guilty plea to improve efficiency 13
Abolition of Death Penalty for Ordinary Crimes	2023	Replaced capital punishment with life imprisonment for ordinary crimes to align with international human rights standards 59
Drug Policy Reforms	2020	Introduced alternatives to incarceration for drug possession for personal use, emphasizing harm reduction 101
Adoption of Case Tracking System (CTS)	Operational	Uses technology to track criminal cases electronically from inception to conclusion to improve efficiency and coordination 103
Introduction of Community Sentencing	Proposed	A non-custodial sentencing option as an alternative to imprisonment for minor offences to reduce prison congestion and promote rehabilitation 56