
Ministry of National Security's Response to the Tenth Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Treatment of Detainees at the Immigration Detention Centre

Item 4.33

The Committee recommends that the Ministry of National Security collaborates with the Ministry of the Attorney General and Legal Affairs to complete draft legislation on the treatment of persons of concern in Trinidad and Tobago in fiscal 2019.

Response

The draft Legislation has been completed and was forwarded to the Ministry of the Attorney General and Legal Affairs. The Ministry has been advised that the matter is receiving the attention of Cabinet.

Item 4.34

Given the increase in detainees from Latin America countries in Appendix VIII, the Committee recommends that the IDC recruit an in-house Spanish interpreter to facilitate communication between detainees and officials by June 2019 in accordance with Article 14(3) (f) of the International Covenant on Civil and Political Rights.

Response

There is indeed value to this recommendation. The Immigration Division currently utilizes the services of three (3) Associate Professionals from the Ministry of Education, and consideration can be given to expanding this initiative.

Furthermore, a proposal on the recruitment of an in-house Spanish Interpreter will be drafted by the Chief Immigration Officer for the consideration of the Permanent Secretary.

Item 4.35

The Committee recommends that the Ministry of the Attorney General and Legal Affairs and the Ministry of National Security note the statistics at Item 4.30 and recommendations of the Living Water Community (LWC) highlighted in Appendix IX.

Response

The Ministry notes the recommendation of the LWC which were discussed at the monthly stakeholders meeting on Refugees and Asylum seekers. However, it should be noted that some of the recommendations are not consistent with national security practices.

Item 4.36

In accordance with Guidelines 8 (48[xv]) of the UNHCR Detention Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, the Committee recommends that the IDC establish an independent complaints system for the submission and investigation of detainee complaints in fiscal 2019.

Response

Further consideration is being given to the aforementioned recommendation. Upon the assumption of duty of the new Detention Manager during the month of April 2019, this item will be dealt with more fully.

Item 4.37

Given the linkage between increased staffing and the decreased length of time in detention, the Committee recommends that the vacant contract positions be filled in fiscal 2019.

Response

This initiative is currently underway. The Detention Manager and two (2) Assistant Managers have been selected, notified and are scheduled to assume duties during the month of April 2019.

Furthermore, interviews for the position of Supervisors, Detention Officer IIs and Detention Officer Is are expected to be completed during the month of April 2019. It is anticipated that the successful candidates can assume duties during this fiscal period.

Item 4.38

Given the influx in the number of Venezuelan detainees at the IDC from 2015 to 2018 in Table 8, the Committee recommends that the Ministry of National Security review other alternatives to detention and implement at least one (1) additional alternative to detention in fiscal 2019.

Response

At this time, the only alternative that is being used is the issuing of Orders of Supervision.

Another alternative that could be considered is the proposed Policy for the registration and granting of temporary work permits to Venezuelan nationals. Such a Policy is still being developed and it would only be applicable to Venezuelan nationals.

Item 4.46

The Committee recommends that the IDC commence renovations to ensure that it is in compliance with the applicable required working conditions under section 31 to 45B of the Occupational Health and Safety Act, Chap. 88:08 (Appendix V) in fiscal 2019.

Response

Renovation works commenced at the IDC in 2017 and continues to date. Work is expected to commence on the Outer Security Post during the month of April 2019 and is expected to be completed by July 2019.

An inspection of the perimeter fence will be conducted during the month of May 2019, which will determine whether the entire fence needs to be changed or could be repaired. The scope of work and estimate are expected to be completed by June 2019.

Additionally, the scope of works and estimate for the CCTV Camera System is expected to be completed by May 2019, by the Immigration Division's IT Department. It should be

noted that should the estimates exceed One Million Dollars (\$1Mn), this matter will be referred to the Central Tenders Board (CTB).

Item 4.47

The Committee recommends that the IDC engage objective and qualified professionals from an independent agency/organisation to conduct annual visits to ensure compliance with Article 29 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment in fiscal 2019.

Response

Authorization was granted for the International Federation of the Red Cross (ICRC) to visit the IDC on December 17, 2018. The ICRC submitted a report and it was agreed that quarterly visit will be undertaken to the IDC. Currently, the Immigration Division is awaiting confirmation of the next scheduled visit.

Item 4.48

In accordance with Article 10(2) (a) of the International Covenant on Civil and Political Rights, state that, “2.(a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons”, the Committee recommends that the IDC establish a detainee classification policy in fiscal 2019 to provide for the effective separation of detainees with records of serious crimes.

Response

The new Detention Manager will be tasked the responsibility for developing a Policy for the classification of detainees.

Item 4.49

The Committee recommends that the surrounding grasslands at the IDC be maintained on a monthly basis in order to mitigate rodent and insect infestations.

Response

There is currently a standing arrangement with the Trinidad and Tobago Prison Service for the maintenance of the grasslands at the IDC, however, this service is only on a needs basis.

Given the numerous commitments of the Trinidad and Tobago Prison Service, the maintenance of the grasslands are not undertaken in a timely manner, as such, the Facilities Management Unit of the Immigration Division is currently receiving proposals for the outsourcing of such maintenance.