



JOINT SELECT COMMITTEE ON

NATIONAL SECURITY

*FOURTH REPORT OF THE
JOINT SELECT COMMITTEE ON NATIONAL SECURITY*

SECOND SESSION (2016/2017) OF THE ELEVENTH PARLIAMENT

ON

*An Inquiry into Prison Security and the Status of the Investigation into the
Port-Of-Spain Prison Break of July 24, 2015*

HOR PAPER NO:
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4TH
REPORT

OF THE

JOINT SELECT COMMITTEE ON NATIONAL SECURITY

SECOND SESSION (2016/2017) OF THE ELEVENTH PARLIAMENT

ON

**AN INQUIRY INTO PRISON SECURITY AND THE STATUS OF THE INVESTIGATION INTO THE
PORT-OF-SPAIN PRISON BREAK OF JULY 24, 2015**

Date Laid in HOR:

HOR Paper No:

PARL No: 14/3/43

Date Laid in Senate:

Senate Paper No:

SUMMARY OF ISSUES

1. To determine the status of investigations commenced by the Prison Service and the Trinidad and Tobago Police Service into the events surrounding the Port-of-Spain prison break of July 24, 2015;
2. To determine steps taken to improve prison security;
3. To identify the challenges faced by the Prison Service as it relates to prison security; and
4. To make observations and preliminary recommendations for the improvement of prison security.

GENERAL FINDINGS

1. The Assistant Commissioner of Prisons (Ag.), Mr. Dennis Pulchan conducted an investigation into allegations of misconduct against certain Prison Officers.
2. The Report was forwarded to the Public Service Commission in accordance with the provisions of Regulation 90 (2) of the Public Service Regulations.
3. Investigations by the Disciplinary Tribunal, pursuant to Regulations 95 to 105 of the Public Service Commission Regulations Chapter 1:01, have not yet commenced.
4. The Commissioner of Prisons has identified a number of steps that in his view will enhance prison security.

SUMMARY OF RECOMMENDATIONS

The Committee recommends that:

- i. The Public Service Commission treat as a priority the completion of the disciplinary proceedings arising out of the investigation of the events surrounding the Port-of-Spain prison break, given that this incident occurred on July 24, 2015; and
- ii. The Ministry of National Security give immediate attention to the recommendations made by the Commissioner of Prisons in relation to improvements in prison security.

ACRONYMS AND ABBREVIATIONS

Abbreviation	Term
ACP	Assistant Commissioner of Prisons
DPA	Director of Personnel Administration
PSC	Public Service Commission
SCD	Service Commissions Department
TTPS	Trinidad and Tobago Police Service

Current Membership

The Committee comprises the following members:

- Mr. Fitzgerald Hinds, MP Chairman
- Mr. Prakash Ramadhar, MP Vice-Chairman
- Mr. Faris Al-Rawi, MP Member
- Ms. Nicole Olivierre, MP Member
- Mr. W. Michael Coppin Member
- Mr. Nigel De Freitas Member
- Mr. Wayne Sturge Member
- Mr. Paul Richards Member

Secretariat Support

The following officers were assigned to assist the Committee:

- Mrs. Jacqui Sampson-Meiguel Secretary
- Mr. Brian Caesar Assistant Secretary
- Mr. Johnson Greenidge Assistant Secretary
- Ms. Chantal La Roche Legal Officer II
- Ms. Simone Yallery Legal Officer I
- Mrs. Delrene Liverpool-Young Legal Officer I
- Mrs. Krystle Gittens Research Assistant

Publication

An electronic copy of this report can be found on the Parliament website:

http://www.ttparliament.org/committee_business.php?mid=19&id=235&pid=28

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1. INTRODUCTION

Committee Mandate and Establishment

- 1.1 The Joint Select Committee on National Security (“the Committee”) is established by Standing Orders 103 and 93 of the House of Representatives and the Senate respectively and is mandated to consider, from time to time, and report to the Parliament whenever necessary, on all matters related to the national security policy of Trinidad and Tobago. In particular, the Committee is authorized to examine:
- a) the security, safety and protection of citizens;
 - b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyse and disseminate information and how these functions might be enhanced; and
 - c) the mechanisms to review the performance and activities of the various agencies involved in National Security and critical infrastructure.
- 1.2 By motions approved in the House of Representatives and Senate on November 13, 2015, November 17, 2015 and December 19, 2016 respectively, the following members were appointed to serve on the Committee:
- | | |
|--------------------------|---------------|
| Mr. Fitzgerald Hinds, MP | Chairman |
| Mr. Prakash Ramadhar, MP | Vice-Chairman |
| Mr. Faris Al-Rawi, MP | Member |
| Ms. Nicole Olivierre, MP | Member |
| Mr. W. Michael Coppin | Member |
| Mr. Nigel De Freitas | Member |
| Mr. Wayne Sturge | Member |
| Mr. Paul Richards | Member |
- 1.3 Mr. Paul Richards was appointed to serve as a Member of the Committee in lieu of Mr. Taurel Shrikissoon on December 19, 2016.
- 1.4 The Committee held Fourteen (14) meetings over the course of the First and Second Sessions of the Eleventh Parliament.

Powers of the Committee

- 1.5 By Standing Orders 101 of the Senate and 111 of the House of Representatives the Committee has the power, *inter alia*:
- a. to send for persons, papers and records;
 - b. to sit notwithstanding any adjournment of the House;
 - c. to adjourn from place to place;
 - d. to report from time to time;
 - e. to appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's order of reference;
 - f. to communicate with any other Committee on matters of common interest; and
 - g. to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

2. AN INQUIRY INTO PRISON SECURITY AND THE STATUS OF THE INVESTIGATION INTO THE PORT-OF-SPAIN PRISON BREAK OF JULY 24, 2015.

Background

- 2.1 On July 24, 2015, four remanded inmates escaped from the Port-of-Spain Prison. Unfortunately, the events which ensued resulted in the deaths of three (3) persons- one police officer and two (2) of the escaped inmates and the wounding of two prison officers.
- 2.2 As a result of the prison break, there was a public outcry questioning, among other issues:
- i. the general safety of the public;
 - ii. the National Security safety standards;
 - iii. the security systems of the Prison Service; and
 - iv. the Prison Service’s capability to effectively manage and rehabilitate inmates.
- 2.3 The public was again confronted with another possible prison break when it was reported that the Port-of-Spain Prison was on high alert in response to rumours of a planned ‘violent break out’ involving a man charged with murder in a high profile case¹. In response to the reports, the Commissioner of Prisons (“the Commissioner”) stated that security has been stepped up and the Prison Service was liaising with its ‘national security counterparts to compare intelligence’.
- 2.4 During the First Session, Eleventh Parliament, the Committee commenced an inquiry which examined prison security and the status of the investigation into the Port-of-Spain Prison Break of July 24, 2015. A Report was presented to Parliament and the Committee gave the undertaking that the ‘final report on the examination of the TIPS and the investigations into the events of July 24, 2015 will be submitted during the current session’.
- 2.5 It was against this backdrop that the Committee continued to examine both prison security and the circumstances surrounding the Port-of-Spain Prison Break of July 24, 2015 with a view to ensuring the security, safety and protection of all citizens.

Objectives of the Inquiry

- 2.6 The objectives were:
1. **To determine the status of investigations commenced by the Prison Service and TTPS into the events surrounding the Port-of-Spain prison break of July 24, 2015;**

¹ Part 1 Prison Officers brace for another jailbreak. Trinidad and Tobago Guardian Newspaper. Accessed on 2 February 17. <http://www.guardian.co.tt/news/2016-04-24/prisons-officers-brace-another-jail-break>

2. To determine steps taken to improve prison security;
3. To identify the challenges faced by the Prison Service as it relates to prison security; and
4. To make observations and preliminary recommendations for the improvement of prison security.

Conduct of the Inquiry

2.7 On May 23, 2016 the Committee conducted an *in camera* hearing with officials from the Trinidad and Tobago Prison Service. Oral and Written responses received from the entity appearing before the Committee provided a frame of reference for the questions posed at the hearings.

2.8 At the *in camera* meeting the following witnesses appeared before the Committee:

1. Mr. Sterling Stewart - Commissioner of Prisons
2. Mr. Dennis Pulchan - Assistant Commissioner of Prisons (Ag.)
3. Mr. Rajnauth Lutchman - Senior Superintendent of Prisons (Ag.)
4. Mr. Carlos Corraspe - Superintendent of Prisons (Ag.)
5. Mr. Dane Clarke - Deputy Commissioner of Prisons (Ag.)

2.9 The Committee received written submissions from the following entities:

- i. The Trinidad and Tobago Prison Service; and
- ii. The Service Commissions Department.

Issues Considered

The status of investigations commenced by the Prison Service and TTPS into the events surrounding the Port-of-Spain prison break of July 24, 2015

- 2.10 Following the events of July 24, 2015, ACP (Ag.), [by letter dated August 03, 2015], Mr. Dennis Pulchan was appointed as Investigating Officer by the Commissioner to conduct an investigation into the prison break.
- 2.11 In August 2015, three (3) Prison Officers who were on duty on July 24, 2015 were suspended from duty in accordance with Regulation 85 of the **Public Service Commission Regulations, Chap. 1:01** (“the Regulations”) pending the outcome of the allegations of misconduct made against them. Their disciplinary matter was referred to the Public Service Commission (“The PSC”).
- 2.12 In accordance with Regulation 90 (1) of the Regulations, the Commissioner is required to:

- i. report the matter to the Director of Personnel Administration (“the DPA”) for the PSC’s attention; and
- ii. concurrently warn the officer in writing of the report or allegation of indiscipline or misconduct.

2.13 Regulation 90 further requires that:

- i. an investigating officer be appointed by the DPA from the Public Service Investigations Unit to investigate the report or allegation;
- ii. an investigating officer may also be appointed by the Commissioner to which the officer is assigned and shall hold an office in a grade higher than that of the officer; and
- iii. the investigating officer, should forward to the DPA no later than thirty (30) days from the date of his appointment, an investigating officer’s report for the information of the Commission consisting of the original statements and all relevant documents together with his own report on the particular act.

2.14 By written submission to the Committee dated February 25, 2016, the Commissioner advised that investigations into the events surrounding the prison break were conducted and that a comprehensive report was submitted to the DPA by Investigating Officer, ACP (Ag.) Mr. Dennis Pulchan on October 02, 2015 under confidential cover, in accordance with Regulation 90.

2.15 On October 06, 2016, a Disciplinary Tribunal was appointed by the PSC. However on October 13, 2016, Mr. Allister James, a member of the Tribunal, advised that he was acquainted with the defendants and therefore could not participate in the hearing. On December 06, 2016 the PSC cancelled the appointment of the Disciplinary Tribunal and referred the matter to be heard by another Disciplinary Tribunal.

2.16 On December 07, 2016, the PSC appointed a new Disciplinary Tribunal to adjudicate on the matter. The Disciplinary Tribunal was instructed to commence hearing the matter in January 2017 and submit its report to the PSC by August 31, 2017.

Findings

2.17 In oral evidence given at the Fourth Meeting of the Committee held on May 23, 2016, the Commissioner expressed the view that the contraband which facilitated the prison break, might have been brought in by a visitor on the same day or on a prior occasion, when inmates attended a rehabilitation programme. The Committee was therefore concerned that the presence of contraband in the prison facilitated the persons involved in the prison break, and that the contraband entered the prison without detection.

2.18 The Committee was also concerned and gravely troubled by the tardiness of the PSC in relation to:

- i. The inordinate length of time taken (one year) to appoint a Disciplinary Tribunal; and
- ii. The length of time taken (two months) to address the potential conflict of interest raised and to reconstitute a new Disciplinary Tribunal.

The issue of prison security

2.19 In oral evidence at the Fourth Meeting of the Committee held on May 23, 2016 the Commissioner advised of various steps that have been taken to increase and improve prison security. They include the following:

- i. In relation to armed security personnel, the Commissioner increased the number of armed Officers posted at all main gates on a twenty-four (24) hour basis. There was a further increase in armed personnel on escort duty as well as at Strategic points within and also on the perimeter of the prison².
- ii. All special visits will be authorised by the Deputy Commissioner of Prisons - Operations and all visitors to the institution and their belongings thoroughly searched.
- iii. Additionally, no visitor will be allowed entry into the Prison with their faces covered, wearing sun glasses and or hats/caps; and with cumbersome bags or parcels.
- iv. There has been an increase in random, surgical and general searches at the institution of prisoners and prison personnel and also of all vehicles entering and leaving the prison establishment.
- v. With respect to surveillance, additional Closed Circuit Television (CCTV) Cameras were installed in and around the prison at strategic locations.
- vi. There were also checks and maintenance of cameras at all institutions and an increase of personnel assigned to monitor the CCTV cameras allowed for weekly reviews of data collected.
- vii. Intelligence personnel, closely monitored persons of interest whose names surfaced over time as being involved in contraband were searched on entering the prison.
- viii. The use of full body scanners at Golden Grove Prison, Port-of-Spain Prison, Remand Prison and Maximum Security Prison.

Findings

2.20 The Committee noted with concern that the majority (80%) of the prison is not outfitted with audio surveillance. Moreover, areas used by Prison Officers for the purpose of interviews are not equipped with sufficient technology to record conversations between inmate and officer nor are they monitored by surveillance cameras.

To identify the challenges faced by the Prison Service as it relates to prison security

2.21 In response to the Committee's request on July 01, 2016 for recommendations in relation to the overall improvement of prison security, the Commissioner by written submission dated July 05, 2016 advised that:

² There was collaboration between the Trinidad and Tobago Prison Service and other National Security Agencies namely the TTPS and the Defence Force

- i. the implementation of security protocols poses a challenge due to the combative, hostile and eruptive environment of the Prison; and further that
- ii. the list of recommendations³ submitted is prioritised under the following heads:
 - Security
 - Legislative
 - Infrastructure
 - Human Resource

2.22 The COP identified a number of external and internal challenges faced by the Prison Service, including:

- i. the length of time that remanded prisoners remain in custody;
- ii. managing gangs identified within the prison;
- iii. the lack of manpower resources within the prison system;
- iv. a level of intimidation from prisoners and threat of the lives of prison officers;
- v. the extended length of time taken before inmates cases are called in court to receive a court judgment which can be up to 10-15 years;
- vi. the smuggling of narcotics (cigarettes and marijuana);
- vii. the age of the Port-of-Spain prison (the building was erected within the 1800's) and the limitations this poses in relation to the installation of highly technical scanning apparatus; and
- viii. the unavailability of adequate rehabilitation programmes for prisoners.

2.23 The Commissioner lamented the fact that former Caroni lands which were allocated to the prison service in 2007 were reallocated by government for another purpose.

2.23 By written submission to the Committee, dated February 24, 2017, the Ministry of National Security provided comments in response to the Commissioner's recommendations. The response of the Ministry of National Security is attached at **Appendix I-A** of the Report.

2.24 The Committee is troubled that a number of basic and fundamental needs in relation to prison security have been neglected over the years.

³ See Appendix I-B : Priority List of Items Required in the Interest of Security at the Prisons

Conclusion

- 2.25 The Committee is of the view that it has fully examined and inquired into the status of the investigation into the Prison Break of July 24, 2015 and matters of Prison Security and can go no further at this time.
- 2.26 In relation to the investigations into the events of July 24, 2015, the Committee finds that the almost lifeless disciplinary investigation process of the Public Service Commission is woefully defective and tortuous. It needs immediate rectification. Unless it is addressed, Prison Officers who may not have done anything wrong are severely punished by the lengthy delays associated with the disciplinary process. Meanwhile wrongdoers can manipulate the process already wrongly balanced in their favour using cleverly devised avoidance tactics. The Committee has therefore shared this concern with the Joint Select Committee on Local Authorities Service Commission and Statutory Authorities Committee which has oversight responsibility for the Public Service Commission.
- 2.27 In relation to the matter of prison security, the Committee will engage in further follow-up inquiries with the Ministry of National Security and report in due course to the House/Senate.

Recommendations

The Committee recommends that:

- i. **The Public Service Commission treat as a priority the completion of the disciplinary proceedings arising out of the investigation of the events surrounding the Port-of-Spain prison break, given that this incident occurred on July 24, 2015; and**
- ii. **The Ministry of National Security give immediate attention to the recommendations made by the Commissioner of Prisons for improvements in prison security. These recommendations are listed in Appendix I-B.**

The Committee respectfully submits the foregoing for the information of the Parliament.

Mr. Fitzgerald Hinds, MP
Chairman

Mr. Prakash Ramadhar, MP
Vice-Chairman

Ms. Nicole Olivierre, MP
Member

Mr. Faris Al-Rawi, MP
Member

Mr. Wayne Sturge
Member

Mr. Nigel De Freitas
Member

Mr. W. Michael Coppin
Member

Mr. Paul Richards
Member

APPENDIX I-A

Correspondence between the JSC National Security and the Ministry of National Security



MINISTRY OF NATIONAL SECURITY

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NS: 35/27/4 Vol. III

February 24, 2017

Mrs. Jacqui Sampson-Meiguel
Secretary
Joint Select Committee on National Security
Levels G – 7, Tower D
The Port of Spain International Waterfront Centre
1A Wrightson Road
Port of Spain

Dear Mrs. Sampson-Meiguel,

Re: Recommendations for Improvements in Prison Security following the Port of Spain Prison Break of July 24, 2015

Reference is made to a letter *Parl.: 14/3/43 Vol. III*, dated February 3, 2017, on the subject above, from the Chairman of the Joint Select Committee on National Security.

Comments on the above mentioned recommendations are hereby attached for consideration by the Committee. The delay in the submission of the response is regretted.

Yours respectfully,


Permanent Secretary
Ministry of National Security

MINISTRY OF NATIONAL SECURITY

**COMMENTS ON THE RECOMMENDATIONS
OF THE COMMISSIONER OF PRISONS**

COMMISSIONER OF PRISONS RECOMMENDATIONS	COMMENTS OF MINISTER OF NATIONAL SECURITY	DATE FOR IMPLEMENTATION ONCE IN CONCURRENCE
SECURITY PRIORITY LIST	SECURITY PRIORITY LIST	SECURITY PRIORITY LIST
1. CCTV Monitoring Systems to provide enhanced static security at all prisons.	The project for the supply and installation of a CCTV system at the Maximum Security Prison has commenced.	The contracted firm is expected to have engineers on location at the Maximum Security Prison (MSP) from the first week in March 2017. The project is scheduled to be completed in September 2017.
	The CCTV system at the Port-of-Spain Prison was upgraded during the period 2015 to 2016 to include twenty (20) additional cameras and two (2) new servers.	Upgrade of the CCTV Camera system at the Port-of-Spain Prison has been completed.
	Currently awaiting proposals for Carrera, Golden Grove and Remand Prisons.	Still at the procurement stage. This project should commence during the 2018 Fiscal Year.
SECURITY PRIORITY LIST	SECURITY PRIORITY LIST	SECURITY PRIORITY LIST
2. Electronic Monitoring whereby persons can remain in the Community under surveillance rather than come into the prison.	The Electronic Monitoring Implementation Committee meets at least once per month to ensure that all necessary mechanisms are put in place for this initiative. The Committee is	Consequent upon the selection of a service provider, a pilot project involving the use of three hundred (300) devices is expected to commence by September 2017, in the St.

	<p>pursuing a Government to Government arrangement for assistance in the implementation of the Programme. To date, three (3) presentations have been made by representatives service providers recommended by the following Embassies/High Commissions:</p> <ul style="list-style-type: none"> ▪ G45 through the British High Commission on 31-01-2017 ▪ United States Embassy on 07-02-2017 ▪ The Track Group through the Canadian High Commission on 21-02-2017 <p>Following an evaluation of the Presentations, the Committee will identify the preferred service provider and submit its recommendation for consideration. The Committee is also finalizing recommended Regulations to support the Legislation.</p>	<p>George West Magisterial District.</p>
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SECURITY PRIORITY LIST	SECURITY PRIORITY LIST	SECURITY PRIORITY LIST
<p>3. The introduction/formation of:-</p> <ul style="list-style-type: none"> • A Task Force dedicated to prison-specific issues, as part of the wider national intelligence network; • An interagency Task Force that treats with threats, detection and conviction of perpetrators who commit offences against Prison Officers. 	<p>This is an ongoing collaborative effort between the Police Service and Prison Service, in treating with threats towards Prison Officers.</p>	<p>On-going.</p>
<p>4. The creation of a Prison Intelligence Unit</p>	<ul style="list-style-type: none"> ▪ This Intelligence Unit, known as the Special Operations Unit (S.O.U), will monitor confiscated cell phones with a view to extracting information to assist in gang management and prison security. ▪ The Unit will be technology-driven, using software and hardware donated by the United States Embassy, under the Caribbean Basin Security Initiative (CBSI). 	<p>This Unit is expected to be functional by August, 2017.</p>
LEGISLATIVE PRIORITY LIST	LEGISLATIVE PRIORITY LIST	LEGISLATIVE PRIORITY LIST
<p>5. Draft Prison Rules</p>	<p>The Draft Prison Rules was first introduced in the lower house on December 04, 2009 and laid in Parliament on December 11, 2009. Currently, the Draft Prison Rules is before a committee comprising representatives</p>	<p>The timeline for the completion of the review of the Draft Prison Rules and submission to the LRC will be determined by the Ministry of the Attorney General and Legal Affairs.</p>

	of the Ministry of the Attorney General and Legal Affairs and the Prison Service Legal Team, prior to submission to the Law Review Committee (LRC).	
6. Issuance of clothing for Remandees	The issue of clothing for Remandees is included in the Draft Prison Rules, which is presently before a Committee prior to its submission to the LRC.	Same as above.
7. Legislation to increase the penalty for perpetrators who commit acts of aggression and assault on Prison Officers, aimed at complicity in the performance of their duties.	This legislation falls under the remit of the Ministry of the Attorney General and Legal Affairs.	This is under the remit of the Ministry of the Attorney General and Legal Affairs.
8. Legislation to allow Prison Officers to use non-traditional, non-lethal equipment, such as Tasers, Electronic prods and Pepper ball gas pellets, Rubber bullets and launchers.	The Use of Non-lethal equipment in prison was an idea pursued by the previous Prison administration under the Ministry of Justice. The matter now falls under the remit of the Ministry of the Attorney General and Legal Affairs.	Same as above.
INFRASTRUCTURAL PRIORITY LIST	INFRASTRUCTURAL PRIORITY LIST	INFRASTRUCTURAL PRIORITY LIST
9. Renovation of Golden Grove Ration Room.	The Central Tenders Board awarded the Contract in February 2017.	The firm is yet to post their bond so that the contract can be drawn up by the Solicitor General's Office.
10. New Alarm System at Golden Grove Prison.	This contract has been awarded. The Contract document has been prepared.	This project is expected to commence by the end of February, 2017. The contract is for a period of six (6) months.

<p>11. Construction of a New Pre- Trial Detention Center for Remandees.</p>	<p>This project is being managed by the Urban Development Company of Trinidad and Tobago (UDeCOTT).</p> <p>The New Remand Prison at Golden Grove, will accommodate fifteen hundred (1500) inmates. For Fiscal 2015/2016 a contract to the value of \$8.0M was awarded Re: Phase One Design Work. Work on this (Design) project was suspended by UDeCOTT.</p>	<p>The Ministry of National Security and UDeCOTT are currently finalizing the contract for provision of the service. The project will resume upon finalization of the contractual arrangements.</p>
<p>12. Hope – The Construction of a Tobago Prison Facility.</p>	<p>This project is being implemented by UDeCOTT and the tendering arrangements fall under the remit of the Central Tenders Board.</p>	<p>No specific timeframe can be given for commencement until the procurement process is completed.</p>
<p>13. Leasing of five (5) Safe Houses for Officers under Confirmed Death Threats.</p>	<p>There is only one Safe House for officers under confirmed death threats, which is proving to be inadequate.</p>	<p>No time frame has yet been determined for this initiative.</p>
<p>14. Construction/Lease of Officers' Dormitories outside of Prison Establishments.</p>	<p>Discussions ongoing. Proposals for construction of dormitories to be submitted in 2017-18 Draft Estimates.</p>	<p>Not Applicable.</p>
<p>INFRASTRUCTURAL PRIORITY LIST</p>	<p>INFRASTRUCTURAL PRIORITY LIST</p>	<p>INFRASTRUCTURAL PRIORITY LIST</p>
<p>15. Retrofitting of the Remand Prison and the Remand Housing Establishment of the Port-of-Spain Prison.</p>	<p>A firm was commissioned to prepare a Scope of Works for the retrofitting of the Remand Prison. This was completed and submitted.</p> <p>Routine maintenance works are being conducted at the Remand Housing Establishment of the Port-of-Spain Prison.</p>	<p>A draft Cabinet Note has been prepared and submitted to the Permanent Secretary for approval.</p> <p>Maintenance works are ongoing.</p>

<p>16. Establishment of a desalination plant at Carrera Convict Prison to facilitate the supply of potable water to the island Prison.</p>	<p>The Water and Sewerage Authority (WASA) was invited to visit the facility and submit a report as to the best possible solution for the supply of potable water to the island.</p> <p>In December 2016, the report was submitted, recommending that a suitably-sized desalination plant be established on the island. The Commissioner of Prisons has invited several firms to submit proposals so that costing for this project could be determined. Thereafter, Cabinet's approval will be sought for the project.</p>	<p>Proposals are expected to be submitted by April 30, 2017 following which, approval will be sought.</p>
<p>17. Development of the High Security Enclosure at Maximum Security Prison.</p>	<p>This project is being managed by UDeCOTT and is at the completion stage.</p>	<p>The project is expected to be completed by the end of the second quarter of the current fiscal year.</p>
<p>HUMAN RESOURCE PRIORITY LIST</p>	<p>HUMAN RESOURCE PRIORITY LIST</p>	<p>HUMAN RESOURCE PRIORITY LIST</p>
<p>18. Review of the Organisational Structure of the Trinidad and Tobago Prison Service.</p>	<p>A team of officials from the Ministry, headed by a Deputy Permanent Secretary, has been established to review the Terms of Reference submitted by the Prison Service, in respect of selecting a consultant to undertake this review. The team has met on several occasions to review said document and is expected to</p>	<p>The exercise is expected to be completed by the close of Fiscal Year 2017.</p>

	<p>finalize the document shortly.</p> <p>The Report arising from that review will inform the revision of the organisational structure of the Trinidad and Tobago Prison Service.</p>	
<p>19. Specialized Training of Prison Staff at the Strategic, Tactical and Operational levels of the Organisation, both locally and internationally</p>	<p>The development of staff continues both locally and abroad. This includes extensive in-house training programmes conducted by contracted trained professionals. Training programmes conducted by the Ministry of Public Administration are also accessed very frequently. Additionally, members of staff are exposed to overseas training in various disciplines including: gang management, crowd control and leadership training.</p>	<p>Training is ongoing.</p>



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Joint Select Committee on National Security

Parl.: 14/3/43 Vol. III

February 03, 2017

Hon. Maj. Gen. (Ret.) Edmund Dillon, MP
Minister of National Security
Ministry of National Security
Temple Court 1
31-33 Abercromby Street
PORT-OF-SPAIN

Dear Minister,

**Re: Recommendations for Improvements in Prison Security following the Port of Spain
Prison Break of July 24, 2015**

I write to you in my capacity as Chairman of the Joint Select Committee on National Security.

As you may be aware, this Parliamentary Committee embarked upon an inquiry on the status of the investigation into the jail break at the Port-of-Spain Prison which occurred on July 24, 2015.

As part of its deliberations, the Committee also received evidence from the Commissioner of Prisons on the security of the prison facilities.

Among the submissions received, most notable, were extensive recommendations submitted by the Commissioner of Prisons, with a view to improving prison security in Trinidad and Tobago.

Prior to submission of the Committee's report to Parliament, we believe that we should hear your Ministry's position on these recommendations, and where appropriate, a status report in each case.

I am therefore to request that you consider the attached table and provide responses and comments in relation to the proposed recommendations as well as your anticipated implementation dates in each case.

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

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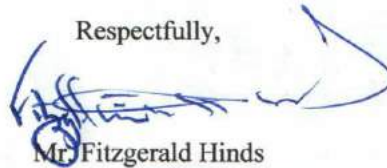
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(2)

An electronic copy of the completed table should be sent to jscnationalsecurity@tparliament.org on or before **Friday February 10, 2017**. Should you have any queries, I may be contacted at 624-7275 ext. 2227/2232 or jscnationalsecurity@tparliament.org.

Thank you.

Respectfully,



Mr. Fitzgerald Hinds
Chairman of the Committee

cc: Ms. Lydia Jacobs, Permanent Secretary (Ag.), Ministry of National Security
Mrs. Jacqui Sampson-Meiguel, Secretary to the Committee

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

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(3)

RECOMMENDATIONS OF THE COMMISSIONER OF PRISONS

COMMISSIONER OF PRISONS RECOMMENDATIONS	COMMENTS OF MINISTER OF NATIONAL SECURITY	DATE FOR IMPLEMENTATION ONCE IN CONCURRENCE
SECURITY PRIORITY LIST	SECURITY PRIORITY LIST	SECURITY PRIORITY LIST
1. CCTV Monitoring Systems to provide enhanced static security at all prisons		
2. Electronic Monitoring whereby person can remain in the Community under surveillance rather than come into the prison. ¹		
3. The introduction/formation of : <ul style="list-style-type: none"> • Task Force dedicated to prison specific issues, as part of the wider national intelligence network. • An Interagency Taskforce that treats with threats, detection and conviction of perpetrators who commit offences against Prison Officers ² 		
4. The creation of a Prison Intelligence Unit ³		
LEGISLATIVE PRIORITY LIST ⁴	LEGISLATIVE PRIORITY LIST	LEGISLATIVE PRIORITY LIST
5. Draft Prison Rules ⁵		
6. Issuance of clothing for Remandees		

¹This will reduce the requirements for accommodation

²These groups would be able to interpret data from cell phones found in prison so arrests can be made of persons who try to destabilize the prison system.

³For the provision of prison specific training both locally and overseas to facilitate the Unit's development; Developmental training of the human resources, organizational strengthening and building organizational capacity; Access to Specialist Search Programme for the development of a cadre of officers who are proficient in search techniques

⁴ This is in furtherance of the following objectives:

- The implementation of Full Body Scanners at all prison establishment;
- The introduction of an inmate phone system;
- The introduction of cell phone grabbers and jammers;
- The continued unabated murder of prison staff and increases in the number of threats; and
- Attempts to reduce the high incidence of trafficking between prison staff and inmates and to set professional standards of conduct among Prison Officers.

⁵The Amendment of Rule 233:2, should be expanded to include electronic items such as cellphones and cellular accessories, internet facilitator equipment (hot spots, routers, and portable gaming devices.)

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(4)

7. Legislation to increase the penalty on perpetrators who commit acts of aggression and assault on Prisons Officers, aimed at complicity in the performance of their duties.		
8. Legislation to allow Prison Officers to use non-traditional methods of non-lethal mechanical force which includes- Non-lethal equipment such as Tasers, Electronic prods, and Pepper ball gas pellets, Rubber bullets and launchers.		
INFRASTRUCTURAL PRIORITY LIST	INFRASTRUCTURAL PRIORITY LIST	INFRASTRUCTURAL PRIORITY LIST
9. Renovation of Golden Grove Ration Room ⁶		
10. New Alarm System – Golden Grove ⁷		
11. Construction Of A New Pre Trial Detention Center For Remandees		
12. Hope – The Construction Of A Tobago Prison Facility		
13. Leasing Of 5 Safe House For Officers Under Confirmed Death Threats		
14. Constructing/Leasing Officers Dormitories Outside Of Prison Establishment.		
15. Retro Fitting the Remand Prison and the Remand Housing of the Port of Spain Prison.		
16. The establishment of a desalination plant at Carrera Convict Prison to facilitate the supply of potable water to the island prison.		
17. The Development of the High Security Enclosure at Maximum Security Prison.		

⁶Received Cabinet Approval (527-2014/02/20) for the sum of 3.18M, however; the project's actual cost is 5.66M; Cabinet approval is required for the outstanding amount. A Cabinet Note has been submitted for same.

⁷Received Cabinet Approval (527 – 2014/02/20) for the sum of 1.5M. The overall cost is 2.2M; Cabinet approval is required for the outstanding figure. A cabinet Note has been submitted for approval.

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(5)

HUMAN RESOURCE PRIORITY LIST	HUMAN RESOURCE PRIORITY LIST	HUMAN RESOURCE PRIORITY LIST
18. Review Of The Organizational Structure Of The Trinidad And Tobago Prison Service		
19. Specialized Training of Prison Staff at the Strategic, Tactical and Operational Levels of The Organization both locally and internationally.		

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APPENDIX I-B

Correspondence between the JSC National Security and the Commissioner of Prisons

PRIORITY LIST OF ITEMS REQUIRED IN THE INTEREST OF SECURITY AT THE PRISONS

This document present a priority list of items considered necessary for enhancement of the security infrastructure at the various Prison Establishments in Trinidad and Tobago.

EXECUTIVE SUMMARY

This submission reflects a priority listing of the items that I consider necessary to improve the Performance of the Prison Service of Trinidad and Tobago at this time. Whilst I note that some aspects of the priorities listed are presently at various points of implementation, others are not. I am of the view that a restating of those presently in train will act as a further reminder and impetus of the impact that they can have in leapfrogging our present operations.

The priority listing is presented in four broad operational areas, this includes: - Security Requirements; Legislative Requirement; Infrastructural Requirement and Human Resource Requirement. The priority listing and justifications in each of these identified areas are prefaced by a recognition of the present limitations. Finally, the report concludes with an appendix in which the Core Values; Strategic Objectives and specific performance indicators are presented.



Introduction

The Trinidad and Tobago Prison Service as an arm of the Criminal Justice System is committed to collaboration with other agencies within the Criminal Justice system to facilitate crime prevention, whilst adhering to human rights principles; thus bringing about the wider protection of the Community of Trinidad and Tobago. In the short run this protection of society is achieved through the maintenance of security at all prison establishment, on a daily and nightly basis.

As far as the maintenance of security is concerned the Prison Service seeks to employ static, dynamic and human security protocols all buttressed by information technology components, to ensure that persons who are sent to its jurisdictions by the Courts are not able to escape in the first instance; but more so that they are not able to commit further criminal offences, whilst in prison.

In the longer run the Prison Service is committed to crime prevention by ensuring that persons who are sent to prison are exposed to rehabilitation programmes so that

upon return to society they are able to make better choices, ensuring that they do not return to a life of reoffending. Even in regard to achievement of this rehabilitative objective it can be seen that the maintenance of security at the Prisons is critical; since it is only under humane, safe and secure conditions that the rehabilitative agenda can be effectively undertaken and achieved.

The events of July 24th 2015 in which a brazen, calculated and unprecedented escape took place at the Port of Spain Prison, in circumstances which manifested a meltdown of the security protocols and apparatus at the Port of Spain prison; and which led to the death of a Police Officer and security challenges for the wider community have occasioned a review of the security infrastructure at all Prisons.

The major objective of which is to ensure that an incident of this nature or any like nature, never occurs again.

It is against this backdrop and having regard to the appearance of the Commissioner of Prison before the joint select Committee on National Security on Monday May 23rd 2016, and the further request for proposal by the Chairman of the Committee honourable Fitzgerald Hinds, that a priority listing of resources needed is hereby presented for consideration.

The Security landscape

The Trinidad and Tobago Prison Service operates within a hostile environment that is impacted by local, regional and international considerations. The environment in which our security protocols are implemented can be described, even at the best of times as very dynamic, volatile and fraught with high levels of uncertainty. This is manifested in relation to several clear and present internal and external security threats which present specific challenges to the security at the prisons.

At the internal operational level these include:-

- ❖ Treating with high profile and high risk inmates;
- ❖ managing gangs identified within the establishments;
- ❖ ensuring a limitation in breaches of the perimeter security;
- ❖ reducing incidences of staff involvement in trafficking with inmates;
- ❖ And ensuring that the legal and regulatory framework supports our intervention.

At the external level it involves:-

- ❖ Reducing the extent of the threats against the lives of Prison Staff; and
- ❖ Ensuring that we are in a position working in tandem with the other Agencies within the National Security apparatus to defend against any external aggression.

All of this is to be achieved with the economic constraints and the wider social and cultural dynamics that envelope our country, of Trinidad and Tobago. It is within this context that the priority listing of the security requirements are to be considered.

Security Priority List

- CCTV Monitoring Systems to provide enhanced static security at all prisons
 - These systems shall allow for the recording of all critical incidents
 - The footage can be introduced in court to mitigate against lawsuits filed by inmates.
 - Cause Prison Officers to operate at a more professional level
 - Reduce the level of contraband entering the system
- Electronic Monitoring
 - This is the introduction of legislation to promote an alternative to custody, whereby person can remain in the Community under surveillance rather than come into the prison. This will reduce the requirements for accommodation.

- The introduction/formation of a Task Force dedicated to prison specific issues, as part of the wider national intelligence network.
 - An interagency taskforce that treats with threats, detection and conviction of perpetrators who commit offences against Prison Officers
 - This group would be able to interpret data from cell phones found in prison so arrests can be made of persons who try to destabilize the prison system.

- The creation of a Prison Intelligence Unit
 - Prison specific training both locally and overseas to facilitate the Unit's development;
 - In an effort to provide developmental training of the human resources, organizational strengthening and building organizational capacity.
 - Access to Specialist Search Programme for the development of a cadre of officers who are proficient in search techniques

The Legislative landscape

It is to be noted that the major legislative provisions which govern the operations of the Trinidad and Tobago Prison Service is the Prison Act Chap 13:01; the Prison Service Act Chap 13:02; and the 1950 Revised Ordinance (1838 West Indian Prison Act). Specifically, therefore there is a great challenge in relating to the changing organisational dynamics within this archaic legal framework especially in relation to the 1950 revised Ordinance and ensuring compatibility with the United Nations Minimum Standard Rules of 1955 and the subsequent revision of these Rule in 2015 referred to as the 'Mandela Rules'.

The legislative priority listing for drafting and implementation as hereby presented is in relation to these developments and in furtherance of ensuring that the legislative framework supports the introduction of new operational considerations, such as: -

- ❖ The implementation of Full Body Scanners at all prison establishment;
- ❖ The introduction of an inmate phone system;
- ❖ The introduction of cell phone grabbers and jammers;
- ❖ the continued unabated murder of prison staff and increases in the number of threats; and
- ❖ Attempts to reduce the high incidence of trafficking between prison staff and inmates and to set professional standards of conduct among Prison Officers.

Legislative Priority List

The Draft Prison Rules have yet to be assented to and thus, the Service continues to be constraint in its operation, as most strategic initiatives require authority in law to be effective. It has now therefore become mandatory that the Prison's management be given an opportunity to review the rules, so that the following areas can be addressed:

- With special attention paid to the scanners, grabbers' jammers and the inmate's telephone system.
- Trafficking which speak to the seizure of cell phones and other unauthorized articles. (Rule 233(2) amendment, and how it affects the inmate population.
- The Amendment of Rule 233:2, should be expanded to include electronic items such as cellphones and cellular accessories, internet facilitator equipment (hot spots, routers, portable gaming devices.
- Consideration of developing a system for remanded inmates to be placed in prison issued clothing.
 - This initiative would promote uniformity and assist in the management of gangs.
 - The introduction of a uniform for Remand Inmates would greatly reduce the amount of civilian clothing that an inmate can keep in his cell/property.
 - From a safety and health perspective, the large amount of unnecessary clothes in a cell is a fire hazard and a security risk.
 - The benefit of outfitting Remand inmates with a new uniform upon reception is that it promotes Hygiene, as some inmates are received in prison with unclean and tattered garments.
 -

- Legislation to increase the penalty on perpetrators who commit acts of aggression and assault on Prisons Officers, aimed at complicity in the performance of their duties.
 - This proposed law would send a message to the Prisons Officers that their efforts are recognized by the all members of society.
 - It would go a long way to motivate them and has the capacity to improve productivity.
 - Perpetrators of assaults shall be held accountable for crimes against Prisons Officers

- The Introduction of a Bill in Parliament to allow Prison Officers to use non-traditional methods of non-lethal mechanical force which includes- Non-lethal equipment such as Tasers, Electronic prods, and Pepper ball gas pellets, Rubber bullets and launchers. It is noted that this equipment is used in the correction environment worldwide.
 - This will reduce the instance of the abuse of force by Prison Officers, and allow for the use of more non-lethal use of force applications;
 - This has the capacity to reduce the high level of Negligence action which results in government paying out large awards of damages to inmates.
 - This initiative would provide an environment of less confrontational approach in dealing with conflict.

The Infrastructural landscape

With the exception of the Maximum Security all of the Other Prison establishments must be considered outdated. The Port of Spain Prison, the Carrera Convict Prison; The Tobago Prison Depot, the Golden Grove and Remand Prisons are quite old. All of these are overcrowded. This presents significant challenges for the accommodation of inmates, and the role out of programing. The Eastern Regional Correctional Facility the newest acquisition is not a dedicated prison but has been retrofitted for use as a prison. Its use is therefore limited in relation to high risk inmates. It is within this general context that the priority listing for infrastructure works is presented.

Infrastructure Priority List

- **RENOVATION OF GOLDEN GROVE RATION ROOM**
 - Received Cabinet Approval (527-2014/02/20) for the sum of 3.18M, however, the project's actual cost is 5.66M
 - Cabinet approval is required for the outstanding amount. A Cabinet Note has been submitted for same.

- **NEW ALARM SYSTEM – GOLDEN GROVE**
 - Received Cabinet Approval (527 – 2014/02/20) for the sum of 1.5M, the overall cost is 2.2M
 - Cabinet approval is required for the outstanding figure. A cabinet Note has been submitted for approval.

- **CONSTRUCTION OF A NEW PRE TRIAL DETENTION CENTER FOR REMANDEES**
 - A purpose-built facility which would include an Inmate Assessment Reception Area, and caters to 1500 inmates.
 - This would improve the overall conditions under which pre-trial inmates are housed, reducing overcrowding, providing opportunities for habilitation/rehabilitation via the implementation of correctional programmes.
 - Proper storage for inmates' property

- **HOPE – THE CONSTRUCTION OF A TOBAGO PRISON FACILITY**
 - The New Hope Prison shall cater to all categories of offenders in Tobago, both male and females.
 - This initiative would tremendously reduce the cramped space inmates are being held currently.
 - It would provide for equal opportunity for Tobago citizens to benefit from restorative rehabilitation treatment.
 - Provide for proper classification, treatment and accommodation for inmates at Tobago so their reintegration back to society would be an effective one.

- **LEASING OF 5 SAFE HOUSE FOR OFFICERS UNDER CONFIRMED DEATH THREATS**
 - The current threat level being faced by prisons officers is extremely high. The procurement of the 5 houses would facilitate the safety of both first and second division staff. (2 for 1st Div., and 3 for 2nd Div.)

➤ CONSTRUCTING/LEASING OFFICERS DORMITORIES OUTSIDE OF PRISON ESTABLISHMENT.

- This move will tremendously reduce the incidence of trafficking contraband that presently plagues the prison system.

➤ RETRO FITTING THE REMAND PRISON AND THE REMAND HOUSING OF THE PORT OF SPAIN PRISON.

- This would provide an environment that promotes better wellbeing of staff and inmates
- Facilitating the improved hygiene, proper ventilations, improved human conveniences according to international standards

➤ The establishment of a desalination plant at Carrera Convict Prison to facilitate the supply of potable water to the island prison. Carrera Prison, while it is now being utilized primarily for the allocation of convicted persons serving long sentences; has proven itself critical in the following areas:

- Due to the proliferation of gangs and security threat groups, it has been used for the separation of high-risk inmates
- Facilitates proper classification and separation of offenders in keeping with international standards and more specifically the United Nations Minimum Standards for the Treatment of Convicted Persons
- Has been used as a safe employment unit for officers who have been the recipient of internal and external threats.

➤ THE DEVELOPMENT OF THE HIGH SECURITY ENCLOSURE AT MSP

- The introduction of programmes such as agriculture, aquaculture, prison industry and recreation for all offenders.
- Providing opportunities to reduce tension caused by the long delays in the judicial by increased frequency and duration of airing pre-trial offenders. (Thinking outside of the Cell)

thereby reducing the friction and stress caused by the long delay in having their cases heard by the courts.

The Human Resource landscape

The Trinidad and Tobago Prison Service is the dedicated Arm within the Criminal Justice System with responsibility for ensuring that persons sentenced by the Court or those remanded to its jurisdiction return to the Court as required or serve their sentences as required. It is the Prison Staff which ensures that the dictates of the Court are achieved and that all the strategic priorities of the Prison Service are made possible. It is in this context that the priority listing in relation to the Prison Human Resource requirement is presented.

Human Resource Priority List

- REVIEW OF THE ORGANIZATIONAL STRUCTURE OF THE TRINIDAD AND TOBAGO PRISON SERVICE
 - A review of the specialist positions being performed by uniformed staff and the feasibility of having these positions filled by civilian personnel (Re-Assimilation).
 - The security risks surrounded the introduction of increased civilian staff in prison environments
 - The concerns which arise governing the equity of pay grade versus rank structure, and the qualifications required for the respective position
 - Streamlining of staff along operational lines, and movement from one stream to another – i.e. the process for streamlining, transfers and promotion

- **SPECIALISED TRAINING OF PRISON STAFF AT THE STRATEGIC, TACTICAL AND OPERATIONAL LEVELS OF THE ORGANISATION BOTH LOCAL AND INTERNATIONAL.**
 - Skills development at all levels in the organization to promote effective professionalism; efficient performance and succession planning.

Appendix

Core Values

The Prison Service's belief is that the best way to protect society is by successfully reintegrating offenders as law-abiding citizens. In order to achieve its mission, the principle of "Involving staff and other stakeholders in strategic processes; respecting the dignity of individuals; and recognizing the rights of citizens to opportunities for potential growth and development" is followed.

- **Data-driven and evidence-based**
 - strategies and goals are informed by modern penological practices and contemporary research
- **Results-oriented**
 - efficient and effective use of resources to achieve organizational goals
- **Fairness**
 - equitable treatment of all stakeholders
- **Empathy**
 - recognizing challenges faced by our charges we make our best efforts to conscientiously look after their well being
- **Courageousness**
 - doing what is right in spite of risks involved
- **Integrity**
 - Character of members of staff must be beyond reproach

Strategic Priorities

- **Protection of Society- Maintenance of Security**

- **Correction-** Correctional Education Programmes: improving the educational, work and social life skills of offenders
- **Re-integration –** Non-traditional support upon discharge/Promoting law-abiding behavior in custody and after release
- **Restoration-** Rehabilitation of Persons/Reducing crime by addressing offending behaviour
- **Relations-** Partnering with diverse stakeholders/Improving community relations

In recognition of the above the Trinidad and Tobago Prison Service strives to achieve specific aims and objectives at both the adult and juvenile facilities. To this end, all staff members are highly trained in the field of offender management, facilitated by the Restorative Justice Penal Policy.

Aims and Objectives

The Prison Service is guided by its seven (7) stated aims and objectives.

1. To ensure safe custody of inmates by maintaining security
2. To develop programmes which facilitate the reformative and rehabilitative treatment of inmates in keeping with modern penological practices
3. To maintain and upkeep structures and amenities for the accommodation of individuals who are committed to prison custody by due process of law
4. To ensure that such individuals are humanely kept during the stipulated periods stated on relevant Warrants of Commitment
5. To provide welfare and recreational programmes for all inmates. This will help to conform to Society's norms and standards to lead a useful life upon their release.
6. To ensure that those serving terms of imprisonment are made to work and are trained in various skills to make them industrious and to afford them an opportunity for gainful employment upon release.

7. To attract, train and maintain suitable staff to facilitate the objectives of the Service as at (1) to (6) above.

In this regard, the aims and objectives of the Service can be further summarized; namely to:

1. Improve the internal and external security apparatus and processes at all Prison Institutions to ensure that escapes are kept to a minimum of 0.1% of the ADP.
2. To maintain structures and provide amenities for inmates' accommodation catering to their social, physical, spiritual and psychological well-being.
3. To maintain a correctional educational curriculum facilitating the participation of 75% of convicted inmates and 25% of remanded inmates through a restorative and re-integrative treatment of inmates.
4. Positioning the Trinidad and Tobago Prison Service as the leader in corrections in the Caribbean by exposure to international benchmarks in keeping with "what works" in modern corrections.
5. To develop a scientific approach to measure the rate of recidivism.
6. Training of 30% of Officers at the Strategic and Tactical level and 20% of Officers at the Operational level in the skills and competencies required in modern day security and corrections techniques.



PARLIAMENT
Republic of Trinidad and Tobago

Levels G - 7, Tower D
The Port-of-Spain International Waterfront Centre
1A Wrightson Road, Port-of-Spain

Joint Select Committee on National Security

Parl.: 14/3/43 Vol. II

May 24, 2016

Mr. Sterling Stewart
Commissioner of Prisons
Trinidad and Tobago Prison Service
10-14 Phillip Street
PORT-OF-SPAIN

Dear Commissioner,

A Preliminary Examination of
“Prison Security and the status of the investigation into the
Port-of-Spain Prison Break of July 24, 2015”

Request for additional information

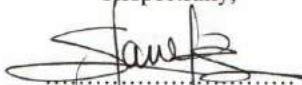
Further to discussions held *in camera* on May 23, 2016, the Committee is requesting that you provide the following information:

- i. a list of the persistent challenges faced by the Prison Service regarding prison security;**
- ii. any recommendations in relation to the overall improvement of prison security in Trinidad and Tobago; and**
- iii. a copy of the legal opinion sought by the Commissioner of Prisons regarding the interpretation of Public Service Commission Regulation No. 90.**

It would be appreciated if your response could be sent to the Committee’s Office by **Tuesday May 31, 2016**. An electronic copy should be sent to jscnationalsecurity@tparliament.org. Should you have any questions, I may be contacted at **624-7275 ext. 2227/2232** or jscnationalsecurity@tparliament.org.

Thank you.

Respectfully,



Jacqui Sampson-Meiguel
Secretary to the Committee

cc: Mr. Fitzgerald Hinds – Chairman of the Joint Select Committee on National Security

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

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MEMORANDUM

PS:(Opers) 2/1/140

Ministry of National Security
(PRISON DIVISION)
10-14 Philipps Street,
Port of Spain.
Tel: 623-7070/Fax 624-4687



FROM : Commissioner of Prisons
TO : Joint Select Committee on National Security
Ms. Jacqui Sampson-Meiguel
DATE : February 25, 2016
SUBJECT : Call for Information on the Trinidad and Tobago Prison Service.



Your correspondence of even subject bearing reference number Parl.:14/3/43Vol.II refers.

With respect to items i, ii and iii the following is submitted:

- i. Investigations into the events surrounding the July 24th, 2015 incident were conducted however a comprehensive report was submitted to the Director of Public Administration by Investigating Officer Assistant Commissioner of Prisons (Ag.) Mr. Dennis Pulchan on October 02nd, 2015 under confidential cover.
- ii. Three Prisons Officers have so far been suspended pending further advice from the Public Service Commission. Please see attached copies of Letters of Suspension as well as the Investigation Officer's letter of appointment and letter from the Service Commission acknowledging receipt of the report.
- iii. Consequent to the events of July 24th, 2015 at the Port of Spain Prison the following additional security measures have been implemented:

Armed Security Personnel

- Increase of armed Officers posted at all Main Gates on a twenty four (24) hour basis.
- Increase of armed personnel at strategic points within the Prison.
- Increase of armed personnel on Escort Duty i.e. Inmates leaving the prison from Clinics etc.
- Inclusion of armed personnel aboard all Prison vehicles.
- Armed perimeter patrol (Prison and Police)
- The increase and upgrade of arms and ammunitions issued to Prison personnel

Visits

- All Special Visits are to be authorized by the Deputy of Commissioner of Prisons – Operations.
- All visitors to the institution and their belongings are to be **thoroughly** searched.
- No visitor shall be allowed entry into the Prison with their faces covered, wearing sun glasses and or hats/caps.
- No visitor shall be allowed entry into the institution with cumbersome bags or parcels.
- All inmates must be searched before they are allowed their visit entitlement.

- All High Risk inmates **must** be handcuffed when taken to and from the visit room.
- Inmates awaiting visit **must** be placed inside of the visit room before the Inner Gate is opened.
- Strict adherence to all Rules and Regulations governing visits.

Special Searches/Random Searches.

- Increased searching of Prison Personnel.
- Increase in random, surgical, strategic and general searches in all institutions
- Searching of all vehicles entering and leaving all prison establishments

Surveillance

- Increase in the number of CCTV cameras in and around the Prison
- Installation of these additional CCTV cameras at strategic locations
- Increase of personnel assigned to monitor CCTV cameras
- Weekly review of data collected from monitoring devices
- Intelligence personnel closely monitoring persons of interest whose names have been surfacing over time for being involved in contraband entering the nation's Prisons.
- Regular checks and maintenance of CCTV cameras at all institutions
- Collaboration between the Trinidad and Tobago Prison Service and other National Security Agencies.

Prisons in General

- Increased inspection of institutions by members of the Prison Executive.
- Improved lighting
- Closer monitoring of High Risk inmates
- No Prisons Officer shall report for duty with cumbersome and suspicious bags or parcels
- Full Body Scanners at Golden Grove Prison, Port of Spain Prison, Remand Prison and Maximum Security Prison.
- Provision of transportation for Officers completing the 1:00pm to 9:00pm shift from Port of Spain Prison to Independence Square/South Quay.

Additionally, at a meeting on August 11th, 2015, between the Prisons Administration, members of the Public Service Commission as well as the Director Public Administration and staff, a number of issues were discussed including, **Review of list of Offices delegated by the Public Service Commission to the Commissioner of Prisons.**

At the meeting under reference a further area of discussion was a request I then made to have two disciplinary offences (contained in the Prison Service [Code of Conduct] Regulations) presently, delegated to the Commissioner of Prisons via Public Service Commission (Delegation of Powers)

Amendment Order 2006 - Legal Notice No. 105; to be returned via an Amended Legal Notice, to the jurisdiction of the Public Service Commission. The two Offences identified are:-

- Contravention of any Written Law relating to the (Prison) Service **20 (1) (c)** ;and
- Neglect of Duty **20 (2) (d) (i) (ii) and (iii)**.

This request has become necessary for two main reasons. The first is in relation to the fact that trafficking has become the biggest area of concerns for public safety, especially having regard to the trafficking of cell phones and narcotics.

The Prison Service Act Chap 13:01 has been amended to increase the penalty for Trafficking; however the offence “Contravention of a Written Law relating to the Prison Service” yet has remained as a delegated offence. This has meant that though the particulars of the offence of trafficking clearly relate to the “Contravention of a Written Law” invariably the charge that has to be used, notwithstanding that the particulars of trafficking are clearly related to a contravention of the National Laws (Prisons Service Act and the Prison Rules captured in The Trinidad and Tobago Revised Ordinance, 1950 Vol VIII) has been Discreditable conduct. This has made the prosecution of such offences more inherently difficult. When in truth the correct offence once an Officer is alleged to have trafficked should be Contravention of a Written Law relating to the Prison Service.

It is the consideration that due to the negative impact that the use of cell phones, which is an unauthorized and prohibited item within the purports of the Prison Rules, has had on compromising public safety, that it is necessary that any Prisons Officer who is alleged to have trafficked, should be placed in jeopardy of the penalty of dismissal given that the act is a breach of the National Law and leads to a compromise of one of the fundamental functions of the Prison Service, that of ensuring public safety. This is the basis of my recommendation that the first offence as identified be returned to the jurisdiction of the Public Service Commission.

Secondly, it has been recognized in the aftermath of the escape at the Port of Spain Prison and subsequently confirmed in the recent escape at the Carrera Convict Depot, that in seeking to act to suspend Officers against whom Allegations of Misconduct arose, having regard to the findings unearthed in the prima facie Investigative Report, it was the case, that though the factual matrix uncovered substantive instances of Neglect of Duty, this Allegation could not be considered. This is because ‘Neglect of Duty’ is a Delegated Offence, the maximum penalty for which is not dismissal but at its highest a penalty of twelve (12) days’ pay if the Commissioner of Prison sits as the Disciplinary Tribunal, or four (4) days’ pay if a Superintendent of Prison is Appointed as the Tribunal.

This is the case because PSC Regulations **88** though imbuing the Public Service Commission with the power to suspend a Prisons Officer for alleged Misconduct, (such power being delegated to the Commissioner of Prisons as Head of Department via Public Service Commission (Delegation of Powers) Amendment Order 2006 - Legal Notice No. 105), this authority is constrained by the provisions of **s 89 (1) (a)** of the said PSC Regulation which provides:-

- (1) Where there have been or are about to be instituted against an Officer –
 - (a) Disciplinary proceedings for his dismissal;

It is clear therefore from the plain ordinary words of this section that for an Officer to be suspended as a result of an Allegation of Misconduct, the penalty for such Misconduct must be dismissal.

The fact is that in the aftermath of the two (2) escapes noted, the Offences which were manifest, given the particulars were ‘Neglect of Duty’, which is delegated and therefore does not put the individual in jeopardy of dismissal. This has meant that alternative breaches of the Code of Conduct had to be identified, under which Allegations of Misconduct could be made against the Officers concerned. This approach, of necessity, renders the prosecution of these Offences very difficult.

Further it is the case that though the Offence may be 'Neglect of Duty' and may seem innocent enough, it is noted that the consequences of the Neglect invariably has far reaching implications. In the case of the Port of Spain escape the palpable 'Neglect of Duty' resulted in the death of a Police Officer. Moreover it has not been lost on me as Commissioner of Prisons that such 'Neglect of Duty' as occurred could well have resulted in a greater compromise of the public safety, on the day in question. In such circumstances for the reasons identified I have called for a return of this offence to the jurisdiction of the Public Service Commission.

It is the further consideration that as far as deterrence is concerned being placed in jeopardy of a greater penalty will perhaps lead Prison Staff to a heightened diligence and conformity with procedures in the discharge of their duties.

Although there was verbal agreement on these proposals, I await written confirmation of acceptance from the Director of Public Administration.

- iv. With respect to Rehabilitation Programmes, please see the attached Document 'Ongoing Programmes – 2015/2016.

Yours respectfully,



.....
Commissioner of Prisons

- Attachments:
- A Letter of Suspension for Wilbert Lovell
 - B Letter of Suspension for Lancelot Duntin
 - C Letter of Suspension for Mervin Pierre
 - D Letter of appointment for Dennis Pulchan
 - E Letter acknowledging receipt of the report
 - F Ongoing Programmes 2015/2016



PF: 3/2/1456


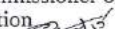
PRISONS ADMINISTRATION

10-14 Philipps Street,

Port of Spain.

Phone No. 623-7070 ext. 5301

August 3rd, 2015

Mr. Wilbert Lovell,
Superintendent of Prisons (Ag.) 
u.f.s.
Deputy Commissioner of Prisons,
Administration 

SUSPENSION FROM DUTY – ALLEGATION OF MISCONDUCT

It has been drawn to my attention that you Wilbert Lovell, were the Superintendent of Prisons on duty at the Port of Spain Prison on July 24, 2015. On the said day, July 24, 2015, at approximately 12:25pm, at the Superintendent Office, Port of Spain Prison you had cause to interview inmate Rajae Ali. During this interview you received information which among other things, suggested that something inimical to the security of the Port of Spain Prison was being contemplated by inmates Allan Martin (also called Scanny) and Inmate Hassan Atwell. The information you received reflected that on the occurrence that both of these inmates were allowed their visit at the same time, this planned threat to security would be carried out.

Having been apprised of this and being in possession of this information you failed to promptly take the necessary actions to ensure such visit did not occur or alternatively to have the visit aborted if it was already in progress.

Your careless conduct in this regard contributed:-

- *To the escape of Inmates Allan Martin, Christopher Selby, Hassan Atwell,*
- *Injury to Prisons Officer I #2287 Leon Rouse,*
- *Death of a Police Officer.*

Moreover such conduct on your part was inconsistent with what was required of you as the Superintendent in charge of the Port of Spain Prison and had the effect of bringing discredit on the reputation of the Prison Service contrary to Regulation 3 of the Prison Service (Code of Conduct) Regulation.

As a consequence and in accordance with the powers delegated by the Public Service Commission to the Commissioner of Prisons, under Part 12 (1) (d) of the Public Service Commission (Delegation of Powers) (Amendment) Order 2006, and Regulation 88 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago, I have ordered that you cease to report for duty in the public interest with immediate effect.

Further, the contents of your matter will be communicated to the Public Service Commission through the Director of Personnel Administration who is vested with the authority and may in the circumstances interdict you from duty under Regulation 89 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago.


A

Your attention is directed to the following requirements and provisions, which you shall observe:

- (a) You shall visit the Senior Superintendent of Prisons, Prison Administration Building, 10-14 Philipps Street, Port of Spain at **8.00 a.m. every Tuesday** for instructions upon your suspension from duty.
- (b) You shall return your uniform and accoutrements forthwith to the Storekeeper, Main Stores, Golden Grove Prison.
- (c) You shall return your Prison Service Identification Card and Pocket Diary to the Senior Superintendent of Prisons, Administration.
- (d) You shall not leave the country without the permission of the Commissioner of Prisons.
- (e) You shall also furnish an address and telephone number by which you can be contacted, to the Senior Superintendent of Prisons, Administration.

You are to sign, date and return the duplicate, triplicate and quadruplicate of this letter as acknowledgement of having received the original.

Faithfully,



Commissioner of Prisons



PF: 3/2/2137

PRISONS ADMINISTRATION
10-14 Philipps Street,
Port of Spain.
Phone No. 623-7070 ext. 5301

August 24th, 2015

Mr. Lancelot Duntin,
Prisons Officer II #2137
u.f.s.
Deputy Commissioner of Prisons,
Administration

SUSPENSION FROM DUTY – ALLEGATION OF MISCONDUCT

It has been drawn to my attention that you Lancelot Duntin, Prisons Officer II #2137, on July 24, 2015 at 8:00am, were paraded and inspected by the Prisons Supervisor in charge of the Main Shift, Mr. Christopher Vidale and posted as the Officer-in-Charge of the Visits Section. On the said July 24, 2015, at approximately 12:25 pm, you were given instructions not to allow inmates Allan Martin (also called Scanny) and Hassan Atwell to be taken out for visit together. After having knowledge of this you were subsequently informed that the both inmates had already been out together, at the Visit Room. However, notwithstanding, you failed to take action to bring the visit to an immediate end and to return the inmates to the Main Prison. Rather, you left the said inmates with another officer with no direct instructions to the officer to act with urgency to bring the visit to an immediate end.

In this regard, your conduct contributed to:-

- *The escape of inmates Hassan Atwell and Allan Martin together with Inmate Christopher Selby using guns and ammunitions through the gates of the Port of Spain Prison.*
- *Injury to Prisons Officer I #2287 Leon Rouse,*
- *The Death of a Police Officer during the course of the escape.*

The Prison Administration views your conduct as Officer in Charge of the Visit Section in particular and as a Prisons Officer II having responsibility for security at the Prison in general, with grave concern. Since such conduct had the effect of contributing to the escape of these three inmates, and the attendant occurrences which had the effect of bringing discredit to the reputation of the Prison Service contrary to Regulation 3 of the Prison Service (Code of Conduct) Regulations.

As a consequence and in accordance with the powers delegated by the Public Service Commission to the Commissioner of Prisons, under Part 12 (1) (d) of the Public Service Commission (Delegation of Powers) (Amendment) Order 2006, and Regulation 88 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago, I have ordered that you cease to report for duty in the public interest with immediate effect.

Further, the contents of your matter will be communicated to the Public Service Commission through the Director of Personnel Administration who is vested with the authority and may in the circumstances interdict you from duty under Regulation 89 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago.

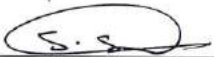
B

Your attention is directed to the following requirements and provisions, which you shall observe:

- (a) You shall visit the Senior Superintendent of Prisons, Prison Administration Building, 10-14 Philipps Street, Port of Spain at **8.00 a.m. every Tuesday** for instructions upon your suspension from duty.
- (b) You shall return your uniform and accoutrements forthwith to the Storekeeper, Main Stores, Golden Grove Prison.
- (c) You shall return your Prison Service Identification Card and Pocket Diary to the Senior Superintendent of Prisons, Administration.
- (d) You shall not leave the country without the permission of the Commissioner of Prisons.
- (e) You shall also furnish an address and telephone number by which you can be contacted, to the Senior Superintendent of Prisons, Administration.

You are to sign, date and return the duplicate, triplicate and quadruplicate of this letter as acknowledgement of having received the original.

Faithfully,



Commissioner of Prisons


4.8.15



PF: 3/2/2578

PRISONS ADMINISTRATION

10-14 Philipps Street,

Port of Spain.

Phone No. 623-7070 ext. 5301

August 3rd, 2015

Mr. Mervin Pierre *Mervin Pierre 3/08/2015*
Prisons Officer II (Ag) #2578
u.f.s.
Deputy Commissioner of Prisons,
Administration.

SUSPENSION FROM DUTY – ALLEGATION OF MISCONDUCT

It has been drawn to my attention that you Mervin Pierre Prisons Officer II #2578 (Ag), on July 24, 2015 at 8:00am, were paraded and inspected by Prisons Supervisor of the Main Shift, Mr. Christopher Vidale and posted as the Officer In Charge of the 'Airing Unit'. On completion of this exercise at approximately 12:15pm, you were further instructed by Prisons Officer II #2137 Lancelot Duntin to carry out duties at the Visit Section. You were subsequently informed that inmates Allan Martin (also called Scanny) and Hassan Atwell should not be allowed to come out for visit together. It was your assessment that at the time of receiving the instructions the said inmates had not, up to that time, been out for visit together. However, subsequent to this on confirming that both inmates were out at the visit area together, you failed to take the necessary prompt action to bring the visit to an immediate end, and to have the inmates returned immediately to the main prison.

In this regard, your careless conduct contributed to:-

- *The escape of Inmates Allan Martin, Christopher Selby, Hassan Atwell,*
- *The Injury to Prisons Officer I #2287 Leon Rouse,*
- *The Death of a Police Officer.*

The Prison Administration views such conduct, on your part, with grave concern specifically in regard to your duty in relation to the maintenance of security, at the visit area in particular and at the Port of Spain Prison in general. Such conduct on your part contributed to the escape of the prisoners, this and the ensuing occurrences having the further effect of bringing discredit on the reputation of the Prison Service, contrary to Regulation 3 of the Prison Service (Code of Conduct) Regulations.

As a consequence and in accordance with the powers delegated by the Public Service Commission to the Commissioner of Prisons, under Part 12 (1) (d) of the Public Service Commission (Delegation of Powers) (Amendment) Order 2006, as further amended in 2011, and Regulation 88 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago, I have ordered that you cease to report for duty in the public interest with immediate effect.

Further, the contents of your matter will be communicated to the Public Service Commission through the Director of Personnel Administration who is vested with the authority and may in the circumstances interdict you from duty under Regulation 89 (1) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago.


C

Your attention is directed to the following requirements and provisions, which you shall observe:

- (a) You shall visit the Senior Superintendent of Prisons, Prison Administration Building, 10-14 Philipps Street, Port of Spain at **8.00 a.m. every Tuesday** for instructions upon your suspension from duty.
- (b) You shall return your uniform and accoutrements forthwith to the Storekeeper, Main Stores, Golden Grove Prison.
- (c) You shall return your Prison Service Identification Card and Pocket Diary to the Senior Superintendent of Prisons, Administration.
- (d) You shall not leave the country without the permission of the Commissioner of Prisons.
- (e) You shall also furnish an address and telephone number by which you can be contacted, to the Senior Superintendent of Prisons, Administration.

You are to sign, date and return the duplicate, triplicate and quadruplicate of this letter as acknowledgement of having received the original.

Faithfully,


Commissioner of Prisons

PS:1/1/49
/jn:



PRISON ADMINISTRATIVE OFFICES
#10-14 PHILIPPS STREET
Port-of-Spain
Trinidad

Mr. Dennis Pulchan, *3/08/15*
Assistant Commissioner of Prisons (Ag.)
u.f.s.
Deputy Commissioner of Prisons,
ADMINISTRATION

3/08/15.....2015

In accordance with Regulation 90 of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago, I have appointed you as Investigating Officer to investigate the following Allegations of Misconduct:

ALLEGATION:

“That he, Superintendent of Prisons (Ag) Wilbert Lovell in charge of the Port of Spain Prison on July 24, 2015 failed to conduct himself in a manner so as not to bring discredit to the reputation of the Prison Service when having received information that inmates Hassan Atwell and Allan Martin, were to be part of an ‘evil enterprise’ and therefore should not be allowed to attend the Visit Room together, he failed to act promptly and decisively on the information received; such conduct on his part contributed to AT Allan Martin, 1st Division Prisoner Hassan Atwell and AC Christopher Selby escaping legal custody at the Port of Spain Prison, sometime around 12:30 pm on July 24, 2015.”; the subsequent injury to Prisons Officer I#2287 Leon Rouse; and the shooting to death of a Police Officer.

Conduct contrary to Regulation 3 of the Prison Service (Code of Conduct), Regulation 1990.

ALLEGATION:

“That he, Prisons Officer II # 2137 Lancelot Duntin stationed at the Port of Spain Prison and attached to the Main Shift in charge of visits on July 24, 2015, failed to conduct himself in a manner so as to not bring discredit to the reputation of the Prison Service when he received instructions that inmates Hassan Atwell and Allan Martin were part of an ‘evil enterprise’ and should not therefore be allowed to attend the Visit Room together; but he failed to act promptly and decisively on the instructions, thus contributing to AT Allan Martin, 1st Division Prisoner Hassan Atwell and AC Christopher Selby escaping legal custody from the Port of Spain Prison, at sometime around 12:30 pm on July 24, 2015”; the subsequent injury to Prisons Officer I#2287 Leon Rouse; and the shooting to death of a Police Officer.

Conduct contrary to Regulation 3 of the Prison Service (Code of Conduct), Regulation 1990.

ALLEGATION:

“That he, Prisons Officer II(Ag) #2578 Mervin Pierre stationed at the Port of Spain Prison and attached to the Main Shift (condemn airing) on July 24, 2015 failed to conduct himself in a manner so as to not bring discredit to the reputation of the Prison Service when he received information from Prisons Officer II # 2137 Lancelot Duntin that inmates Hassan Atwell and

D

Allan Martin should not be allowed to be on visit together, but he failed to act promptly and decisively on the information received when he observed the said two inmates in the visit area together; this conduct contributed to AT Allan Martin, 1st Division Hassan Atwell and AC Christopher Selby escaping legal custody from the Port of Spain prison sometime around 12:30 pm on July 24, 2015"; the subsequent injury to Prisons Officer I#2287 Leon Rouse; and the shooting to death of a Police Officer

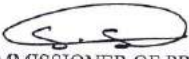
Contrary to Regulation 3 of the Prison Service (Code of Conduct), Regulation 1990.

Your attention is drawn to Regulation 90 (3) to (5) of the Public Service Commission Regulations, Chapter 1: 01 of the Laws of the Republic of Trinidad and Tobago.

Please be advised that Regulation 90 (5) was amended by the Public Service Commission (Amendment) Regulation 1998, to provide for the investigation to be conducted and forwarded by you directly to the Director of Personnel Administration for the information of the Commission within thirty (30) days of your appointment. In the event that you require an extension of the period during which to conduct this investigation, the request should be forwarded to the Service Commission Department, prior to the expiration of the period.

Please acknowledge and return copies of the Appointment letter to the Superintendent of Prisons, 'Discipline'.

Relevant documents are attached for your information.


COMMISSIONER OF PRISONS

CONFIDENTIAL

PRI: 1022

CPF: 120610

CPF: 120611

RM/grf

In replying, the above number and date of this letter should be quoted.

16 October, 2015

Mr. Dennis Pulchan
u.f.s. Commissioner of Prisons

Dear Mr. Pulchan,

Grant of extension of time for submission of report into allegations of misconduct against Mr. Wilbert Lovell, Prisons Supervisor formerly acting as Superintendent of Prisons, No. 2137 Prisons Officer II Lancelot Duntin and No. 2578 Prisons Officer I Mervyn Pierre formerly acting as Prisons Officer II, Ministry of National Security

I refer to your letter dated 1st September, 2015 relevant to matter at caption.

Public Service Commission has considered the contents of your letter under reference wherein you requested an extension of time to complete your investigation and submit your report into the allegations of misconduct which were made against Mr. Wilbert Lovell, Prisons Supervisor formerly acting as Superintendent of Prisons, No. 2137 Prisons Officer II Lancelot Duntin and No. 2578 Prisons Officer I Mervyn Pierre formerly acting as Prisons Officer II, Ministry of National Security, as outlined in the attached statement.

The Commission has decided that you be granted an extension of thirty (30) days for the submission of your report in accordance with the provisions of Regulation 90 (5A) of the Public Service Commission Regulations, Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago. The Commission noted that with the grant of extension of time you were due to submit your report to the Service Commissions Department by 2nd October, 2015.

It is noted that your report was received in the Service Commissions Department on 2nd October, 2015.

You are required to sign the attached copy of this letter in acknowledgement of your receipt of the original and return the signed copy to the officer who delivers the original to you.

Yours faithfully


/s/ Director of Personnel Administration

Ongoing Programmes - 2015/2016

Station	Programmes
Eastern Correctional Rehabilitation Centre	Academic:
	English
	Mathematics
	Principle of Business
	Principle of Account
	Social Studies
	Trades/Skills:
	Authentic Manhood
	Anger Management
	Making a difference Changing Lives
	Vission on Mission
	Carrera Convict Prison
CSEC Classes	
CAPE classes	
Literacy classes	
Computer Literacy	
Primary School Leaving	
Craft:	
Art	
Music	
Trades/Skills:	
Tailoring	
Woodwork	
Welding	
Barbering	
Plumbing	
Station	Programmes
Golden Grove Prison	Academic:
	CSEC Classes
	CAPE classes
	Literacy classes
	Computer Literacy
	Primary School Leaving
	Trades/Skills:
	Crop Propogation
	Masonry/Carpentry
	Welding
	Masonry/Tiling
	Information Technology
	Plumbing
	Electrical Installation
Grow Box	
Life Skills	

Station	Programmes
Maximum Security Prison	Academic:
	CSEC Classes
	CAPE classes
	Literacy classes
	Computer Literacy
	Primary School Leaving
	Trades/Skills:
	Upholstery
	Grow Box
	Masonry & Tiling
	Plumbing
	Electrical Installation
	Woodwork
	Life Skills
	Walk Tall
	Anger Management
	Drug Rehab
	Orientation
	Vison on Mission
	Station
Port of Spain Prison	Academic:
	Adult Literacy Levels 1&2
	Adult Literacy Levels 3&4
	Computer Literacy
	Mathematics
	Trades/Skills:
	Resettlement Programme
	12 Step Programme
	Orientation
	Moral Cognitive Enhancement
Station	Programmes
Remand Prison	Academic:
	CSEC
	Primary School Leaving
Station	Programmes
Tobago Prison	Academic:
	Geography
	Social Studies
	Mathematics
	Reading Practice
	Grammar
	Spelling
	Comprehension
	Trades/Skills:
	Pottery Making
Rabbit Rearing	

Station	Programmes
<i>Women's Prison</i>	Academic:
	CSEC classes
	CAPE classes
	Literacy classes
	Trades/Skills:
	Dress Making
	Electrical Installation
	Seedling Production
	Peppersauce Production
	Floral Arrangement
	Small Engine Repair
Station	Programmes
<i>Youth Training Centre</i>	Academic:
	CSEC Classes
	CAPE classes
	Literacy classes
	Computer Literacy
	Primary School Leaving
	Trades/Skills:
	Electrical Installation
	Mechanic/Small Engine Repairs
	Plumbing
	Welding
	Construction
	Tailoring
	Food Preparation
	Agriculture
	Life Skills
	Real Talk
	Counselling
Empowerment Programme	
Youth ALPHA Boys on the Way	



PARLIAMENT
Republic of Trinidad and Tobago

Levels G - 7, Tower D
The Port-of-Spain International Waterfront Centre
1A Wrightson Road, Port-of-Spain

12

Joint Select Committee on National Security

Parl.: 14/3/43 Vol. II

February 2, 2016

Mr. Sterling Stewart
Commissioner of Prisons
Trinidad and Tobago Prison Service
10-14 Phillip Street
PORT OF SPAIN

Call for information on the Trinidad and Tobago Prison Service

I write on behalf of the Parliamentary Joint Select Committee on National Security. I am instructed by the Committee to obtain from you written responses to the following questions in regard to issues currently engaging the attention of the Committee:

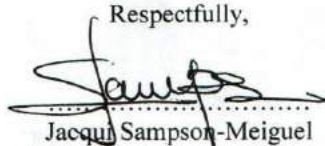
- i. **Was an investigation conducted into the events surrounding the Port-of-Spain prison break of July 24, 2015? If so, what were the findings of the investigation and was a report generated? Please provide the Committee with copies of such a report.**
- ii. **What steps have been taken to improve security at the Port-of-Spain prison post the July 24, 2015 prison break to prevent a recurrence of such events?**
- iii. **What programs are currently implemented within the various prisons regarding the rehabilitation of prisoners? Please provide details of each program.**

Kindly submit an electronic copy of your responses and any supporting documentation to the Committee's office via email to jscnationalsecurity@ttparliament.org by **Monday February 22nd, 2016**. If your documents are too large to be emailed, the Committee shall require an e-copy of the documents on a USB Drive and ten (10) hard copies.

Should you have any queries, I may be contacted at 624-7275 ext. 2227/2232 or jscnationalsecurity@ttparliament.org.

Thank you.

Respectfully,



Jacquie Sampson-Meiguel
Secretary to the Committee

cc: Mr. Fitzgerald Hinds – Chairman of the Joint Select Committee on National Security

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jscnationalsecurity@ttparliament.org

APPENDIX I-C

Correspondence between the JSC National Security and the Director of Personnel Administration

(S)



SERVICE COMMISSIONS DEPARTMENT

52-58 Woodford Street,
Newtown
Port of Spain, Trinidad, W.I.
Tel: (868) 623-2991-6 | Fax: 623-5972 | Website: www.scd.org.tt

CONFIDENTIAL

CPF: 120621

RH/ab

28th December, 2016

**Mr. Johnson Greenidge,
Assistant Secretary to the Committee,
Joint Select Committee on National Security,
Level G-7 Tower D,
The Port-of-Spain International Waterfront Centre.**

Dear Mr. Greenidge,

Re: Status of the Investigation into the Port-of-Spain Prison Break of 24th July, 2015

I refer to your letter Parl.: 14/3/43 Vol. III dated 16th December, 2016 on the above captioned subject.

Please find the enclosed information requested with respect to the Guidelines for the implementation of Case Managements for Disciplinary Tribunals and the cancellation of the appointment of the Disciplinary Tribunal chaired by Mr. Mohamed.

Please be guided according.


/s/ Director of Personnel Administration

P68/12/1 Vol III

28 December, 2016

Re: Status of the investigation into the Port-of-Spain Prison Break of 24th July, 2015.

The process for disciplining public officers can be considered a quasi-judicial system and is therefore structured in a manner that is similar to the Courts. In like manner to the Courts, availability of dates and adjournments affect the continuity of matters to be heard before Tribunals. The regularity with which Tribunals can convene is dependent on available accommodation at the Service Commissions Department (which is limited). At present there are three (3) Disciplinary Tribunals hearing matters. Members have been appointed on a part-time basis. Consideration will be given to giving them full-time status upon the availability of funds.

The basic disciplinary procedure normally follows a four-step process comprising investigation, preferment of charge, hearing before a tribunal and imposition of penalty.

- (i) A time frame of six (6) months is given to the Disciplinary Tribunal in which to hear the matter, complete and submit its Report as listed here under -:
 - (a) On the first date of hearing, all parties involved (Disciplinary Tribunal Members, Officer Charged, Prosecution and Defence Attorneys-at-Law) determine:
 - The number of witnesses who will be called to give evidence;
 - Set and agree on dates based upon the number of witnesses to be called;
 - Evidence is then lead by both Prosecution and Defence: and
 - (b) The Disciplinary Tribunal, on completion of the hearing, submits its Report to the Commission

The Members of the Disciplinary Tribunal, based upon their discretion and experience conducting Tribunal hearings, decide the exact timelines in which it completes each stage of the Guidelines outlined in the Case Management for Disciplinary Tribunals taking into consideration the facts of each case and the timeframe given by the Commission.

- (ii) On average a Disciplinary Tribunal's duration may be heard over a period of one to five years as a result of frequent adjournments due to:

- Illness
 - Representative Attorneys Court Appearances
 - Submission of Medical Board Reports from Ministries and Departments to determine the fitness of Officers Charged.

 - Awaiting Legal Advice with respect to requests for Amendments of Disciplinary Charges, Clarification of Regulations; Non-appearance of both the Officer Charge and the Representative Attorney.

 - No appearance of witnesses.

 - Requests for Adjournments.

 - New dates are assigned for adjourned matters depending on availability on the calendar and amongst other matters.
- (iii) Prior to the implementation of Case Management no sanctions were imposed on Attorneys-at-Law who repeatedly made application for adjournments and contributed to delaying the process. The Commissions are not empowered to impose such. Under Case Management, the Disciplinary Tribunal was instructed to submit a written Report, detailing all delays attributable to frequent requests for adjournments by Attorneys-at-Law as well as their non-appearance at hearings. The Report is forwarded to the Legal Adviser, Service Commissions Department who advises how to proceed in the matter. The Report and the Legal Advice are submitted to the Commission who makes a decision based on the facts of the matter, whether the Attorney-at-Law will be reported to the Law Association or if the intervention of the Permanent Secretary/ Head of Department is required.
- (iv) A new Disciplinary Tribunal was appointed on 7th December, 2016 to hear the evidence and find the facts in the matter:
- (v) See (iv) above
- (vi) The Disciplinary Tribunal was instructed to commence hearing the matter in January, 2017 and to conclude and submit its report to the Public Service Commission by 31st August, 2017.



PARLIAMENT
Republic of Trinidad and Tobago

Levels G - 7, Tower D
The Port-of-Spain International Waterfront Centre
1A Wrightson Road, Port-of-Spain

Joint Select Committee on National Security

Parl.: 14/3/43 Vol. III

December 16, 2016

Ms. Anastastius Creed
Director of Personnel Administration
Service Commissions Department
52-58 Woodford Street
Newtown
PORT-OF-SPAIN

Dear Ms. Creed,

The status of the investigation into the Port-of-Spain Prison Break of July 24, 2015

Call for Additional Information

Thank you for your submission dated December 7, 2016 in response to correspondence dated December 5, 2016 on the captioned subject.

The Committee has given consideration to your response in which you identified the issues that resulted in the delay in the appointment of the Disciplinary Tribunal into this matter.

The Committee further acknowledges receipt of the Appendix "Guidelines re: Case Management". However, on review of the Appendix, the Committee seeks your further assistance and requests the following:

- i. **The Public Service Commission's clear procedures with timelines for the hearing of a matter before a disciplinary tribunal.**
- ii. **Reasons for the statement "hearings before Disciplinary Tribunals are currently heard over a number of years. (an average of three to five years)."**
- iii. **The sanctions, if any, that are in place for Attorneys-at-Law who repeatedly make applications for adjournments and consequently contribute to delaying the process?**

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jscnationalsecurity@ttparliament.org

Website: <http://www.ttparliament.org>

(2)

In light of the cancellation of the appointment of the Disciplinary Tribunal chaired by Mr. Mohammed, please advise whether –


- iv. **A new Tribunal has been appointed and if so, on what date?**
- v. **If a new Tribunal has not been appointed, please advise the date on which this is expected to be done.**
- vi. **A timeline has been given to this new tribunal to complete the matter and if so, please indicate what timeline has been given.**

Kindly send your response to the Committee's Office by **Wednesday December 28, 2016** please. An electronic copy should be sent to jscnationalsecurity@tparliament.org.

Should you have any questions, I may be contacted at **624-7275 ext. 2227/2232** or jscnationalsecurity@tparliament.org.

Thank you.

Respectfully,


.....
/s/ Jacqui Sampson-Meiguel
Secretary to the Committee

cc: Mr. Fitzgerald Hinds – Chairman of the Joint Select Committee on National Security

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jscnationalsecurity@tparliament.org

Website: <http://www.tparliament.org>



SERVICE COMMISSIONS DEPARTMENT

52-58 Woodford Street,
Newtown

Port of Spain, Trinidad, W.I.

Tel: (868) 623-2991-6/ Fax: 623-5972/ Website: www.scd.org.tt



CONFIDENTIAL

PRI: 1022

CPF: 120610

CPF: 120611

PM/sl

In replying, the above number and date of this letter should be quoted.

7 December, 2016

Ms. Jacqui Sampson-Meiguel
Secretary to the Committee
Joint Select Committee on National Security
Office of the Parliament
Levels G-7, Tower D
The Port of Spain International Waterfront Centre
1A Wrightson Road,
Port of Spain.

Dear Ms. Sampson-Meiguel,

**The Status of the investigation into the Port of Spain Prison Break on 24th July, 2015
re: Mr. Wilbert Lovell, Prisons Supervisor formerly acting as Superintendent of Prisons,
No. 2137 Prisons Officer II Lancelot Duntin and No. 2578 Prisons Officer I Mervyn Pierre,
Prison Service, Ministry of National Security**

I refer to your letter dated 5th December, 2016 relevant to the abovementioned subject matter.

Public Service Commission has considered the contents of your letter under reference wherein you requested to be provided with the information in the matter involving Messrs. Lovell, Duntin and Pierre.

With respect to No. (1)

At its meeting of 16th August, 2016, the Public Service Commission decided that the matter involving Messrs. Lovell, Duntin and Pierre be referred to a Disciplinary Tribunal chaired by Mr. Selwyn Mohamed to hear the evidence and find the facts in the matter.

At its meeting of 30th August, 2016, the Commission considered a pre-action protocol letter dated 3rd August, 2016 from Mr. Farid Scoon, Attorney-at-Law on behalf of Messrs. Lovell and Duntin wherein he challenged the validity of the disciplinary process adopted by the Commission and the Commissioner of Prisons in their matter. The Commission decided that the proper procedure was followed by the Commissioner of Prisons and by the Commission and is of the opinion that Messrs. Lovell and Duntin had not been prejudiced in any manner. Mr. Scoon was informed of the Commission's decision by letter dated 9th September, 2016.

Subsequently, by letter dated 6th October, 2016, the Disciplinary Tribunal was informed of their appointment in the matter against Messrs. Lovell, Duntin and Pierre. On 13th October, 2016, upon receipt of their letter of appointment Mr. Allister James, Member of the Disciplinary Tribunal indicated orally that he is acquainted with the Defendants and could not participate in hearing the disciplinary matter.

At its meeting of 6th December, 2016, the Commission cancelled the appointment of the Disciplinary Tribunal chaired by Mr. Mohammed and referred the matter to be heard by another Disciplinary Tribunal.

With respect to No. (2) and (3)

The Disciplinary Tribunal is referred to the provisions of Regulations 95 to 105 of the Public Service Commission Regulations Chapter 1:01 of the Laws of the Republic of Trinidad and Tobago for guidance for the completion of the hearing and the submission of the Disciplinary Tribunal Report. Regulation 96, for example, states:

“96. (1) It shall be the duty of every officer appointed under regulation 95 to hear the evidence, find the facts and make a report to the Commission in accordance with regulations 98 and 102 as soon as possible, and such officer may not be permitted any leave, other than sick leave or maternity leave, until the report is made to the Commission.

(2) Where an officer is granted sick leave for an indeterminate period, the disciplinary tribunal of which he is a member may, notwithstanding regulation 95(2)(b), continue to hear the case and make a report in the absence of that officer, but such a tribunal shall not be constituted of less than two members.”

In addition, the attached Guidelines re: Case Management as approved by the Commission by way of policy was provided to the Tribunal. It is anticipated by the end of July/August 2017, the matter should be completed.

Please be guided accordingly.

Yours faithfully


Ag Director of Personnel Administration

DETAILS

I have been asked to provide details on the procedure for “Case Management” of disciplinary matters before standing Disciplinary Tribunals so that guidelines may be done on Case Management.

The Problem

Hearing before Disciplinary Tribunals are currently heard over a number of years. (an average of three to five years). The reason for this is that alleged defaulter’s are usually represented by an Attorney-at-Law and attorneys send applications for adjournments to the tribunal when they have to attend the High Court or the Court of Appeal.

The Proposed Solution

- (1) The first hearing of a disciplinary charge shall be a Case Management conference.
- (2) This means there will be no actual hearing of the matter (taking of evidence) but instead the tribunal will question both sides and determine how many witnesses each side will call.
- (3) The Tribunal will then determine based on experience in hearing testimony how long it will take to hear each witness. The Tribunal will make every effort to hear as many witnesses as possible at a hearing.
- (4) The Tribunal will then determine how many days will be required to hear each witness, cross examine each witness and make closing submissions.
- (5) The Tribunal will then consult with both sides and set dates for the number of hearings required *i.e.* if five days are estimated then the particular disciplinary matter is recorded in everyone’s calendar and will be heard on the five agreed days.
- (6) The agreed days for hearing of a matter must be set within a six month period.
- (7) The Tribunal should let Counsel know that the matters are fixed for hearing on the agreed days. Therefore if Counsel is unable to attend he/she must have another attorney proceed with the matter or send a written application for an adjournment with three suggested dates within the six month period. The Tribunal may then adjourn to one of these dates if agreeable to the other side.
- (8) The Tribunal should inform both sides that a matter cannot continue beyond the six month period without the consent of the Commission so that every effort is made for expeditious hearing of the matter.



Joint Select Committee on National Security

Parl.: 14/3/43 Vol. II

December 5, 2016

Ms. Prabhawatie Maraj
Director of Personnel Administration (Ag.)
Service Commissions Department
52-58 Woodford Street
Newtown
PORT-OF-SPAIN

Dear Ms. Maraj,

***The status of the investigation into the
Port-of-Spain Prison Break of July 24, 2015***

Call for information

The Committee thanks you for your submission dated August 17, 2016 in response to previous correspondence in relation to the captioned subject.

Pursuant to Standing Order 111 and 101 of the House of Representatives and Senate respectively, the Committee requests to be advised on the following matters:

- 1) On what date did the Public Service Commission appoint the Disciplinary Tribunal to hear the disciplinary charges preferred against Messrs. Lovell, Duntin and Pierre?**
- 2) Did the Public Service Commission (PSC) provide any guidance to the Disciplinary Tribunal in relation to the timeframe for completion of the hearing and report?**
- 3) If yes, can the Director of Personnel Administration (DPA) provide the timeframe given to the Disciplinary Tribunal?**
- 4) If no, can the Director of Personnel Administration state:
 - i. what is the average time Disciplinary Tribunals take to complete their mandate, in general?****

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jcnationalsecurity@tparliament.org

(2)

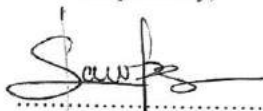
- ii. whether guidelines exist governing the functioning of Disciplinary Tribunals?
- iii. if guidelines exist, please provide a copy. Do they detail the average times for actions to be carried out or completed during a Disciplinary Tribunal?
- iv. were these guidelines provided to the Disciplinary Tribunal hearing charges preferred against Messrs. Lovell, Duntin and Pierre? If no, provide reasons.
- v. if no guidelines exist, who or what body determines the average times for Disciplinary Tribunals to complete their mandate?
- vi. has any Disciplinary Tribunal adjudicated on previous matters which were similar in nature?
- vii. if there were previous matters, please state each instance and the time frame in which the matter was completed.

It would be appreciated if your response could be sent to the Committee's Office by **Wednesday December 7, 2016**. An electronic copy should be sent to jscnationalsecurity@ttparliament.org.

Should you have any questions, I may be contacted at 624-7275 ext. 2227/2232 or jscnationalsecurity@ttparliament.org.

Thank you.

Respectfully,



.....
Jacqui Sampson-Meiguel
Secretary to the Committee

cc: Mr. Fitzgerald Hinds – Chairman of the Joint Select Committee on National Security

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jscnationalsecurity@ttparliament.org

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SERVICE COMMISSIONS DEPARTMENT

52-58 Woodford Street,
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CONFIDENTIAL

PRI: 1022

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CPF: 120611

MP-O/sj

In replying, the above number and date of this letter should be quoted.

17th August, 2016

Ms. Jacqui Sampson-Meiguel
Secretary to the Committee
Joint Select Committee on National Security
Office of the Parliament
Levels G-7, Tower D
The Port of Spain International Waterfront Centre
1A Wrightson Road,
Port of Spain.

Dear Ms. Sampson-Meiguel,

The Status of the investigation into the Port of Spain Prison Break on 24th July, 2015
re: Mr. Wilbert Lovell, Prisons Supervisor formerly acting as Superintendent of Prisons,
No. 2137 Prisons Officer II Lancelot Duntin and No. 2578 Prisons Officer I Mervyn Pierre,
Prison Service, Ministry of National Security

I refer to your letter dated 12th August, 2016 which was received in the Service Commissions Department on 15th August, 2016 relevant to the abovementioned subject matter.

Public Service Commission has considered the contents of your letter under reference wherein you requested to be provided with:

- (1) timelines in relation to each action taken by the Commission; and
- (2) a date by which the Commission anticipates that it will bring this matter to a conclusion.

With respect to No. (1)

The attached document is hereby submitted for your information as requested, which outlines the action taken by the Public Service Commission.

With respect to No. (2)

The matter has been referred to a Disciplinary Tribunal who has been appointed to hear the evidence and find the facts in the matter, and have been informed that the matter should be dealt with expeditiously. Also, the date on which the Commission anticipates for the completion for the matter is yet to be determined.

Please be guided accordingly.

Yours faithfully



Director of Personnel Administration

**Mr. Wilbert Lovell, Prisons Supervisor formerly acting as Superintendent of Prisons,
No. 2137 Prisons Officer II Lancelot Duntin and No. 2578 Prisons Officer I Mervyn Pierre,
Prison Service, Ministry of National Security**

4th August, 2015:

By memorandum dated 4th August, 2015 which was received in the Service Commissions Department on 14th August, 2015, the Commissioner of Prisons:

- (1) informed of an incident which occurred on 24th July, 2015, involving the escape of inmates Allan Martin, Christopher Selby and Hassan Atwell from the Port of Spain Prison which resulted in the death of a Police Officer and that an enquiry into the matter revealed that allegations of misconduct against Messrs. Lovell, Duntin and Pierre should be investigated;
- (2) informed that Messrs. Lovell, Duntin and Pierre were suspended from duty with effect from the dates outlined hereunder, in accordance with the powers delegated to him by the Public Service Commission (Delegation of Powers) Legal Notice 105 of 2006:

Name	Date of suspension
Mr. Wilbert Lovell	3 rd August, 2015
Mr. Lancelot Duntin	4 th August, 2015
Mr. Mervyn Pierre	3 rd August, 2015

- (3) recommended that the officers be interdicted from duty in accordance with the provisions of Regulation 89 of the Public Service Commission Regulations pending the outcome of the allegations of misconduct which were made against them.

24th August, 2015:

By memorandum dated 24th August, 2015, the Commissioner of Prisons submitted a copy of a letter dated 3rd August, 2015, wherein he appointed Mr. Dennis Pulchan, Superintendent of Prisons acting as Assistant Commissioner of Prisons as investigating officer to investigate the allegations of misconduct which were made against Messrs. Lovell, Duntin and Pierre in accordance with the provisions of Regulation 90 (2) of the Public Service Commission Regulations. Mr. Pulchan acknowledged receipt of his letter on 3rd August, 2015, that is, the date on which he commenced his investigation. His report was therefore due to be submitted to the Service Commissions Department by 2nd September, 2015.

1st September, 2015:

By letter dated 1st September, 2015, which was received in the Service Commissions Department on 2nd September, 2015 Mr. Pulchan requested an extension of time to complete the investigation and submit his report in accordance with the provisions of Regulation 90 (5) of the Public Service Commission Regulations which states:

90 (5) The investigating officer shall with all possible despatch, but no later than thirty (30) days from the date of his appointment, forward to the Commission, for the information of the Commission, the original statements and all relevant documents, together with his own report on the particular act.

(5A) Where the Commission considers the circumstances before it warrant an extension of time, the period referred to in sub regulation (5) may be extended by a period not exceeding thirty days.

15th September, 2015:

The Commission considered the aforementioned facts and decided that:

- (i) Mr. Pulchan be informed that it had decided that he be granted an extension of thirty (30) days for the submission of his report in accordance with the provisions of Regulation 90 (5) of the Public Service Commission Regulations and directed that his report be submitted to the Service Commissions Department by **2nd October, 2015**; and
- (ii) Messrs. Lovell, Duntin and Pierre be informed that it **proposed** to interdict them from duty on one-half (½) salary in accordance with the provisions of Regulation 89 of the Public Service Commission Regulations, pending the outcome of the allegations of misconduct which have been made against them and invited them to submit within fourteen (14) days of their receipt of notification of its decision any representations they wished to make in the matter.

1st October, 2015:

The Investigating officer's report was received in the Service Commissions Department and was forwarded to the Legal Adviser, Service Commissions Department on 2nd October, 2015.

16th October, 2015:

The Commission's decision regarding the proposal to interdict Messrs. Lovell, Duntin and Pierre from duty was issued to the Commissioner of Prisons and Messrs. Lovell, Duntin and Pierre. Messrs. Lovell, Duntin and Pierre acknowledged receipt of their letters on 2nd November, 2015.

17th November, 2015:

Mr. Farid Scoon, Attorney At Law representing Messrs. Lovell and Duntin requested an extension of time of fourteen (14) days in order to reply to the Commission's decision dated 16th October, 2015. By letter dated 22nd December, 2015 which was received in the Service Commissions Department on 28th December, 2015, Mr. Scoon submitted a pre-action protocol letter on behalf of Messrs. Lovell and Duntin. No representations were received with respect to the Commission's decision to interdict Messrs. Lovell and Duntin from duty.

27th January, 2016:

The State Counsel II, Service Commissions Department submitted legal advice with respect to the investigating officer's report wherein she advised that disciplinary charges should be preferred against Messrs. Lovell, Duntin and Pierre.

1st February, 2016 and 2nd February, 2016:

In response to the pre-action protocol letter, Mr. Scoon was informed *inter alia* that after reviewing the sequence of events that transpired it was determined that the correct disciplinary protocols were adhered to by the Commissioner of Prisons and the Commission through the Director of Personnel Administration.

14th March, 2016:

By letter dated 14th March, 2016, which was received in the Service Commissions Department on 17th March, 2016 Mr. Scoon, Attorney at Law submitted a further pre-action protocol letter wherein he requested the Commission to:

- (i) quash and immediately discontinue disciplinary proceedings that was instituted against Messrs. Lovell and Duntin;

- (ii) disregard the report which was received from the investigating officer as his report was tainted and biased;
- (iii) withdraw the proceedings to interdict Messrs. Lovell and Duntin.

6th April, 2016:

Mr. Scoon was informed that after a further review of the matter it was concluded that the correct procedure was adhered to with the prescribed Regulations.

7th June, 2016:

The Commission considered the legal advice dated 27th January, 2016 relating to the investigating officer's report and decided to prefer the disciplinary charges in accordance with the provisions of Regulation 90 (6) of the Public Service Commission Regulations against Messrs. Lovell, Duntin and Pierre.

17th June, 2016:

The Commission's decision was issued to the Commissioner of Prisons and Messrs. Lovell, Duntin and Pierre by memorandum and letters dated. Messrs. Lovell, Duntin and Pierre acknowledged receipt of their letters on 20th, 21st and 22nd July, 2016, respectively.

In the interim however on 15th June, 2016 and 29th June, 2016 Messrs. Lovell and Duntin filed High Court Actions against the Public Service Commission, the Commissioner of Prisons and the Attorney General of Trinidad and Tobago as outlined in attached document.

16th August, 2016:

The Commission decided that:

(1) Messrs. Lovell, Duntin, Pierre be informed that it had:

(a) noted that by letters dated 17th June, 2016, they were informed of the disciplinary charges which were preferred against them and they were requested to state whether they admitted or denied the disciplinary charges which were preferred against them;

(b) noted that they acknowledged receipt of the Commission's decision on 20th June, 2016, 21st June, 2016 and 22nd June, 2016, respectively, and that to date representations have not been received as to whether they admitted or denied the disciplinary charges which were preferred against them. The matter will therefore be forwarded to the Disciplinary Tribunal to hear the evidence and find the facts with respect to the disciplinary charges preferred against them in accordance with the provisions of Regulation 93 of the Public Service Commission Regulations and they will be informed in writing of the date of hearing; and

(c) decided that they be interdicted from duty on one-half ($\frac{1}{2}$) salary in accordance with the provisions of Regulation 89 of the Public Service Commission Regulations, with effect from the date of their receipt of notification of its decision pending the outcome of the disciplinary charges which were preferred against them.

(2) The Disciplinary Tribunal be informed of their appointment to hear the evidence and find the facts in the matter and it should be dealt with expeditiously.

NAMES AND ADDRESSES OF THE RESPONDENTS:

1) The name address of the Respondent to this Application is:

Name of First Respondent: PUBLIC SERVICE COMMISSION

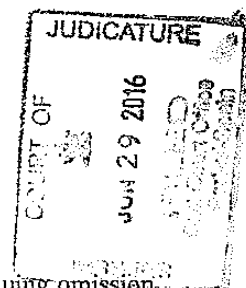
Address: Cipriani Plaza
59-61 Cipriani Boulevard
Port of Spain, Trinidad

Name of Second Respondent: COMMISSIONER OF PRISONS

Address: Prisons Administration Building
10-14 Phillips Street
Port of Spain
Trinidad

Name of Third Respondent: THE ATTORNEY GENERAL OF TRINIDAD AND TOBAGO

Address: Cabildo Chambers
23 – 27 St. Vincent Street
Port of Spain
Trinidad



B. THE RELIEF SOUGHT ARE:

1) An Order for leave to apply for Judicial Review of the omission or continuing omission and of the unreasonable delay, and the neglect and failure and refusal of the First Respondent/Intended Defendant, the Public Service Commission, to perform and or carry out its statutory duty pursuant to Section 90(6) of the Public Service Commission Regulations (the Regulations), after having considered the report of an investigating officer appointed by the Second Respondent/Intended Defendant under Sections 90(1) and 90(2) of the Regulations and any explanation of the Applicant/Intended Claimant given under Section 90(3) of the Regulations, to decide whether the Applicant Intended Claimant shall be charged with any offence, and/or to cause the Applicant/Intended Claimant to be informed in writing of any charge against him together with such particulars as would leave the Applicant/Intended Claimant under no misapprehension as to the precise nature of the allegation on which the charge is based;

- 2) An Order of Mandamus to remove into the Honourable Court and to compel the First Respondent/Intended Defendant to perform and or carry out its statutory duty pursuant to Section 90(6) of the Public Service Commission Regulations (the Regulations), after having considered the report of an investigating officer appointed by the Second Respondent/Intended Defendant under Sections 90(1) and 90(2) of the Regulations and any explanation of the Applicant/Intended Claimant given under Section 90(3) of the Regulations, to decide whether the Applicant Intended Claimant shall be charged with any offence, and/or to cause the Applicant Intended Claimant to be informed in writing of any charge against him together with such particulars as would leave the Applicant/Intended Claimant under no misapprehension as to the precise nature of the allegation on which the charge is based.
- 3) An Order for leave to apply for Judicial Review of the decision of the Second Respondent/Intended Defendant, the Commissioner of Prisons, contained in letter addressed to the Applicant/Intended Claimant and dated August 3, 2015, suspending the Applicant/Intended Claimant from duty for alleged careless conduct in connection with the escape of inmates Allan Martin, Christopher Selby and Hassan Atwell from the Port of Spain Prison on July 24, 2015, and the injury to Prisons Officer 1 #2287 Leon Rouse, and the death of a Police Officer on the said July 24, 2015,
- 4) An Order of Certiorari to remove into the Honourable Court and to quash the above mentioned decision of the Second Respondent/Intended Defendant contained in letter addressed to the Applicant/Intended Claimant and dated August 3, 2015, suspending the Applicant/Intended Claimant from duty for alleged careless conduct in connection with the escape of inmates Allan Martin, Christopher Selby and Hassan Atwell from the Port of Spain Prison on July 24, 2015, and the injury to Prisons Officer 1 #2287 Leon Rouse, and the death of a Police Officer on the said July 24, 2015
- 5) An Order that the Respondent do pay to the Applicant/Intended Claimant the costs of these proceedings.
- 6) Such further or other relief as the Honourable Court do see fit.



Joint Select Committee on National Security

Parl.: 14/3/43 Vol. II

August 12, 2016

Ms. Anastasius Creed
Director of Personnel Administration
Service Commissions Department
52-58 Woodford Street
Newtown
PORT-OF-SPAIN

Dear Ms. Creed,

**The status of the investigation into the
Port-of-Spain Prison Break of July 24, 2015**

Call for information

I write to you on behalf of the Parliamentary Joint Select Committee on National Security in relation to the subject at caption.

By letter dated February 25, 2016, the Commissioner of Prisons informed the Committee that an investigator's report into the events surrounding the Port-of-Spain prison break on **July 24, 2015**, conducted by Ag. Assistant Commissioner of Prisons, Mr. Dennis Pulchan, was submitted to your office on **October 02, 2015** and that all the requisite steps under Public Service Commission Regulations 90(1) to (5) have been completed.

The Committee is concerned that since that date this serious breach of national security remains unattended and unresolved. Accordingly, pursuant to Standing Order 111 and 101 of the House of Representatives and Senate respectively, the Committee requests to be advised on what follow on action has been taken by the Commission since the submission of Mr. Pulchan's report. The Committee also requests that you provide:

- i. timelines in relation to each action taken by the Commission; and**
- ii. a date by which the Commission anticipates that it will bring this matter to a conclusion.**

It would be appreciated if your response could be sent to the Committee's Office by **Friday August 19, 2016**. An electronic copy should be sent to jscnationalsecurity@ttparliament.org.

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

Telephone: (868) 624-PARL (7275) ext. 2227/2232 Fax (868) 625-4672 Email: jscnationalsecurity@ttparliament.org

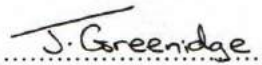
Website: <http://www.ttparliament.org>

(2)

Should you have any questions, I may be contacted at **624-7275 ext. 2227/2232** or jscnationalsecurity@ttparliament.org.

Thank you.

Respectfully,


/s/ Jacqui Sampson-Meiguel
Secretary to the Committee

cc: Mr. Fitzgerald Hinds – Chairman of the Joint Select Committee on National Security
Mr. Sterling Stewart – Commissioner of Prisons, Trinidad and Tobago Prison Service

Chairman: Mr. Fitzgerald Hinds
Joint Select Committee on National Security

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Website: <http://www.ttparliament.org>

APPENDIX II

Attendance Record of the JSC on National Security Second Session (2016/2017), Eleventh Parliament

ATTENDANCE RECORD
JOINT SELECT COMMITTEE
ON
NATIONAL SECURITY
2ND SESSION (2016/2017) OF THE 11TH
PARLIAMENT

Members	10th Meeting 02.11.2016	11th Meeting 16.11.2016	12th Meeting 08.12.2016	13th Meeting 25.01.2017	14th Meeting 01.02.2017	15th Meeting 08.02.2017	16th Meeting 20.02.2017	17th Meeting 24.03.2017	18th Meeting 07.04.2017	19th Meeting 19.04.2017
Mr. Fitzgerald Hinds, MP (Chairman)	√	√	√	√	√	√	√	√	√	√
Mr. Prakash Ramadhar, MP (Vice Chairman)	exc	exc	exc	√	exc	exc	exc	√	√	exc
Ms. Nicole Olivierre, MP	√	exc	√	exc	exc	exc	√	√	exc	√
Mr. Faris Al-Rawi, MP	exc	√	abs	√	√	abs	√	√	exc	exc
Mr. Michael Coppin	√	√	√	√	√	√	√	√	√	√
Mr. Nigel De Freitas	√	√	√	√	√	√	√	√	√	√
Mr. Wayne Sturge	√	√	√	√	√	√	abs	abs	exc	√
Mr. Taurel Shrikissoon	exc	√	√							
Mr Paul Richards				√	√	√	√	√	√	exc

*exc - Excused

*abs - Absent