

**Ministry of National Security's Response to the 5th Report of the Joint Select Committee on Human Rights, Equality and Diversity
on the Examination of the Human Rights of Remandees at Remand Prisons**

Report Ref.	Report Recommendation	Response
Objective 1 – To Determine the Treatment of the Remandees in Remand Prison		
4.21 Pg.39	The Committee recommends the development of re-entry programmes to help the transitioning of remandees upon leaving the facility in the following areas: - Addiction Therapy - Motivational Interviewing Counselling - Life Skills - Cognitive-Behavioural Therapy - Sports & Recreation - Preparation of Re-entry - Character First - Leading above the line	In reference to the development of re-entry programmes, the following information is available: • Addiction Therapy- None currently available • Motivational Interviewing Counselling-None currently available • Life Skills- None currently available • Cognitive Behavioural Therapy- in this area, the Prison Service currently offers the following: - Peace Education Programme - Mindful Meditation - Prisoner Journey - These programmes also fall under spiritual development • Sports & Recreation- No formal sports or recreational programme is in place • Preparation of Re-entry- None currently available • Character First-None currently available • Leading above the line-None currently available The Trinidad and Tobago Prison Service has recognized its deficiency in this area and steps are being taken to introduce programs that seek to address the criminogenic factors of the remanded population. As a result the Level Service Case Management Inventory (LSCMI) tool is now being used to assess the remanded inmate before placement in programs. The organization is also seeking to partner with its providers and stakeholders to provide re-entry programs to its remanded population.

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4.22 Pg.39	The Committee recommends that upon entry to a remand facility, remandees are assessed to determine the skill and educational level in order for immediate placement in educational programmes recognised by the Ministry of Education that can be continued upon release from remand.	The Prison Service is currently working with the Correctional Service Canada to develop and procure actuarial and analytical tools so that all inmates will be assessed upon entry to the Prison. However the Programmes Department has begun to use the Level Service Case Management Inventory (LSCMI) assessment tool to determine the criminogenic needs of the Remanded inmates selected to undertake programs.
4.23 Pg. 39	The Committee recommends that pre-trial management and re-entry training is provided to the staff of the remand facilities in order to improve the management of remandees.	Staff have been trained in areas such as managing correctional programmes, motivational interviewing etc. however this is not specifically geared toward the management of Remandees, it is geared toward the management of all of our charges.
4.24 Pg. 39	The Committee recommends that a system/procedure be developed to counteract the victimisation that may occur due to a remandee utilising the complaints system.	This is to be referred to the Policy Development Committee for drafting
4.25 Pg.39	The Committee recommends that a limit be placed on the number of remandees in the holding cell at the Remand Prison, Golden Grove, based on international best practices.	By way of Cabinet Minute #1485 of August 17 2017, the government approved the Upgrade of the Electrical and Mechanical Systems of the Remand Prison, Golden Grove, Arouca. This upgrade will effectively reduce the cell capacity to no more than three (3) inmates which will be in keeping with international best practices.
4.26 Pg. 40	The Committee recommends that a radio wireless transmission be installed in communal areas at the Remand Section of the Women's Prison, Golden Grove, the Remand Prison, Golden Grove and the Remand Yard, Port-of-Spain Prison for remandees to be regularly informed of current national affairs during fiscal 2018.	Every institution is outfitted with commercial radios which allow the inmates to be informed of current national affairs. However, the radio system at Port of Spain Prison may have to be replaced as it is currently out of order and has been found to be obsolete. Based on allocations for the 2017/18 fiscal this may not be possible during this period.

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4.27 Pg. 40	The Committee recommends that the TTPrS establish the Mediation and Conflict Management Unit (MC-MU) during fiscal 2018.	A Mediation and Conflict Management Unit was formally established on March 16, 2017. The TTPrS is currently engaged in the process of staffing this Unit.
4.28 Pg. 40	The Committee recommends that the Strategic Plan for the Remand Prison be finalised by the Ministry of National Security and begin implementation by September 2018.	The attached plan entitled Re-designation of the Maximum Security Prison A measure designed to treat with overcrowding at the Remand Prison, Golden Grove was submitted to the Ministry of National Security on November 21, 2017, for consideration by the Minister.
4.29 Pg. 40	The Committee recommends that the MLSED and the Ministry of National Security collaborate to develop post-release employment programmes.	At present no plans have been developed for collaboration between the entities.
4.30 Pg. 30	The Committee recommends that the TTPrS develop a computerised system containing information on inmates from adult prisons and juvenile detention centres to aid with the classification and separation of repeat remandees held on serious offences from the remandees held on minor offences or first time offender remandees.	A computerized system is currently being used by the Warrants department. However, a more comprehensive system is being created, with inbuilt access protocols to allow for ready access to relevant inmate information. This is being undertaken by the ICT Unit. Additionally, the national Information and Communication Technology Company Limited (iGovTT) has developed a Strategic ICT Roadmap for the TTPrS. Once implemented, this will treat with all of the computerized systems within the organization. A draft Cabinet Note is being prepared to be submitted to the Cabinet via the Ministry.
4.31 Pg. 40	The Committee recommends that additional persons from the TTPrS be given the training on the Use of Force of Policy during the fiscal year 2018.	Use Of Force Policy training with staff is continuously undertaken by the Prison Service and will continue into fiscal 2018.

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4.32 Pg. 40	The Committee recommends the creation of an implementation timetable for the separation of prisoners in accordance with Nelson Mandela Rule No. 11 by August 2018.	The TTPrS is already compliant with Nelson Mandela Rule No.11
Objective 2 – To examine the Physical Conditions of the Facilities at Remand Yard		
4.49 Pg. 56	Given the durability of the stainless steels toilets at the Remand Prison, Golden Grove the Committee recommends that these toilets be installed at the Remand Section of the Women's Prison and at Remand Yard of the Port-of-Spain Prison.	The TTPrS has not received the necessary funding in fiscal 2017/2018 to address this issue. Consideration will be given in the budget submission for the next fiscal year.
4.50 Pg. 56	The Committee recommends that the visitors' area of the Remand Prison, the Remand Section of the Women's Prison and Remand Section of the Maximum Security Prison in Golden Grove and the Remand Yard of the Port-of-Spain Prison are expanded to allow for more visitors.	Plans for the expansion of the visit area at Golden Grove were developed in 2014. However due to the current financial constraints, this project is unable to be undertaken at this time. Likewise, plans for the Refurbishment of the Pedestrian Entrance Port of Spain Prison (which included the reconfiguration of the visitor area) were previously approved and is supposed to be undertaken under the Infrastructural Development Fund (IDF). However the Ministry of Finance has not allocate any funds in fiscal 2017/2018 for this project.
4.51 Pg. 56	The Committee recommends the Insect and Vector Control Division, Ministry of Health provide monthly insect and vector checks at the Remand Prison, Golden Grove and Remand Yard of the Port-of-Spain Prison.	The Ministry of National Security has approved the award of a contract for the provision of monthly insect and vector checks at the Remand Prison, Golden Grove and Remand Yard of the Port-of-Spain Prison, along with all other prisons. The TTPrS is awaiting the release of funds before the contract could be signed.
4.52 Pg. 56	The Committee recommends that the TTPrS provide cleaning equipment and detergents to remandees at the Remand Prison,	Cleaning equipment and detergents are currently being distributed to the inmates in a rationed manner.

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	Golden Grove and Remand Yard of the Port-of-Spain Prison to sanitize their cells on a weekly basis.	
4.53 Pg. 56	The Committee recommends that two (2) additional dryers are purchased to meet the needs of the remand population at the remand prison in order to reduce the hanging of the remandees' clothing along the central canopies located within the Remand Prison.	The TTPrS has not received the necessary budgetary allocations in the 2017/2018 fiscal to make this a reality in 2018.
4.54 Pg. 56	The Committee recommends that the toilet facilities at the Remand Prison, Golden Grove be refurbished and the pail system in use at the facilities be eradicated by the implementation of the new system as approved by Cabinet.	This project is expected to begin in 2018 following the required engagement of NIPDEC as project managers.
4.55 Pg. 56	The Committee recommends that the TTPrS recruit additional staff for the Remand Prison, Golden Grove in order to achieve the ideal ratio of officers to remandees of 1:6 and in accordance with the recommendation of the Remand Prison Administrative Report for 2015 which indicates to "increase the number of staffing at the institution" in Appendix VII.	One hundred and eighty-eight (188) recruits commenced training on October 02, 2017. It is anticipated that an additional five hundred (500) persons would be recruited in 2018. As a result, the staffing of the Remand would be appropriately increased.
Objective 3: To Evaluate the Implementation of Recommendations with respect to Remandee conditions at Remand Prison within the 2002 Final Report of the Cabinet Appointed Task Force on Prison Reform and 2013 Special Prisons Committee Report.		
4.65 Pg. 59	The Committee recommends that the Prison Rules be updated to include the best practices and procedures outlined in the United Nations Declaration on Human Rights (UNDHR) and the Nelson Mandela Rules and finalized during fiscal 2018.	The Draft Rules are currently being reviewed by the Prison Administration and is expected to be returned to the office of the Attorney General by the end of January 2018.
4.66 Pg. 60	The Committee recommends that the electrical system of the Remand Prison, Golden Grove and the Remand Yard of the POS Prison be upgraded and in accordance with the recommendation of the Remand Prison Administrative Report for 2015, " an overhaul of the lighting fixtures" be done and the authorities "install tamper proof lighting fixtures" in Appendix VII.	The electrical system at the Remand Prison, Golden Grove, is already being addressed by Cabinet Minute No.1485 of August 17, 2017. Submissions for similar works at the Remand Section, Port of Spain Prison, would be included in the Draft Estimates for the 2018-2019 fiscal.

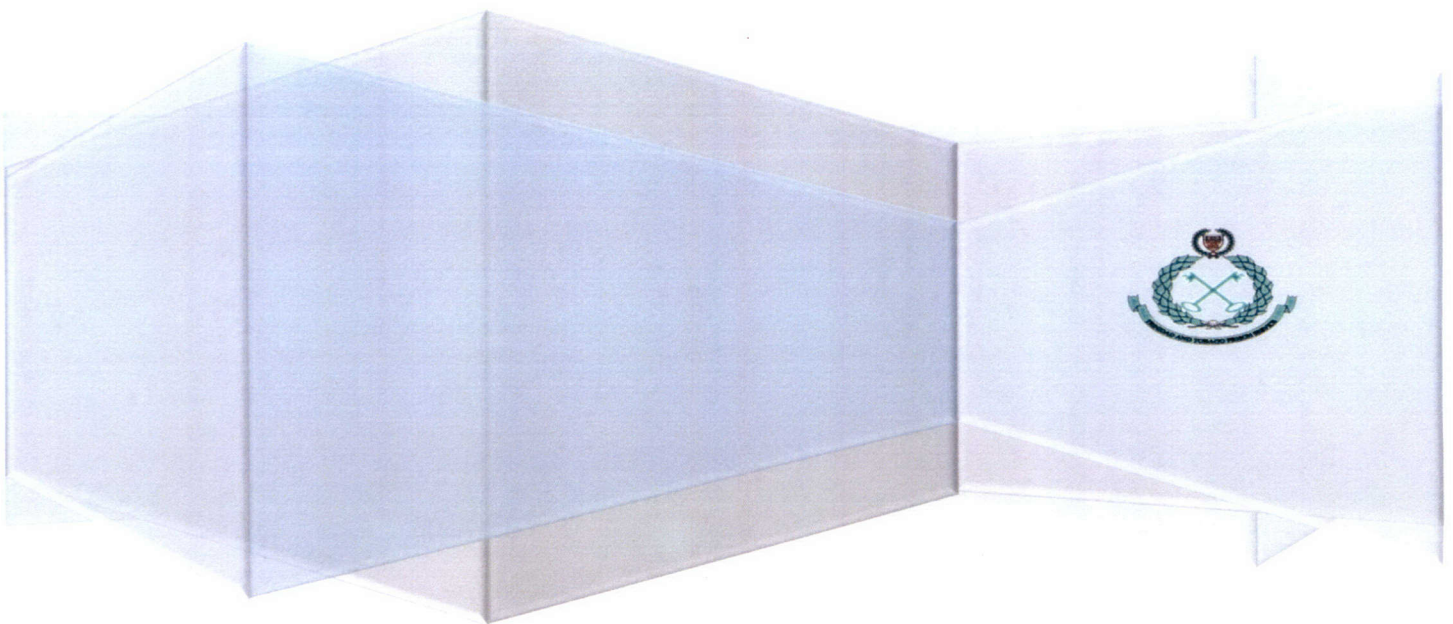
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4.67 Pg. 60	The Committee recommends that the ventilation systems at the Remand Prison, Golden Grove, Remand Yard of the POS Prison and the remand facility of the Women's Prison be upgraded to reduce the humidity experienced at these facilities.	Adequate ventilation systems have been installed at the Remand Yard Golden Grove. Submissions for similar works at the Remand Section Port of Spain Prison and the Women's Prison would be included in the Draft Estimates for the 2018/2019 fiscal year.
4.68 Pg. 60	The Committee recommends that the washers at the Remand Prison, Golden Grove be repaired immediately and two (2) additional dryers be purchased.	Repair works were undertaken and the units are fully functional. No funding has been received in fiscal 2017/2018 for the acquisition of two additional dryers.
4.69 Pg. 60	Given that Trinidad and Tobago has the second highest population of remandees in the Caribbean (Table 8), the Committee recommends that the project to build the new remand facility be initiated during fiscal 2018 subject to any necessary approvals, so as to address issues of overcrowding.	Ministry of National Security to engage UDeCoTT to undertake this project. it should be noted however that the Ministry of Finance has not allocate any funds in fiscal 2017/2018 for the New Remand Prison project.
4.70 Pg. 60	The Committee recommends that the number of remandees per cell be reduced to ensure that each remandee has the right to an individual bed and bedding in accordance with Nelson Mandela Rule No. 21.	By way of Cabinet Minute #1485 of August 17, 2017, the government approved the Upgrade of the Electrical and Mechanical Systems of the Remand Prison, Golden Grove, Arouca. This upgrade will effectively reduce the cell capacity to no more than three (3) inmates, which will be in keeping with international best practices. However, this does not address the situation at the Port of Spain Prison. It is expected that with the introduction of Electronic Monitoring the Remand population would decrease significantly, thus improving the overcrowding situation.

Trinidad and Tobago Prison Service

Re-designation of the Maximum Security Prison

**A measure designed to treat with overcrowding
at the Remand Prison, Golden Grove**

Commissioner of Prisons



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Re-designation of the Maximum Security Prison

Background and Justification

The constant increase in the population of un-convicted offenders has caused the Trinidad and Tobago Prison Service to revisit its operations as it relates to accommodation/detention, the introduction of correctional education programmes for remanded persons and the designation of its various facilities – be they for the housing of remanded and/or convicted facilities. In addition to these considerations are the existent delays in the judicial process and the attendant considerations for potential breaches to the inherent human rights of pre-trial detainees.

As at May 11, 2017 the total adult male inmate population was 2852 and is broken down as follows:

Remand Prison, Golden Grove	-	990
Port of Spain Prison	-	557
Maximum Security Prison	-	1174
Eastern Correctional Rehabilitation Centre		81
Tobago Prison	-	50
Total	-	2852

Remand Prison:

The Remand Prison, commonly called Remand Yard, has an average daily population (ADP) of 1000 pre-trial persons, even though it has a capacity to house 655 persons. Due to delays in the Criminal Justice System, as well as the impact of legislative amendments such as the Bail Act, the duration of detention of persons on remand has been adversely affected. Understandably, this has led to severe overcrowding at the Remand Yard, and at all facilities where remanded persons are housed – save for that of the Eastern Correctional Rehabilitation Centre.

Also of note is the role that gang dynamics have played in correctional management, and the need to treat with the proper classification, separation and in some cases, isolation of offenders. Given the spatial limitations with which we are faced, the administration of the Prison Division must now develop innovative measures of dealing with an intake of pre-trial persons for which we have little, if any, control over.

Maximum Security Prison:

The Maximum Security Prison (MSP) was commissioned in 1998 with a maximum capacity of 2,460 inmates. For the past ten years, the average population at this facility has ranged between 800 and 1100 persons. This figure represented primarily convicted persons. It must be noted that the original designation of the MSP was that of the housing of convicted adult male offenders, sentenced by either the Magistrate's or High Court to a period of incarceration for what is considered to be long sentences (upwards of five years). However, with the steady change in offender statistics and the fact that there is now a 2:1 ratio of remanded to convicted inmates, the areas previously assigned for occupation by convicted offenders must be re-purposed for the housing of pre-trial persons.

With the 2006 unrest at the Remand Yard, the then Prison Administration adopted the policy of transferring offenders to the MSP to help alleviate overcrowding at that facility. Since then there has been a somewhat steady movement of remanded persons to the MSP; all with a view towards managing an ever-increasing remanded population.

Proposal

The Maximum Security Prison contains two primary housing areas – Building 1 and Building 13. It is therefore being proposed that some 700 inmates be transferred from the Remand Prison to MSP. This will have an immediate benefit of reducing the Remand Prison's population to a manageable number of approximately 400 persons, and increase MSP's remanded inmate population to 1500.

Building	Maximum Capacity	Proposed Population	Proposed Designation
Building One	1800	1500	Housing of pre-trial persons
Building Thirteen	600	450	Housing of convicted offenders
Officers' Dormitory	-	-	Correctional Programmes Unit for Pre-trial persons

The current population of the MSP as at Thursday 11th March, 2017 was 1174 – 745 remanded persons and 429 convicted inmates. Both categories of inmates are currently housed in Building One.

In an effort to manage the facility properly and meet with best practice standards of corrections, the Prison Administration is currently in the process of renovating Building Thirteen for the housing of all convicted inmates at this facility. This move will facilitate complete separation of convicted persons from their remanded counterparts, as Building 13 is a self-contained facility within the MSP.

On-going works at Building 13:

- Painting and tiling
- Electrical and ICT
- Furniture and Outfitting units
- Enhanced security

It is estimated that the abovementioned works will be completed by July 2017.

Once the renovation works on Building Thirteen are completed, all convicted inmates will be moved to that location.

Officers' Dormitory

At present the Officers' Dormitory is within the prison. It is therefore proposed that the dormitory be placed outside of the prison. This will have the following positive impacts:

1. The dormitory is a three-storey building. Upon relocation, this vacated space can be utilized for the implementation of correctional education programmes for remanded persons. As a consequence, the rooms can be retrofitted to facilitate classrooms and other learning spaces.
2. The movement of the dormitory outside of the prison would enhance current safety, security and searching procedures at the facility; aiding in the development of policy governing what personal items can/cannot be brought into the facility; thereby reducing trafficking. International best practice is to have the officers' dormitory external to the prison facility.

MSP Fence Project

The fenced lands adjacent to the MSP facility provide an excellent opportunity to treat with the issues of correctional development programmes, recreation and industry of both remanded and convicted inmates. This security enclosure gives the Prisons the means of treating with the needs of stagnant persons, based upon a system of 'earned accesses'.

Because of their status, remanded persons cannot be put to work. They may however, request to do so. This request is then documented and agreed upon pending the same procedure utilized for assigning labour to a convicted person. As a result, the enclosure can be utilized for prison industry, agriculture and recreation.

As it stands, the fenced area is separated into seven areas: A-G.

Segments A and B are the regions earmarked for agriculture – including small animal husbandry and aquaponics; inmate recreation, and prison industry. ***(A more detailed development brief will be forwarded subsequently).***

It must be noted that this enclosure is fully operational and is outfitted with the requisite security infrastructure – CCTV Camera Systems, security booths, on-site and off-site monitoring, electronic gates as well as the security access road facilitating enhanced mobile monitoring and patrol.

The full operationalization of this area would however require the installation of toilet/sanitary systems for inmates and in the long term, the construction of a facility/building for the roll out of prison industry projects.

Impact on Remand Prison

With a built capacity of 655 and an ADP of 1000 persons, the Remand Prison is constricted in its attempts to meet with the needs of its charges. The Commissioner of Prisons or his designate is mandated to keep 'under safe, secure and humane conditions' all persons who have been detained at its facilities. In the case of pre-trial inmates, the mandate is to keep them until such a time as they are to be presented before the courts on their respective matters/charges.

With the steady number of adult male pre-trial inmates, adequately maintaining safety, security and hygiene are burgeoning issues that ceaselessly require the attention of the prison's management. In this regard, the Prison's administration has sought to embark upon a project designed to improve the overall amenities at that facility. However; in order to achieve this, the Remand Prison's population must first be reduced to at least 66% of its maximum capacity (avg. 400 persons). The removal of some 700 persons to the MSP will facilitate the undertaking of the retrofitting/renovation project.

Retrofitting of the Remand Prison:

The Remand Prison is out-dated in its design and in many ways fails to meet the UN Standard Minimum Rules for the treatment of detained persons. The project is currently at the Scope of Works phase and has been projected at a cost of \$55M TTD. Once completed, this project will see the implementation of in-cell toilet facilities/plumbing, updated lighting fixtures and ventilation etc.

A reduction in the Remand Prison's population will also facilitate better management of charges as it relates to the roll-out of correctional education programmes for remandees and a possible increase in airing times for persons housed at this location.

Improved classification, buoyed by a risk based analysis, will take prominence as it relates to curtailing gang/security threat group activities within the institution.

The immediate benefit of the movement of inmates to MSP and retrofitting of the Remand Yard are:

- a reduction in overcrowding,

- enhanced management of high risk and other categories of remandees;
- meeting of UN and other international correctional standards,
- modernization of the facility,
- improved staff to inmate ratio,

Success Factors

The following are required to ensure the successful completion of this remandee management initiative.

No.	Success Factor	Remarks
1	Handing Over of Security Enclosure	This project is yet to be handed over to the Prison Division
2	Retrofitting of the Remand Yard	At the Scope of Works phase, this project must be continued so as to meet the needs of persons detained at the Remand Yard and realize the objectives of the Correctional Service
3	Building 13 Upgrade	Completion of refurbishment works at MSP's Bldg. 13 and the subsequent transfer of all convicted inmates at that facility to this location
4	Construction of an Officers' Dormitory external to facility	There are lands situated between the MSP and the Youth Training Centre, as well as north of MSP which can facilitate the construction of the dormitory as well as additional parking facilities. The current dormitory will then be modified into a correctional education facility for Remandees. <i>Minor refurbishment works is also required at the southern entrance of the Maximum Security Prison.</i>
5	Additional Staff	The re-purposed designation of MSP will require all categories of staff – custodial, operational, and administrative as well as, programmes personnel. The Prison Division currently has vacancies for 342 persons under the 3-batch system. In this vein an intake of at least 130-150 persons may be taken initially to treat with additional staffing requirements that the new operations of MSP will demand. Additionally, staff currently assigned to the Remand Prison may be transferred to MSP
6	Security	Stab-proof vests are to be made available to all

		staff assigned to the MSP. In keeping with the government's crime fighting strategy of 'eyes everywhere' the installation of CCTV cameras at areas of MSP which are now not covered is important and are to be incorporated in the new monitoring system coming on stream. Utilization of the security enclosure (fence) would undoubtedly lead to lengthy exposure to highly mobile inmates while at recreation, programmes, trade or industry. It must be noted that though an 'earned access' system will be implemented, any time incarcerated persons are allowed to congregate/meet without restraints, are seen as volatile or at-risk times in correctional settings.
7	Legislative Amendments	The members of the both Prisons Officers' Associations (1st and 2nd Divisions) have been calling for more stringent punishments/sanctions for persons who commit crimes against Prisons Officers. Legislation must be drafted to ensure that the public is made fully aware of the implications of threats against staff and executed acts of violence against members of the Prison Service, some of which have resulted in the line of duty death of the officer.
8	Payment of Overtime Wages	At present staff assigned to the MSP do not, as a rule, earn overtime. It is the view that some agitation will be made on the part of officers who will be required to work longer hours to ensure the facility is well run. Staff assigned to the Youth Training Centre (YTC) and Eastern Correctional Rehabilitation Centre (ECRC) are both in receipt of OT. However; given the depot totals at these facilities, and in an effort to meet our financial responsibility to staff, with the implementation of the new modus operandi at MSP, it may be necessary to cease payments of OT to staff at ECRC and YTC, so that the officers at MSP can be reasonably compensated. Further, there could be the exploration of new

		working hours which may eliminate the need for overtime in the long term. This can be a shift system that speaks to a 6-2, 2-10 and 10-6 roster, as opposed to the system currently in operation. However, dialogue on this issue must be held with both the First and Second Divisions Staff Associations and the Minister of National Security. The implementation of the 4th Batch System is dependent upon the recruitment of additional staff to supplement the existing staff on all stations. This 4-batch system would reduce the duty hours on officers on the split-shift system
8	Development of Comprehensive Plans/Policies	In order to ensure the correctional administrative and operational procedures are put in place. The following plans and policies need to be developed. - Development Brief for the MSP Security Enclosure - Prison Service Agricultural Development Plan - Treatment and Programmes Policy for Pre-trial Inmates - Administrative and Operational Plan for the Re-designated Maximum Security Prison

Conclusions

The local Criminal Justice System is an accusatorial or adversarial one; whereby both sides are allowed to argue their cases to prove the innocence or guilt of the defendant. This occurs under the premise that the accused is innocent until proven guilty. Under no circumstances should a pre-trial detainee be allowed to suffer any hurt more than that of the temporary suspension of his/her freedom of movement. As a consequence opportunities must be provided for suitable cognitive development, recreation, spiritual growth as well as that of technical/vocational/educational enhancements.

Should this proposal for ameliorating the issues faced by remanded inmates be accepted, the Prison Division will be better positioned to tackle the myriad concerns raised by un-convicted persons, their legal counsels and the society at large.

Be further guided that the funding required including the renovations works at the Remand, equipment necessary for the maintenance of the fenced area, outfitting the Sallay Port,

CCTV throughout MSP should not exceed 100M as compared with over 1b for the construction of a new facility. These costs do not however include the construction of a dormitory as well as the associated works.

The benefits of this exercise would see reduced litigation by offenders as it relates to prison conditions, improved staff morale and performance.