Innocent and Imprisoned: How Sierra Leone's Rigid Drug Directives Robbed Binta of Her Liberty and Newborn



At 5:00 a.m. one morning, 23-year-old caterer and mother of three, Binta, was abruptly awakened by her husband. Police officers had surrounded their family home. Confused and alarmed, Binta listened as officers entered and explained they were searching the premises on suspicion of Narcotic drug sales.

During the search, officers discovered quantities of *kush* (synthetic canbiniod) belonging exclusively to her husband -a substance Binta maintained she had no prior knowledge of. Despite her lack of involvement, law enforcement arrested Binta, her husband, and her mother-in-law under joint suspicion of Unlawful Possession of Kush.

At the time of her arrest, Binta was pregnant. Because her entire household was taken into custody, her three young children were left without a primary caregiver. Binta and her mother-in-law were remanded at the Correctional Centre for safe custody, where they languished in pre-trial detention for a full year while investigations dragged on.

While still in custody, Binta gave birth to her baby under severe emotional and physical strain. Her plight changed when AdvocAid stepped in to provide legal representation upon the service of her indictment. Through AdvocAid's dedicated intervention, the court found no evidence linking Binta to the offense, resulting in her full acquittal and discharge.

Binta's ordeal underscores the disproportionate harm inflicted on women when criminal justice systems rely on broad, relational guilt rather than individual evidence:

- **Loss of Liberty & Prolonged Detention:** Spending a full year in pre-trial detention without swift judicial review stripped Binta of her freedom during a critical period of her life.

- **Separation & Child Welfare Crisis:** With Binta, her husband, and her mother-in-law simultaneously detained, two young children were left completely abandoned without parental care.
- **Maternal Vulnerability in Custody:** Navigating pregnancy and childbirth within a correctional facility exposed Binta and her newborn to severe health risks, indignity, and prolonged psychological trauma.

Binta's case exposes systemic flaws in Sierra Leone's current drug case management and enforcement directives. Sweeping arrests based solely on household cohabitation combined with mandatory remand practices disproportionately penalize innocent family members, particularly women and primary caregivers.

Key Recommendations for Reform

1. **Re-evaluate Judicial Directives on Drug Offenses:** The Office of the Chief Justice must review and revise current sentencing and bail directives on drug-related offenses to move away from rigid, blanket detention policies and incorporate a human-rights-based framework.
2. **Individualized Evidentiary Standards:** Law enforcement and prosecution authorities must assess allegations strictly on individual evidence rather than imposing guilt by association or cohabitation.
3. **Protect Pregnant and Lactating Women:** Implement strict non-custodial alternatives to pre-trial detention for pregnant women, primary caregivers, and vulnerable individuals. Where detention is unavoidable, guarantee adequate healthcare, nutrition, and safe maternal care.
4. **Strengthen Early Legal Intervention:** Expand support for civil society legal aid organizations like AdvocAid to ensure prompt legal representation from the moment of arrest, preventing unnecessary pre-trial delays.

With your kind support, AdvocAid continues to provide legal representation and other holistic support to women and girls in contact with the laws in Sierra Leone.