1. **Justice system**

1. What are the main causes for women coming into conflict with the law and facing the associated deprivation of liberty, including pre-trial detention? Which are the groups of women who are most vulnerable and why? Please list the types of offenses for which women, or any particular group of women, are typically charged with, including administrative offenses.

**Response**

Poverty, Ignorance of the Law, Lack of Access to Legal Representation.

Uneducated/Unemployed Women, Women living in Rural Areas. They are most vulnerable because they do not have the voice or the power to challenge their abusers.

2. Please indicate if there are cases of women facing detention in relation to civil law suits and identify the particular groups of women mostly affected.

**Response**

It can’t be independently established if there are women facing detention in civil law suits. However, it will be surprising if there are since people cannot be held in detention over civil matters.

3. What are the main challenges for women’s access to justice, including, for example, the availability and quality of legal representation, the ability to pay for bail, and the existence of gender stereotyping and bias in judicial proceedings?

**Response**

Women’s access to justice is still challenging as many women are weak economically whereas cost of legal representation is very high. Even though, there are institutions that provide free services like CHRAJ, Legal Aid Scheme, it hasn’t fully addressed the issues of legal representation. Gender stereotyping is also still high though some progress has been made.

4. What have been the main drivers for the increasing or decreasing of the female prison population in your country in the past decade? To what extent are non- custodial measures used, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules)?

**Response**

Custodial sentencing is still high despite some attempts at reforms. For instance, few days ago, a woman and her two female children were jailed for collecting leftover maize after harvesting from somebody’s farm. The Justice For All Programme has lately helped decongest the Prisons so that those who have been in remand for more than necessary and some category of offenders who have served more than half of their Prison term are released from Prison.

II. **Other institutions**

1. What other institutions outside the justice system exist in your country wherein women and girls are institutionalized on grounds such as care, correction, protection and prevention against potential harms, etc.? Please list the groups of women and girls who are most concerned in each situation.

**Response**

Rehabilitation Centres- Drug Addicts,

Prayer Camps- Persons thought to be suffering from ‘spiritual attacks’

Psychiatric Hospitals- The Mentally Unstable

Disable People’s Homes- Persons with Disabilities

2. Please explain the decision-making process for the institutionalization of women and girls in each situation, including the role of women and girls themselves in the decision on institutionalization. Please highlight any good practices in terms of enabling women to exercise agency within institutional systems, with due respect to their rights?

**Response**

In most cases, women and girls sent to these institutions do not have any form of agency. Decisions for their institutionalization are taken on their behalf in most cases.

III. **Forced confinement in private contexts**

1. What forms of forced confinement of women and girls exist in a private or social context sanctioned by family, community or group of individuals such as abduction, servitude, guardianship and “honor” practices, trafficking, home detention, “witch camps”, widowhood rites, etc.?

**Response**

Trafficking of girls is still rampant and on many occasions, Challenging Heights, an NGO, Social Welfare and the Police have collaborated to come to the rescue of some of them.

Old Women who suffer some forms deformity or health challenge have often been sent to witches camps but officially all witches camps in the country are supposed to have been closed. Lately, there no reports of servitude although it existed in times past like “Trokosi”.

2. Please identify the groups of women and girls who are most affected by these situations.

**Response**

Widows

Old Women

Sick/ Mentally Unstable/Deformed

Girls from Poor Homes

Orphans

3. What is the role of law and policy (including customary law and authorities) in your country concerning these types of confinement?

**Response**

There are laws and policies prohibiting these types of confinements and practices but enforcement hasn’t been too encouraging. Some of these detentions are never reported.

IV. **Migration and crisis situations**

1. What are the specific risks of detention and confinement encountered by women on the move in the context of asylum seeking, internal displacement and migratory processes?

**Response**

As far as I know, migrants in Ghana don’t suffer any risks of detention except when they engage in some criminal acts.

2. What is the policy relating to the administrative detention of women migrants including pregnant women and women with children?

**Response**

Administrative detentions are often resorted to as a last resort and must be done within the ambit of the law. A great number of administrative detentions involve irregular migrants in connection with violations of immigration laws and regulations, including staying after the permit has expired, non-possession of identification documents, using somebody else’s travel documents, not leaving the country after the prescribed period of time has expired, etc. In the case of pregnant women and women with children, it is rarely the case that administrative detentions are applied.