

SPECIAL PRISONS COMMITTEE PROPOSALS FOR EARLY URGENTLY NEEDED ACTION



Friday, 22 November 2013

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SPECIAL PRISONS COMMITTEE PROPOSALS FOR EARLY URGENTLY NEEDED ACTION

1. Introduction

1.1. On Monday November 18, 2013, the Honourable Prime Minister appointed a Special Prisons Committee comprising the following persons:

Professor Ramesh Deosaran	Chairman
Senator the Honourable Emmanuel George	Minister of Justice
Senator the Honourable Gary Griffith	Minister of National Security
Mr. Daniel Khan	Inspector of Prisons
Mr. Martin Martinez	Commissioner of Prisons
Mr. Stephen Williams	Commissioner of Police (Acting)
Mr. Wayne Sturge	Attorney at Law
Mr. Gerard Gordon	General Secretary Prison Service Second Division Association
Mr. Duane Murray	Secretary to the Committee

2. Terms of Reference

- 2.1. To investigate, study and make recommendations to equitably and expeditiously resolve the complaints identified by the Prison Officers and Prisoners.
- 2.2. To investigate, study and make recommendations on resolving the overcrowding at the remand yard, including the expediting of justice system as it relates to pending matters.

- 2.3. To develop strategies and action plans which will allow for a “higher” degree of personal and property security for Prison Officers, both while on and off duty.
- 2.4. To investigate, examine and study the conditions under which Prison Officers and inmates exist and interact and to make recommendations for improvement of both physical and physiological environment. In addition, strategies are to be developed to allow for less confrontational approaches towards interaction between Prison Officers and inmates.
- 2.5. Any other matters related to the points raised in items 1 to 4.

The Honourable Prime Minister indicated that the Committee should start work immediately (i.e. the next morning, Tuesday 19th November 2013 at 10.00 a.m.) and expeditiously so as to produce a report with recommendations at the earliest possible time.

3. Background

- 3.1. The recent killing of a Prison Officer and the wounding of another sparked outrage among Prison Officers which lead to their embarking on work to rule in protest of their general safety and working conditions.
- 3.2. Given the widespread public and official concerns over the conditions at the Golden Grove Prison, particularly at the Remand Centre, and more precisely, the concerns publicly expressed by the Prison Officers Association for the safety of their officers and the very volatile situation at the Remand Centre and Maximum Security Prison at Golden Grove, the Committee agreed to produce a Report for submission to the Honourable Prime Minister on Friday November 22, 2013.
- 3.3. The Committee met on Tuesday, Wednesday, Thursday, and Friday (from Nov 19-22). The Committee also paid a visit to the Remand Centre at Golden Grove to gain a fuller understanding of the conditions and complaints made. The Committee was taken around by Prison Commissioner and his senior staff for this “first-hand look.” The Committee based its recommendations from presentations and discussion at its meetings, from the recommendations made in two previous reports (The Inspector of Prisons 2010 Report by Mr Daniel Khan, and another report entitled “Prison Recidivism: Towards Rehabilitation

and Reform by R. Deosaran and Ian Ramdhanie, 2003) The presentations by the two Ministers, Minister of Justice, Senator the Honourable Emmanuel George and Minister of National Security, Senator the Honourable Gary Griffith, were also quite valuable. The Committee noted that the Minister of Justice in particular has already made some initiatives (e.g. bullet-proof vests, court delays) in bringing relief to the Prisons.

- 3.4. In addition to its meetings and in-house presentations, the Committee met with two separate groups on Remand Centre persons (over 100) and a group of Prison Officers (50). This direction collection of further information was quite useful to the Committee.
- 3.5. While the Committee feels reasonably satisfied that it gathered enough information for this very early report, it believes that a fuller inquiry is desirable especially since some of the very burning issues are outside its remit, for example, the very lengthy trial delays for persons in the Remand Prison (Remand Yard) and the inefficiency of the administration and judicial aspects of the existing bail regime.
- 3.6. The Remand Centre persons have not had their cases finalised and are still presumed innocent. Yet, the very unsanitary, congested physical conditions and the psychological trauma that goes with such conditions are far below what a Remand Centre status deserve. Worse yet, these Remand Centre persons generally do not know when their trial will take place, thus putting them in a worse position than the convicted prisoners who know when they will be released.
- 3.7. This day-by-day uncertainty in not knowing when or what will happen to them, especially when many of them are on Remand for as much as ten years, would likely contribute to a pathological state of mind, a definite resentment of society itself, resentment of prison authorities and a criminogenic disposition. These extensive trial delays for such persons have reached crisis point and demand quick and urgent remedy.
- 3.8. The Committee also found it shocking and even saddening, to witness thirteen “homeless persons” placed in a cell with no beds, just the concrete floor. The Committee heard that these persons are mentally ill. Certainly, the prison system is not suitable for the mentally ill.

3.9. The dismal conditions experienced by these Remand Yard persons and the Prison Officers themselves have been very clear to us. The grossly inadequate water and toilet facilities, no roof lights, poor ventilation, sweltering heat, cramped conditions and insufficient sleeping facilities all combine to create a climate of injustice and potential threats to safety. The days of toilet buckets for use by persons in a cell should be over.

3.10. The Committee therefore has firmly agreed that:

3.10.1. The present situation at the Remand Prison at Golden Grove and other prison establishments is very volatile and if not treated with urgency, the consequences could be disastrous for the country, government, prisons officers and prisoners themselves.

3.10.2. That an early set of actionable Recommendations be made to help ease the tensions and safety concerns at the Prison and also establish a way forward for having a penal system that gives convicted prisoners their due but, at the same time, helping to facilitate their civic reintegration into society and build public confidence in the penal system.

4. Recommendations

Remand Prison

4.1. Government, as a matter of immediate and urgent necessity, should move more expeditiously to build a new remand facility, remove the Remand Prison to more suitable accommodation that is neither unduly crowded and unsanitary, nor likely to cause injury or undue suffering to inmates. It is important to bear in mind that inmates on remand are not serving terms of imprisonment.

4.2. This means that one central and several other remand facilities may have to be built or acquired since the existing circumstances create extreme volatility and are dangerous to both inmates and prison officers. This new accommodation as replacement for the current Remand Prison should be completed within eighteen months from January 2014.

- 4.3. In addition, immediate action must be taken to provide State issued, readily identifiable clothing to prisoners on remand.

Safety of Prison Officers

- 4.4. Through the Prison Officers Associations (POA), the officers have continuously expressed serious concerns regarding threats from prisoners and sometimes from members of the public. These concerns are accentuated by the very tragic fact that over the past ten years over fifteen Prison Officers have either been killed or wounded. After hearing representations by Messrs Ceron Richards (President) and Gerard Gordon (General Secretary) of the POA, the Acting Commissioner of Police Mr Stephen Williams has agreed with the cooperation and recommendation of Prison Commissioner Mr Martin Martinez to give priority consideration to applications made by Prison Officers for firearm user's licences. As a demonstration of such consideration, the Commissioner of Police will immediately consider processing the applications of Prison Officers whose threat levels are high and immediate.
- 4.5. The Committee noted submissions made by the Honourable Minister of Justice who indicated that Cabinet, in July 2012, gave approval for the procuring of bullet/stab proof vests for the Prison Service. The Committee recognises that the purchase and issuing of bullet/stab proof vests to Prison Officers is a matter that requires utmost priority and recommends that this issue be urgently addressed and that vests be made available for use by Prison Officers within three months.
- 4.6. The availability of housing is also a matter of concern. The Committee has noted the policy, as approved by Cabinet, requiring that 10% of all houses distributed by the Housing Development Corporation (HDC) are to be allocated to members of the various State security agencies. The POA has pleaded for fair treatment being given to Prison Officers regarding the distribution of that 10%. The Committee therefore recommends that decisive measures be pursued in order to facilitate a review of the allocation process to ensure that Prison Officers are allocated a fair quota of the 10%.

- 4.7. In addition, the Committee also recommends that greater consideration be given to the plight of Prison Officers who find themselves under threat and that those officers be afforded the opportunity of being readily allocated housing in safe communities.
- 4.8. The Commissioner of Prisons has emphasised the need to acquire properties at which officers that are under grave and imminent threat may be readily accommodated for the safety of themselves and their families. It is therefore recommended that the construction or allocation of four properties to be used as safe houses be immediately pursued and completed within six months.

Prisoner Conditions

- 4.9. In order to facilitate tangible signs of immediate alteration to conditions at the Remand Prison, the Committee recommends that three hundred beds be immediately procured for that prison. In addition, immediate measures must be pursued toward the provision of improved lighting, plumbing and toilet facilities in the cells at the Remand Prison. These improvements must be made within six months.
- 4.10. The use of force is an issue of concern. The Committee recognises that in the prison environment, officers often must resort to applying physical force in order to maintain prison order and discipline. However, any force used must be balanced and not calculated to cause undue injury to a prisoner. Accordingly, the Committee recommends that Prison Officers be immediately required to participate in a routine regime of training in the use of force. This training must go hand in hand with the implementation of a firm and detailed use of force policy.

Court Delays for Remanded Inmates

- 4.11. The Committee has noted with grave concern the plight of remanded inmates who wait very protracted periods to have their cases heard. These are persons who have not been convicted and in many cases, have been on remand for over five years without trial. Some inmates have even been on remand for over ten years.
- 4.12. The Committee therefore recommends that acceptable intercession be immediately made with a view of moving the Honourable Chief Justice to establish early and

urgent measures to bring about a significant reduction in the time taken to have the pending court matters of remanded inmates heard.

- 4.13. It is also strongly recommended that members of the Judiciary should be encouraged to pay periodic visits to prisons, an option which already exists within their jurisdiction.

Prison Security

- 4.14. A system of cellular phone jammers and grabbers, along with full body scanners, must be quickly installed in all prison compounds. Improved and more rigorous checks must also be adopted to prevent the illegal trafficking of drugs, weapons, cellular phones and other prohibited items and substances. In addition, the use of canine, as evidenced from other jurisdictions, should be used to prevent the passage of prohibited items and substances. All such checks and vigilance must be directed at prisoners, vehicles, visitors and the Prison Officers themselves. In addition, closed circuit security cameras must be immediately installed in all the nation's prisons.
- 4.15. The Committee noted that a decision has already been made requiring the installation of a regulated inmate phone system. Through the Ministry of Justice, requests for expressions of interest have already been published in the daily newspapers. The Committee views the installation of a regulated inmate phone system as a measure that can go a long way in facilitating security within prisons and recommends that the measure be aggressively pursued with a view of having the regulated inmate phone system installed and fully functional within six months.

Prison Rules

- 4.16. Given the critical importance of the updated Prison Rules for prison security, supervision and management, health and safety conditions, these Rules should be in force as early as possible. The Ministry of Justice has completed the Prison Rules and the Committee recommends that these Rules, which are subject to affirmative resolution, be sent to Parliament and passed before February 1, 2014.
- 4.17. In addition, due consideration must be given to the possible amendment of legislation governing the conduct of Prison Officers to provide for expeditious

disciplinary hearings and increased penalties for officers, including dismissal, who are found trafficking in prohibited items.

Semi-Privatisation

- 4.18. The Committee suggested that this is a matter that requires some consideration. However the decision was taken to defer this issue for the future consideration of the Government.

A Prison Intelligence Unit

- 4.19. The Committee recommends that such a unit should be quickly established to help prevent trafficking of illegal and prohibited items as well as other corrupt activities within the Remand Prison and the prison system as a whole.

Public Education on the Penal System

- 4.20. It is strongly recommended that a more intense public education programme concerning the role, structure and functions of the country's prisons and modes of incarceration be implemented by the Ministry of Justice so that the public would have an improved understanding of such matters.

Commission of Enquiry

- 4.21. Having taken into consideration all the information that has come to the attention of the Committee, the Chief Justice's own speeches at openings of the law term, public complaints and the disturbing problem of case backlog and its serious implications, the Committee deems it of utmost importance that a Commission of Enquiry be established to so as to create a more formal mechanism to enquire into the entire criminal justice system with particular reference to trial delays and the matter of representation for accused persons. The delays do not only affect the rights of accused. They also help to reduce public confidence in the criminal justice system. The Commission of Enquiry should submit its report within one year of its establishment. This recommendation was agreed upon by the Committee on a majority vote of four to three.

Recommendations from Reports of the Inspector of Prisons and Prisoners

- 4.22. It is also strongly recommended that the summary of recommendations made by the Inspector of Prisons in 2012, recommendations made in the 2003 report entitled, "Prison Recidivism: Towards Reduction, Rehabilitation and Reform" and the written recommendations of Remand Prison inmate Anthony Ballai be considered by the Ministry of Justice. These documents are attached as Appendices.

5. Appendices

- a. Summary of recommendations made by the Inspector of Prisons in 2012.
- b. The 2003 report entitled, "Prison Recidivism: Towards Reduction, Rehabilitation and Reform".
- c. Written recommendations of Remand Prison inmate Anthony Ballai.

Signed,

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Professor Emeritus Ramesh Deosaran

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Senator the Honourable Emmanuel George
Minister of Justice

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Senator the Honourable Gary Griffith
Minister of National Security

.....
Mr. Daniel Khan
Inspector of Prisons

Mr. Martin Martinez
Commissioner of Prisons

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Commissioner of Police (Acting)

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Attorney at Law

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Mr. Gerard Gordon
General Secretary Prison Service Second Division Association

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Mr. Duane Murray
Secretary to the Committee

APPENDIX A

CHAPTER 21

**SUMMARY OF
RECOMMENDATIONS**

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SUMMARY OF RECOMMENDATIONS

1. SUMMARY OF GENERAL RECOMMENDATIONS OF PRISON CONDITIONS

2. Accommodation¹

- i. One prisoner per cell
- ii. Provision of a bed, mattress and clean linens to each inmate²
- iii. Regular washing of linens and sunning of mattresses³
- iv. Provision of a sink, toilet and running water in each cell⁴
- v. Provision of suitable and adequate natural lighting and ventilation in each cell which should be properly maintained.⁵

3. Overcrowding

4. A. Alternatives to imprisonment

- i. Employing proper and extensive use of bail for unconvicted persons;
- ii. widening the use of binding over and probation;
- iii. Use of imprisonment as a last resort in certain instances.
- iv. Combining fines with supervision by a probation officer,⁶
- v. Requiring the offender to do work on some public scheme in his spare time, that is, an extra mural work sentence.⁷

5. B. Construction of new prisons

- i. This should take into account the construction of a salutogenic prison structure.

¹ See 'Lighting and Ventilation in Cells'; 'Number of Inmates in Each Cell – Overcrowding'; and 'Contents of Cells' in Reports and Judicial Pronouncements on Prison Conditions.

² See 'Contents of Cells – Bedding' in Reports and Judicial Pronouncements on Prison Conditions.

³ 1973 Interim Report, at para 26(c).

⁴ See Contents of Cells – Facilities and Utensils' in Reports and Judicial Pronouncements on Prison Conditions

⁵ See 'Lighting and Ventilation' in Reports and Judicial Pronouncements on Prison Conditions

⁶ 1963 Garratt Report, at para 62.

⁷ 1963 Garratt Report, at para 63.

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6. *C. Use of legislation*

- i. Administration of Justice (Electronic Monitoring) Act No. 11 of 2012
- ii. Summary Courts (Amendment) Bill 2000
- iii. National Parole Policy of Trinidad and Tobago and the Draft Conditional Release Act
- iv. Community Justice Act
- v. Drug Treatment Court
- vi. Community Service Orders Chap. 13:06
- vii. Community Service Orders (Amendment) Bill 2000
- viii. Summary Offences (Amendment) Bill 2000
- ix. Youthful Offenders (Attendance Centres) Bill 2000
- x. Criminal Records (Rehabilitation of Offenders) Bill 2000
- xi. Administration of Justice (Indictable Proceedings) Act No. 20 of 2011
- xii. Draft Youth Criminal Justice Act

7. These are further discussed in the Statutory Framework section of this Report.

8. Programmes, activities and entertainment⁸

- i. Donation of instruments, music systems, cinema projectors and games to each Prison.
- ii. Expansion of prison programmes
- iii. The Ministry of Arts and Multiculturalism can also assist by highlighting works of prisoners that showcase the art and heritage of Trinidad and Tobago by including works done by prisoners in any of its exhibitions.
- iv. Manufacture and repair of articles, including uniforms, furniture and pottery to be purchased by Government Departments.⁹
- v. Implementation of an initiative to review legislation to allow commodities produced in prison to be sold in open markets, the proceeds of which will go to victims, to prisoners' families, to the prisoners' personal allowance and 20% of the returns of those sales to be placed into a savings account for the prisoner who will have access to it when they leave prison, should be considered.¹⁰

⁸ See 'Recreational Activities' in Reports and Judicial Pronouncements on Prison Conditions

⁹ Adapted from 1963 Garratt Report, at para 94.

¹⁰ Camille Bethel. '\$5,000 grant for ex-prisoners.' Trinidad Express Newspapers, dated February 2nd, 2011. Retrieved from http://www.trinidadexpress.com/news/5_000_grant_for_ex-prisoners-115077699.html.

INSPECTOR OF PRISONS - 2012 REPORT | Summary of Recommendations

- vi. Use of prison labour for the construction and maintenance of buildings within the prison system.¹¹
- vii. Employment schemes connected with government development programmes¹² and public sector programmes¹³ for prisoners.

9. Library¹⁴

- i. Use of book boxes from the public library
- ii. Organisation of book swaps among the prisons whereby every three months some books are exchanged between prisons.
- iii. Use of online books
- iv. Use of book drives

10. Education¹⁵

- i. Education of prisoners should be integrated with the country's educational by establishing an Educational Board of Management for Penal Institutions within the Ministry of Education.¹⁶

11. Meals

- i. Evenly spaced meal times
- ii. Preparation of wholesome, nutritious and tasty food and drink.¹⁷

¹¹ 1973 Interim Report, at para 75(a).

¹² 1963 Garratt Report, at para 95.

¹³ Camille Bethel. '\$5,000 grant for ex-prisoners.' Trinidad Express Newspapers, dated February 2nd, 2011. Retrieved from http://www.trinidadexpress.com/news/5_000_grant_for_ex-prisoners-115077699.html.

¹⁴ See 'Recreational and Educational Activities - Issues associated with provision of recreational and educational activities – Library' in Reports and Judicial Pronouncements on Prison Conditions

¹⁵ See Recreational and Educational Activities – Issues associated with provision of educational and recreational activities – Education' in Reports and Judicial Pronouncements on Prison Conditions.

¹⁶ 1973 Interim Report, at para 68c.

¹⁷ See 'Meals – Quality of Meals' in Reports and Judicial Pronouncements on Prison Conditions

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12. Sanitation and toilet facilities

- i. Installation of in-cell plumbing in all prisons.¹⁸
- ii. More frequent use of spraying exercises conducted by Insect and Rodent Control companies and officials.¹⁹
- iii. Regular and frequent access to showers for prisoners
- iv. Utensils provided with meals should be cleaned thoroughly.²⁰

13. Health facilities and services²¹

- i. Increase in the number of doctors and infirmary officers assigned to each prison.
- ii. Implementation of mandatory drug testing within the prisons.
- iii. Implementation of mandatory testing of prisoners for HIV and AIDS upon reception into prison and before release from prison.²² This will assist in detection of those prisoners infected with the virus which may then assist in the prevention of the spread of the virus within the prisons.
- iv. Ensure that the surroundings are clean, hygienic and sanitary
- v. Prisoners should be immunized against common communicable diseases
- vi. Proper medical treatments are administered to those inmates that have been diagnosed with a communicable disease and possible isolation of such inmate;
- vii. Nutritious diet is prepared and served to all inmates
- viii. Development of comprehensive communicable disease policies specific to our prisons
- ix. Identification of prisoners who have been diagnosed with mental health conditions who are eligible for release and appropriate hospital or community placement for them outside the prison system should be found.²³

¹⁸ See 'Sanitation and Toilet Facilities' in Reports and Judicial Pronouncements on Prison Conditions.

¹⁹ See 'Vermin' in Reports and Judicial Pronouncements on Prison Conditions

²⁰ See 'Contents of Cells – Facilities and Utensils' in Reports and Judicial Pronouncements on Prison Conditions.

²¹ See 'Healthcare' in Reports and Judicial Pronouncements on Prison Conditions

²² This recommendation is endorsed by the Prison Rules Policy 2012, at page 32.

²³ See 'Healthcare – Mental Health' in Reports and Judicial Pronouncements on Prison Conditions.

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14. Staff

- i. Increase in prison staff
- ii. Implementation of a four batch system
- iii. Salary, conditions of service, buildings, amenities and equipment provided for all staff should be such as would attract and retain quality persons to be employed within the Prison Service.²⁴
- iv. Training sessions for prison officers to improve their learning, skills and abilities with respect to the new prison philosophy of restoration justice and the rehabilitation of the prisoner.²⁵

15. Prison buildings

- i. Establishment of an Engineering Team²⁶ to visit each prison with a view to determine the current state of each prison building and give recommendations on improving the structure of such buildings.

16. Telephone and video communications

- i. Use of public telephones for prisoners
- ii. Installation of Video Visitation Centres
- iii. Inclusion of a provision in the **Draft Prison Rules 2010** to allow for both telephone and video communications²⁷
- iv. Installation of a Telephone System whereby all calls, except those made to a legal advisor²⁸, will be monitored and telephone numbers recorded.

²⁴ Garratt Report, at para10.

²⁵ Deosaran Report 2003, #8 at page 13.

²⁶ Such a Team can include civil engineers, structural engineers, health and safety engineers and architects.

²⁷ This has been adopted in Rules 53-54 of the Draft Prison Rules 2012,

²⁸ Calls to legal advisors will not be monitored except where the Prison Authorities have reasonable grounds to believe that the calls pose a risk to prison security, the safety of others or are criminal in nature – Prison Rules Policy 2012, at page 50.

INSPECTOR OF PRISONS - 2012 REPORT | Summary of Recommendations

17. Post-release

- i. Establishment of a post-release programme which will be a means of keeping in contact with the prisoner, providing assistance and employment, as well as references and referrals to governmental agencies and NGO's.²⁹
- ii. Facilitation of communication by the prison administration between the prisoner and agencies that facilitate a prisoner's re-entry into society, such as Vision on Mission³⁰
- iii. Implementation of the proposal of a \$5,000 grant for ex-prisoners and a 200 per cent tax credit incentive to private employers who hire them.³¹
- iv. Establishment of an Offender Management Unit with legislative interventions in offender management and parole and the establishment of the respective Boards.³²

18. SUMMARY OF RECOMMENDATIONS TO ADDRESS THE SPECIFIC CONCERNS OF EACH PRISON

19. Specific recommendation for Port of Spain Prison

- i. Shut down of Port of Spain Prison.

20. Specific Recommendations For The Maximum Security Prison

21. Health facilities and services

- i. Improvement of equipment for basic medical diagnostic services such as Haematology and Radiology.³³

22. Activities

- i. Timetabling of activities carried out in the Michael Hercules Gymnasium.

²⁹ 2003 Deosaran Report, #21 at page 16.

³⁰ Prison Rules Policy 2012, at page 44.

³¹ Camille Bethel. '\$5,000 grant for ex-prisoners.' Trinidad Express Newspapers, dated February 2nd, 2011. Retrieved from http://www.trinidadexpress.com/news/5_000_grant_for_ex-prisoners-115077699.html.

³² Ministry of Justice. Legal Division. Retrieved from <http://www.moj.gov.tt/content/legal-division>

³³ Maximum Security Prison Medical Report 2011. Recommendations, at page 3.

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23. Repair or Replacement of Locks/Underutilisation of Prison

- i. The locks on those cells that are not functioning should be repaired or replaced to allow for holding of prisoners transferred from overcrowded prisons to Maximum Security Prison.

24. **Specific Recommendations for Carrera Convict Prison**

25. Transportation

- i. Dry docked vessel should be expeditiously repaired, or a new or used vessel be purchased to transport prison officers and prisoners to and from the Carrera Prison.

26. Sea Wall

- i. Repair of sea wall.

27. Living and working quarters

- i. Installation of air conditioning units in all quarters where prison staff occupies.

28. Sanitation and toilet facilities

- i. Implementation of a proper sewage disposal system.

29. Water

- i. Implementation of an appropriate water system, whether it is by means of a proper rainwater catchment system or an operational system of tanks and pumps or small scale seawater desalination plant.

30. Health facilities and services

- i. Assignment of three escort Officers to facilitate attendance at clinics.³⁴

³⁴ Carrera Convict Prison Medical Report 2011. Clinic Escort Officers, at page 2.

INSPECTOR OF PRISONS - 2012 REPORT | Summary of Recommendations

31. Shut Down of Carrera Prison

- i. Alternatively, if the above recommendations are not economically feasible, then shut down Carrera Prison.

32. **Specific Recommendations For The Golden Grove Prison**

33. Farming

- i. Provision of education in the techniques and methods of modern farming practices.³⁵

34. **Specific Recommendations For Remand Prison**

- i. See general recommendations

35. **Specific Recommendations For The Women's Prison**

36. Health facilities and services

- i. Provision of at least two infirmary officers per batch to improve the standard of care and health services provided to the inmates.

37. Female juvenile offenders

- i. Separation of female juvenile offenders from adult female prisoners.
- ii. Establishment of a separate Industrial School, similar to that of the Youth Training Centre, but for young female offenders.

38. **Specific Recommendations For The Youth Training Centre**

39. Prison Officers

- i. Removal of protocol for lads to stop what they are doing and stand still on the approach of a senior officer.³⁶

³⁵ 1973 Interim Report, at para68(n).

INSPECTOR OF PRISONS - 2012 REPORT | Summary of Recommendations

- ii. Training specific to children's needs, including psychological and emotional needs, for prison officers assigned to YTC.
- iii. Prison officers should also not wear the typical prison uniform,³⁷ which will assist in removing the psychological effect of a prison stigma.

40. Programmes and Activities

- i. Implementation of more programmes and activities geared toward rehabilitation of the young offender.

41. After Care

- i. Implementation of after-care provisions for young offenders.

42. Child Psychologist

- i. Requisition of child psychologist to deal with issues applicable to young persons.

43. Religious Needs

- i. Requisition of Hindu, Muslim and other required chaplains.

44. Specific Recommendations For The Tobago Prison

45. Space

46. Additional space is required at the Prison as the library space available is quite inadequate.

47. Tobago Young Offenders Detention Centre

48. A young offenders detention centre for young persons is required in Tobago to eliminate young offenders from having to travel to Trinidad, while their families remain in Tobago.

³⁶ 1963 Garratt Report, at para 66.

³⁷ The 1963 Garratt Report at para 66 also makes this recommendation.

49. SUMMARY OF RECOMMENDATIONS ON PRISON BRUTALITY AND EXCESSIVE USE OF FORCE

- i. Establishment of a level of trust between Prison Officers and State Attorneys so that they will be encouraged to be full and frank and be able to understand that they do in fact have a responsibility to inform the Attorneys of all the facts of the incident.
- ii. Introduction of a centralised system of recording and reporting incidents between officers and inmates.
- iii. Implementation of a Use of Force/Incident Form to record all brutality and excessive use of force incidents.
- iv. Implementation of training programmes on use of force and dispute resolution practices.
- v. Adoption of a use of force policy.
- vi. Streamlining of antiquated disciplinary process to expedite the hearing and determination of disciplinary proceedings against officers to ensure greater accountability.

50. SUMMARY OF RECOMMENDATIONS FOR FOUR YEAR REVIEWS

- i. Adherence to and implementation of **Rule 281** and **Rule 282** of the **1943 Prison Rules** which provide for a scheduled four year review of prisoners serving long sentences or prisoners serving a term of imprisonment exceeding four (4) years.
- ii. Consideration of release of the eleven prisoners³⁸ that were recommended for early release by the Commissioner of Prisons.
- iii. Increase in staff assigned to ensure the four-year reviews are carried out.³⁹
- iv. Establishment of a Review Board to manage these four-year reviews.
- v. Implementation of a new computerized format which will allow reviews to be easily completed.⁴⁰
- vi. Proper employment of the four year review system, before the two year review system is implemented under the **Draft Prison Rules 2012**.

³⁸These eleven prisoners are listed in the table under 'Scheduled Four Year Reviews' in the Chapter Four Year Reviews.

³⁹ Paul Isaac. Prison Correspondence dated May 25th 2012. Legal Advice Concerning the Four Year Review of Prisoners Serving Long Sentences. Conclusion, at page 6.

⁴⁰ Paul Isaac. Prison Correspondence dated May 25th 2012. Legal Advice Concerning the Four Year Review of Prisoners Serving Long Sentences. Conclusion, at page 6.

INSPECTOR OF PRISONS - 2012 REPORT | Summary of Recommendations

51. SUMMARY OF RECOMMENDATIONS FOR RESTORATIVE JUSTICE

- i. Examination and possible implementation of Belgium's working application of restorative justice, namely, 'restorative detentions' whereby a restorative justice consultant is designated to and works within each prison.
- ii. Use of the **Final Task Force Report** as a sound guide for the implementation of restorative justice in our prison system.
- iii. Implementation of the restorative justice paradigm on a phased basis and only when prison conditions have been improved.

52. SUMMARY OF RECOMMENDATIONS FOR LEGISLATIVE FRAMEWORK

- i. Consideration given to passing of the following pieces of legislation:
 - a. Prison (Amendment) Bill 2000
 - b. Summary Courts (Amendment) Bill 2000
 - c. Draft Conditional Release Act
 - d. Community Justice Act
 - e. Community Service Orders (Amendment) Bill 2000
 - f. Summary Offences (Amendment) Bill 2000
 - g. Youthful Offenders (Attendance Centres) Bill 2000
 - h. Criminal Records (Rehabilitation of Offenders) Bill 2000
 - i. Administration of Justice (Indictable Proceedings) Act No. 20 of 2011
 - j. Draft Youth Criminal Justice Act
- ii. Striking out of the provision in the **Policy for the Amendment to the Prisons Act Chapter 13:01** that care must be taken to consider that the candidate chosen for Chief Inspector of Prisons ought not to be a practicing attorney at law at the Criminal Bar
- iii. Establishment of a website for the Inspectorate of Prisons to raise public awareness.

53. SUMMARY OF RECOMMENDATIONS FOR DETENTION OF YOUNG OFFENDERS AT THE YOUTH TRAINING CENTRE

- i. Reassignment of Youth Training Centre to the Ministry of Justice, but as a service provided in association with the Ministry of Gender, Youth and Child Development.
- ii. Improved and increased programmes in academic, technical, vocational, cultural and religious training for young offenders.

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APPENDIX B



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RESEARCH/PROJECT REPORT

***PRISON RECIDIVISM:
TOWARDS REDUCTION,
REHABILITATION
AND REFORM***

by

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January 17, 2003

29. RECOMMENDATIONS

29.1 Recommendations of the First Report

1. There is an immediate need for the acceptance of the proposed Criminal Justice System Philosophy and Penal Policy.
2. A new Correctional Rehabilitation Model geared towards providing opportunities for individuals to change themselves in an environment that is "open and accountable" is necessary.
3. There needs to be a classification/reclassification of categories of inmates and institutions so as to have specialisation of facilities for inmates requiring distinctly different treatment or management approaches.
4. The name of the institution should be changed from Prisons to Correctional Facilities thereby facilitating Prison Officers to become Correction Officers in keeping with the rehabilitation mandate of their mission statement.
5. A Restorative Justice Centre should be established
6. All areas dealing with corrections should be grouped together into a Department of Corrections or a Ministry of Corrections
7. Best practice of constructive regimes must be emphasised, expanded and directed to the practical realities of the prisoners' post release situations.
8. Prison Industries must be set up and made to occupy a central space in the revenue earning capacity of the Prison System.
9. A Cognitive Development Programme needs to be developed and expanded to encourage offenders to develop the power of thought and analysis which will enable them to make moral distinction among the kinds of basic premises upon which thought and action are based.
10. There should be the development and implementation of a strategy to maximise and manage the contribution of the voluntary and community sectors.
11. Appropriate mechanisms must be in place to encourage inmates to maintain family and community ties and avail themselves of rehabilitative activities.
12. Measures should be put in place to ensure that inmates gain access to essential and non-essential professional mental health services.

13. Policy must be implemented to ensure recognition of the spiritual dimension of life by actively encouraging inmates to express their spirituality and practise their religion when this does not affect the good order of the institution.
14. There should be the introduction of Procedural Safeguards, which relate to justice within the Prison System, thereby imposing on each member of staff the duty to act fairly. These safeguards include the following:
 - i) Consideration of an independent Chairperson to preside over disciplinary hearings in penal institutions.
 - ii) Establishment of an Administrative Segregation Review Process to ensure fairness in segregation procedures.
 - iii) Redefining and Standardising policies and procedures for the administration and management of the Trinidad and Tobago Prison Service.
 - iv) Appointment of a Prison Ombudsman or Prison Investigator.
 - v) Establishment of a formal inmate grievance procedure.
 - vi) Establishment of an accreditation system for the Trinidad and Tobago Prison Service.
 - vii) Establishment of an Inspector General's Branch
 - viii) Development of a Citizens' Advisory Committee in all facilities of the Trinidad and Tobago Prison Service.
 - ix) Production of an inmates' handbook outlining Prison rules, regulations and the inmates' rights.
15. The approach of the Trinidad and Tobago Prison Service for the future should be one of specialisation/zoning of facilities, which relates to the recognition of differences among categories of inmates.
16. There should be immediate major reforms within the Prison Service aimed at minimising the increase in litigation being brought against the State by representatives of staff and inmates.
17. In keeping with the Prison transformation thrust, employee behaviour needs to be appropriately shaped through the processes of training, communication and motivation.

18. A Human Resource Department should be established within the Prison System.
19. There is need to establish within the Trinidad and Tobago Prison Service a set of meaningful ethical standards which will demonstrate that members of this profession recognise the importance of their role in the Criminal Justice System.
20. Legislation should be drafted to provide for mandatory testing for HIV/AIDS and other communicable diseases.
21. Priority should be given to the drafting of legislation to provide for the introduction of a Parole System.
22. A Parole Introduction Committee should be appointed.
23. Legislation for the management of Youth Justice should be reviewed to incorporate the principles of Restorative Justice.
24. Facilities for young female offenders should be established.
25. There should be an expansion of community mediation in communities and within the Prison.
26. Priority should be given to the construction of a Correctional-Complex in Tobago.
27. Priority should also be give to the maintenance and refurbishment of existing prison facilities.
28. Ministry of Education should take increased responsibility for educational needs of inmates within Prisons.
29. There should be greater interaction between the Ministry of National Security and the Ministry of Health in relation to health care in prison with particular reference securing and training of appropriate health care staff.
30. Representatives of the Ministry of Social Development, Ministry of Sports, Social Service Delivery, Community Development and other relevant ministries should comprise a committee to deliver integrated services to ~~prisons and community corrections programmes.~~
31. Introduce by way of an act of Parliament a Victim Charter that would outline all the services and initiatives provided at the various points of interaction between the victim and criminal justice agencies. All options available to them should be included in terms of compensation, mediation, and reparation.

The Committee acknowledges that without Victim Corporation in the process of the Criminal Justice System crime would remain unknown and unreported distorted official figure of the volume distribution and extent of crime.

29.2 Recommendations of the Final Report

1. Reintegration Initiatives

In order to ensure a reduction of re-offending, and the ultimate decrease in the crime rate and crime prevention, the following recommendations should be implemented:

- a) The Task Force recommends the implementation of the reintegration Penal Policy which includes all the components outlined in the final report.
- b) The allocation of the necessary resources to expand the Shared Responsibility Model of Rehabilitation in all institutions to avoid prisonization and recidivism.
- c) The implementation of the Correctional Rehabilitation intervention process to ensure the seamless execution of the order and effective resettlement of offenders.

2. Parole

a) Discharge of Prisoners

Parole should be introduced whilst maintaining the remission system provided by Prison Rule # 285. However, the remission procedures outlined in Prison Rule # 286 should be reviewed to facilitate inmate's reintegration into society and not just their good conduct and industry in prison.

Prison Rule # 281,282 relating to review of long sentences should be provided with clear operational guidelines, as well as to what constitutes a life sentence.

- i. The provisions in Prison Rule # 238, which provides for the early discharge of prisoners whose sentence expires on Christian holidays should amended to include other significant religious holidays such as Divali and Eid-ul-Fitr
- ii. ~~Implementation of the provisions of Prison Rule # 111 to ensure that a Prison~~ Welfare Advisory Office is located outside the prison to facilitate the easy access to relatives of offenders and ex-offenders in their attempts to resolve social support and other issues that result incarceration.

- iii. Legislation should be created to establish the Trinidad and Tobago Parole Board. This should be established through independent legislation, namely – The Rehabilitation and Conditional Release Act.
- iv. Ratification of the United Nations standard minimum rules for non-custodial measures.

b) Recommended Initial Procedures to introduce Parole

- i. Prepare legislation for the introduction of parole namely: The Rehabilitation and Conditional Release Act
- ii. Ensure the Prison authorities begin the important role of preparing comprehensive reports on prisoners who may be considered for conditional early release.
- iii. Appointment a Parole Introduction Committee headed by an experienced Attorney at Law and consisting of Senior Prison and Probation Officials, a Human Resource Specialist and at least five (5) other persons with expertise in the area to conduct the following.
- iv. Develop policy on parole
- v. Develop public relations to reassure the public that the use of parole would not put their safety at risk
- vi. Develop an action plan for the implementation of a system of parole.
- vii. Assist in conjunction with the Commissioner of Prisons, with the setting up of a Prison Parole Unit whose functions will be the preparation of dossiers of offenders

3. Youth Justice

In essence, the successful operation of the Youth Justice System in Trinidad and Tobago rests upon four principal pillars involving formulation of a learning and development strategy to develop staff and managers in the YJS, identifying robust performance monitoring and management arrangements for secure facilities, and a co-ordinated national policy which will secure the establishment of strategic therapeutic teams to function both at the level of presentencing and custodial rehabilitation. At the base of the philosophy of this Youth Justice System is the whole process of diversion and the necessity to professionally guide young people away from unnecessary incarceration.

4. Probation

It is recommended that the Probation Department be placed under the Ministry of National Security and Rehabilitation.

5. Recommendations on Restorative Justice and Community Mediation

- a) The acceptance of the Restorative Justice framework in principle
- b) The acceptance of the phased implementation of transformation
- c) The expansion of Community Mediation and design of three new units
- d) The allocation of funds for the infrastructure of the Prison Mediation Unit
- e) the award of ten (10) scholarships for Diploma in Mediation courses at UWI, St. Augustine, for the operationalisation of the Prison mediation Unit.
- f) The development of a proposal for the education and training of Restorative Justice Officers in Trinidad and Tobago.

6. Recommendations for the Effective And Efficient Management and Administration of the Prisons Service

a) Review of the Philosophy and Concept of the Trinidad & Tobago Prisons Service to provide a clear understanding of the following:

- i) Guiding Principles
- ii) Corporate Objectives
- iii) Sub-objectives

b) Establishment of a Classification Programme, which will facilitate:

- i) Security Classification
- ii) Treatment Programmes for the re-integration of inmates into the wider society

c) Establishment of a clearly defined operational framework, which should:

Identify:

- i) Functional Units

Inform:

- ii) Organizational Structure
- iii) Staffing Policy

Staff:

- iv) Training Policy
- v) The establishment of a Human Resource Department in the Prisons Service with respect to:
 - * Staffing Policies
 - * Training and Development Policies

- Planning
- Employee Relation

- d) Implementation of a Prison Industry Programme to enhance Revenue Earning of the Prisons Service as well as inmates.
- e) The establishment of a Corrections (Rehabilitation) Department to co-ordinate the functions and activities of all arms of the Criminal Justice System.
- f) Addressing the infrastructure needs of:
 - i) The Division of Rehabilitation within the Ministry of National Security and Rehabilitation.
 - ii) The sub-systems of this Division.

7. Recommendations on Women in Prison

- a) Gender specific policies and programmes as specific female needs dictate for example,
- b) health and reproductive needs, and communication needs for women as primary caregivers; a telephone system, frequent visits and children's visits, and temporary release arrangements.
- c) The establishment of a therapeutic assessment team to assess competencies, needs and risks of women inmates.
- d) A rehabilitation Aids programme in the Woman's Prison with life style programmes.
- e) A drug rehabilitation programme in the Women's Prison with therapeutic communities and re-offending reduction programmes.
- f) A young female offenders facility with Early Intervention Assessment Programmes for disorders and maladies as outlined in this Report.

8. Tobago

- a) ~~The building of a model correctional, multi-level, medium facility in Tobago.~~
- b) The adoption of a restorative justice approach to prison rehabilitation in Tobago.
- c) Discussions at all stages of development with the Tobago House of Assembly.

- d) The establishment of a coordinating mechanism and committee.
- e) Introducing Project SPINE to the Prison System.

9. Management of the Transformation Process

- a) Establishment of a Change Management Team, preferably headed by a leader internal to the Organization (Min. of National Security and Rehabilitation).
- b) Hiring of a consultant with the required training and experience in the correctional field, among other abilities. The function of the consultant should be that of mentoring, guiding and advising the Change Management Team through the implementation phase or change process.
- c) Developing a Strategy for Transformation based on the Deming's Cycle of:
 - Plan
 - Do
 - Check
 - Act

- d) Preparing the various sub systems for change.
- e) Government demonstrating the political will to transform the System.
- f) Acquisition of the required funds.

This project is quite important to the national community in dealing with the burning issue of crime as it deals with a critical aspect – the criminals themselves. A relatively small proportion of society commits crimes, as the majority of the population is generally law abiding. As the data highlighted, almost sixty percent of inmates are recidivists. It is everyone's responsibility that recidivism be reduced.

Recommendations

The following is a list of 42 recommendations that follow this first phase of the project. Some recommendations are derived from our analysis of the prison records, others are from our on-site visits to the seven prisons, meetings with key stakeholders, consultations with prison officers and interviews with some prisoners. All in all, these 42 recommendations are designed not only to make the work of prison officers more effective, but also to make prison conditions more amenable to prisoner rehabilitation and as such, reduce our level of crime.

1. The present system of classifying inmates into the various categories of Stars (first time in prison), Specials (second time in prison) and Ordinaries (third or more time in prison) should be revisited, in particular, the category of "Ordinaries." A more detailed system should be developed to capture and distinguish inmates who have been in prison three times vs. five times vs. ten times vs. fifteen times, etc. In other words, there is the need to get into the degrees of recidivism more specifically.
2. With regard to inmates who are Specials and Ordinaries, a system whereby data on their past crimes/offences should be readily available to enable analysis. For instance, for each of the times they were in prison before, what were the specific offences committed, how long ago were the offences committed (dates), etc. For example, their files could be kept together for ease of reference, or a computer

database could be created to facilitate this requirement as well as other important tasks.

3. A more accurate and reliable system of recording information on inmates should be instituted, for example, the number of times an inmate has been in prison before. During our interviews with prison officers, we were informed that an inmate is asked when he is sent to prison via the court whether he has been in prison before and how many times, thereby leaving it up to him to provide such vital information. Further, sometimes a prison officer may recognize that an inmate has been in prison before and then check his records to ensure that it is correctly inputted. Overall, this system is too vulnerable for incorrect information to be recorded on an inmate. Therefore, a new system must be devised and implemented.
4. The situation is quite similar for other information that is recorded on inmates, for example, his correct name, address, religion, occupation, marital status, number of children, ability to read, ability to write, ability to do arithmetic, etc. More specifically, we were informed that once an inmate could sign his name or scribble something on his prisoner or convict record sheet, he is deemed literate. More reliable systems should be devised and implemented to obtain these items of information.
5. A networked computerized system should be devised and implemented for the entire prison service as a matter of urgency. This will possess all of the advantages of such systems, for example, long term cost savings, removal of redundant work, speedy access to information, sophisticated analysis of data, security of information, physical storage space savings, ability of sharing information amongst prisons. The main system could be located at the Prison Headquarters with terminals at the various prison stations.
6. A clearly defined national policy to deal with prison recidivism should be developed with consultation with the various stakeholders. Further, a coordinated unit should be established to monitor its implementation. A

benchmarking component that will serve as an evaluative mechanism should be instituted and regularly utilized.

7. An increase in the number of prison officers is needed at this point in time to enable more adequate supervision of inmates.
8. Regular training sessions should be held with prison officers to upgrade their skills and abilities to be better able to participate in rehabilitation programmes. Prison officers should not see their job as only to supervise inmates but also to be part of the rehabilitative process that aims to prevent inmates from committing crimes/offences when released from prison.
9. A psychological assessment of inmates should be carried out to identify how they rate on the likelihood to respond positively to rehabilitation programmes. Subsequently, from this ranking, specific rehabilitation programmes should be developed and implemented to the various groupings of inmates according to their likelihood to respond positively to rehabilitation programmes
10. Regular meetings should be held with the relevant stakeholders in the prison system including NGO's, religious bodies, private sector, governmental ministries and agencies, etc. to obtain information as to their programmes being conducted in the prisons. Reports of these meetings should be compiled. Further, discussions on the effectiveness of the programmes should be encouraged (evaluative component) and appropriate adjustments should be made which should also be evaluated at the correct times. During these meetings, critical information on the inmates not easily obtained by prison officers can be obtained and acted upon in a timely manner.
11. In the prisons themselves, there should be a physical separation of inmates who came there for the first time, the second and the third time and more. This aim of this is to prevent the mixing of inmates in prison for the first time with seasoned criminals. Further, there should be a separation of inmates according to the seriousness of crimes/offences, that is, rapists should not allowed to mix with inmates charged for housebreaking.

12. There is an urgent need to address the physical conditions of the nation's prisons in particular the inmates' areas. From our visits to all of the prisons, with the exception of the Women's Prison and Maximum Security Prison at Golden Grove, the rest are in a dire state of disrepair. For instance, in cell areas, the lighting, the foul odour, the ventilation, the overcrowding, the broken and distasteful toilet and bathing facilities, the lack of beds and mattresses, leaking roofs must be immediately addressed. In the Port of Spain Prison, the presence of a drain running alongside the cells with urine and faeces described by an inmate "as the smallest and nastiest drain the country" should be removed. This poses a health hazard to inmates and prison officers who work in that section of the prison.

The dormitories of prison officers should all be brought to an acceptable standard of comfort with all of the basic items in place, for example, beds, showers, change rooms, lockers, kitchen, etc.

Despite public sentiments which may not necessarily fully support the channeling of funds to improve prison conditions in this country, it will be better in the long term for both inmates and prison officers to be in a clean, healthy environment. As such, funds should be sought to accomplish this exercise. There is a view that a clean and comfortable environment will facilitate the rehabilitation aspect of imprisonment.

13. The health system that exists in the prison service needs to be revisited seriously. The number of doctors assigned to the prison should be increased as well as the infirmaries should be upgraded. Those prisons without an infirmary should be provided with one as soon as possible whilst drugs, beds and isolation cells should be made available. Further, training of additional prison officers to work in the infirmary is strongly recommended. For each prison, there should always be a medical doctor present at all times. Every effort should be made to prevent health hazards and epidemics.
14. In addition to AIDS, homosexuality in prisons should be dealt with as a matter of serious concern in that systems should be put in place to identify and treat with

such problems. Furthermore, to help reduce such incidents and support the prison rehabilitation programme, we recommend urgent consideration be given to a well-regulated system of conjugal visits – at least for certain categories of inmates and under certain conditions. As a result, official policies and plans should be developed to deal with these issues. This should be done with consultation with the various stakeholders in the national community. For instance, what is the position of the prison service on the distribution of condoms in prisons?

15. The area where meals are prepared in some of the prisons should be more sanitary, for example, these areas should be free from flies and other contaminating elements.
16. The problem of overcrowding in the nation's prisons especially Port of Spain and Golden Grove is at a startling position. Steps should be taken to alleviate this situation where inmates are sleeping in cardboard boxes on the floor, no beds, no mattresses, etc. There were even cases where inmates were sharing cardboard box beds on the floor. Further, inmates were seen hanging on hammocks in their cells sleeping as there was no more space on the ground. Other inmates reported that they remain standing most of the time and sometimes sit on the floor and sleep. This situation is unacceptable and must be dealt with as a matter of urgency.
17. It was also disturbing to witness that inmates in the Remand Section were held in such deplorable conditions as convicted inmates. Inmates on remand are awaiting trial and/or in the process of being tried. They are presumed innocent until proven guilty in accordance with the laws of the land. It is grossly unfair that they are housed in those conditions. As such, as a matter of urgency, this situation must be addressed.
18. When inmates are sentenced to prison, they are first sent to the Port of Spain Prison before a decision is made as to what prison they would serve their sentence. In the reception area in Port of Spain where they must pass through before being placed in a cell, the inmates are searched physically. Further, every

time an inmate leaves prison to attend court and returns to the prison, he is also searched. It is being recommended that this searching process whereby the inmate is asked to take off his clothes and squat in the presence of other inmates be done in a more private setting. This setting should include prison officers and the inmate but not in an open area with other inmates. Though very essential, this search conducted in the open can be very dehumanizing and degrading to an individual and if we are about rehabilitation, it must be addressed.

19. The prison service should devise programmes of activities in which all inmates can participate in while in prison. These should include educational, recreational, cultural, social, sports, religious, ethics, etc. All inmates should be given an opportunity or encouraged to participate. Given the limitations of number of officers to supervise inmates, the space to hold such activities as well as the costs, systems should be devised to rotate access to such activities amongst the inmates.
20. A comprehensive pre-release programme should be developed, funded and implemented for inmates who are close to completing their sentence term. They should be prepared for re-entry into the wider society.
21. Further, a post-release programme should be developed as well. Amongst its aims will be the keeping of contact, the provision of assistance for example, employment, references, referrals to other governmental agencies and NGO's for assistance, etc. This post-release programme will also have components such as: a resettlement programme, graduation centres in the various communities (i.e., where inmates can stay for a period of time before release from prison), accommodation centres for inmates in the various communities (i.e., where inmates can stay for a period of time), etc.
22. The idea of a "prison industry" should be developed further and implemented with the cooperation of the private sector. That is, inmates should be provided with an opportunity to work in the prison, which some of them are already doing, for example, in the areas of pottery, wood working, tailoring, electronics, joining, art and craft, auto mechanic, cooking, baking, etc. This can provide inmates with

a skill as well as some money that they can use when released from prison. This will also help in the rehabilitation of inmates. The sum of money that inmates currently earn per day (i.e., under one dollar) should seriously be revisited.

This idea of a “prison industry” will also create an opportunity for the prison service or the government to gain some revenue from the manufacture and sale of the products, for example, furniture, clothes, etc.

23. It was reported to us that it is sometimes difficult to implement programmes in the Golden Grove Prison for example, because there is high turnover of inmates due to short-term sentences. We wish to recommend that in this light, special short-term programmes could be developed and implemented. These may provide such inmates with an insight into different useful and productive activities that they can become involved in after release from prison.
24. It is a fact that being incarcerated in prison is an unpleasant experience for most people. It is recommended that special tours be arranged with members of the public for example, students, community groups, youth groups, interested persons, etc. to visit the prisons to see firsthand what it’s like to be imprisoned. As a result, this should act as a deterrent to most people as well as it can stimulate ways in which they may wish to assist inmates whilst in prison and when released.
25. Orderlies are inmates who have earned the trust of prison officers to assist them in some tasks. As such, it is recommended that orderlies be given some form of recognition when they are released from prison, for example, certificates. This will serve as a reward for work performed as well as to encourage other inmates to win the trust of the officers. Inmates who were orderlies can provide such certificates to prospective employers (who have the knowledge that they were imprisoned) indicating that they had gained the trust of prison officers.
26. The prison service visitation policy should be revisited to take into consideration particular situations. For example, inmates (both male and female) with children

should be given additional visits, special visits for birthdays and anniversaries, etc.

In addition to reviewing the frequency of visits, the duration of visits (length of time) should also be addressed.

In some of the prisons, the area where visits are conducted needs to be upgraded to allow both parties to hear and see each other properly. They should be allowed to carry out proper conversations. For example, in the Port of Spain Prison, it is quite similar to a market place with people shouting at each other to communicate.

27. A review of the Prison Act and the Prison Service Act should be conducted with widespread national consultation. This will attempt to bring it in line with the contemporary thinking of penal reform and rehabilitation.
28. The use of work gangs in the various prisons should be complemented and further encouraged. This is an opportunity for inmates to do something productive with their time rather than just spending time behind bars. Further, inmates should be rotated in such gangs enabling as much inmates as possible to benefit from such activities. A formula should be worked out to make such work economically beneficial to the inmate and his family.
29. Inmates who are involved in the teaching and training of other inmates, for example, with regard to academic classes, crafts, pottery, wood working, joining, tailoring, etc. should be rewarded for their efforts. This can be in the form of certificates, awards, prizes, etc. This will certainly go a long way in encouraging them and enhancing their self-esteem.
30. The Welfare Unit in the prison service is a very critical Unit. This Unit should be supported by: increasing the number of officers as well as improving the physical conditions in which they work. Further, since it is deeply involved in the implementation of the various programmes in the prisons, additional resources should be made to its disposal.

31. Sporting and cultural events are huge items in the prisons' list of activities in which a large proportion of inmates participate and look forward to. As a result, funds should be directed towards these ventures. Further, the facilities in which these are held are quite poor, for example, in open areas exposed to rain, no seating facilities, makeshift stages, etc. Corporate donations could be solicited to upgrade such facilities.
32. The continuance of the training of inmates in skills such as pottery, wood working, electronics, academic classes, etc. is at times threatened when the inmate who performs this function is released from prison. In some cases, there is no one to continue the work. As such, it just discontinues. Therefore, a succession plan should be devised and implemented to ensure that this does not occur. There will always be inmates who are willing to learn the necessary skills and these should be sourced before the main inmate leaves the institution. Further, prison officers should also be trained in this aspect so they can substitute temporarily when necessary.
33. Literacy programmes should be strongly emphasized for all inmates in the various prisons. Further, certificates should be distributed to all inmates when being released from prison stating their level of competence.
34. Relevant books at the libraries in various prisons should be acquired. From our interviews and visits, we saw that many of the books were way beyond the comprehension of the vast majority of inmates. For example, there were books on advanced algebra, astronomy, macroeconomics, chemistry, human and social biology, etc.
35. With regard to the Women's Prison, inmates who are between the ages of 16 years to 18 years are mixed with adult inmates. This situation does not exist for similar aged male inmates as there is a separate institution for them. As such, a system should be put in place whereby the young female inmates are separated from the adults. If the costs are prohibitive to establish a separate institution or compound, at least they should be held in different areas and refrained from interacting with the adult inmates.

36. Regular joint meetings amongst prison officials, members of the judiciary, the protective services and the legislature should be held. These will serve amongst other things, to discuss common issues at hand with the aim to arrive at consensus policy directions that will benefit all of the concerned stakeholders with regard to penal policy. For example, the use of community mediation centres and night courts to reduce the backlog of cases in the magistrates courts, community service orders, the introduction of parole, probation and several of the problems identified in studies conducted on the prisons.
37. Public awareness and education programmes should be developed and implemented on the prison system in Trinidad and Tobago. This should be done in conjunction with the media, that is, print, audio and visual. Such programmes should be extended to schools at all levels and the wider public and the corporate sector should be invited to get involved by sponsoring essay competitions, projects, debates, etc.

It is important that public awareness is heightened because the communities are where the criminals come from (the supply side) and where they will eventually return (the receivers). The communities must be prepared as well as the inmates for the re-introduction of inmates into society.

38. From the data collected in this phase of the prison project, the vast majority of inmates can be considered youthful, that is, 81% are between 18 and 41 years of age and further, 78% of recidivists are in this same age group. As a result, specific programmes should be developed and implemented to take this fact into consideration. Further studies should be done to ascertain why people of this age group tend toward criminal activity and what steps should be taken to prevent this.
39. Most of the inmates identified a particular religion which they follow or supposed to follow. Therefore, the various religious bodies in this country should take up the responsibility of at least taking care of their own. For example, a particular religion could divide itself into different zones in Trinidad and Tobago. These zones can then be subdivided into smaller zones or areas

which can be further broken down into villages or streets. Then there can be a person from the particular religion responsible for the village or street. They will be charged with the responsibility to meeting with the people with the aim of encouraging and keeping them in line with the law. They will be able to quickly identify if any person is going in a wrong direction and try to nip it in the bud. Further, community leaders for example, can be utilized to assist in this regard.

40. The data revealed that most of the inmates are single in marital status (84%). As such specific programmes should be developed with this in mind. In addition to having marriage counselors, agencies should also offer counseling to unmarried people. For example, the community policing sections in the various police stations should be aware of this fact and thus respond accordingly.
41. The data also revealed that half of the inmates had 1 – 3 children. As such, they do have a certain responsibility to these children. Certain programmes should be put in place to take care of these children when the father is imprisoned. We should not want a situation where the main breadwinner is unable to provide for his children and they or other persons are left uncared for. This may in turn have further negative consequences. The state and/or corporate or community agency should intervene to stabilize the situation at least for a while.
42. The data revealed that narcotic-related crimes were responsible for the highest proportion of inmates being in prison. As such, this should be tackled at the two levels – supply and demand. As such programmes should be instituted in schools, communities, religious, media, street corners, bars, transshipment points, ports, users, etc.

APPENDIX C

④ Men's office
⑤ Comts - flow
⑥ Bail - various
⑦ Bail → not accused
⑧ Bail → not accused
⑨ Bail → not accused
Anthony Ballai / Murder
2005!

it is well to remember that since the time of blackstone the purpose of holding prisoners on remand has been established and I quote the following excerpt - But this imprisonment as has been said, is only for safe custody and not for punishment therefore in this dubious interval between commitment and trial, a prisoner ought to be treated with the utmost humanity and neither be loaded with needless fetters or subjected to other hardships than such as are absolutely requisite for one purpose of confinement only - ~~Trinidad and Tobago~~ Trinidad and Tobago a nation that has had for as many yrs (50) a written constitution which guarantees fundamental rights including protection from degrading treatment. Persons in custody simply do not possess the full range of freedoms of unincarcerated individuals. they cannot come and go as they please. Once the government has exercised its conceded authority to detain a person pending trial, it obviously is entitled to employ devices that are calculated to effectuate this detention, traditionally, that has meant confinement in a facility which he would not be restricted if he simply were free to walk the streets pending trial. Whether it be called a Jail a prison or a custodial centre, the purpose of the facility is to detain. loss of freedom of choice and privacy are inherent incidents of confinement in such a facility. But such restraints must be circumscribed, they must encompass only those which are absolutely necessary they must be measured against the state's sole objective in presenting the awaiting prisoner for trial. they must be judge against a standard of basic humanity towards men innocent in the eye's of the law and not against abstract Penological and Judicial Standards,

Anthony Ballai