



## 14<sup>th</sup> Report

JOINT SELECT COMMITTEE ON

**SOCIAL SERVICES**

AND

**PUBLIC ADMINISTRATION**

**On An**

**Inquiry into the challenges of prisoner re-entry into  
society and prisoner reintegration services in Trinidad  
and Tobago**

FIFTH SESSION (2019/2020) 11<sup>TH</sup> PARLIAMENT  
OF THE REPUBLIC OF TRINIDAD AND TOBAGO

# 14<sup>th</sup> REPORT

OF THE

**JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC  
ADMINISTRATION**

ON AN

**INQUIRY INTO THE CHALLENGES OF PRISONER RE-ENTRY INTO  
SOCIETY AND PRISONER REINTEGRATION SERVICES IN TRINIDAD  
AND TOBAGO**

Date Laid in the HoR:

Date Laid in the Senate:

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

**The Joint Select Committee on Social Services and Public Administration**

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## THE COMMITTEE

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Mr. Paul Richards  
**CHAIRMAN**

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Mr. Esmond Forde, MP  
**VICE-CHAIRMAN**



Mrs. Glenda Jennings-Smith, MP  
**MEMBER**

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Brig. Gen. (Ret.) Ancil Antoine, MP  
**MEMBER**



Mrs. Christine Newallo-Hosein, MP  
**MEMBER**

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Mr. Rohan Sinanan  
**MEMBER**



Ms. Khadijah Ameen  
**MEMBER**

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Ms. Allyson West  
**MEMBER**

## Committee Mandate and Establishment

- 1.1.1 Section 66 of the Constitution of Trinidad and Tobago declares, that not later than three months after the first meeting of the House of Representatives, the Parliament shall appoint Joint Select Committees to inquire into and report to both Houses in respect of Government Ministries, Municipal Corporations, Statutory Authorities, State Enterprises and Service Commissions, in relation to their administration, the manner of exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.
- 1.1.2 Motions related to this purpose were passed in the House of Representatives and Senate on November 13 and 17, 2015, respectively and thereby established, *inter alia*, the ***Joint Select Committee on Social Services and Public Administration***.
- 1.1.3 Standing Order 91 of the Senate and 101 of the House of Representatives outline the general functions of a Committee of this nature. They are as follows:
- a) “To examine Bills and review all legislation relating to the relevant Ministries, departments or bodies or as may be referred to it by the House;
  - b) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration and operations of the assigned Ministries, departments or bodies;
  - c) To study the programme and policy objectives of Ministries, departments or bodies and the effectiveness of the implementation of such programmes and policy objectives;
  - d) To assess and monitor the performance of Ministries, Departments and bodies and the manner of the exercise of their powers;
  - e) To investigate and inquire into all matters relating to the assigned Ministries, Departments and bodies as they may deem necessary, or as may be referred to them by the House or a Minister; and
  - f) To make reports and recommendations to the House as often as possible, including recommendations for proposed legislation.”

## Powers of the Joint Select Committee

1.1.4 Standing Orders 101 of the Senate and 111 of the House of Representatives outline the core powers of the Committee which include *inter alia*:

- to send for persons, papers and records;
- to sit notwithstanding any adjournment of the Senate;
- to adjourn from place to place;
- to report from time to time;
- to appoint specialist advisers either to supply information which is not otherwise readily available or to elucidate matters of complexity within the Committee's or Sub-Committee's order of reference;
- to communicate with any Committee of Parliament on matters of common interest; and
- to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

## Membership

1.1.5 The Committee comprises the following members:

1. Mr. Paul Richards	Chairman
2. Mr. Esmond Forde, MP	Vice-Chairman
3. Mrs. Glenda Jennings-Smith, MP	Member
4. Brig. Gen. (Ret.) Ancil Antoine, MP	Member
5. Mrs. Christine Newallo-Hosein, MP	Member
6. Mr. Rohan Sinanan	Member
7. Ms. Khadijah Ameen	Member
8. Ms. Allyson West	Member

## Secretariat Support

1.1.6 The following officers were assigned to assist the Committee:

1. Mr. Julien Ogilvie	-	Secretary
2. Mr. Johnson Greenidge	-	Assistant Secretary
3. Ms. Aaneesa Baksh	-	Graduate Research Assistant
4. Ms. Janelle Mills	-	Parliamentary Intern
5. Ms. Nicole Brown	-	Parliamentary Intern

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## **ABBREVIATIONS**

CBT	Cognitive Behavioural Therapy
MOF	Ministry of Finance
MOLSED	Ministry of Labour and Small Enterprise Development
MNS	Ministry of National Security
PRTU	Penal Reform Transformation Unit
TTPrS	Trinidad and Tobago Prison Service
VOM	Vision on Mission



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## EXECUTIVE SUMMARY

2.1.1. At its thirty-fourth (34th) meeting held on July 10, 2019, the Committee resolved to inquire into the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago. The Committee agreed on the following inquiry objectives:

1. **To examine the social, psychological and financial challenges to societal reintegration experienced by former prisoners;**
2. **To assess the services and facilities available to support the re-integration of former prisoners into society; and**
3. **To assess the adequacy of policies and laws to treat with prisoner re-entry into society.**

2.1.2. The Committee acquired both oral and written evidence based on the objectives listed above. Oral evidence was received during two (2) public hearings held with various stakeholders (*See Appendix I*) on September 18, 2019 and November 20, 2019. Some of the significant issues highlighted during the inquiry were:

- i. A holistic approach to the rehabilitation of offenders is essential in order to successfully reintegrate ex-offenders and reduce the desired changes in the recidivism rate
- ii. The need for the provision of more rehabilitation programmes in both the prison system and within communities. These programmes should also target remandees as remand inmates are detained for periods between 4-14 years
- iii. Previously published recidivism rates should be examined with caution. Although high, the rates may be inaccurate due to multiple factors affecting detection of re-offending.
- iv. The current remand facilities are inadequate for inmates' psychological and social needs.
- v. The need to more effectively manage the caseload of Welfare Officers
- vi. The participation of prisoners and prison officers in the receipt and dispensation of rehabilitation activities is voluntary. A system that will facilitate the compulsory participation of inmates in rehabilitation activities is required. Contributors suggested

that participation in programmes can be made a requirement for the remission of sentences or conditional release.

- vii. Prison Officers trained in teaching basic literacy are rotated across the various prisons to ensure that academic classes are provided in all facilities.
- viii. Referrals are made to public and private external agencies, including Vision on Mission (VOM), to assist with ex-prisoners' aftercare needs, including housing.
- ix. VOM is the only entity under the purview of the MNS that receives a subvention for providing comprehensive, re-integration services to ex-prisoners. The Monitoring and Evaluation Unit of the MoNS evaluates the outcomes of the ongoing VOM project.
- x. The VOM manages a Preparation for Release ("pre-release") Programme in all prisons. After release from prison, participants can enrol in the organisation's Resettlement Programme.
- xi. The TTPrS endorsed the development of a parole system, and a shift from a punitive to rehabilitative approach within the prison system.
- xii. Draft legislation on conditional release was developed by the Penal Reform and Transformation Unit (PRTU) in 2008 and draft legislation on parole was developed by the former Ministry of Justice circa 2012.
- xiii. Walk-in services are provided to ex-prisoners who did not participate in the pre-release programme, which include individual and group counselling, housing and job placement.
- xiv. It is important that prisons utilize appropriate tools to assess prisoners' risks and needs, develop correctional intervention plans and provide appropriate programming/therapies.
- xv. The need for the Probation Department, MNS to assume greater responsibility in the supervision of ex-prisoners as part of its role in the process of community corrections. The VOM has proposed the need for a Community Corrections Act to clearly define roles in this process.
- xvi. The need for Prisons to provide more incentive to inmates to attend VOM's programmes. Attendance declined significantly over the past few years. One challenge to prisoner participation in the pre-release programme is that participation is not mandatory and there are no major incentives for participation.<sup>1</sup>

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<sup>1</sup> The TTPrS also indicated that this is a challenge to participation in prison programmes.

- xvii. In 2018, the VOM was able to register approximately 176 prisoners in the pre-release programme, although more than 500 attended. Over 300 participants of the programme are released from prisons annually.
- xviii. Increased government support is needed to address the employment needs of ex-prisoners.
- xix. Vision on Mission reported that attempts to collaborate with the Ministry of Labour and Small Enterprise Development to address the employment needs of former prisoners were unsuccessful.
- xx. During the period 2004 - 2018 the State subvention to VOM increased from approximately \$150,000 to \$7 million. This subvention was provided to finance programmes for all clients served by VOM.
- xxi. The need for Prison Welfare Officers to increase their follow-up support to ex-prisoners.
- xxii. Vision and Mission has demonstrated growth in its capacity to respond to the multiplicity of needs of ex-offenders and has benefited from strategic partnerships. E.g. A project delivered in partnership with the European Union (EU) provides agricultural training and a stipend to graduates of the pre-release programme. The programme is implemented on 12 acres of land owned by VOM.
- xxiii. The Committee also took note of the progress made by VoM in the execution of (1) the housing facility in Champs Fleurs which can accommodate approximately 30 persons, (2) the construction of a housing complex in Claxton Bay to accommodate 65 women.
- xxiv. The need to introduce strategic sentencing/therapeutic jurisprudence into the court system. This considers the criminogenic needs of convicts and informs their sentencing and rehabilitation.
- xxv. The need to create reception/assessment centres in prisons to facilitate the “onboarding” or assessment of new inmates in addition to the rehabilitation and monitoring of prisoners.
- xxvi. The Prison Welfare Department recently introduced case management to provide more individualized interventions to prisoners.
- xxvii. The need for transitional programmes such as “half-way houses” to recently released ex-prisoners.
- xxviii. The need to establish a drug rehabilitation centre or mental health unit in the prison system with qualified professionals. In the past, a drug rehabilitation facility operated in the prison system but was shut down. Prison Officers currently lack the appropriate

training the treat with prisoners with drug dependency issues. Some prisoners have been admitted to the St. Ann's Psychiatric Hospital in the past.

xxix. The need for a change in the culture and mind-set of Prison Officers to align with the organization's restorative justice policies.

xxx. The need to reduce the duration of time accused inmates spend in remand, given that little to no rehabilitation is provided to this population despite it being larger than the convicted population.

xxxi. The performance management system for Prison Officers is not effective.

xxxii. The need for legislation and policies to guide employment practices relating to ex-prisoners. These policies will also help to prevent the labour exploitation of ex-prisoners.

**xxxiii. The Court found that there was no written government policy to treat with the hiring of persons with criminal records<sup>2</sup>.**

xxxiv. The poor hygienic environment and living conditions in prisons frustrate both the prisoners and Prison Officers and may hinder rehabilitation efforts. Financial constraints within the prisons contribute to these conditions.

2.1.3. Based on these findings and other matters which arose during the inquiry, the Committee has proffered recommendations which it believes will address the issues highlighted. A summary of these recommendations follows this Executive Summary.

2.1.4. The Committee looks forward to reviewing the Minister's response to this Report, which becomes due, sixty (60) days after it is presented to the Houses of Parliament.

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<sup>2</sup> Amended further to correspondence received from the Ministry of Labour dated November 13 2020.

## **SUMMARY OF RECOMMENDATIONS**

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### **OBJECTIVE 1 RECOMMENDATIONS FOR IMPLEMENTATION**

- A. **There is a need for coordination among the various agencies responsible for managing the prisoner integration process. These include the Trinidad and Tobago Prison Service, the Trinidad and Tobago Police Service and the Judiciary.**
  
- B. **The TTPrS should improve their record-keeping systems for prisoner files to minimise records being lost. This will also assist with records being shared among the relevant agencies.**
  
- C. **To combat culture shock experienced by ex- offenders upon release, the prison system should include sessions that inform prisoners of current affairs and societal changes, including technological advancements.**
  
- D. **The TTPrS could develop a mentorship programme where rehabilitated ex-offenders serve as mentors for newly released offenders. The mentor will serve as a point of contact for the ex-offender as well as an advisor to help the newly released ex-offender navigate society.**
  
- E. **The TTPrS could collaborate with VOM to expand the reach of prison reform to other civil society organisations vis-à-vis a training of trainers approach. This community-based approach could ensure that within a given geographic zone, there is at least one definite entity that the ex-offender can rely on for social, emotional and psychological support during the transition.**
  
- F. **The Trinidad and Tobago Prison Service should develop a public sensitisation campaign to educate the public about prisoner reform with the aim of reducing stigma. This campaign could include testimonials from reformed ex-offenders circulated through both traditional and social media channels.**

- G. Rehabilitation pre-release programmes conducted by the TTPrS could include topics such as image development, grooming and etiquette training and job interview skills.
- H. The TTPrS should establish a digital repository of inmates' critical documents upon incarceration. This information should be logged and updated as necessary. This will assist in aiding to fast-track the process of renewing these documents when required upon release.
- I. There should be a prison liaison assigned with the responsibility of liaising with the Registrar General's Department, Licensing Office, Elections and Boundaries Commission, National Insurance Board and the Board of Inland Revenue to begin the process of updating the offender's critical documents. This should take place within a reasonable time before the release date to ensure that the documents are available to the individual once they are released.
- J. The TTPrS should co-ordinate an annual drive where the relevant authorities visit the prisons to conduct an assessment of the status of each inmate's proof of identity documents to determine where the gaps are.
- K. The TTPS should ensure that outcome of a prisoner's case is included on the Certificate of Character
- L. VOM could consider partnering with other NGOs, CBOs and relevant entities (such as tertiary institutions focused on Business Management) to set up self-sustaining social enterprises that employ prisoners utilising a co-operative system whereby groups of inmates are trained in the skills necessary to run a successful entrepreneurial venture and channelled into a specific area upon release. Some ideas of these ventures are: bee-keeping, agriculture, food preparation, woodwork, fashion design and jewellery making.

- M. Prisoner release programmes conducted by the NGOs should include a component that educates prisoners on their rights with regard to employment policies concerning ex-offenders.
- N. The TTPrS should increase the number of social workers, psychologists, psychiatrists assigned to the prison service.
- O. The TTPrS could consider partnering with tertiary institutions to encourage students in the fields named above to specialise in working in the various prison rehabilitation services.

### **OBJECTIVE 2 RECOMMENDATIONS FOR IMPLEMENTATION**

- A. The MNS and TTPrS should conduct a gap analysis on Human Resource needs within the prison service and work alongside the Public Service Commission to close these gaps. This should be done with regard to both filling positions and upgrading skills of existing employees.
- B. The TTPrS must conduct an urgent evaluation of the work flow systems and process used by the Prison Welfare Unit with a view to enhancing the impact of this unit in the State's Prisoner rehabilitation efforts. To augment this proposal, an effective Performance Management system for members of this Unit should be formulated and implemented.
- C. The MNS should seek to expand the number of mental health professionals on the TTPrS staff.
- D. Recognising the role civil society plays in the rehabilitation of ex-prisoners and acknowledging that faith-based organisations make up a significant percentage of organisations providing services to ex-prisoners the committee recommends the following:
  - i. As an interim measure, the MNS and TTPrS should partner with existing faith-based groups that cater to prisoners and ex-prisoners and the Inter-Religious Organization of Trinidad and Tobago to implement a programme to encourage



- religious organisations from diverse faiths to develop prisoner rehabilitation programmes.
- ii. With a view to developing a more standardized approach among these organizations, this programme should include the development and implementation of training protocols, rules and regulations to govern the operations and procedures of the services offered to ex-prisoners.
- E. The Ministry of National Security should collaborate with the Private sector to expand network of potential employers willing and able to hire ex-offenders. These companies may be more willing to hire persons with convictions for non-violent offences. The Ministry of Justice in the United Kingdom developed the *Offender Employment Campaign*, which sought to “connect prisoners to potential employers who can provide sustained employment.”<sup>3</sup> The campaign involved engaging potential employers at various prisons. One of the outcomes of this campaign was that prisoners received both job offers and interviews.
- F. While prison officers should be trained to have a basic understanding of areas such as literacy training or counselling, staff with specific training in these areas should be hired by the TTPrS to fulfil these functions. As an interim measure, the MNS may seek increased collaborative initiatives with state and non-state agencies which deliver programmes in basic literacy, life-skills, mental health management etc.
- G. As a matter of urgency, the MNS, TTPrS and MOF should meet to develop a comprehensive plan for the upgrade of the physical infrastructure of prisons in a way that facilitates the rehabilitation process and satisfies basic human rights. The MNS should provide a design for the conceptualization and implementation of such a project in the Ministerial Response to this report.
- H. The MNS, TTPrS and VOM should work together to develop incentives for prisoners’ participation in the VOM pre-release programme.

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<sup>3</sup> <https://gcs.civilservice.gov.uk/campaign-month-offender-employment-campaign/>, Accessed A

- I. The MNS's Ministerial Response should provide an update on the status of the recruitment of teachers to administer basic literacy and other academic programmes. Given the relatively saturated state of our labour market, the MNS and TTPrS should consider harnessing the knowledge and skills on the growing pool of tertiary level graduates.
- J. The MNS and MOLSED should conduct consultations with the relevant stakeholders (inclusive of reformed ex-prisoners involved with prisoner reintegration) to develop and implement a State certified Skills Register for ex-offenders. This register can be made accessible potential employers and if feasible the public.
- K. As a part of the Ministerial Response to this report, the MNS should provide the findings and recommendations of the final evaluation report of the VOM which was intended to assess value for money.
- L. As a part of the Ministerial Response to this report, the VOM should indicate:
  - i. the status of the implementation of in-house agricultural/vocational training with stipends to graduates of the VOM's pre-release programme; and
  - ii. whether the construction of a housing complex in Claxton Bay to accommodate 65 women was completed in 2019 as planned and how many women are currently housed at this facility.
- M. As a part of the Ministerial Response to this report, the MNS should provide a copy of the report submitted to Cabinet which at the time of the public hearings identified the recidivism rate as 51%.
- N. The capacity of the prison system to effectively rehabilitate inmates and therefore reduce the recidivism rate is closely connected with the State's overall anti-crime initiatives. Therefore, the MNS should collaborate with the Ministry of Finance with a view to sourcing additional funding to support the implementation of prisoner rehabilitation efforts. To this end, international organisations and lending agencies can also be approached.

### **OBJECTIVE 3 RECOMMENDATIONS FOR IMPLEMENTATION**

The MNS should conduct a performance evaluation of the Probation Dept., MNS and develop within 3 months a programme to enhance the operations of the Department with regard to the supervision of ex-prisoners.

- A. As a part of the Ministerial Response to this report, the MNS should provide copies of any draft legislation with regard to prisoner rehabilitation and reintegration, including:
- The Community Corrections Act
  - The Conditional Release and Rehabilitation Act
- B. Suitable Legislative amendments should be developed to facilitate the expunging of records of ex-prisoners for certain type of offences after an allotted period of time has elapse. Exceptions can be made for offences for which bail is not usually granted.
- C. The Committee recommends that the MNS and the MAGLA prioritise the completion of the package of draft legislation with regard to prisoner rehabilitation and reintegration and cause such legislation to be laid in Parliament within a year of this report.
- D. The MNS should review the current policy framework in relation to the implementation of programmes and facilities for the rehabilitation and reintegration of prisoners. The MNS should develop within 6 months of the presentation of this report, an implementation design for the improvement of same.

# INTRODUCTION

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## Background

3.1.1. The term “**prisoner**” refers to *“every inmate of any prison detained therein under sentence or conviction for any offence or under committal or remand pending trial or investigation on a charge of any offence.”*<sup>4</sup> In Trinidad and Tobago, adult prisoners can be detained in the following eight facilities:

1. Port of Spain Prison
2. Golden Grove Prison
3. Maximum Security Prison
4. Carrera Convict Prison
5. Remand Prison
6. Tobago Convict Prison
7. Women’s Prison
8. Eastern Correctional and Rehabilitation Centre

3.1.2. Juvenile offenders, however, are sent to the Youth Training and Rehabilitation Centre (YTRC), which is not a prison but falls under the remit of the Prison Service and is governed by the Young Offenders Act.<sup>5</sup> **Notwithstanding the foregoing definition, for the purposes of this report, specific focus will be placed on convicted prisoners.**

## *Trends in Prisoner Re-entry*

3.1.3. Statistics from the Trinidad and Tobago Prison Service clearly indicate between the years 2014 to 2018 that remanded inmates comprise the major portion of the prison population. Male convicts are the second largest group, followed by female convicts and juvenile convicts.

3.1.4. According to statistics from the Central Statistical Office (CSO), between 2006 and 2010, an average of 2,467 prisoners were released annually. While a breakdown of these statistics by gender, age, ethnicity or type of offence was not readily available, it is likely that most released prisoners are male given that only 2.9% of the prison population was female in 2018.

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<sup>4</sup> Prisons Act Chapter 13:01 section 2.

<sup>5</sup> <http://www.nationalsecurity.gov.tt/Divisions/Trinidad-and-Tobago-Prison-Service>

## ***Social Re-integration***

- 3.1.5. The reintegration of ex-prisoners into society has been defined as “a process of transitioning from incarceration to the community, adjusting to life outside of prison or jail, and attempting to maintain a crime-free lifestyle.”<sup>6</sup>
- 3.1.6. According to the United Nations Office on Drugs and Crime (UNODC)<sup>7</sup> the purpose of social reintegration programmes “is to provide offenders with the assistance and supervision that they may need to desist from crime, to successfully reintegrate into the community and to avoid a relapse into criminal behaviour.” These programmes are key to reducing reoffending, promoting public safety and reducing the economic and social costs of crime. There are three main categories of social reintegration programmes:
1. Prison-based rehabilitation programmes;
  2. Reintegration and aftercare programmes delivered upon release; and
  3. Non-custodial, community-based programmes.
- 3.1.7. However, for the purposes of this report, the scope of “reintegration services” was limited to the first and second categories of programmes outlined above.

## ***Factors affecting social reintegration of former prisoners***

- 3.1.8. Research conducted in the United States (US) highlighted some socio-economic challenges experienced by former prisoners as they attempt to reintegrate into society, including<sup>8,9,10</sup>:
- i. **Re-entry into the labour market** – barriers to stable employment include: low educational qualification, mental/physical illness, limited basic life skills, unstable housing and discrimination by potential employers.

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<sup>6</sup> Davis, C., Bahr, S. J., & Ward, C. (2012). The process of offender reintegration: Perceptions of what helps prisoners reenter society. *Criminology & Criminal Justice*, 13(4), 446-469. Retrieved from <https://bit.ly/31U8qgV>

<sup>7</sup> UNODC. (2018). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*. <https://bit.ly/2PYWF3v>

<sup>8</sup>Li, M. (2018). From prisons to communities: Confronting re-entry challenges and social inequality. *The SES Indicator*. Retrieved from <https://bit.ly/2OrFxsq>

<sup>9</sup> Mears, D., & Cochran, J. C. (2015). The Reentry Experience and Reentry Challenges. In *Prisoner Reentry in the Era of Mass Incarceration*, pp.125-144 Retrieved from <https://bit.ly/2ZaGLWZ>

<sup>10</sup>National Institute of Justice. (n.d.). An Overview of Offender Reentry. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/251554.pdf>

- ii. **Securing housing** – barriers include limited finances after release and ineligibility for rental housing due to a criminal record. As a result, many former prisoners reside with family members immediately after release while others may be forced into homelessness.
- iii. **Accessing public assistance** – in the US, persons with certain felony convictions are ineligible for federal public assistance and food stamps. Limited access to finances and public assistance may increase a person’s likelihood of re-offending.
- iv. **Reunifying with family** – Incarceration strains relationships with family members and upon release, it may be difficult to rebuild these relationships. Difficulties in securing employment post-release, and managing mental health problems or drug abuse can also affect the cohesion of the family unit. Social stigma and the reaction of the broader community may also be a source of stress.
- v. **Psychological and physical health** – Prisoners in the US are 5 to 24 times more likely to suffer from a mental disorder. Many prisoners are also likely to leave prison with chronic or infectious diseases such as hepatitis C, tuberculosis and HIV. Drug abuse or dependence can also hinder attempts to rebuild ex-prisoners’ lives and relationships, and contribute to recidivism. Lack of access to medical care and mental health treatment is therefore a major challenge to rehabilitation.

3.1.7. Studies in the US further suggest that male and female ex-prisoners may have different experiences when they return to their communities. Although male and female ex-prisoners have similar needs (such as financial assistance and housing), women also have unique reintegration needs related to their roles as women and mothers, such as parenting and childcare services. As such, there is need for both gender-neutral and gender-specific programmes to meet female ex-prisoner’s needs.

## **Conduct of the Inquiry**

3.1.8. Prior to the commencement of the public hearings, the Committee issued invitations to specific stakeholders and requested written submissions based on the following objectives:

1. **To examine the social, psychological and financial challenges to societal reintegration experienced by former prisoners;**

2. **To assess the services and facilities available to support the re-integration of former prisoners into society; and**
3. **To assess the adequacy of policies and laws to treat with prisoner re-entry into society.**

3.1.9. Evidence gathering for this inquiry included two public hearings held with the following governmental and non-government stakeholders on

**Wednesday, September 19, 2019**

- Trinidad and Tobago Prison Service;
- Ministry of National Security; and
- Vision on Mission;

**Friday November 20, 2019**

- Prison Officers' Association;
- Eye on Dependency;
- New Hope Prison Ministry;
- The Way of Holiness; and

Private Unaffiliated Individuals involved with Prisoner Re-integration Reformed Ex-offenders. **(See Appendix I for details):**

3.1.10. Subsequent to these public hearings additional information was requested from specific stakeholders and was submitted accordingly.

3.1.11. Oral and written submissions received from the entities appearing before the Committee provided a frame of reference for the Committee's deliberations on the subject inquiry.

3.1.12. The **Minutes of the Meetings** during which the public hearings were held are attached as **Appendix II and III** and the **Verbatim Notes** as **Appendix IV and V**.

## KEY ISSUES, FINDINGS AND RECOMMENDATIONS

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### OBJECTIVE 1: To examine the social, psychological and financial challenges to societal reintegration experienced by former prisoners.

#### *Social Challenges*

##### **Stigma**

- 4.1.1. One of the critical components of the inquiry involved reformed ex-offenders sharing their personal experiences of re-entering society after time in prison. The submissions received from these ex-offenders by the Committee highlighted that one of the problems they face is the stigma attached to them because of their status as ex-offenders whereby members of society do not want to interact with them once their status is disclosed. One of the submissions indicated that at times, the ex-offender is treated ordinarily before their status is found out. However, upon persons finding out that they served time in prison, they no longer wish to interact with the individual, even if they had a good rapport beforehand.
- 4.1.2. Vision on Mission, a Civil Society organisation that works alongside the State to ensure that ex-offenders are successfully rehabilitated, stated in their submission that this stigma extends to children of offenders, who they describe as the “unseen victims.”<sup>11</sup>

##### **Lack of Social Support System**

- 4.1.3. While some ex-offenders are welcomed back into their families, others are not afforded this opportunity. In addition to losing family support, ex-offenders are often left without a social support system to assist them with navigating life outside of prison.
- 4.1.4. Garth St. Clair of Eye on Dependency, in his submission stated that after a period of incarceration, the ex-offender “will now have to reacquaint themselves with the home surroundings and community.”<sup>12</sup> This suggests that critical ties to a support system are lost during imprisonment.

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<sup>11</sup> Vision on Mission submission dated September 16, 2019, page 3

<sup>12</sup> Eye on Dependency submission dated November 8, 2019, page 2



## **Homelessness**

4.1.5. Many ex-offenders are left without a place to live after they are released. Contributing factors include lack of financial resources to afford rent and unwillingness of landlords to rent to ex-offenders. The Committee learnt from Vision on Mission that homelessness is a particularly challenging issue for female ex-offenders who have a need for housing that is not only affordable, but also safe and secure as they require protection from abusive partners and other negative associates.<sup>13</sup>

## **Expired or Lost Proof of Identity Documents**

4.1.6. One of the reformed ex-offenders appearing before the Committee during the second public hearing of the inquiry stated that he and others in his position faced challenges with obtaining proof of identity documents such as birth certificates, National Identification Cards and Driver's permits upon release. Without these essential documents, ex-prisoners are unable to open a bank account, obtain employment or access critical social services.

## **Recidivism**

4.1.7. Without effective support systems for ex-offenders, there is a high chance for recidivism to occur. The results of a survey conducted by the Office of the Parliament, revealed that persons with multiple criminal convictions were more likely to recidivate than those with only one conviction. Other predictors for recidivism included having mental health issues and being younger in age. The survey also showed that enrolment in training and development programmes proved to be effective in reducing recidivism.<sup>14</sup>

## ***Psychological Challenges***

### **Culture Shock**

4.1.8. When ex-offenders are released from prison, they may be unfamiliar with many developments in wider society. This is particularly difficult challenge for persons who have served extensive sentences. According to one of the submissions sent to the Committee by an ex-offender,

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<sup>13</sup> Vision on Mission submission dated September 16, 2019, page 4

<sup>14</sup> JSC on Social Services and Public Administration *Prisoner Re-entry and Re-integration- Addendum to the report on "An Inquiry into the challenges of prisoner re-entry into society"*

unfamiliar changes include “change of landscape, advances in technology and societal norms.”<sup>15</sup> The individual related

### **Discouragement and Depression**

4.1.9. Some ex-offenders who are determined to make positive changes in their lives take steps to attain various academic qualifications or to develop proficiency in technical skills. However, despite their efforts, they are still unable to shake the stigma of being branded as criminals. One ex-offender mentioned in his submission to the Committee that he obtained a Bachelor’s degree since leaving prison but is still unable to find work due to his criminal background.<sup>16</sup>

4.1.10. The sense of discouragement and isolation ex-offenders experience can sometimes lead to depression. According to Garth St. Clair of Eye on Dependency, for ex-offenders, this feeling of depression can be exacerbated when “there is a definite feeling that no one cares or understands the desire to re-integrate.”<sup>17</sup>

### ***Financial Challenges***

#### **Limited or non-existent finances**

4.1.11. When an ex-offender is released from prison, they usually have limited money available to them, if any at all. Some who were able to work in the prison may have a small amount of money from their stipend. However, many ex-offenders have to start from scratch when it comes to their finances.

#### **Inability to Obtain Steady Employment**

4.1.12. As mentioned in the previous section highlighting social challenges faced upon re-entry, ex-offenders are affected by stigma against them. One of the areas that they experience this most acutely is in the search for employment. Even in cases where the potential employer has no written policy prohibiting the hiring of ex-offenders, they are still precluded from being hired due to their status. One submission from an ex-offender stated that the individual, through

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<sup>15</sup> D. Manickchand submission, November 13, 2019, page 4

<sup>16</sup> D. Manickchand submission, November 13, 2019, page 9

<sup>17</sup> Eye on Dependency submission dated November 8, 2019, page 2

the Freedom of Information Act discovered that there is no policy regarding the hiring of ex-offenders in the Public Service.

4.1.13. According to one of the submissions from an ex-offender, the requirement of a Certificate of Character for employment means that ex-offenders who are honest about their conviction are often precluded from employment opportunities.<sup>18</sup>

### **Inability to Open a Bank Account**

4.1.14. The issue of ex-offenders being able to obtain proof of identity documents affects their ability to open a bank account.<sup>19</sup> This therefore affects their ability to be connected to the formal financial system.

### ***Findings***

4.1.15. Based on the preceding evidence, the Committee's findings are as follows:

- i. Some of the challenges ex-offenders experience upon release are related to a lack of coordination among the relevant agencies that manage the re-integration process.
- ii. Record-keeping systems are inadequate to catalogue identity documents belonging to prisoners. As such, upon release, this critical information is often missing from the ex-offender's case file.
- iii. Though there are non-governmental organisations that provide support services for ex-offenders, these organisations are limited by both financial and space constraints and therefore cannot accommodate the full volume of ex-offenders in a sustainable way.
- iv. The mental health of offenders while in prison is not adequately supported with counsellors, social workers, psychologists and psychiatrists.
- v. In examining samples of prisoner case reports on prisoners being considered for release, one of the common threads in their backstories was poor academic performance during childhood and/or adolescence.
- vi. There are gaps in the ability to capture data about the true rate of recidivism among ex-offenders. This is mainly attributed to a weak post release monitoring and support system.

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<sup>18</sup> D. Manickchand submission, November 13, 2019, page 8

<sup>19</sup> D. Manickchand submission, November 13, 2019, page 6

## ***Recommendations***

In light of the foregoing, the Committee recommends the following:

- A. There is a need for coordination among the various agencies responsible for managing the prisoner integration process. These include the Trinidad and Tobago Prison Service, the Trinidad and Tobago Police Service and the Judiciary.
- B. The TTPrS should improve their record-keeping systems for prisoner files to minimise records being lost. This will also assist with records being shared among the relevant agencies.
- C. To combat culture shock experienced by ex- offenders upon release, the prison system should include sessions that inform prisoners of current affairs and societal changes, including technological advancements. For example, the California Department of Corrections partnered with the California Prison Industry Authority (CALPIA) and a non-profit organisation to develop a programme called Code.7370, which teaches prisoners how to code. Successful graduates of this programme are eligible for employment while imprisoned and are able to use these skills to enhance their employment prospects upon receiving parole.<sup>20</sup> A programme like this not only introduces prisoners to modern technology, but also enhances their employability.
- D. The TTPrS could develop a mentorship programme where rehabilitated ex-offenders serve as mentors for newly released offenders. The mentor will serve as a point of contact for the ex-offender as well as an advisor to help the newly released ex-offender navigate society. The London Probation Trust has found success in employing ex-offenders to work alongside probation officers as mentors for persons currently in the probation system. These mentors are able to “bring a different perspective to professional probation officers because of their own personal experience of the system and they have the time to provide extra practical support such as helping service users with benefit problems.”<sup>21</sup> A similar approach could be taken to help ex-offenders adjust to society.

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<sup>20</sup> California Department of Corrections and Rehabilitation: <https://www.cdcr.ca.gov/news/2016/06/14/offenders-earn-employment-as-software-engineers-inside-san-quentin-state-prison/>, accessed April 22, 2020

<sup>21</sup> The probation trust that's now employing ex-offenders as mentors <https://www.theguardian.com/public-leaders-network/2014/may/18/london-probation-trust-employing-ex-offendersm>, Accessed April 22, 2020

- E. The TTPrS could collaborate with VOM to expand the reach of prison reform to other civil society organisations vis-à-vis a training of trainers approach. This community-based approach could ensure that within a given geographic zone, there is at least one definite entity that the ex-offender can rely on for social, emotional and psychological support during the transition.
- F. The Trinidad and Tobago Prison Service should develop a public sensitisation campaign to educate the public about prisoner reform with the aim of reducing stigma. This campaign could include testimonials from reformed ex-offenders circulated through both traditional and social media channels. One example of an initiative aimed at reducing stigma surrounding ex-prisoners is the More Than My Past campaign in the United Kingdom that uses videos, photographs and blogs to tell the stories of ex-prisoners.<sup>22</sup>
- G. Rehabilitation pre-release programmes conducted by the TTPrS could include topics such as image development, grooming and etiquette training and job interview skills.
- H. The TTPrS should establish a digital repository of inmates' critical documents upon incarceration. This information should be logged and updated as necessary. This will assist in aiding to fast-track the process of renewing these documents when required upon release.
- I. There should be a prison liaison assigned with the responsibility of liaising with the Registrar General's Department, Licensing Office, Elections and Boundaries Commission, National Insurance Board and the Board of Inland Revenue to begin the process of updating the offender's critical documents. This should take place within a reasonable time before the release date to ensure that the documents are available to the individual once they are released.
- J. The TTPrS should co-ordinate an annual drive where the relevant authorities visit the prisons to conduct an assessment of the status of each inmate's proof of identity documents to determine where the gaps are.

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<sup>22</sup> More than My Past, <https://morethanmypast.org.uk/life-stories/>, Accessed April 23, 2020

- K. The TTPS should ensure that outcome of a prisoner's case is included on the Certificate of Character**
- L. VOM could consider partnering with other NGOs, CBOs and relevant entities (such as tertiary institutions focused on Business Management) to set up self-sustaining social enterprises that employ prisoners utilising a co-operative system whereby groups of inmates are trained in the skills necessary to run a successful entrepreneurial venture and channelled into a specific area upon release. Some ideas of these ventures are: bee-keeping, agriculture, food preparation, woodwork, fashion design and jewellery making.**
- M. Prisoner release programmes conducted by the NGOs should include a component that educates prisoners on their rights with regard to employment policies concerning ex-offenders.**
- N. The TTPrS should increase the number of social workers, psychologists, psychiatrists assigned to the prison service.**
- O. The TTPrS could consider partnering with tertiary institutions to encourage students in the fields named above to specialise in working in the various prison rehabilitation services.**

## **OBJECTIVE 2: To assess the services and facilities available to support the re-integration of former prisoners into society.**

### ***STATE AGENCIES***

#### ***The Trinidad and Tobago Prison Service***

##### **Overview**

4.2.1. The Trinidad and Tobago Prison Service (TTPrS), as an arm of the Ministry of National Security, is the primary state agency that interfaces with prisoners slated for release. One of their key strategic objectives is the reintegration of ex-prisoners by “*promoting law-abiding behaviour in custody and after release.*”<sup>23</sup> An assessment of services and facilities they offer to support the re-integration of former prisoners into society therefore forms a critical component of this inquiry.

##### **Human Resources Available**

###### **Prison Welfare Officers**

4.2.2. During the public hearing of September 19, 2019 the TTPrS indicated that there is a sanctioned complement of fifty-five (55) Prison Welfare Officers. However, no Welfare Officers were assigned to the Tobago Convict Prison. Additionally, in a written submission dated October 31, 2019, the TTPrS provided a schedule for the allocation of Prison Welfare Officers (across all prisons) effective September 01 to 30, 2019. This allocation schedule indicated that the actual complement of Welfare Officers was forty-five (45) since eight (8) officers were on administrative leave.

4.2.3. At the time of the hearing, ten (10) Welfare Officers were on administrative leave. The TTPrS also indicated that interviews were conducted regarding fourteen (14) vacancies for Prison Welfare Officers, which were expected to be filled by the end of September 2019. Furthermore, there were eighteen (18) acting positions in the Unit.

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<sup>23</sup> Trinidad and Tobago Prison Service Website: <https://ttrisons.com/180/about-us/>, accessed March 5, 2020

4.2.4. The caseload of Welfare Officers varies according to each prison and remand facility and the needs of inmates. **Welfare Officers also engage in non-obligatory, follow-up support to ex-prisoners up to two (2) years after release.** As a result, there is no limit on the size of Officers' caseloads. In this regard, the TTPrS indicated that a ratio between 1:15 to 1:20 Welfare Officers to Inmates may prove effective for the Unit's operations.

Mental Health Staff

4.2.5. In its October 31, 2019 submission to the Committee the TTPrS indicated that there was one (1) Psychologist on its staff. This employee was appointed in 2006 and is supported by five (5) On the Job Trainees (OJTs). Of these OJTs, two (2) function as Behavioural Specialists, two (2) function as Junior Psychologists, and one (1) functions as an Office Support Assistant. There is one (1) provider engaged for Psychological Support Services.

4.2.6. However in a subsequent submission dated May 18, 2020, the Committee was advised that the Mental Health Unit of the TTPrS comprises two (2) Clinical Psychologists and two (2) Forensic Psychologists-one (1) is a contracted service provider and one (1) is an On the Job Trainee (OJT).

4.2.7. **The Clinical Psychologists** are responsible for the Mental Health of all Officers and Inmates of the TTPrS. Additionally, they are tasked with the planning, organizing and directing the work of the psychology department and the supervision of Practicum Students/Interns and/or Research Students. A sample of the core responsibilities in respect of officers and inmates are outlined in Table 1 below. A full list of responsibilities can be found in Appendix VI.

**TABLE 1 PRIMARY RESPONSIBILITIES OF CLINICAL PSYCHOLOGISTS**

<b>Responsibilities to Officers (Clinical Psychologists)</b>	<b>Responsibilities to Inmates (Clinical Psychologists)</b>
<ul style="list-style-type: none"> <li>❖ The creation and Management of Employee Assistance Programme;</li> <li>❖ To evaluate, diagnose and ensure the treatment of psychological disorders of all Officer's</li> </ul>	<ul style="list-style-type: none"> <li>❖ To evaluate, diagnose and ensure the treatment of psychological disorders of all inmates;</li> <li>❖ To conduct intake assessments</li> </ul>



<b>Responsibilities to Officers (Clinical Psychologists)</b>	<b>Responsibilities to Inmates (Clinical Psychologists)</b>
<ul style="list-style-type: none"> <li>❖ To provide quarterly visits to each station;</li> <li>❖ To provide individual, family and group counselling as appropriate to Officers;</li> <li>❖ To provide diagnostic assessments and psychotherapeutic services to officers;</li> <li>❖ To provide crisis intervention;</li> <li>❖ To construct and administer valid test batteries to help determine suitability for employment;</li> <li>❖ To ensure annually a minimum of four (4) mental health programmes for Officers</li> </ul>	<ul style="list-style-type: none"> <li>❖ To provide quarterly visits to each station;</li> <li>❖ To provide diagnostic assessments and psychotherapeutic services to Inmates;</li> <li>❖ To provide individual, family and family counselling as appropriate to Inmates;</li> <li>❖ To provide crisis Intervention;</li> <li>❖ To ensure annually a minimum of two (2) mental health programmes are implemented for inmates;</li> <li>❖ To collect data about individuals through the use of interviews, case history and observational techniques</li> </ul>

### **Forensic Psychologists**

Responsibilities of the Forensic Psychologists are outlined in Table 2 below.

**TABLE 2 PRIMARY RESPONSIBILITIES OF FORENSIC PSYCHOLOGISTS**

<b>Responsibilities to Officers (Forensic Psychologists)</b>	<b>Responsibilities to Inmates (Forensic Psychologists)</b>	<b>General Responsibilities (Forensic Psychologists)</b>
<ul style="list-style-type: none"> <li>❖ Administration of Psychometric Tests to prisons Officers</li> </ul>	<ul style="list-style-type: none"> <li>❖ Counselling of Inmates;</li> <li>❖ Psychological Risk Assessment of Inmates;</li> <li>❖ Psychological Evaluation and Assessment of Inmates;</li> <li>❖ Administration of Pre-Selection Evaluations to help determine suitability for employment</li> </ul>	<ul style="list-style-type: none"> <li>❖ Development, Implementation and Evaluation of Mental Health programme;</li> <li>❖ Crisis Intervention;</li> <li>❖ Participation in programme and Workshops as the need arises;</li> <li>❖ Any other Psychological Services that may arise</li> </ul>

### **The Mental Health Team (Trained Prison Officers)**

4.2.8. The Mental Health Team is a team of Prison Officers who were trained to be Mental Health First responders by the British High Commission in 2018. As of January 2020, this team of officers has joined the Psychology Department in order to form the Mental Health Unit. There are a number of planned in-service workshops and training to strengthen their Basic Training and enhance their ability to meet their objectives. Some of these objectives include:

- a. To enable staff and clients the opportunity to cope with stress and be free from enmity;
- b. To train staff and clients to identify their mental health issues as well as those within their colleagues;
- c. To expose the effects of substance abuse on the mental well-being of clients and staff;
- d. To introduce alternative methods of stress relief within the Prison Service to all clients; and
- e. To broaden the scope of programmes offered to our clients with a view to promoting their mental well-being;

4.2.9. A full list of objectives can be found in **Appendix VI**.

4.2.10. The Minister of Public Administration has approved the creation of ten (10) posts in the position of Psychologist on the staff establishment of the Prison Service. These are permanent and pensionable positions. Applications for these positions closed on September 30, 2019.

### **Services Offered**

#### Case Management Services

4.2.11. The work of the Prison Welfare Officers is primarily focused on case management. This ensures that there is a mechanism for charting the progress of each inmate during their prison sentences and for developing rehabilitation plans. Upon incarceration, a formal assessment is conducted for each incoming prisoner, after which a case plan is developed.

4.2.12. From the TTPrS written submission dated September 16, 2019, the Committee noted that **some of the responsibilities of the Prison Welfare Department include developing reintegration plans for each prisoner and conducting interviews with convicts on their**

**discharge date.** Another key role of the Prison Welfare Department is to “*notify, re-establish and/ or establish the necessary communication with their social and familial network.*”<sup>24</sup>

- 4.2.13. The Prison Welfare Department prepares bio-social reports for inmates serving five or more years in prison, which includes their history, needs and recommendations for programming and aftercare. Case management reports are similarly prepared for inmates serving three or more years in prison.
- 4.2.14. The Prison Welfare Department is charged with the responsibility of providing inmates with pre-discharge counselling. **As previously stated, the Department also provides follow-up support to ex-prisoners up to two (2) years after release. However, ex-prisoners are not legally mandated to accept this support.** Referrals are made by the TTPrS to public and private external agencies, including Vision on Mission (VOM), to assist with ex-prisoners’ aftercare needs, including housing.

#### Training Services

- 4.2.15. The categories of training provided by the Ministry of National Security include the following:
- a. Academic Education;
  - b. Vocational Education;
  - c. Religious Interventions;
  - d. Life Skills Development;
  - e. Sporting Activities;
  - f. Music, Culture and the Arts;
  - g. Agriculture;
  - h. Aquaculture;
  - i. Live Stock Rearing;
  - j. Inmate Radio Station; and
  - k. Aquaponics.

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<sup>24</sup> Trinidad and Tobago Prison Service Submission, September 16, 2019, page 2

## **Participation Rates**

- 4.2.16. In a submission dated May 18<sup>th</sup>, 2020, the TTPrS provided a breakdown of involvement in Programmes by Convicted Inmates for the period 2017 to 2019 at the Port of Spain Prison (P.O.S.P.), Carrera Convict Prison (C.C.P.), Golden Grove Prison (G.G.P.), Maximum Security Prison (M.S.P.), Eastern Correctional Rehabilitation Centre (E.C.R.C.), Women's Prison (W.P.) and Tobago Prison (T.P).
- 4.2.17. Based on this submission, it was gleaned that participation in Programmes at the nation's prisons is low. For the period reported, with the exception of religious interventions and sporting activities, very few programmes consistently attracted more than a 20% participation rate. The majority of programmes were attended by less than 10% of the prison population across the prison system, with several experiencing less than a 5% participation rate.
- 4.2.18. In the area of Academic Education, the lowest participation rate was 0.87% at the Port of Spain Prison in 2017 and the highest participation rate was 23.08% at the Tobago Prison in 2019. In relation to Vocational Education, the lowest participation rate was 1.89% at the Carerra Convict Prison in 2018 and the highest participation rate was 24.59% at the Golden Grove Prison in 2018. With regard to Life Skills Development, the lowest participation rate was 1.74% at the Port of Spain Prison in 2017 and the highest participation rate was 48.15% at the Eastern Correctional Rehabilitation Centre in 2019.
- 4.2.19. Academic programmes are delivered by: trained Prison Officers, Inmates, Volunteers (private citizens) and Teacher Trainees from the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATI). Additionally, Prison Officers, Welfare Officers and Psychologists from the Prison Psychology Department provide career guidance and counselling services to convicts.
- 4.2.20. During a public hearing held on September 18, 2019, TTPrS officials indicated that prisoners have expressed resistance to being taught by Prison Officers. In this regard, consideration is given to the unique challenges of adult education within the prison system, including some prisoners' learning disabilities.

4.2.21. Recognising the need for additional support, a request was sent by the TTPrS to the Ministry in 2019 for the recruitment of additional teachers, trained in prisoner education, to administer basic literacy and other academic programmes.

4.2.22. In their September 16, 2019 submission, the TTPrS indicated that they partnered with the Youth Training and Employment Partnership Programme (YTEPP) to offer vocational training. Training in areas such as Aquaculture, Aquaponics and Agriculture provide avenues for self-employment. However, there are no official arrangements that guarantee employment of prisoners upon their release.

4.2.23. In their May 2020 submission, the TTPrS indicated that the YTEPP Vocational Training Modules offered to convicted prisoners at the Golden Grove Prison and Maximum Security Prison and to committed lads at the Youth Training Centre are as follows:

- *Electrical Installation*
  - *Wood Working*
  - *Upholstering*
  - *Grow Box*
  - *Masonry/Tiling*
  - *Plumbing*
  - *Welding*
  - *IT*
  - *Life Skills*
  - *Culinary Arts*
  - *Barbering*
- } **Youth Training Centre ONLY**

It must be noted that for 2020, YTEPP has reduced its programme offering to the correctional establishments listed above. Additionally, classes have also been reduced to cater for ten (10) persons only. The following modules are currently offered:

- *Welding*
  - *Plumbing*
  - *Wood Working*
  - *Upholstering*
- } **Golden Grove Prison**
- } **Maximum Security Prison**

Due to budgetary constraints at YTEPP, their programme modules were not offered at the Youth Training Centre for 2020.

4.2.24. The TTPrS noted that for the period 2015-2019, there was a consistent decline in the number of inmates who participated in Vocational Education Programmes at the Maximum Security Prison. The decline was attributed to a 54% decrease in the budgetary allocation received by the YTEPP Rehabilitating Inmates through Training and Re-training (RITTR) programme.

4.2.25. The Commissioner of Prisons provided a positive rating of the current rehabilitation programmes offered within the prison system. However, he re-emphasized the need for follow-up programmes within the wider communities to complement the prisons' initiatives.

#### Facilities Offered

4.2.26. The TTPrS acknowledged in its September 16, 2019 submission that *“some convicted stations lack proper infrastructure for the conduct of academic and vocational classes”*<sup>25</sup>

4.2.27. The Committee took specific note of the facilities and services available at the various Prison stations which may assist with the academic and skills development of inmates. These are listed below:

#### **1. CARRERA CONVICT PRISON**

The infrastructure at the Carrera Convict Prison comprises the following facilities which are utilized for rehabilitative programmes:

- a) School Building which is utilized as a Library, Classroom and Computer Lab.
- b) Building at the labour yard which comprises the following:
  - An Art Shop, Art Studio and Art classroom.
  - A Trade Shop which includes Joinery, Welding, Carpentry masonry and Plumbing.
  - A Tailor Shop
  - A building is used to conduct music classes

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<sup>25</sup> *Ibid.* page 11

## **2. PORT OF SPAIN PRISON**

- a) A Library and classroom is located at the Administration Building. The Library/classroom is located at a retrofitted Death Row Division equipped with computers and air condition.
- b) Two rooms which are dedicated to academic classes and a library are located at the Technical Vocational building.

## **3. GOLDEN GROVE PRISON**

- a) A Technical Vocational Building is in use with classes for Welding, Plumbing, Electrical, Masonry and Computer Literacy.
- b) Two classrooms are outfitted to deliver academic classes for Remanded Prisoners.

## **4. WOMEN'S PRISON**

- a) The Women's Prison Programmes Department caters for rehabilitative programmes which are academic based.
- b) The library provides literacy to the offender with services provided by NALIS.
- c) A Sewing Room is dedicated for Garment Construction.

## **5. REMAND PRISON**

- a) The design of the Prison does not allow for a dedicated space to conduct Programmes, however, a Section in the Remand Prison "Centre" has been allocated to conduct academic classes.
- b) Additionally, inmates are escorted to the Tech Voc. building at Golden Grove Prison to attend academic classes.

## **6. YOUTH TRAINING AND REHABILITATION CENTRE 'FEMALE'**

- a) The juveniles at this facility are escorted to the Youth Training and Rehabilitation Centre to participate in rehabilitative programmes and other remedial training.

## **7. YOUTH TRAINING AND REHABILITATION CENTRE**

- a) The Technical Vocational Building has the ability to deliver training to the residents in Welding, Plumbing, Masonry, Electrical and Carpentry.
- b) The Computer Lab is equipped to deliver training in Computer Literacy and Technology.
- c) The School delivers academic enhancement.
- d) The library provides literacy to the offender with services provided by NALIS.
- e) The gymnasium provides physical training to the juvenile ensuring the maintenance of an active lifestyle.

## **8. MAXIMUM SECURITY PRISON**

- a) Upholstery Shop provides the offender with the opportunity to learn a new skill.
- b) The School delivers academic enhancement.
- c) The library provides literacy to the offender with services provided by NALIS.
- d) The gymnasium provides physical training to the offender ensuring the maintenance of an active lifestyle.
- e) The Technical Vocational Building has the ability to deliver training to the residents in Welding, Plumbing, Masonry, Electrical and Carpentry.

## **9. EASTERN CORRECTION REHABILITATION CENTRE**

- a) The School delivers academic enhancement classes.
- b) The Programmes Department caters for rehabilitative programmes which are academic and vocational.

4.2.28. Table 3 below outlines some of the infrastructural upgrades required throughout the network of prison facilities:



**TABLE 3 INFRASTRUCTURAL UPGRADES REQUIRED AT PRISON FACILITIES**

<b>Facility</b>	<b>Work Needed</b>
GOLDEN GROVE PRISON	The expected completion of the Ration Room Project at the Golden Grove Prison by contractors Balou Engineering, Construction & Maintenance Services Ltd (BECMSL) will allow for the full utilization of the Technical Vocational Building for Rehabilitative programmes delivery.
REMAND PRISON	The proposed construction of a Programmes Rehabilitation building located at the airing yard of the Remand Prison, to facilitate the dedicated rehabilitative delivery to un-convicted offenders in the 2020-2021 fiscal. It is proposed that the academic, vocational and cognitive development programmes will be delivered to offenders who may be on Remand in excess of 10 (ten) years.
YOUTH TRAINING AND REHABILITATION CENTRE 'FEMALE'	The repurposing of a building designed as a Nursery at the Female Prison to provide accommodations for Juvenile Female Offenders inclusive of rehabilitative programmes is an ongoing project 2019-2020, scheduled for completion in fiscal 2020.
YOUTH TRAINING AND REHABILITATION CENTRE	The refurbishing and upgrade of the Technical Vocational Building at the Youth Training Centre will allow for the delivery of a variety of vocational programmes to the Juvenile Offender.

The undermentioned recommendations in Table 4 below were submitted by the Trinidad and Tobago Prison Service to the Ministry of National Security:

**TABLE 4 TTPRS RECOMMENDATIONS TO MINISTRY OF NATIONAL SECURITY**

<b>Facility</b>	<b>Recommendations of the TTPrS</b>
GOLDEN GROVE PRISON:	This request for this project is found within the Public Sector Investment Programme (ongoing Projects) 2019-2020. The expected completion date for the Ration Room project is 30th September 2020.
REMAND PRISON:	This request for this project is found within the Public Sector Investment Programme 2020-2021. Proposal is currently being constructed for submission to the Ministry of National Security.
YOUTH TRAINING AND REHABILITATION CENTRE 'FEMALE':	This request for this project is found within the Public Sector Investment Programme 2019-2020. Approved, and awaiting disbursement of funds.
YOUTH TRAINING AND REHABILITATION CENTRE:	The request for this project is found within the Public Sector Investment Programme 2020-2021. Pending for submission to Ministry of National Security.

4.2.29. The overall infrastructure of prisons in Trinidad and Tobago is not conducive to rehabilitation of prisoners. During the second public hearing, Pastor Wilma Kelly of The Way of Holiness

Ministry lamented that prisoners are exposed to unsanitary conditions, which have a negative impact on their mental health, thereby inhibiting their ability to become rehabilitated.<sup>26</sup>

4.2.30. In a public hearing held on September 18, 2019, the TTPrS noted that *“the very architecture [of the prisons in Trinidad and Tobago] militates against proper programming, proper housing and proper rehabilitation.”*<sup>27</sup>

## ***Ministry of National Security***

### **Overview**

4.2.31. The Ministry of National Security is the line ministry that oversees the policy direction of the Trinidad and Tobago Prison Service. The mission of the Ministry is *“To advance national development by creating a safer and more secure society through enhanced collaboration among all stakeholders, intelligence-based decision-making and strengthened inter-agency structures and systems.”*<sup>28</sup> Its mandate includes *“maintaining law and order, public safety and defence against aggression.”*<sup>29</sup> In this regard, the policy environment set by the Ministry of National Security informs the services and facilities that the TTPrS is able to provide to inmates.

### **Services Provided**

4.2.32. The Ministry, through the Probation Services Division, administered the *“Thinking for a Change”* Programme under the 2018 Social Sector Investment Programme. This programme catered to participants aged fourteen (14) years and above, who were selected from amongst the clients of Probation Officers.

4.2.33. This programme *“has been used with juvenile and adult offenders”* and is *“designed so that sessions are accessible and meaningful for offenders of varying social, emotional and intellectual/academic abilities.”*<sup>30</sup>

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<sup>26</sup> Verbatim Notes, JSCSSPA, November 20, 2019. pages 24-25

<sup>27</sup> Verbatim Notes, JSCSSPA, September 18, 2019. Page 9

<sup>28</sup> Ministry of National Security Website: <http://www.nationalsecurity.gov.tt/About/Our-Mission-and-Mandate>, accessed March 9, 2020

<sup>29</sup> *Ibid.*

<sup>30</sup> Social Sector Investment Programme *“Changing the Paradigm: Putting the Economy on a Sustainable Path”*, page 106

4.2.34. The objectives of the initiative are to:

- a. Build self-esteem in young persons;
- b. Prevent and reduce the risk of recidivism;
- c. Bridge the gap between youth and parents; and
- d. Motivate youth to aspire and achieve.

4.2.35. Clients who require further assistance after completion of the Thinking for a Change Programme are referred to other programmes such as *“The Man In Me,” “The Woman In Me”* and *“Parenting Through Love.”*

#### **THE PENAL REFORM AND TRANSFORMATION UNIT (PRTU)**

4.2.36. The Penal Reform and Transformation Unit (PRTU) was established in 2007 as a response to recommendations of a 2001 Cabinet- Appointed Task Force that was mandated to review the country’s Penal System. The recommendations focused on shifting the Prison system from a retributive one to a restorative one and to focus on restorative justice and reintegration throughout the correctional system.

4.2.37. The PRTU currently operates as an agency of the Ministry of National Security (MNS), and is mandated to execute strategies and programmes to enhance the Rehabilitation Intervention Process and ensure a collaborative and integrated correctional system.

4.2.38. Cabinet Minute No. 902-2004/04/01 Note No. NS (2004) 9 File No. NS 11/2/16 provides the mandate to implement the priority recommendations of the Task Force Report and serves as the authority for establishment of the Unit.

4.2.39. Key Components of the Unit’s Mandate Include:

- a) Preparing an implementation schedule for Prisons/Penal Reform and Transformation
- b) Collaborating with all relevant ministries/departments/agencies to ensure successful implementation of the recommendations

- c) Ensuring the review and/or drafting of all legislation that would give legitimacy and authority to the introduction of a Restorative Justice Philosophy, Reintegration Penal Policy, Community Corrections and the Shared Responsibility Model of Rehabilitation
- d) Ensuring that the Restorative Justice Philosophy and Penal Policies are incorporated in the Youth Justice System and in the Adult Courts to guide young people away from unnecessary incarceration
- e) Addressing the physical and social infrastructure needs of the Rehabilitative/Correctional facilities in Trinidad and Tobago
- f) Facilitating discussions to ensure the role and functions of the Probation Department are consistent with the Restorative Justice approach
- g) Championing the transformation of the administration and management of the Prison Service, with specific reference to implementing the Shared-Responsibility Model of Rehabilitation

4.2.40. Key Strategic Objectives of the PRTU include:

- a) Initiating review and/or drafting of all legislation that would give legitimacy and authority to the Restorative Justice Philosophy, Reintegration Penal Policy and Community Corrections
- b) Helping to make Penal Institutions correctional with an efficient Rehabilitation Intervention Programme
- c) Ensuring that a reliable Resettlement Regime is operational
- d) Addressing the physical and social infrastructure needs of the Rehabilitative/Correctional facilities in Trinidad and Tobago
- e) Facilitating discussions to ensure the role and functions of the Probation Department are consistent with the Restorative Justice approach
- f) Championing transformation of the administration and management of the Prison Service, with specific reference to the implementation of the Shared-Responsibility Model of Rehabilitation

4.2.41. The PRTU comprises a 7-member team that reports to an Executive Director.

- 4.2.42. Between 2015 and 2019, the Penal Reform and Transformation Unit (PRTU) utilized the majority of its allocation to provide vocational training and Cognitive Behavioural Therapy (CBT) to prisoners. The annual allocation of the PRTU declined over the years from approximately \$5 million to the current value of \$1.2 million. The current allocation is insufficient.
- 4.2.43. The Penal Reform and Transformation Unit (PRTU) of the Ministry of National Security recently financed computers for the YTRC and stationery for the Prison Programmes Department.

### ***The Prison Officers' Association***

- 4.2.44. In a public hearing held on Wednesday November 20, 2019, the Prison Officer's Association stated that there is a need for transitional programmes such as half-way houses to assist recently released ex-prisoners. They also stated that there is a need to establish a Drug Rehabilitation Centre or Mental Health Unit in the prison system with qualified professionals, as Prison Officers currently lack the appropriate training the treat with prisoners with drug dependency and mental health issues<sup>31</sup>.
- 4.2.45. They identified the need for more resources to expand the provision of technical/vocational, sport and educational programmes for prisoners.

## ***CIVIL SOCIETY ORGANISATIONS***

### ***Vision on Mission***

#### **Overview**

- 4.2.46. Founded in 1995, Vision on Mission (VOM) is a Non-Governmental Organisation (NGO) that applies the principles of *restorative justice* to the assistance they provide to ex-offenders seeking to become re-integrated into society. Up to September 2019, ninety-two (92) former prisoners accessed services in VOM for the year. The figure for 2018 was one hundred and twenty-three (123).

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<sup>31</sup> JSC Social Services and Public Administration Public Hearing Summary November 20, 2019, page 3

4.2.47. VOM is the only entity under the purview of the Ministry of National Security that receives a subvention for providing comprehensive, re-integration services to ex-prisoners. In the public hearing held on September 18, 2019, officials indicated that the Monitoring and Evaluation Unit, MNS evaluates the outcomes of the ongoing VOM project. An evaluation of VOM was initiated in May 2018 to determine the value of the subvention to be provided by the Ministry. The final evaluation report of VOM was scheduled for completion in September 2019.

### **Human Resources Available**

4.2.48. Thirteen (13) persons are currently employed full-time at VOM. Five (5) case workers are employed and four (4) additional case workers will be required when new housing facilities are commissioned.

### **Services Offered**

#### Preparation for Release Programme

4.2.49. The VOM manages the “Preparation for Release Programme” in all prisons. After release from prison, participants can enroll in a resettlement programme. Over 300 participants of the programme are released from prisons annually. This initiative is designed “*to educate inmates about the social and economic realities of life outside the institution, and the agencies and services that can help them adjust and avoid reoffending. Participants are engaged and shown how to survive legitimately in the free world after release.*”<sup>32</sup>

4.2.50. In 2018, the VOM was able to register approximately 176 prisoners in the pre-release programme, although more than 500 attended. **In response to VOM’s concern regarding the relatively low rate of participation in its programmes, the TTPrS indicated that attempts are being made among Prison Officers to encourage inmates to attend.**

4.2.51. Walk-in services are also provided to ex-prisoners who did not participate in the pre-release programme, which include individual and group counselling, housing and job placement.

#### Employment Services

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<sup>32</sup> VOM Service Delivery plan, page 1

- 4.2.52. Vision on Mission Enterprise Limited was established with the aim of partnering with private employers to provide jobs for ex-prisoners. Fifteen (15) businesses are currently involved in this arrangement.
- 4.2.53. An arrangement between VOM and CEPEP allowed 30 ex-prisoners without a valid identification card to be employed with the company immediately after their release.
- 4.2.54. An agriculture-based programme delivered in partnership with the European Union (EU) provides agricultural training and a stipend to graduates of the pre-release programme. The programme is implemented on 12 acres of land at Wallerfield transferred to VOM by the State.
- 4.2.55. Upon completion of the agricultural training, ex-prisoners are granted a parcel of land for agricultural use. There are plans to acquire an additional location to sustain the programme.

#### **Other Services and training initiatives**

- a. Transitional housing
- b. Job placement
- c. Counselling
- d. Referrals – to access mental health and drug treatment
- e. Employment services
- f. Money Management Programme
- g. Family/Marital Reconciliation
- h. Supervision
- i. Mentorship
- j. Graduated-rental
- k. Job readiness training
- l. Entrepreneurial training
- m. Care, support
- n. Resettlement planning and support
- o. Two years support after graduating from Programme
- p. Twelve core functions – to ensure successful community functioning

#### ***Facilities Provided***

##### Housing Facilities

- 4.2.56. During a public hearing held on September 18, 2019, VOM representatives indicated that providing secure housing for ex-prisoners is a key component of reducing the chances of



recidivism<sup>33</sup>. In this regard, the organization makes finding housing for ex-inmates one of their priorities.

- 4.2.57. A housing facility at Wallerfield with a capacity of 85 tenants was opened by VOM at the agricultural training site of the EU-VOM partnership programme. The facility will also have provisions for in-house vocational training. Another facility in Champs Fleurs provides housing to approximately 30 persons. However, the official capacity of the building is 20 persons.
- 4.2.58. The construction of a housing complex in Claxton Bay to accommodate 65 women was scheduled to be completed 2019. The project is financed by Republic Bank and the Government of Trinidad and Tobago. In the interim, female ex-prisoners are housed in inns and hotels. Attempts are also made to reunite them with family members.
- 4.2.59. Deportees with housing needs are referred by the Ministry of Social Development and Family Services (MSDFS) to VOM, which provides temporary housing for up to 2 years.
- 4.2.60. Due to the stigma of incarceration and other challenges, it is difficult for former prisoners to access rental housing. As a result of these challenges, a housing complex in Laventille was established with 16 apartments rented to ex-prisoners for approximately one year at a minimal cost.

## ***Eye on Dependency***

### **Overview**

- 4.2.61. Eye on Dependency is a talk show that seeks to use the platform of radio to shed light on issues surrounding drug demand reduction and preventions. The programme is hosted by a former prisoner who spent six (6) months incarcerated for drug-related offences and who was released twenty-eight (28) years ago.
- 4.2.62. Based on oral and written submissions received, the Committee was unable to identify whether Eye on Dependency provides services or facilities for the reintegration of ex-prisoners, beyond implementation of public awareness strategies to combat the stigma against ex-prisoners.

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<sup>33</sup> Verbatim Notes, JSCSPA, September 18, 2019. Page 48

## ***The Way of Holiness***

### **Overview**

4.2.63. The Way of Holiness is a faith-based organisation grounded in Christian principles that runs a Centre of Restoration for ex-offenders. They focus on spiritual development and psychosocial development through “*programmes providing ex-offenders with the skills and opportunities to earn a legitimate living, become self-sufficient and reduce societal burdens associated with criminality in Trinidad and Tobago.*”<sup>34</sup> The organisation is funded by donations.

### **Human Resources**

4.2.64. The staff of the Centre of Restoration mainly comprises graduates of The Way of Holiness Ministry Training School and members of the Church who are certified in different areas, such as Attorneys at Law, Nurses, Bankers, Accountants, Social Workers and other professionals. All staff receives additional training on counselling, leadership and communication skills.

### **Services Offered**

4.2.65. The Way of Holiness offers the following services:

- a. Pre-release programmes: collaboration with the TTPrS in the area of prisoner rehabilitation through initiatives such as conducting Bible Studies, prayer and counselling;
- b. Interventions with gangs and gang leaders in the Port of Spain area;
- c. Counselling of family members;
- d. Arranging Family Reunification;
- e. Work with gangs and gang leaders;
- f. Job rehabilitation programmes;
- g. Job placement;
- h. Job training;;
- i. Counselling in Schools;
- j. Radio and Television Programmes;
- k. Provision of sporting equipment and toiletries to the prisons.

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<sup>34</sup> *ibid*, page 16

## **Facilities Provided**

- 4.2.66. The Way of Holiness Ministry provides shelter for the homeless, including persons released from prisons and hospitals and those recovering from substance abuse.
- 4.2.67. The Ministry is currently in the process of constructing a Transformation Complex, which will accommodate five hundred (500) persons. At-risk young men are part of the target group they desire to reach with this facility.

## ***Findings***

- 4.2.68. Based on the preceding evidence, the Committee's findings are as follows:
- i. There is a gap between the human resources needed by the TTPrS to successfully rehabilitate ex-prisoners and what currently exists. This was evident upon examination of the current ratio of Prison Welfare Officers to ex-offenders. Overall, the Committee detected that there was a need to better streamline the activities and resources of the Prison Welfare Department. To this end, the recruitment of additional officers and the application of a robust performance management systems should be pursued. There is also a need to assess the skill set needed to effectively prepare the eligible members of the prison population for rehabilitation.
  - ii. Based on the submissions of the TTPrS it was observed that there was a decrease in the staff of the Mental Health Unit of the TTPrS from six (6) to four (4) between the period September 2019 and May 2020.
  - iii. The State is largely dependent on VOM in relation to the development and implementation of programmes and facilities for the rehabilitation and reintegration of ex-prisoners. Value for money considerations are made in the evaluation performed by the Monitoring and Evaluation Unit, MNS.
  - iv. Non-state agencies that have taken on the responsibility to develop programmes for the rehabilitation of prisoners are primarily religious organisations, with the exception of VOM. However, while they provide useful services, their efforts appeared to be fragmented and lack standardized approaches.

- v. There is a greater need for collaboration and coordination among state and non-state agencies charged with the task of prisoner rehabilitation.
- vi. Once prisoners are exposed to effective rehabilitation programmes, their chances of recidivism are drastically reduced. However, the TTPrS and VOM agreed that one challenge to prisoner participation in the prison programmes and the VOM pre-release programme is that participation is not mandatory and there are no major incentives for participation.
- vii. The MNS indicated that a report that would be submitted to Cabinet in 2019, identifies the current recidivism rate as 51%. The Committee noted with concern the TTPrS' indication that previously published recidivism rates should be examined with caution. Although high, the rates may be inaccurate due to multiple factors affecting detection of re-offending.
- viii. The critical services that ex-prisoners require immediately upon release are housing employment and the validation of identification documents.
- ix. Female ex-prisoners in particular, desire services to help in the reunification process with their children and family members.
- x. There is a need for the expansion of mental health services within the prison system to help prisoners to receive adequate mental health assessment and care prior to being released.
- xi. Increased State support is needed to address the employment needs of ex-prisoners. In this regard, it was noted that Vision on Mission tried unsuccessfully to establish a partnership with the Ministry of Labour and Small Enterprise Development to assist with its job placement efforts.
- xii. For effective prisoner rehabilitation to take place, there must be involvement of the wider community. Engendering this type of involvement would require curbing the stigma against ex-prisoners.

- xiii. Though the TTPrS does provide some programmes geared toward rehabilitation, the primary focus is on punishment. There is limited application of the principles of restorative justice.
- xiv. There needs to be a greater connection between the programmes offered in the prisons and the opportunities available to ex-prisoners upon release. However, the committee noted that there were barriers to learning within this unfavourable environment.
- xv. Prison officers are often assigned tasks as part of the rehabilitation process that they are not necessarily equipped to conduct, such as teaching literacy classes.
- xvi. The infrastructure of the prisons in Trinidad and Tobago is not conducive to the successful rehabilitation of prisoners. The current facilities are inadequate for inmates' psychological and social needs.
- xvii. Though the Prison Officers' Association indicated the "it may not be logical to provide rehabilitation programmes to remandees given that they are legally innocent until proven guilty,"<sup>35</sup> there are remandees who spend time in the system while they await trial and are therefore subject to similar conditions as those in the prison system who require rehabilitation.
- xviii. The TTPrS requires support in the area of training for prisoners. Requests have been sent to the MNS for the recruitment of additional teachers to administer basic literacy and other academic programmes.
- xix. There are no existing arrangements that guarantee employment of prisoners who have received vocational training upon their release.

### ***Recommendations***

In light of the foregoing, the Committee recommends the following:

- A. The MNS and TTPrS should conduct a gap analysis on Human Resource needs within the prison service and work alongside the Public Service Commission to close these gaps. This should be done with regard to both filling positions and upgrading skills of existing employees.**

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<sup>35</sup> Public Hearing Summary November 11, 2019, page 4

- B. The TTPrS must conduct an urgent evaluation of the work flow systems and process used by the Prison Welfare Unit with a view to enhancing the impact of this unit in the State's Prisoner rehabilitation efforts. To augment this proposal, an effective Performance Management system for members of this Unit should be formulated and implemented.
- C. The MNS should seek to expand the number of mental health professionals on the TTPrS staff.
- D. Recognising the role civil society plays in the rehabilitation of ex-prisoners and acknowledging that faith-based organisations make up a significant percentage of organisations providing services to ex-prisoners the committee recommends the following:
- i. As an interim measure, the MNS and TTPrS should partner with existing faith-based groups that cater to prisoners and ex-prisoners and the Inter-Religious Organization of Trinidad and Tobago to implement a programme to encourage religious organisations from diverse faiths to develop prisoner rehabilitation programmes.
  - ii. With a view to developing a more standardized approach among these organizations, this programme should include the development and implementation of training protocols, rules and regulations to govern the operations and procedures of the services offered to ex-prisoners.
- E. The Ministry of National Security should collaborate with the Private sector to expand network of potential employers willing and able to hire ex-offenders. These companies may be more willing to hire persons with convictions for non-violent offences. The Ministry of Justice in the United Kingdom developed the *Offender Employment Campaign*, which sought to “connect prisoners to potential employers who can provide sustained employment.”<sup>36</sup> The campaign involved engaging potential employers at various prisons. One of the outcomes of this campaign was that prisoners received both job offers and interviews.

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<sup>36</sup> <https://gcs.civilservice.gov.uk/campaign-month-offender-employment-campaign/>, Accessed A

- F. While prison officers should be trained to have a basic understanding of areas such as literacy training or counselling, staff with specific training in these areas should be hired by the TTPrS to fulfil these functions. As an interim measure, the MNS may seek increased collaborative initiatives with state and non-state agencies which deliver programmes in basic literacy, life-skills, mental health management etc.
- G. As a matter of urgency, the MNS, TTPrS and MOF should meet to develop a comprehensive plan for the upgrade of the physical infrastructure of prisons in a way that facilitates the rehabilitation process and satisfies basic human rights. The MNS should provide a design for the conceptualization and implementation of such a project in the Ministerial Response to this report.
- H. The MNS, TTPrS and VOM should work together to develop incentives for prisoners' participation in the VOM pre-release programme.
- I. The MNS's Ministerial Response should provide an update on the status of the recruitment of teachers to administer basic literacy and other academic programmes. Given the relatively saturated state of our labour market, the MNS and TTPrS should consider harnessing the knowledge and skills on the growing pool of tertiary level graduates.
- J. The MNS and MOLSED should conduct consultations with the relevant stakeholders (inclusive of reformed ex-prisoners involved with prisoner reintegration) to develop and implement a State certified Skills Register for ex-offenders. This register can be made accessible potential employers and if feasible the public.
- K. As a part of the Ministerial Response to this report, the MNS should provide the findings and recommendations of the final evaluation report of the VOM which was intended to assess value for money.
- L. as a part of the Ministerial Response to this report, the VOM should indicate:
- iii. the status of the implementation of in-house agricultural/vocational training with stipends to graduates of the VOM's pre-release programme; and

- iv. whether the construction of a housing complex in Claxton Bay to accommodate 65 women was completed in 2019 as planned and how many women are currently housed at this facility.
- M. As a part of the Ministerial Response to this report, the MNS should provide a copy of the report submitted to Cabinet which at the time of the public hearings identified the recidivism rate as 51%.
- N. The capacity of the prison system to effectively rehabilitate inmates and therefore reduce the recidivism rate is closely connected with the State's overall anti-crime initiatives. Therefore, the MNS should collaborate with the Ministry of Finance with a view to sourcing additional funding to support the implementation of prisoner rehabilitation efforts. To this end, international organisations and lending agencies can also be approached.



## **OBJECTIVE 3: To assess the adequacy of policies and laws to treat with prisoner re-entry into society**

### **Ministry of National Security**

- 4.3.1. Emanating from the 2002 Prison Service Task Force Report which proposed that the TTPrS commit itself to the effective rehabilitation and reintegration services, a Re-integrative Penal Policy has been adopted utilising a shared responsibility model of rehabilitation. These approaches feature a correctional intervention process that ensures that inmates are methodically assessed regarding their needs, personality, competences and risks and assigned to rehabilitative activities in a planned and coherent manner.
- 4.3.2. Additionally, the TTPrS continues to engage the services of the Elections and Boundaries Commission in the provision of speedy renewal of Identification Cards and the Licensing Authority for the renewal of Drivers Permits.
- 4.3.3. Draft legislation on conditional release was developed by the Penal Reform and Transformation Unit (PRTU) in 2008 and draft legislation on parole was developed by the former Ministry of Justice circa 2012. Cross-divisional teams including the TTPrS, PRTU and Probation Department of the Ministry will conduct an in-depth review of existing policies to identify gaps and needs.

### **Vision on Mission**

- 4.3.4. In a public hearing on September 18, 2019, the VOM indicated the need for the Probation Department, MNS to assume greater responsibility in the supervision of ex-prisoners as part of its role in the process of community corrections. VOM also advocated for implementation of the Conditional Release and Rehabilitation Act, which was drafted in 2008. This draft legislation treats with issues related to ex-prisoners' reintegration into society, such as expunging sentences, mandatory participation in rehabilitative programmes and a parole policy. The VOM has also proposed the need for a Community Corrections Act to clearly define roles in this process.

## ***Findings***

4.3.5. Based on the preceding evidence, the Committee's findings are as follows:

- i. The policy framework that currently exists limits the effectiveness of rehabilitation programmes;
- ii. There is a need for legislation to mandate that prisoners participate in rehabilitation programmes;
- iii. Alternatively, participation in programmes can be made a requirement for the remission of sentences or conditional release; and
- iv. Granting inmates and ex-inmates the opportunity to have their criminal records expunged may be an additional means of incentivizing persons to participate in pre-release and post-release rehabilitation programmes.

## ***Recommendations***

In light of the foregoing, the Committee recommends the following:

- A. The MNS should conduct a performance evaluation of the Probation Department, MNS and develop within 3 months a programme to enhance the operations of the Department with regard to the supervision of ex-prisoners.**
- B. As a part of the Ministerial Response to this report, the MNS should provide copies of any draft legislation with regard to prisoner rehabilitation and reintegration, including:**
  - The Community Corrections Act**
  - The Conditional Release and Rehabilitation Act**
- C. Suitable Legislative amendments should be developed to facilitate the expunging of records of ex-prisoners for certain type of offences after an allotted period of time has elapse. Exceptions can be made for offences for which bail is not usually granted.**
- D. The Committee recommends that the MNS and the MAGLA prioritise the completion of the package of draft legislation with regard to prisoner rehabilitation and reintegration and cause such legislation to be laid in Parliament within a year of this report.**

- E. The MNS should review the current policy framework in relation to the implementation of programmes and facilities for the rehabilitation and reintegration of prisoners. The MNS should develop within 6 months of the presentation of this report, an implementation design for the improvement of same.**

Your Committee respectfully submits this Report for the consideration of the Parliament.

Mr. Paul Richards  
**Chairman**

Mr. Esmond Forde, MP  
**Vice-Chairman**

Mrs. Glenda Jennings-Smith, MP  
**Member**

Brig. Gen. (Ret.) Ancil Antoine, MP  
**Member**

Mrs. Christine Newallo-Hosein, MP  
**Member**

Ms. Khadijah Ameen  
**Member**

Mr. Rohan Sinanan  
**Member**

Ms. Allyson West  
**Member**

**May 28 2020**

# APPENDICES

## Appendix I

### Persons who appeared and provided oral evidence

Name of Official	Portfolio	Organization
<b>Public Hearing Held on September 18, 2019</b>		
<b>Mr. Gerard Wilson</b>	Commissioner of Prisons	Trinidad and Tobago
<b>Mr. Sherwin Bruce</b>	Assistant Commissioner of Prisons	Prison Service
<b>Mr. Hayden Walcott</b>	Chief Welfare Officer	
<b>Ms. Annmarie Dookie</b>	Director, Monitoring and Evaluation Unit (M&E)	Ministry of National Security
<b>Mr. Walter Alexander</b>	Research Specialist, Penal Reform and Transformation Unit (PRTU)	
<b>Mr. Wayne Chance</b>	Executive President	Vision on Mission
<b>Mr. Gordon Husbands</b>	Programme Director	
<b>Mr. Brian Skinner</b>	Facilitator	
<b>Public Hearing Held on November 20, 2019</b>		
<b>Mr. Ceron Richards</b>	President	Prison Officers' Association
<b>Mr. Lester Walcott</b>	General Secretary	
<b>Mr. Alloyee Youksee</b>	Former Prison Welfare Officer	
<b>Mr. Garth St. Clair</b>	Host	Eye on Dependency
<b>Mr. Richard Barker</b>	Chief Executive Officer Reformed	New Hope Prison Ministry
<b>Mr. Richard La Croix</b>	Ex-offender	
<b>Pastor Wilma Kelly</b>	Senior Pastor	The Way of Holiness
<b>Mr. Rudolph Garcia</b>	Member	
<b>Reverend Stacey Ann Beckles</b>	Reformed Ex-offender	Unaffiliated Officials
<b>Mr. Dane Manickchand</b>	Reformed Ex-offender	

## Appendix II

**EXCERPT MINUTES OF THE THIRTY-FIFTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ARNOLD THOMASOS MEETING ROOM (EAST), LEVEL 6 AND IN THE J. HAMILTON MAURICE MEETING ROOM, MEZZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON**

### PRESENT

#### Members

Mr. Paul Richards	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Brig. Gen. (Ret'd) Ancil Antoine, MP	Member
Mrs. Christine Newallo-Hosein, MP	Member
Ms. Khadijah Ameen	Member

#### Secretariat

Mr. Julien Ogilvie	Secretary
Mr. Johnson Greenidge	Assistant Secretary
Ms. Aaneesa Baksh	Graduate Research Assistant
Ms. Janelle Mills	Parliamentary Intern

### ABSENT

Mrs. Glenda Jennings-Smith, MP	Member (excused)
Mr. Rohan Sinanan	Member (excused)
Ms. Allyson West	Member (excused)

**PUBLIC HEARING** re: the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago

- 9.1 The meeting resumed in public at 10:10 a.m. in the J. Hamilton Maurice Meeting Room, Mezzanine Floor.
- 9.2 The following persons joined the meeting:

#### **Trinidad and Tobago Prison Service (TTPrS)**

Mr. Gerard Wilson - Commissioner of Prisons

Mr. Sherwin Bruce - Assistant Commissioner of Prisons  
Mr. Hayden Walcott - Chief Welfare Officer

**Ministry of National Security (MNS)**

Ms. Annmarie Dookie - Director, Monitoring and Evaluation Unit (M&E)  
Mr. Walter Alexander - Research Specialist, PRTU<sup>37</sup>

**Vision on Mission (VOM)**

Mr. Wayne Chance - Executive President  
Mr. Gordon Husbands - Programme Director  
Mr. Brian Skinner - Facilitator of Vision on Mission

9.3 The Chairman welcomed the witnesses present and introductions were exchanged.

**Opening Statements**

9.4 The following Officials gave brief opening remarks.

- **Mr. Gordon Husbands** - **Programme Director**
- **Mr. Gerard Wilson** - **Commissioner of Prisons**
- **Ms. Annmarie Dookie** - **Director, M&E**

9.5 The Committee noted the absence of both the **Permanent Secretary and Deputy Permanent Secretary, Ministry of National Security**.

9.6 The Chairman left the proceedings at 10:37 a.m. The Vice-Chairman took the Chair.

**Key Issues Discussed**

10.1 The following are the key subject areas/issues discussed during the hearing:

**Issues discussed with the Trinidad and Tobago Prison Service (TTPrS)**

- i. Therapeutic-type drug intervention and treatment programmes are necessary for the rehabilitation of offenders and reduction of recidivism.<sup>38</sup>
- ii. There is a need for the provision of more rehabilitation programmes in both the prison system and within communities.

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<sup>37</sup> Penal Reform and Transformation Unit

<sup>38</sup> This was also expressed by officials of Vision on Mission (VOM).

- iii. Previously published recidivism rates should be examined with caution. Although high, the rates may be inaccurate due to multiple factors affecting detection of re-offending.
- iv. Given that some remand inmates are detained for periods between 4-14 years, there is also a need to offer rehabilitation programmes to the remand population.
- v. The current remand facilities are inadequate for inmates' psychological and social needs.
- vi. The Commissioner provided a positive rating of the current rehabilitation programmes offered within the prison system. However, he re-emphasized the need for follow-up programmes within the wider communities to complement the prisons' initiatives.
- vii. The TTPrS has an official complement of 55 Prison Welfare Officers. However, no Welfare Officers are assigned to the Tobago Prison depot. Currently, 10 Officers are on leave and there are 18 acting positions.
- viii. Interviews were conducted regarding fourteen (14) vacancies for Prison Welfare Officers, which are expected to be filled by the end of September 2019.
- ix. The caseload of Welfare Officers varies according to each prison and remand facility and the needs of inmates. As a result, there is no limit on the size of Officers' caseloads.
- x. Welfare Officers also provide follow-up support to ex-prisoners up to 2 years after release. However, ex-prisoners are not legally mandated to accept this support.
- xi. A ratio of 1:15 or 1:20 Welfare Officers to inmates may be effective. It was noted that there are 100 youth offenders and 5 Welfare Officers at the Youth Transformation and Rehabilitation Centre (YTRC).
- xii. A formal assessment is conducted for each incoming prisoner, after which a case plan is developed which considers their social support systems.
- xiii. Efforts are made to engage family members in the programmes and general rehabilitation of inmates.
- xiv. The need for legislation and court orders to mandate that prisoners participate in rehabilitation programmes. Alternatively, participation in programmes can be made a requirement for the remission of sentences or conditional release.



- xv. Religious programmes have higher participation rates given that the annual religious celebrations are incentives for participation.
- xvi. Prisoners express resistance to being taught by prison officers.
- xvii. A request was recently sent to the Ministry for the recruitment of additional, trained teachers to administer basic literacy and other academic programmes.
- xviii. Academic programmes are delivered by: trained prison officers, inmates, volunteers (private citizens) and teacher trainees from the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT).
- xix. Prison Officers trained in teaching basic literacy are rotated across the various prisons to ensure that academic classes are provided in all facilities.
- xx. A request for assistance with programmes will be sent to the Trinidad and Tobago Association of Psychologists (TTAP).
- xxi. Consideration is given to the unique challenges of adult education within the prison system including some prisoners' learning disabilities.
- xxii. The Welfare Department prepares bio-social reports for inmates serving five or more years in prison, which includes their history, needs and recommendations for programming and aftercare.
- xxiii. Case management reports are similarly prepared for inmates serving three or more years in prison.
- xxiv. Referrals are made to public and private external agencies, including Vision on Mission (VOM), to assist with ex-prisoners' aftercare needs, including housing.
- xxv. Many inmates who receive in-house training in agriculture and husbandry subsequently establish their own businesses after release. Efforts are made to facilitate these ventures through collaboration with VOM.
- xxvi. There are examples of former prisoners have excelling at the University of the West Indies (UWI) after completing educational programmes in prison.
- xxvii. In response to VOM's concern regarding the relatively low rate of participation in its programmes, the TTPrS indicated that attempts are being made among Prison Officers to encourage inmates to attend.
- xxviii. Due partially to the larger population of remandees, participation in periodic agricultural work is higher among remandees than convicted inmates.

- xxix. The TTPrS looks forward to the development of a parole system, and a shift towards corrections within prisons.

Issues discussed with the Ministry of National Security (MNS)

- i. The Monitoring and Evaluation Unit evaluates the outcomes of projects under the purview of the MNS, including VOM.
- ii. VOM is the only entity under the purview of the MNS that receives a subvention for providing comprehensive, re-integration services to ex-prisoners.
- iii. An evaluation of VOM was initiated in May 2018 to determine the value of the subvention to be provided by the Ministry.
- iv. The final evaluation report of VOM will be completed within the following week.
- v. Draft legislation on conditional release was developed by the Penal Reform and Transformation Unit (PRTU) in 2008 and draft legislation on parole was developed by the former Ministry of Justice circa 2012.
- vi. The annual allocation of the PRTU declined over the years from approximately \$5 million to the current value of \$1.2 million. The current allocation is insufficient.
- vii. Between 2015 and 2019, the PRTU utilized the majority of its allocation to provide vocational training and Cognitive Behavioural Therapy (CBT) to prisoners.
- viii. The PRTU recently financed computers for the YTRC and stationery for the Prison Programmes Department.
- ix. Cross-divisional teams including the TTPrS, PRTU and Probation Department of the Ministry will conduct an in-depth review of existing policy to identify gaps and needs.
- x. A report that will soon be submitted to Cabinet identifies the current recidivism rate as 51%.
- xi. The Probation Department was consulted in plans to introduce electronic monitoring.

### Issues discussed with Vision on Mission (VOM)

- i. The VOM manages a preparation for release (“pre-release”) programme in all prisons. After release from prison, participants can enrol in the resettlement programme.
- ii. Walk-in services are also provided to ex-prisoners who did not participate in the pre-release programme, which include individual and group counselling, housing and job placement.
- iii. Services are also offered to youth, socially displaced persons and deportees.
- iv. Re-entry services contribute to offender management and can reduce the likelihood of re-offending.
- v. It is important that prisons utilize appropriate tools to assess prisoners’ risks and needs, develop correctional intervention plans and provide appropriate programming/therapies.
- vi. CBT is utilized in the pre-release programme to treat with the attitudes and character of inmates that may affect employment prospects and reunification with family members.
- vii. The need for the Probation Department, MNS to assume greater responsibility in the supervision of ex-prisoners as part of its role in the process of community corrections. The VOM has proposed the need for a Community Corrections Act to clearly define roles in this process.
- viii. Deportees with housing needs are referred by the Ministry of Social Development and Family Services (MSDFS) to VOM, which provides temporary housing for up to 2 years.
- ix. The VOM has a good relationship with the executive of the TTPrS.
- x. One challenge to prisoner participation in the pre-release programme is that participation is not mandatory and there are no major incentives for participation.<sup>39</sup>
- xi. There is a need for Prison Officers to provide more encouragement to inmates to attend VOM’s programmes. Attendance declined significantly over the past few years.

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<sup>39</sup> The TTPrS also indicated that this is a challenge to participation in prison programmes.

- xii. In 2018, the VOM was able to register approximately 176 prisoners in the pre-release programme, although more than 500 attended. Over 300 participants of the programme are released from prisons annually.
- xiii. A Conditional Release and Rehabilitation Act drafted in 2008 can treat with issues related to ex-prisoners' reintegration into society, such as the expungement of sentences, mandatory participation in rehabilitative programmes and a parole policy.
- xiv. Vision on Mission Enterprise Limited was established with the aim of partnering with private employers to provide jobs for ex-prisoners. Fifteen (15) businesses are currently involved in this arrangement.
- xv. An arrangement with CEPEP allowed 30 ex-prisoners without a valid ID card to be employed with the company immediately after their release.
- xvi. Increased government support is needed to address the employment needs of ex-prisoners.
- xvii. Attempts to collaborate with the Ministry of Labour and Small Enterprise Development to address the employment needs of former prisoners were unsuccessful.
- xviii. Between 2004 and 2018 the government subvention to VOM increased from approximately \$150,000 to \$7 million. This subvention was provided to finance programmes for all clients served by VOM.
- xix. VOM is very satisfied with the value of the current subvention. In 2019, approximately \$4 million of the allocation was received.
- xx. There is a need for Prison Welfare Officers to increase their follow-up support to ex-prisoners.
- xxi. The Probation Department should perform a key role in providing supervision of former prisoners, beginning with engagement from entry into prison.
- xxii. A project delivered in partnership with the European Union (EU) provides agricultural training and a stipend to graduates of the pre-release programme. The programme is implemented on 12 acres of land owned by VOM.
- xxiii. Upon completion of the agricultural training, ex-prisoners are granted a parcel of land for agricultural use. There are plans to acquire an additional location to sustain the programme.

- xxiv. A housing facility with a capacity of 85 tenants will be opened at the agricultural site. The facility will also have provisions for in-house vocational training.
- xxv. Another facility in Champs Fleurs provides housing to approximately 30 persons. However, the official capacity of the building is 20 persons.
- xxvi. The construction of a housing complex in Claxton Bay to accommodate 65 women will be completed in 2019. The project is financed by Republic Bank and the government.
- xxvii. In the interim, female ex-prisoners are housed in inns and hotels. Attempts are also made to reunite them with family members.
- xxviii. Thirteen (13) persons are currently employed full-time at VOM. Five (5) case workers are employed but 4 additional case workers will be required when new housing facilities are commissioned.
- xxix. Former prisoners are encouraged to relocate to a different community to avoid risk factors that may be present in their community of origin.
- xxx. Due to the stigma of incarceration and other challenges, it is difficult for former prisoners to access rental housing. As a result of these challenges, a housing complex in Laventille was established with 16 apartments rented to ex-prisoners for approximately one year at a minimal cost.
- xxxi. The average duration spent in the out-base programme is 2 years.
- xxxii. The programme success rate among clients is 80%, and the rate is 95% specifically among deportees.

### **Requested information**

10.2 The Committee requested the following additional information:

#### Ministry of National Security

1. Please provide statistics on the:
  - i. Number of prisoners released over the past 5 years; and
  - ii. Recidivism rates over the past 5 years, including the relevant categories of offences.
2. Outline the role and current work programme of the Probation Department, with specific focus on the supervision of ex-prisoners.

3. Outline the status of the draft Parole Act and Conditional Release Act that were drafted by the Penal Transformation and Reform Unit in 2008 and former Ministry of Justice in 2012, respectively.

Trinidad and Tobago Prison Service

1. Provide statistics on the recidivism rates over the past 5 years, including the relevant categories of offences.
2. Outline the TTPrS's recommendation(s) for the development of incentives to motivate prisoners to participate in rehabilitative and educational programmes.

ADJOURNMENT

- 11.1 Closing remarks were made by the chief officials present.
- 11.2 The Chairman thanked all present and gave closing remarks.
- 11.3 The meeting was adjourned at 12:13 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

November 05 2019

## Appendix III

**EXCERPT MINUTES OF THE THIRTY-SIXTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ARNOLD THOMASOS MEETING ROOM (EAST), LEVEL 6 AND IN THE J. HAMILTON MAURICE MEETING ROOM, MEZZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, NOVEMBER 20, 2019**

### PRESENT

#### Members

Mr. Paul Richards	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Mrs. Christine Newallo-Hosein, MP	Member
Ms. Allyson West	Member

#### Secretariat

Mr. Julien Ogilvie	Secretary
Mr. Brian Lucio	Procedural Clerk Assistant
Ms. Aaneesa Baksh	Graduate Research Assistant
Ms. Janelle Mills	Parliamentary Intern

### ABSENT

Mrs. Glenda Jennings-Smith, MP	Member (excused)
Mr. Rohan Sinanan	Member (excused)
Ms. Khadijah Ameen	Member (excused)
Brig. Gen. (Ret'd) Ancil Antoine, MP	Member (excused)

#### **PUBLIC HEARING re: the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago**

12.1 The meeting resumed in public at 10:15 a.m. in the J. Hamilton Maurice Meeting Room, Mezzanine Floor.

12.2 The following persons joined the meeting:

Prison Officers' Association

- i. Mr. Ceron Richards - President
- ii. Mr. Lester Walcott - General Secretary
- iii. Mr. Alloyee Youksee - Former Prison Welfare Officer

Eye on Dependency

- iv. Mr. Garth St. Clair - Host, Eye on Dependency

Unaffiliated Officials

- v. Reverend Stacey Ann Beckles – Reformed Ex-offender
- vi. Mr. Dane Manickchand - Reformed Ex-offender

The Way of Holiness

- vii. Pastor Wilma Kelly - Senior Pastor
- viii. Mr. Rudolph Garcia – Member

New Hope Prison Ministry

- ix. Mr. Richard Barker - Chief Executive Officer
- x. Mr. Richard La Croix - Reformed Ex-offender

12.3 The Chairman welcomed the witnesses present and introductions were exchanged.

**Opening Statements**

12.4 The following Officials gave brief opening remarks.

- i. Mr. Ceron Richards – President, Prison Officers’ Association;
- ii. Ms. Stacey Beckles - Motivational Speaker;
- iii. Mr. Dane Manickchand - Advocate for greater inclusion for ex-prisoners;
- iv. Mr. Garth St. Clair - Host of the Radio Talk Show ‘*Eye on Dependency*’.
- v. Pastor Wilma Kelly, Senior Pastor, The Way of Holiness; and
- vi. Mr. Richard Barker, Chief Executive Officer, New Hope Prison Ministry.

**Key Issues Discussed**

13.1 The following are the key subject areas/issues discussed during the hearing:

Issues discussed with the Prison Officers’ Association



- i. The need to introduce strategic sentencing/ therapeutic jurisprudence into the court system. This considers the criminogenic needs of convicts and informs their sentencing and rehabilitation.
- ii. Therapeutic jurisprudence also considers the social and psychological factors affecting the offender when determining their rehabilitation needs.
- iii. The need to create reception/assessment centres in prisons to facilitate the “onboarding” or assessment of new inmates in addition to the rehabilitation and monitoring of prisoners.
- iv. Prison Officers use the Length of Service Case Management Inventory to assess the needs and risk factors of convicted persons upon entry to prison.
- v. The Prison Welfare Department recently introduced case management to provide more individualized interventions to prisoners.
- vi. The need for transitional programmes such as “half-way houses” to recently released ex-prisoners.
- vii. The importance of systematic policies and procedures for the assessment, treatment and rehabilitation of prisoners.
- viii. The need to establish a drug rehabilitation centre or mental health unit in the prison system with qualified professionals.<sup>40</sup>
- ix. Prison Officers currently lack the appropriate training to treat with prisoners with drug dependency issues. Some prisoners have been admitted to the St. Ann’s Psychiatric Hospital in the past.
- x. The need for more resources to expand the provision of technical/vocational, sport and educational programmes for prisoners.
- xi. Similar to other jurisdictions, the need to ensure that participation in rehabilitation programmes is mandatory and is a requirement for conditional release arrangements.
- xii. The need for Welfare Officers to provide follow-up support to ex-prisoners throughout the entire 2 year post-release period as stipulated.
- xiii. The need for a change in the culture and mind-set of Prison Officers to align with the organization’s restorative justice policies. Newly recruited Prison Officers participate in a Philosophy of the Organization course. Notwithstanding this, there is need for retraining of the older Officers.

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<sup>40</sup> This was also expressed by Eye on Dependency.

- xiv. The need to transform Remand Yard into a “purpose-built” facility which treats with the needs of remandees.
- xv. The need to reduce the duration of time accused inmates spend in remand, given that little to no rehabilitation is provided to this population despite it being larger than the convicted population.
- xvi. The prison service has no mandate to provide rehabilitation programmes to remandees, although these programmes may be useful.
- xvii. Remandees who become convicted prisoners may be resistant to rehabilitation efforts due to anger and demotivation they developed in the unfavourable conditions of Remand Facilities.
- xviii. Some remandees do not become convicted prisoners and are released. Therefore, they would not have benefited from any rehabilitation programmes that are provided in prisons.
- xix. It may not be logical to provide rehabilitation programmes to remandees given that they are legally innocent until proven guilty.
- xx. The performance management system for Prison Officers is inadequate.
- xxi. There is an established procedure for liaising with external agencies, prior to prisoners’ release, to facilitate the application for/renewal of identification documents.
- xxii. The need to provide incentives to businesses to encourage them to hire ex-prisoners.
- xxiii. The need for legislation and policies to guide employment practices relating to ex-prisoners.<sup>41</sup> These policies will also help to prevent the labour exploitation of ex-prisoners.

#### Issues discussed with Eye on Dependency

- i. In the past, a drug rehabilitation facility operated in the prison system but was shut down.

#### Issues discussed with Unaffiliated Officials

- i. The attitudes and behaviours of some female and male Prison Officers do not reflect the philosophy of restorative justice.

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<sup>41</sup> This was also expressed by Mr. Manickchand.

- ii. The need for greater enforcement of restorative justice practices and principles among all ranks of prison officials.<sup>42</sup>
- iii. Employment is a major challenge for ex-prisoners. A criminal record discourages many employers from hiring ex-prisoners.
- iv. The inconsistency in hiring practices of public sector organizations regarding ex-prisoners.
- v. **The Industrial Court ruled in favour of Mr. Manickchand's in a Trade Dispute<sup>43</sup> which involved the Ministry of Rural Development and Local Government re: the non-renewal of his contract (for the position of Litter Warden) on the grounds of a "policy" prohibiting the hiring of ex-convicts<sup>44</sup>.**
- vi. **The Court found that there was no written government policy to treat with the hiring of persons with criminal records<sup>45</sup>.**
- vii. Some ex-prisoners gain employment in the public sector due to their political affiliations.
- viii. The need for a more reliable communication system to be developed between the Prison Service and external agencies to facilitate the renewal of identification documents before prisoners are released.
- ix. Vision on Mission provided employment to Ms. Beckles after her contract at a different organization was terminated upon discovery of her conviction.
- x. In the Women's Prison, some remandees, particularly those arrested for capital offences and/or were awaiting appeal or awaiting trial, were allowed to participate in educational programmes.
- xi. The need for more housing facilities for female ex-prisoners that can also accommodate their children.
- xii. The need to review the Public Procurement and Disposal of Property Act, which prohibits a company which has a director with a criminal record from supplying goods and services to a government agency.

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<sup>42</sup> This was also expressed by the Prison Officers' Association.

<sup>43</sup> Trade Dispute No. 378 of 2017

<sup>44</sup> Amended further to correspondence received from the Ministry of Labour dated November 13, 2020 (See Appendix VIII)

<sup>45</sup> *ibid*

### Issues discussed with The Way of Holiness

- xxxiii. The unsanitary environment and living conditions in prisons frustrate both the prisoners and Prison Officers and may hinder rehabilitation efforts.
- xxxiv. Financial constraints have contributed to the aforementioned conditions.
- xxxv. The Way of Holiness (WOH) has sponsored sporting equipment and toiletries to the prisons.
- xxxvi. The WOH provides Christian religious and spiritual guidance to prisoners.
- xxxvii. The need for faith-based ministries to be involved in both pre-release and post-release programmes so that they can keep family members connected to, and informed about the welfare of prisoners.

### Issues discussed with New Hope Prison Ministry

- i. Prisoners with different types and levels of needs and risks are treated as one category.
- ii. Prison Officers are frustrated and require more support in the work environment.

### **Announcement: Presentation of the Committee's Reports**

11.1 The Chairman announced that the following Reports of the Committee were available on the Parliament's website:

- i. The 11th Report of the Committee on a Follow-up Inquiry into the effectiveness of the State's interventions directed at Socially Displaced Persons; and
- ii. The 12th Report of the Committee on an Examination of the Current Level of Childhood Obesity and the State's Interventions to Promote a Healthy Lifestyle among Children.

### **ADJOURNMENT**

12.1 Closing remarks were made by the chief officials present.

12.2 The Chairman thanked all present and gave closing remarks.

12.3 The meeting was adjourned at 12:04 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

December 13, 2019

## Appendix IV

**VERBATIM NOTES OF THE THIRTY-FIFTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE J HAMILTON MAURICE MEETING ROOM, MEZZANINE FLOOR (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, SEPTEMBER 18, 2019 AT 10.10 A.M.**

### **PRESENT**

Mr. Paul Richards	Chairman
Mr. Esmond Forde	Vice-Chairman
Brig. Gen. Ancil Antoine	Member
Ms. Khadijah Ameen	Member
Mrs. Christine Newallo-Hosein	Member
Mr. Julien Ogilvie	Secretary
Mr. Johnson Greenidge	Assistant Secretary
Ms. Aneesa Baksh	Graduate Research Assistant
Ms. Janelle Mills	Parliamentary Intern

### **ABSENT**

Mr. Rohan Sinanan	Member [ <i>Excused</i> ]
Ms. Allyson West	Member [ <i>Excused</i> ]
Mrs. Glenda Jennings-Smith	Member [ <i>Excused</i> ]

### **OFFICIALS OF THE TRINIDAD AND TOBAGO PRISON SERVICE**

Mr. Gerard Wilson	Commissioner of Prisons
Mr. Sherwin Bruce	Assistant Commissioner of Prisons
Mr. Hayden Walcott	Chief Welfare Officer

## OFFICIALS OF THE MINISTRY OF NATIONAL SECURITY

Ms. Annmarie Dookie	Director, Monitoring and Evaluation Unit (M&E)
Mr. Walter Alexander	Research Specialist, Penal Reform and Transformation Unit (PRTU)

## OFFICIALS OF THE VISION ON MISSION

Mr. Gordon Husbands	Programme Director
Mr. Wayne Chance	Executive President
Mr. Brian Skinner	Facilitator of Vision on Mission

**Mr. Chairman:** Good morning everyone and welcome to this public hearing of an enquiry into prisoner reintegration. We would like to welcome also the viewing and listening audience to this the Thirty-Fifth Meeting of the Joint Select Committee on Social Services and Public Administration. This meeting is being broadcast live. This is the Committee's first hearing with stakeholders pursuant to its enquiry into the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago. We also advise members of the public viewing and listening that they are invited to submit their comments and questions on the Parliament's social media platforms. The stakeholders before us today include officials from the Ministry of National Security, the Trinidad and Tobago Prison Service, and Vision on Mission.

I am the Committee's Chairman, Paul Richards. I would like to invite also Committee members to introduce themselves starting with member Ameen.

*[Introductions made]*

**Mr. Chairman:** There are other members of the Committee including member Rohan Sinanan, member Allyson West, and member Glenda Jennings-Smith, who are all predisposed at a Cabinet retreat at this time. So we apologize on their behalf.

Thank you all for joining us. The three objectives of this enquiry are:

1. To examine the social, psychological and financial challenges to societal reintegration experienced by former prisoners;
2. To assess the services and facilities available to support the reintegration of former prisoners into society; and
3. To assess the adequacy of policies and laws to treat with prisoner re-entry into society.

Those are our three objectives.

I would just like to let you know as a matter of housekeeping, I will be here until 10.30 a.m., then the Vice-Chair will take over the meeting at that time. I have a previous engagement that is unavoidable and I cannot miss it. So at this point we would like to invite the officials to deliver brief opening comments, starting with Mr. Husbands who is the Programme Director at Vision on Mission.

**Mr. Husbands:** Thank you, Mr. Chairman. It is an opportunity I think Vision on Mission would cherish and remember. As you would know, Vision on Mission is a non-profit organization now under the mandate of the Ministry of National Security that provides re-entry services in two levels. One, we run a preparation for release programme, a nine-month programme under the prison service—thanks to the cooperation of the Commissioner and his executive. We also run housing facilities; we also run support services in counselling, job placement, and a host of other referrals so that we can address the dynamic needs and risks of individual, but more importantly it is all about contributing to the aspect of public safety.

Prisoner re-entry is the most contemporary aspect in terms of offender management, and I think this is an opportune time where we will be able to identify the real Acts, and the real Bills, and the real offender management components, so that we can actually reintegrate individuals and reduce the levels of reoffender among those who are—say, “cushioned” through a seamless continue of care and process.

**Mr. Chairman:** Thank you, Mr. Husbands, and I am presuming that Mr. Chance is on his way. We understand he is on the way.

**Mr. Husbands:** Yes, Mr. Chairman. I need to apologize for his late arrival.

**Mr. Chairman:** Not a problem. Thank you. Mr. Wilson, sorry. Commissioner Wilson, sorry.

**Mr. Wilson:** Morning Chairman, morning to the other members of the Committee. Morning to the viewing and listening public. Let me start by saying that the Trinidad and Tobago Prison Service is mindful of its role and its motto which is “To hold and treat”. We also take our responsibility for public safety seriously. We are happy to join this enquiry because I think it is quite timely and pertinent, and we have a lot of information to share. One of my concerns is the fact that—if I may take a line from Peter Drucker that says, “Culture eats strategy for breakfast”. And, we can do all that we want to rehabilitate and reform, if these persons go out into their normal environment, they adopt the same behaviours and it starts all over again. So it is more or less a

cycle.

This morning to share information with you is the Assistant Commissioner of Prisons, Mr. Sherwin Bruce; and the Chief Welfare Officer, Mr. Hayden Walcott; and we would be too pleased to give information, anything that would validate and would assist in helping the public to understand more about prison and prison reform, and the re-entry programmes. Thank you.

**Mr. Chairman:** Thank you very much, Mr. Wilson. I know the Permanent Secretary for the Ministry of National Security is not here, but I do not know which of the three officials would like to deliver opening remarks on his behalf?

**Ms. Dookie:** Thank you very much, Mr. Chair. Good morning and good morning to the members of the Committee. My name is Annmarie Dookie. I am Director of Monitoring and Evaluation at the Ministry—still relatively a new unit. We would have joined the Ministry with the merge of Ministry of National Security and the Ministry of Justice. We are now strengthened with two additional resources, other than myself, as two M&E coordinators, and we have a business operations coordinator.

The role of the unit is to monitor and evaluate the Ministry's programmes and projects, building and shifting the culture of the organization to really looking at managing for results, outcomes and impacts. In that vein, the role we are here today is that we were charged with evaluation of the Vision on Mission programme. Cabinet, by way of its mandate, last year in May 2018 would have asked for an evaluation of the programme to determine the quantum of subvention going forward. I think the PS and the DPS are supposed to be on their way so they will be joining us.

**Mr. Chairman:** Thank you so much. Thank you all for joining us today. I will start by just giving out some statistics because our remit in this particular Committee, in this stakeholder interaction, is to deal with convicted inmates and their reintegration. So, while I will provide some statistics as comparative to remanded prisoners who not our remit, in terms of the incarceration rate between 2014 and 2018: by year 2014, 3,384; 2015, 3,615; 2016, 3,586; 2017, 3,505; and 2018, 3,943. In terms of the disaggregation of the prison population between 2014 and 2018, the comparison is convicted 1,362 as compared to 2,022 remanded and that includes male convicted 1,277, juvenile convicted 56, and female convicted 29.

For 2015, the convicted reaches 1,614 including 1,496 male convicted, 47 female and 71 juvenile; for 2016, 1,387 in terms of the prison population I should say, 38 juvenile and 32 female;



for 2017, it is 1,262 including 1,198 male, 29 female and 35 juvenile; and for 2018, it is 1,616 including 1,491 male, 82 female and 43 juvenile. I went through those stats to give a sense of what we are dealing with and the information in terms of prisoners released between 2006 and 2010 in comparison and this is from the CSO, and I will be very honest, we have some discrepancies in the data. We cannot account for discrepancies in the data. I am just giving you what we got.

2010, number of prisoners committed 7,614, number of prisoners released 2,608; 2009, number of prisoners committed 7,511, number of prisoners released 2,554; 2008, number of prisoners committed 8,259, number of prisoners released 2,705; 2007, 7,053, number of prisoners released 2,197; and in 2006, the number of prisoners committed 7,342, the number of prisoners released 2,269.

I will start with the Ministry of National Security. Can you give us a sense, if you have the data, of the number of prisoners released in the last five years; and if you have the data on recidivism rates for those years? If you do not have it you can provide it in writing later on.

**Ms. Dookie:** Mr. Chair, we would have just requested the data on the recidivism rate for the last three years because we are currently preparing information for the Ministry of Planning and Development for an achievement report. We do not currently have in front of us the data with respect to the release for the last five years.

**Mr. Chairman:** Okay. Thank you. Can you extend that to the last five years?

**Ms. Dookie:** For the last five years?

**Mr. Chairman:** Yes, instead of three years and providing it in writing to the Committee.

**Ms. Dookie:** For the recidivism? Yes.

**Mr. Chairman:** Yes. And include in that the number of prisoners and the categories of offences of the prisoners under the time in review which will be more helpful to us in terms of disaggregation and we will get a sense of knowing what prisoners are more likely to end back up in the system. With that said, I will move to the Commissioner of Prisons. Do you have specific data on the number of releases so we can try to get some sense of corroboration of this data that seems to be dichotomous?—from where you sit because you would have direct contact with the inmates at all the inmate facilities throughout the country.

**Mr. Wilson:** Chair, we would have to collate that information and get it to you at a later date. I do not have it.

**Mr. Chairman:** Would you have access to the recidivism rates, or prisoners, or inmates re-entering the system?

**Mr. Wilson:** We should be able to get that information to you with a level of accuracy, but may I just say something on that, Chair, which is an important. It is something that has bothered me for quite a while, and that is we look at recidivism, but if we do not have the attendant programmes—because somebody comes into the system as a drug addict, if we do not have the requisite programmes which we are now trying to get in train—Mr. Bruce may tell more about that later—but more less a therapeutic type of intervention we will have a revolving door. So in terms of recidivism I am wondering whether the information is that accurate in the sense that you come into the system, you are not treated and you get back out there, and you come back in. So to me, what is the sense looking at recidivism if we do not start looking and placing some emphasis on the programmes like anger management and all those things that would add value to the incarceration of the inmates? So I just needed to say that.

**Mr. Chairman:** I am really happy you opened the discussion regarding what is essentially a proper restorative justice system in the country, and my next question is not aimed at you because you really cannot answer the question, but you operate in the environment. It is a direct question and you can answer it if you feel to. Can you, can one, not you, can any jurisdiction have an effective restorative justice and rehabilitation system under the present prison conditions in Trinidad and Tobago? Because you can put all the programmes you want in the world, and I toured three of your facilities and I got ill in four hours and I would never break the law, and to me—and then I will go to Mr. Husbands on this because I think it is an anathema to talk about proper programmes when you stuff me in a cell eight by—what is it?—

**Mr. Wilson:** Six.

**Mr. Chairman:**—six; little ventilation which is clogged, eight of us on a good day with a pail for defecation, a mattress if you are lucky, and you want to talk about—and I am being graphic because we are broadcasting this and the public needs to get a sense of what we are dealing with. So you put me in that cell for 10 hours a day, and then you take me out for two hours and expose me to an hour-long programme and expect it to have any sort gravitas in my life. I think it is ridiculous and it is almost laughable. I do not know if you could respond to the direct question of: Can we really have a proper restorative justice system under those conditions?

**Mr. Wilson:** Okay, Chair. What you would have described is more the remanded facility, and

we try as much as possible—

**Mr. Chairman:** Let me pause. Before you are convicted you are remanded.

**Mr. Wilson:** Yes.

**Mr. Chairman:** You can be remanded for up to more than 10 years.

**Mr. Wilson:** Sometimes 14.

**Mr. Chairman:** So sometimes 14. So while you are being remanded under those conditions you are being socialized—

**Mr. Wilson:** Yes.

**Mr. Chairman:**—and you are trained in a particular way? So let us get that there out there one time.

**Mr. Wilson:** Yes, Chair.

**Mr. Chairman:** So you are starting a socialization process even if you are innocent because remand means you have not been proven guilty.

**Mr. Wilson:** Yes.

**Mr. Chairman:** So if I spend 14 years under those conditions I do not know how any system can change me.

**Mr. Wilson:** I totally agree with you, Chair. I was just trying to make the distinction between what you saw and some of the convicted inmates. But I totally agree because what we have—my concern is that we look at the convicted in terms of programmes, but then in our unique situation in Trinidad if a remand inmate is spending four, five, eight, 14 years in the remand, I think we should focus also on programming for them. It is not a normal system where they probably would just pass through the system especially if you are charged for murder or some other crime. So I agree with you. It is important that we look at from inception to when they leave and, of course, you would know first-hand that the facilities are not really conducive to what we would like to do. Because we have visited prisons abroad and when you look at it, it is really chalk and cheese in terms of the environment, and then having them just one hour airing really does not do much to their psyche and whatever other social means they may have.

So that I agree with you and it is up for debate because some of the inmates we are able to assist but not everybody will be able to take that particular treatment in the same way.

**Mr. Chairman:** I am going to wait for the data, but I have heard on several occasions both the AG and the Minister of National Security speak about over 80 per cent recidivism rates and I will

wait for your concrete data to either verify or refute that. So it suggests that something in the system is terribly amiss and I do not know—because restorative justice has several different components. One, it starts with the process by which you are sentenced, the court system — actually no, it starts with the law enforcement interaction at the start of the process and then it goes through the court system and how long that takes; then it goes through how your process in the prison system—and I want to get to prisons versus correction philosophy because I think that also is an important part of the discussion because we still deal with prisons and other jurisdictions deal with correction facilities. And then it goes through how you are treated in remand and the speed with which the system treats your particular matter; and the 14 years you are waiting on remand it speaks; then it speaks to if you are convicted how the system treats with you. How would you describe—before I go to the Vice-Chair on this—our present rehabilitative system in Trinidad and Tobago’s prisons?

**Mr. Wilson:** Chair, from one to 10 I would want to give it a seven because we have been doing— what I am saying, we have doing quite a lot—

**Mr. Chairman:** You are giving it a seven?—

**Mr. Wilson:** Out of 10.

**Mr. Chairman:**—and in the context of possibly an 80 per cent recidivism rate?

**Mr. Wilson:** Well that is it. The thing is we are looking at one aspect of it in terms of the 80 per cent, but is it accurate to say that the 80 per cent—there are so many dynamics to recidivism, I will tell you why. If we do not follow the person, the inmate, when they leave the system how do we know whether they are still alive; why they did not come back; if they migrated; if they committed a crime but we do not know; they never came into the facility; if they came into the remand and got bail. So these are some of the things we will have to work out—

**Mr. Chairman:** So you are saying it could be higher?

**Mr. Wilson:** It could be higher. We have to get back to you. But in terms of—why I say I will give it a seven in terms of what we do. But the point I made before is that if we do not have the follow-up, which is critical, we will do all we need to do from inside. We have some very successful programmes, but if they go out and we do not have the follow-up, that is where they come back in. So I am saying in terms of the programmes I would say successful. We do a fantastic job, but if we do not have the follow-up on the outside that is where the problem lies.

**Mr. Chairman:** Commissioner Wilson, I wish I had you in school. Let me bring Mr. Husbands

into the conversation then I go to the Vice-Chair who will take the Chair. Mr. Husbands, how would you respond to the assessment of the inmates that come to you in terms of their impressions at the Vision on Mission of what their experience would have been as to any rehabilitative process while they were inmates after being convicted?

[MR. FORDE *in the Chair*]

**Mr. Husbands:** Thank you, Mr. Chair. We are looking at a system that we operating that was never really built to rehabilitate or correct. Most of our penal systems were inherited old forts and the like and the very architecture militates against proper programming, proper housing, and proper rehabilitation. However, because of what I will call the creativity of past commissioners, and present commissioners, and the prison service, we were able to develop programmes that treat with dynamic factors in terms of trying to retool the thinking of individuals. But when we talk about recidivism, I just want the Deputy Chair to understand that there are many ways of measuring recidivism. Is it rearrests, reconviction, or both?

But more than that, you cannot—and I agree with the Commissioner—you cannot really address the recidivism rate if you do not have the right kind of programming, proper offender management. And when I say proper offender management, when these individuals come in you must have the right kind of tools to measure risk and needs to identify what are the pressing offending behaviour issues of those individuals and when that is done, there must be proper classification, and then you have to ensure that there is what we call in correction, “responsivity”. You understand the learning styles, what are the needs of the person, and that person must have a proper correctional intervention plan.

You could also have what we call in corrections, constructive regimes. You can have sport, music, art and all of those things. Those things are important and therapeutic, but the real issue is how do you address the offending behaviour issues and that calls for what we call cognitive behavioural therapies. If someone has a drug addiction that person must go through a proper developmental drug and growth treatment programme, and he must spend about 70 per cent of his time within that programme until he is more or less stabilized. Again, if there are other therapies like recondition therapies, thinking and rehabilitation, thinking for a change. These are the real programmes that we must introduce.

Again, I agree with the Commissioner again. When these inmates are coming out, there must be a complete what we call continuity of care, and I keep harping for years now where is our

Probation Department, who is supposed to be the champion of community corrections, who should be working jointly with the prison service and NGOs to do the proper supervision, and I will probably go in before my time but I know right now they are looking at electronic monitoring, that is the responsibility of probation.

**Mr. Chairman:** And again, Mr. Husbands, based on your submission you have clearly identified all the restorative justice that needs to take place.

**Mr. Husbands:** Not really restorative justice. Those are what you call correctional programmes.

**Mr. Chairman:** Which is the follow-up that the Commissioner is talking about.

**Mr. Husbands:** Partly.

**Mr. Chairman:** Part of it.

**Mr. Husbands:** The community part.

**Mr. Chairman:** Fine. But from where you sit on Vision on Mission, the follow-up that the Commissioner is talking about you provide some of that follow-up?

**Mr. Husbands:** Some of it.

**Mr. Chairman:** Some of it?

**Mr. Husbands:** Those who come to us, and that is a limited number, and this is why I am alluding to, Mr. Vice-Chair, is that that is the responsibility of your probation department to do the supervision. They are part of community corrections, and in our submission you will see where we articulated the need for a community corrections Act.

**Mr. Chairman:** So again, so therefore we now go to the Ministry, Probation Department, that responsibility falls under who? National Security or the Commissioner of Prisons?

**Ms. Dookie:** No. Probation is under the Ministry of National Security.

**Mr. Chairman:** So could you give us a little insight into what you all do after these prisoners are or ex-convicts, sorry—

**Ms. Dookie:** I would have to liaise with the Chief Probation Officer to get their mandate and their role and function because from an M&E perspective I am not really certain as to validate what Mr. Husbands is saying if that is really their core role.

**Ms. Ameen:** Chair?

**Mr. Chairman:** One second, member. So what we will do, we will ensure that we get it in writing, right?

**Ms. Dookie:** Yes.

**Mr. Chairman:** I will now move to member Ameen and then I will go to member Newallo-Hosein.

**Ms. Ameen:** In keeping in line with the questioning so far, the Trinidad and Tobago Prison Service, you indicated in your submission that ex-convicts are interviewed by the Prison Welfare Department before they leave the system; you also indicated that prison officers make periodic visits to ex-offenders to offer assistance. That is part of your submission. First of all, I want to ask you if the complement of prison officers conducting these exercises are sufficient; and approximately how many ex-offenders do you have in terms of the caseload for each prison welfare officer?

**Mr. Wilson:** Okay, I will hand it over to the Chief Welfare Officer to bring some clarification.

**Mr. Walcott:** Thank you, Ma'am, and good day to everyone. The Prison Welfare Department officially has a complement of 55 prison welfare officers and that includes one chief prison welfare officer and one assistant chief prison welfare officer, and they are divided based on the nature of the stations. There are prison welfare officers attached to every station excepting Tobago prison depot which we currently do not have any officers currently attached. Each station is very different in terms of its complement and in terms of its make-up. The remanded inmates, for example, as we know, can get bail at my time, and the prison service generally would not have a pre-understanding of when they get bail, or when they are released, if they go to court.

So the prison welfare officers' work with them all the time, in terms of the intake and when they come in, liaise with their external social support network in terms of that. Once the inmate is convicted we will have an EPD, the earliest possible time that the inmate is expected to go home. So after we do our initial intake we will have a case plan prepared and we will work along with the inmate and particularly his positive and his effective social support systems, namely family members, which are instrumental and could offer some positive means of support. So it is very different from station to station. So I cannot give you an exact number in terms of the caseload because it fluctuates daily and it fluctuates based on one particular station to the next.

**Ms. Ameen:** All right. What we are trying to get is whether you have sufficient prison welfare officers in terms of the complement; and if you can get that back through your Commissioner to the Committee it will be helpful for us to see whether there is a human resource issue in terms of the prison welfare follow-up after with the complements.

**Mr. Hayden:** Well, I can answer you that now in terms that currently we have 14 vacancies which

are currently to be filled, hopefully by the end of the month. The Service Commission I know is working hard towards that, and when I joined the welfare department many years ago it was 12 prison welfare officers and now we have 55. So the numbers continue to be increased. Of course, I will always ask for more, but the complement currently is 55 prison welfare officers and, of course, I will always ask for more, if we can get 10 more out or 12 more.

**Mr. Chairman:** Just a follow-up, member. Again, provide it in writing to us.

**Mr. Walcott:** Yes.

**Mr. Chairman:** Whether it is the 14 vacancies have or have not been appointed. We need to get it.

**10.40 a.m.**

**Mr. Walcott:** Interviews were conducted and we are waiting for service commission to do the necessary. So, we expect some positive feedback by the end of this month.

**Mr. Chairman:** Sure, one second. I would just like to welcome Mr. Wayne Chance—

**Mr. Chance:** Thank you very much, Chair.

**Mr. Chairman:**—from Vision on Mission. Welcome to the Committee meeting this morning, and you will be given the opportunity shortly in order to make an intervention, all right. So, I will now go to member Newallo-Hosein.

**Mrs. Newallo-Hosein:** Thank you. Just in follow-up before my main question, could you indicate, Mr. Walcott—

**Mr. Walcott:** Yes Ma'am.

**Mrs. Newallo-Hosein:**—what is ratio in terms of the welfare officer to a prison in terms of the international benchmark? And if we are in fact meeting that with the 55 and the additional that you are requesting, or if we need to go to include more welfare officers? And I do not want to put you on the spot, if you do not have the answer you could probably put that in writing.

**Mr. Walcott:** Well, in terms of the international benchmark, that is subject to much debate. I have done some research myself and there are a number of debates in terms of what it is best benchmark. Some agencies say one to 20, some, one to 40, and so there is a lot of discrepancy where that is concerned generally.

But in terms of effective caseload we—one to 15, or one to 20 particularly given the Trinidad and Tobago situation, and the nature of our cases. Because really, if I may add, one of the critical problems we have in Trinidad is that our clients generally have an antisocial pattern



and an antisocial perspective in terms of how they see things. They feel they are entitled, they feel they are owed something, and they feel it is their time. They have a “criminal mask” as the social sciences like to say, and that is a perspective that has developed through interaction with all of Trinidad and Tobago. Because a lot of Trinidad, we feel that we are entitled and we feel that—and that causes our problems in terms of getting change within the social environment. So, it is a difficult question to answer, but I will always say we need more staff.

**Mrs. Newallo-Hosein:** Okay, but coming back to the question and putting it in relation to us here in Trinidad and Tobago, currently what is the ratio of welfare officers to—

**Mr. Walcott:** I will have to get that back to you in terms of the official statistics in terms of “how much prisoners” we have, because it fluctuates from day to day, but currently we have 55 members of the staff. So it is easy to do the ratio, 55 divided versus by the—by 4,000.

**Ms. Ameen:** Mr. Walcott—

**Mr. Walcott:** Yes, Ma’am.

**Ms. Ameen:**—just to clarify, I think what we are trying to find out too, is what is your ceiling? Do you operate with a maximum number? Apart from what the reality is—

**Mr. Walcott:** Yes.

**Ms. Ameen:**—when you divide the number of case by the number of officers—

**Mr. Walcott:** Yes.

**Ms. Ameen:**—do you for instance ,when a particular officer reaches 20 cases, say okay, no more for him, let him work with what he has?—he or she. Do you have a maximum number of cases that you assign to an officer?

**Mr. Walcott:** No, it is not because it is purely based on what station the officer is at, because, for example, YTRC which is the former YTC, because the officers do a lot more intensive casework, their casework will be different compared to the remand prison. So, it is not the same for every station and it is not the same for every population. So, YTRC for example, we will have it as one to 10, and YTRC has a population in terms of its large—or its charges approximately 100 officers. Large—excuse me, and we have five welfare officers attached. And that is because of the nature of the cases, and that is because we have to report to the court in terms of a case plan and a case going forward which is different to the remand prison which the needs are very different. So, it is really based on where the client currently is, and we adapt based on that. So it is not a general thing to say that every station they will have the equal amount based on the amount of inmates. It

is not that simple.

**Mr. Chairman:** Okay, I will now introduce member Antoine.

**Brig. Gen. Antoine:** I will just like to drill down “ah lil bit”. You say that you have welfare officers. I am seeing the welfare officers are involved in counselling of the inmate population.

**Mr. Walcott:** Yes.

**Brig. Gen. Antoine:** But welfare officers are also involved with the ex-offenders. Are the same welfare officers who are dealing with the inmate population, both convicted and remand, are the same welfare officers who dealing with the ex-offenders?

**Mr. Walcott:** That is absolutely correct. We have one cohort of 55 prison welfare officers and when they are part of a caseload and when their clients are discharged or get bail, or whenever they leave our care, the welfare officers sometime will always want to make contact with that client to see if everything is okay, and if any assistance in terms of reintegration can in fact be offered by us.

**Brig. Gen. Antoine:** But is that on a voluntary basis or is that on a structured basis?

**Mr. Walcott:** No, it is once the client leaves the jurisdiction of the Trinidad and Tobago Prison Service, we have no official authority or jurisdiction over them. So, it is purely in terms of offering assistance and assisting in their rehabilitation. But really it is up to them because we have no authority to tell them what to do, or to do anything like that. That ceases once they leave the Trinidad and Tobago Prison Service.

**Brig. Gen. Antoine:** And let me go, and maybe Vision on Mission could help here. This is the modern world and apart from ex-prisoners of Trinidad and Tobago, we now have deportees who are coming from outside our jurisdiction. Does the prison service have any type of link with the deportees assisting them or it is strictly like for people like Vision on Mission?

**Mr. Chairman:** Before Mr. Chance comes into the picture, you care to make an introductory remark to the Committee? I know we were informed that you were coming late, so proceed.

**Mr. Chance:** My apology for arriving late. Well, Mr. Husbands would have introduced the organization, and the Committee is very familiar with the work of the organization. We are here to share information as much as possible to help in the reintegration of our inmates within the prison system back into the society of Trinidad and Tobago as far as possible.

I am pleased to share whatever information is requested by the Committee. We work with a classification of different inmates, we work with both deportees—as far as deportees are

concerned they are referred to us through the Ministry of Social Development Culture and the Arts displacement unit. So upon their arrival we get notification, and we pick them up at the airport. And that would be in the event that they do not have somewhere to go. We pick them up, and that is an ongoing exercise and we house them for approximately two years to a year.

In terms of persons being released from prison, we have a verification of—a variety of different types of clientele in terms of persons who leave the prison and may not have participated in a pre-release programme, who probably would not have participated in any programme at all, they “would have leave” the prison and they would then eventually come at the doors of Vision on Mission. We consider those clients walk-in clients. And then you have the resettlement clients, those persons who participated in the pre-release programme and come directly from the prison to the programme. And then we deal with both male and female, we deal with youths, and we deal with socially displaced persons.

**Mr. Chairman:** Member, again he mentioned about the deportee, you want to—any follow-up?

**Brig. Gen. Antoine:** In the prison service, you say you have 55 welfare officers.

**Mr. Walcott:** Prison welfare officers, yes Sir.

**Brig. Gen. Antoine:** Is that—

**Mr. Walcott:** Post, prison welfare officer post, yes, that is correct.

**Brig. Gen. Antoine:** Have you satisfied the establishment requirements or are there vacancies in that area?

**Mr. Walcott:** There currently 14 vacancies and those are currently being filled via the service commission and we are hoping to have some feedback by the end of this month.

**Mr. Chairman:** No, but in terms of the 55 maximum you are talking about, are they actively 55 individuals acting in these vacant positions at this time?

**Mr. Walcott:** We have currently, we have—no, in fact we have 10 officers who are currently on holidays, so our acting list is actually supposed to be currently 26 persons, and our acting list is 18 persons. So, we are short right now in terms of that.

**Mr. Chairman:** All right, okay, before member—again to Mr. Chance, with respect to the Prison Preparation for Release Programme, right, does Vision on Mission receive full cooperation of prisons authorities in the execution of this programme? What is the relationship that you all share with regard to—?

**Mr. Chance:** Well, we have a good relationship with the executive. To be quite honest, we have

some major challenge on the ground in terms of getting the qualified persons to attend the pre-release programme. Seeing that the programme is not compulsory in the prison, it is voluntary, persons are “opt to” not come to the programme if they choose to, right, a matter of fact, they are “opt to” not to go to any programme because programmes in the prisons are not mandatory, right, so you have to be very motivational to these inmates to actually come to the programmes. There is no kind of time relief, there is no kind of major incentive for inmates to attend a programme. An inmate could actually come to the prison for five years and remain in the dorm, or unless an officer placed him on a team to do some kind of work or so forth, right. He or she is not mandated to participate in any programme.

**Mr. Chairman:** Do we have statistics on the numbers of persons that may?

**Mr. Chance:** Attend the preparation of release programme?

**Mr. Chairman:** In terms of statistics, do you have like over the last three years or two years?

**Mr. Chance:** For the last three years, I do not have the stats in front of me for the last two years, but we do take data in terms of number of persons that participate in our preparation for release programme. Last year we had about 500-and-something persons attend the pre-release programme, but we only had the opportunity to register 100-and-something of them.

**Mr. Chairman:** That is presently?

**Mr. Chance:** Seventy-six—

**Mr. Chairman:** Presently, 2019?

**Mr. Chance:** What?

**Mr. Chairman:** What is the figure?

**Mr. Chance:** No, last year. That is 2018.

**Mr. Chairman:** 2018, what is the figure? What is the figure?

**Mr. Chance:** We had 500 and something participants, right.

**Mr. Chairman:** Okay.

**Mr. Chance:** We do the pre-release preparation for release programme throughout all of the prisons, from Carrera, Port of Spain, Golden Grove, MSP and ECRC.

**Mr. Chairman:** And would we have the overall figure as to how many ex-convicts may have been released into the system?

**Mr. Chance:** On an annual basis?

**Mr. Chairman:** No, in comparison of the figure you just gave us who participated? What would

have been the total figure released into the Trinidad and Tobago system?

**Mr. Chance:** Well, it would have been approximately—use an approximate number, right—on an annual basis from our perspective, we would have had over 300-plus persons released on an annual basis from our programme.

**Mr. Chairman:** Member Newallo-Hosein.

**Mrs. Newallo-Hosein:** Yes, thank you, Chair. Mr. Chance, I was reading your submission and you had included in the document “Public Correctional Policy on re-entry of offenders” which is the American Correctional Association Delegate Standard, which I assume that you would have adopted hence the reason it is here. It is indicated in the policy statement that one of the functions would be to advocate for the review and revision of existing laws and regulations that unnecessarily inhibit the successful re-entry of offenders. Do you have in your possession any existing laws and regulations that you wish for review and revisitation that would encourage successful re-entry of offenders into the society?

**Mr. Chance:** I will have Mr. Husbands answer that.

**Mr. Husbands:** Yes, member. Firstly, there is the whole concept in terms of what we call “expunging of sentence”. Too many of convicted persons leave prison, they may have done well, do well in academics, they did art and other things, due to the creativity of the officials that when that person leaves, right, that conviction remains with that person, which operates as a barrier in terms of housing, in terms of jobs, right, even in terms of travel. So I think that is one very important aspect in terms of a law, in terms of the expunction law.

But that would be taken up in terms of what you call the conditional release and rehabilitation Act, right, and that needs to be implemented, that needs to be part of the whole concept in terms of managing prisons. That conditional release and rehabilitation Act, because it is going to provide so many more avenues out of—to remove some of those barriers and also when you have that kind of conditional release and rehabilitation Act, it allows the prison service as well, right, to have more discretion in terms of how people are released. And that would bring a sense in terms of mandatory programming, if we are to benefit from such a law. So that is very, very significant for me.

**Ms. Ameen:** If you could just give the Committee and the public an idea about this Act that you refer to, is it an Act that has been passed by Parliament?

**Mr. Husbands:** No, no—

**Ms. Ameen:** At what stage is it?

**Mr. Chairman:** It is a proposal.

**Mr. Husbands:** And you would see in our submissions for the longest while there has been a call for parole, but parole cannot operate in a vacuum, it must be based on a conditional and rehabilitation act, and that is what I am referring to.

**Ms. Ameen:** So, that is one of your recommendations, that we have a parole and rehabilitation—

**Mr. Husbands:** Conditional release and rehabilitation Act and out of that the parole policy, right—

**Ms. Ameen:** Yes, thank you.

**Mr. Husbands:**—would emerge, and that was already drafted since 2008.

**Ms. Ameen:** Okay, thank you.

**Mr. Chairman:** Members, just for the edification of the public as mentioned by Mr. Husbands, right, representation was made to the Ministry of National Security and the Trinidad and Tobago Prison Services for policies on the following:

1. Re-entry act and policy;
2. Community corrections Act;
3. Second chance Act;
4. Reintegration and penal policy; and
5. Conditional release and rehabilitation Act.

Again, the PS is not here. Could you shed any light on that information?

**Ms. Dookie:** Not all of it, but we have here the research specialist from the Penal Reform and Transformation Unit who may be able to speak on one or two of those items.

**Mr. Chairman:** Mr. Alexander, yes.

**Mr. Alexander:** Thank you, Deputy Chair. The Act that you spoke about, the conditional release Act, the parole Act, are some of the things that the penal reform and transformation unit would have drafted since about 2008, as Mr. Husbands was saying, and then there was Ministry of Justice that also would have drafted a parole Act about 2012, but the last thing I know, that the parole legislation is tied up at JLSC.

**Mr. Chairman:** Okay, all right.

**Mr. Alexander:** And I do not think there is anything about the conditional release Act. But those are some of the Acts that are important for prisoner reintegration.

**Mr. Chairman:** Sure, Secretariat, we will ensure that the PS gives us a good update on that information. Before I come back to the Commissioner of Prisons, I just want Vision on Mission, with regard to job placement, right, we talk about the reintegration and rehabilitation of these guys. In terms of job placement, provide real life scenarios and underscore the challenges that some ex-convicts face in gaining employment. We would have individuals that fall within that category.

Secondly, are employers generally reluctant about having ex-offenders work in their establishments? Is self-employment and sole trader type businesses the best option for ex-offenders? Because you know we would have been told of certain programmes that they would have went through while being incarcerated and also—so those three aspects, give us an update on those three aspects briefly.

**11.00 a.m.**

**Mr. Chance:** Well what we have done, we recognized the challenge with inmates finding employment upon their release from prison in spite of they being able to acquire certain skills within the prison. There are those who are fortunate enough to find job placement but there are those who need further support in finding placement and so forth and the employer sometimes needs to be assured that this person he or she is going to hire, that this person would not commit a crime or target their establishment.

So what we have done, as an organization, we have established a second company called Vision on Mission Enterprise Limited. Now, because as an NGO, you cannot solicit funds, so under the guide of Social Development, we had to develop this other company where we could be able to find employment. So we developed this company and we make contractual arrangements with certain employers. So I do not know if these employers would like their names to be called, right? But we do have relationship with a number of employers. But it is limited, in terms of those employers, they cannot take the volume of persons that are being released from prison. So indeed, we do have that kind of a link.

The latest development that we have is with the CEPEP where it is that when persons leave prison, we saw the challenge that they take sometimes three to six months, not three months, to actually get their ID card. Some of them have to actually start all over from scratch, their birth paper and so forth in order to get a meaningful job. So what we had done, we went into an arrangement with CEPEP where it is persons can be employed immediately upon their release from prison without an ID card. So we do have that kind of arrangement and that is going very

well. We have 30 persons, both male and female, employed in that concept. But other than that, there is the need for a greater collaboration, a greater support. We do not have any kind of support from a governmental perspective, in terms of recruitment, a policy in terms of hiring persons that may be so qualified in different types of job.

**Mr. Chairman:** Just for the record, Mr. Chance, no need to call the names of the employers but could you give us a number of how many that support you in terms of employers who would hire individuals? 10, 15?

**Mr. Chance:** About 15.

**Mr. Chairman:** About 15. All right. Just for the records. Coming back to the Commissioner of Prisons, according to the Vision 2030 document provided by the Ministry of Planning, the recidivism rate is at 69 per cent. Right? How would you rate in terms of professional standards, in terms of how would you rate that percentage with regard to our prison system?

**Mr. Wilson:** Well, I will look at 69 per cent as high and not acceptable at all. However, I think that our mission here today is to look at those follow-up programmes which I am very concerned about. So that, as I said before, we can do all we can within the walls but if when they leave the system—like the same thing that Mr. Chance alluded to—if the society turns their backs on them, even including families and if the employers decide they do not want to take a chance with them, then they come right back into the system. So 67 is unacceptable but we continue to work and try our best in terms of what we do in programming.

I do not know if at this juncture, I can introduce the programmes' ACP who will be able to give you an idea of some of the programmes that we have and some of the results.

**Mr. Chairman:** Before you do, I just want to identify so that, again, you could include in your submission. In your submission, you indicated all convicted inmates are counselled by the Prisons Welfare Department where appropriate discharge planning is put in place. All right? So again, I want you to expound on that. Additionally, approximately how many counselling sessions for discharge planning are provided to each inmate?

**Mr. Wilson:** Sure.

**Mr. Chairman:** In the event that former employers are not willing to rehire the inmate upon release, what employment referral services are offered by the Welfare Department? And finally, in the event that inmates have not secured housing—I know Mr. Chance, you know, spoke about that aspect—immediately prior to their release, how does the Welfare Department assist in this



regard? So when you are giving your discourse, please, consider some of those points please.

**Mr. Bruce:** Good morning, Mr. Forde, Vice-Chair, other members. Some of those questions, I will pass across to the Chief Prisons Welfare Officer but you all need to hear it in perspective. When someone is convicted and comes to prison, what we have is—the first step is an assessment because we must know where they are and why they are here because it goes on the philosophy that no one makes a conscious choice to come to prison as was described by the Chairman before he left—the conditions—so we know that is not a choice.

The person is assessed. We use an assessment tool known as the Level of Service Case Management Inventory, the LSCMI. Out of that tool, we are able to say what is the risk and the needs and responsibility of the individual. The persons are referred into the various directions, either the psychology department or the social work department, the prison welfare officers, and then they have access to programming. The programming starts with the basic academics. We look at why you are here, what would have broken down within your social functioning that will bring you to prison and that is how programmes are developed and that is how an individual goes to a programme.

One of the things that was said by Mr. Chance and the Commissioner is that persons have to volunteer for programmes. It is not mandatory that they attend. The officers, they would go to the inmates with motivational interviewing, trying to get the inmates to come to the programme but there is not any structured incentive to come to the programme, except healing and bringing your family back together. Because a lot of times, persons come to prison, we have a breakdown in the family support system and there are other support systems that are quite willing to accept them back when they come out and that is why we try as much as possible, through the various programming, to bring children, to bring families in, to develop that positive support system and to work with what has broken down so the individual will make a choice not to come back.

**Mr. Chairman:** I will go with member Ameen, follow up, and then member Antoine.

**Ms. Ameen:** Follow up? Mr. Chairman, I am a bit concerned. Is the Assistant Commissioner indicating that prisoners, while—we have been clear that people who exit, the ex-prisoners, participate voluntarily with the welfare officers. Is it that you are now saying that this institution whose motto is “To hold and treat”, that inmates, while serving a sentence, in order to participate in programmes to rehabilitate them, they do so voluntarily? It is not a requirement?

**Mr. Bruce:** It is not requirement, Ma'am. Being in prison takes away your freedom, your

movement. You still have choices. A person choosing to come to a programme voluntarily versus being forced to a programme—remember it is a rehabilitation programme—if the person is forced, we have to develop incentives, either through the parole system, the conditional release Act that will encourage a person to come into these programmes. If you force a person into a programme—**Ms. Ameen:** Mr. Chairman, I am particularly concerned because we have high murder rate, we have a number of violent crimes being committed and even where persons who are already in the system, one of the key things that we recognize is in terms of the role of mental illnesses where people commit these acts and people who are in domestic situations that psychologically, they cannot deal with it and they end up finding themselves in a violent situation that could be domestic violence, rape or murder and if we are not treating those persons with serious mental and psychological issues before we send them back out into the society, then the prison's motto should just be to hold because it appears that that is the only legal authority you have at this time.

So I want to ask if the Commissioner has any urgent recommendations with regard to the treating part of your mandate coming out of the submissions of Assistant Commissioner?

**Mr. Wilson:** Thank you very much. It is an interesting question because just yesterday, I was in discussion with the same thing in terms of making it compulsory which has to be through legislation. We cannot force them into the programme. One of the considerations—

**Mr. Chairman:** But we can incentivate them?

**Mr. Wilson:** Yes, we can for now and that is what we tried to do. However, I think that through the courts, what we can do and the court would play an important role, inmates get one-third off their sentence, I think—just a recommendation—that we can tie the remission to the programmes. So that if you do not enter a programme, you do your full term and you do not have a remission. That is just a consideration, it is something that could be done. But it concerns me and I am sure it concerns all of us that this programme is voluntary. Because if we do not have programming, it creates an issue when they leave the system and let me thank, of course, Vision on Mission for that support for us, for those who have requested some level of assistance when they leave the system. So I would like to put on record that we really acknowledge Vision on Mission for being there to support those efforts. But it concerns me, Senator, that it is not compulsory and that we have to more or less coerce them into these programmes which are important.

**Ms. Ameen:** Can you, through the Chair, I do not know if we could entertain a written submission with recommendations with regard to getting prisoners to participate, incentives to participate in

these programmes?

**Mr. Chairman:** Yes, definitely. So you will provide us in writing please.

**Mr. Wilson:** Very well, Sir.

**Mr. Chairman:** Right. Member Antoine.

**Brig. Gen. Antoine:** I just want to add because I have a concern. We just passed a law involving the Firearms Act that says that if a person has three convictions for firearms, they lose their freedom in terms of their natural life. In other words, if you have three convictions for firearms, you are put into prison for the rest of your natural life.

**Mr. Wilson:** Yes.

**Brig. Gen. Antoine:** If there are no programmes to rehabilitate these people, then we are virtually sentencing these people to life because they would continue with firearms and three times and then they are in prison for life. So there must be some way whereby part of their sentencing must include rehabilitation, especially if we just say for firearms. There must be some way that they can be rehabilitated in terms of the use of firearms because otherwise they are going to end up in prison for life.

**Ms. Ameen:** Mr. Chairman, I just want to say this debate recently concluded and this is part of what the Opposition advocated for in terms of why those provisions should not be put in place. All we are doing is concentrating on sending people to prison and we are breeding and multiplying criminality with those measures and I am sorry that member Antoine—I do not know.

**Mr. Chairman:** Again, member, clearly—point made. But what I want to come to is the statistics that you would have provided, Commissioner, in your particular document with regard to the enrolment in each programme. And while going through the document, you know, when I was perusing it, I realized there has been drastic decrease in 2019 to a number of those programmes. Right? And again from your statistics, the highest level continues to be in religious instruction which—what? That is compulsory? The religious instruction, because I think that is the highest level. Everything is voluntary? All the programmes?

**Mr. Bruce:** Everything is voluntary, it is not compulsory. But what usually happens at the end of these things, especially for seasons—Christmas, Divali—there is usually a celebration so that incentive is there.

**Mr. Chairman:** Okay.

**Mr. Bruce:** We have to realize and I would just like to—Mr. Antoine said there are no

programmes to deal with the issue. There are programmes but it is the person to volunteer to come into the programme, so I would just like to correct that. There are programmes, it is just for the person to come to the programmes.

**Mr. Chairman:** But we are clearly seeing from the statistics provided that again, you know, from 2015 to 2019, you know, again, we are seeing the decrease in terms of these individuals participating in these programmes. Member Newallo-Hosein.

**Mrs. Newallo-Hosein:** Thank you. I have a question to ask but before I go there, the prison service, did you have any input as to this law that was just recently—this Bill that was just recently debated, the firearms, in terms of putting forward suggestions?

**Mr. Wilson:** No, we did not have any input.

**Mrs. Newallo-Hosein:** You were not consulted?

**Mr. Wilson:** No, no, no, in terms of input.

**Mrs. Newallo-Hosein:** All right, thank you. I wanted to ask, as Chairman brought up the issue of the vocational aspect, you indicated that the programme and industry department is requesting teachers at all levels of learning through the human resource department, which was submitted on page 10, question 3. I would like to know, when was this request submitted?

**Mr. Bruce:** This request was submitted at the beginning of the year with regard to teachers. We have a teaching cadre of officers. We ensure that from basic literacy, school leaving, straight up to CXC and at some levels, CAPE, happens within the institution, but remember that is not the officers' core function, and we would have some resistance towards officers teaching. So we have decided, we have spoken with COSTAATT where teachers could come and do their practicum at prison but what we have, we do not have any professional teaching staff. Only at the Youth Training Centre where we have the school director, Mr. Persad. So our aim is to have him as the manager of the education system within the institution and through the Ministry, we have teachers assigned to the prison as the professional staff.

**Mrs. Newallo-Hosein:** I think it is an excellent programme because you have a social responsibility now coming out of society and I wanted to find out, if persons are indeed interested, can they submit their résumé to the prisons? Is there a policy? I would assume that they would need to have background checks because you do not want someone coming in under the guise of teaching when they are really coming to meet with and have their tête-à-tête with somebody inside the prisons. So can you give some further insight as to how you see this programme operating?

**Mr. Bruce:** Ma'am, persons can submit and of course, I would like to "pull a plug" there for persons to send their résumé to [acpp@prison.gov.tt](mailto:acpp@prison.gov.tt). [Laughter] We have volunteers. We have volunteers who dedicate their time and their service. Well of course, a background check is done, not only for their criminal behaviour but also for their qualifications. We have our unit that will do that background check and we have volunteers that will come in, especially at the Women's Prison and at YTC and throughout, at Port of Spain prison also. We have volunteers that will come. They would come and they would impart their knowledge too.

We are also in the process of writing to TTARP, Trinidad and Tobago Association of Retired Persons because we know that that is a cadre of persons who would have given of themselves and we are willing to accept. So thanks for allowing me the opportunity to put in the plug, Ma'am. So I appreciate it.

**Mr. Chairman:** So the tutors are all voluntary? That is clear.

**Mr. Bruce:** We have officers also. We have officers who teach and it will be remiss of me not to mention that we also have inmates who teach so we have inmates—

**Mr. Chairman:** Okay, so just give us a little brief insight on how it works—the roster, schedule, programmes.

**Mr. Bruce:** The brief insight, we have officers rotating from stations because we have officers who would have trained in basic literacy through ALTA and officers who also were teachers before. We would have them rotate to stations on scheduled days to teach different classes. So we may have on one day, you may be at Women's Prison; another day, you may be at ECRC; another day, you may be at Port of Spain; another day, you may be at Carrera. So we ensure that the basic literacy is done on all stations, school leaving exams, preparation on all stations, CSEC and in some cases, CAPE.

**Mr. Chairman:** And from your level, the consistency of the programme and the operational development of the programme, you are satisfied with it?

**Mr. Bruce:** We would always like more as Mr. Walcott would have said. We will always like more because we see the need. Bearing in mind, for a lot of these cases that persons with learning disabilities, persons who the basic education system would have failed and we cannot do the same walk, talk and chalk and I thank Mr. Persad and his team. They would have gone through it with a group of officers, teaching them to understand learning disabilities and how to work with it. So whilst in a school, you may see 20/25 persons in a class, in the prisons, in adult learning, you will

see three, four, five because of that need to invest more time in dealing with it and that is just the learning part. Then you look at the emotional part: I am an adult, I am now learning. So you have to deal with all those dynamics going forward in rehabilitation.

**Mr. Chairman:** Okay. Again, Commissioner, in your submission, you mentioned that you received funding from the Prison Reform and Transformation Unit (PRTU) for some short-term programmes. However, the industry is in need of funding. Question: What is the yearly allocation provided by the PRTU for short-term programmes and secondly, what efforts are being made to request increased funding either through the PRTU or the Ministry of National Security?

**Mr. Wilson:** Well, I think Mr. Alexander would be best suited to answer.

**Mr. Chairman:** Mr. Alexander, give us some insight, please?

**Mr. Alexander:** Thank you, Chair. The annual allocation for the PRTU is about \$1.2 million for the past four years. Previously, the allocation was about \$5 million to 6 million but now, I guess with the financial situation in the country, the allocation has dwindled. But the whole thing is that the allocation that we have, we are lending most of it to the prisons to supply programmes. So between 2015 and 2019, we would have contributed a lot of programmes to the prisons and most of the programmes that we would have contributed to the prisons were in two aspects. One, the vocational aspect where you teach an inmate a skill and the second aspect is the cognitive behavioural therapy aspect where we would teach them in terms of changing their mindset. So most of our resources have gone to the prisons.

For example, only recently, we would have provided some computers—well, we are in the process of providing some computers to the YTRC and recently, we also provided some stationery to the programmes department. That is to help with their school programming. So the PRTU is assisting the prisons department in a number of ways. But of course, we would always say that the money that is allocated is not enough.

**Mr. Chairman:** And then again, requests for allocations can be made if the need arises.

**Mr. Alexander:** Of course, definitely, definitely. And we have a good working relationship with the prisons so if the prisons would request funding for a programme, we would fund the programme.

**Mr. Chairman:** As we are on subvention, Mr. Chance, with regard to the value of the subvention received by your organization, the State, for fiscal year 2018/2019 compared with the actual amount that was requested. Right? In terms of your subvention, in terms of your programmes, in

terms of what you are doing for these ex-convicts, are you satisfied with how things have been and give us an idea of the amount?

**Mr. Chance:** Chair, if I may kind of go back a bit before I come to the direct answer?

**Mr. Chairman:** Sure.

**Mr. Chance:** In 2004, Vision on Mission was given \$150,000 to treat with the reintegration and that would have run for about three years. In 2005, we were increased to 500-and-something thousand dollars and then in 2009, we were increased to \$1 million and then in 2013 thereabout, we were increased to 1.3; and let me say those moneys were to actually treat comprehensively with the reintegration of both deportees and ex-prisoners and the other types of clients that we work with. In 2017, we received, for the very first time, a subvention that can actually treat with the needs of the reintegration aspect of our clientele. So currently, the subvention that we receive right now is very satisfactory.

**Mr. Chairman:** The amount?

**Mr. Chance:** The current amount is \$7 million allocated.

**Mr. Husbands:** Not received.

**Mr. Chance:** No, well we have received last year. So \$7 million, I do not have—

**Mr. Chairman:** And for 2019?

**Mr. Chance:** Seven million for the last two years.

**Mr. Chairman:** Last two years, okay.

**Mr. Chance:** 2018 and 2019. So at the end of 2019, which is the end of the financial year this year, a Note is supposed to return to the Cabinet for further approval and consideration.

**Mr. Chairman:** And how much would you have received for this year or within the last year in terms of the amount financially?

**Mr. Chance:** I would have received approximately \$4 million.

**Mr. Chairman:** Now tell me something, just for the viewers' sake, an idea of that funding, what it is utilized for? How is it worked out? The breakdown. How much for one particular aspect?

**Mr. Chance:** Well, what is happening is that it meets rental of our head office. It also meets food, clothing. It also meets training. It also meets housing in terms of—we pay currently a rental for also where we are housed at Champs Fleurs. We also provide social workers for counselling, for different types of services such as counselling, case management, employment, job rehabilitation, and document retrieval.

**Mr. Chairman:** All right, Mr. Chance, okay, we have a fair idea. In terms of your complement of staff, what is your complement of staffing at your—

**Mr. Chance:** Our complement of staff currently is 13.

**Mr. Chairman:** Thirteen? Thirteen individuals. And they work on a full-time basis?

**Mr. Chance:** Full-time basis.

**Mr. Chairman:** And you have your board in place and—

**Mr. Chance:** The board of directors in place.

**Mr. Chairman:** Okay. Supplemental, member Hosein?

**Mrs. Newallo-Hosein:** Yes, I just have one directed at you, Mr. Chance and also, Ms. Dookie. But, Mr. Chance, I just wanted to ask, for the counselling, is this group counselling or individual counselling sessions that are provided for?

**Mr. Chance:** Both. Group therapy, we have and we also have individual counselling.

**Mrs. Newallo-Hosein:** And the housing at Champs Fleurs, how many persons are housed at Champs Fleurs?

**Mr. Chance:** Counselling at Champs Fleurs?

**Mrs. Newallo-Hosein:** You said housing. How many persons are housed?

**Mr. Chance:** Well, the place is supposed to currently house 20 persons but we currently house 30 persons.

**Mrs. Newallo-Hosein:** 3-0?

**Mr. Chance:** Yes.

**Mrs. Newallo-Hosein:** And my question is to Ms. Dookie. In your opening statement, you indicated that the Monitoring and Evaluation Unit is established for the building and shifting or the focus is building and shifting the organization for results and impact. And then you spoke specifically about evaluating VOM. I wanted to ask, is VOM the only entity that is responsible for rehabilitation, reintegration of prisoners into society or do you have any other organizations under your remit?

**Ms. Dookie:** Currently, Vision on Mission is the only one, the only entity that is doing reintegration and re-entry. And well, a pre-release programme from a perspective of, comprehensive to say, a number of sessions that contribute to the criminogenic needs of the clients.

**Mrs. Newallo-Hosein:** When was this unit established? Is it a new unit?

**Ms. Dookie:** When the Ministry of National Security and the Ministry of Justice merged in 2015,



the Ministry of National Security did not have any staff in their unit so it would have just been me as the director from Justice and just a little over a year, we got two coordinators and a business operations coordinator.

**Mrs. Newallo-Hosein:** Is it the intention of the unit to look at other entities involved in rehabilitation of prisoners into the society?

**Ms. Dookie:** Right now, I think under the Ministry of National Security, it would just be Vision on Mission. So we would be just charged to do evaluation based on entities under the remit of the Ministry of National Security.

**11.30 a.m.**

**Mrs. Newallo-Hosein:** So therefore you are saying that only Vision on Mission currently would be the only entity receiving a subvention.

**Ms. Dookie:** Subvention, yes.

**Mrs. Newallo-Hosein:** Okay, thanks.

**Mr. Chairman:** Member Ameen, you have a follow-up question or—

**Ms. Ameen:** Yes.

**Mr. Chairman:**—or want to introduce any?

**Ms. Ameen:** Mr. Chairman, I want to join in commending Vision on Mission. I remember when, Mr. Wayne Chance, the fella with the raspy voice, started this thing on—talking on radio and so on. And it was a concept that we in Trinidad and Tobago had never seen. And it is a testament that we can overcome the cultural hurdles with consistent effort and support. What Vision on Mission does is something that is done by the State in many countries and perhaps because you have already started it, you would have a key role to play into getting this to be a part of our institution of justice in Trinidad and Tobago. And then that would free you up to do other things because there is so much to be done in terms of reintegrating ex-prisoners into our society.

One of the things, Mr. Chairman, that, to me, I see is very important, is for our justice system to be focused on rehabilitation rather than punishment. We talk about it so many times in debate. I am of the firm view that we must have, if not a Ministry of Justice, a Department of Justice to ensure that these programmes are adequately implemented, to give Mr. Lewis and them the support, you—Mr. Wilson, sorry, the Commissioner, to give them the support. Mr. Chairman, out of this, I am hoping that we will have some very firm recommendations in terms of legislation to put forward to the Parliament with regard to having a parole system, having incentives for

current prisoners to participate in these programmes. We see sometimes calypso competitions in the prison and so on taking place. But that is maybe a small percentage of your population, right. So I want to—I want to advocate that you as the stakeholders take this opportunity to put forward as many of your recommendations as possible so that these things that you are been doing on a voluntary basis can become part of our institution of justice. At present the prison system holds—you really—you treat voluntarily. Right. And I know, Mr. Chairman, we intend to have the YTC, youth, because youth recidivism is also a key issue. But I want to ask the—Ms. Dookie, who is the Director of the Monitoring and the Reevaluation Unit, you indicated that you came from the Ministry of Justice and you are doing monitoring and evaluation now. But what I really want to get is in terms of—if your recommendation of your research department to have units geared towards this topic in terms of creating a unit within the Ministry, if you have any recommendations for that—if there exists a unit now that probably needs to be expanded or anything along those lines.

**Mr. Chairman:** Just before Ms. Dookie gives a comment on it, again we do not have the Permanent Secretary and we do not have the Deputy Permanent Secretary, you know and I think now would have been an ideal time in order to hear what is the policy directive in terms of justice, in terms of prison rehabilitation and so on. What is in the pipeline? What is being documented? What are the timelines in going forward in order to be clear? So again, Ms. Dookie, can you shed light on anything along those lines in terms of the complete policy direction, and again with regard to the penal reform and transformation for system for Trinidad and Tobago?

**Ms. Dookie:** Thank you, Mr. Chair. Well, I would like to mention as well that the—last year we would have gotten our strategic plan approved by Cabinet. Within the strategic plan there would be various areas to treat with review of policy and legislation and in doing that what we would have indicated, it would be created, cross-divisional teams to look into those. The intention is to look into—do an analysis—do a gap analysis that is, with respect to policies, that we may have, that may be reviewed. So what we are doing is taking it from that prospective as far as seeing what is needed.

In that process, we have all the agencies involved, so the Trinidad and Tobago Prison Service is involved, the Penal Form and Transformation Unit, Probation as well. So the hope is that that should really assist us with driving the process because from the General Administration Division, which is where we sit, we are depending on the agencies that have the expertise and to

identify the areas where the needs are. So it will set the policy and the legislative agenda moving forward.

**Mr. Chairman:** In moving forward.

**Ms. Dookie:** And with respect to the—the first question. We are not saying yet the intention to actually create a dedicated unit for this area, but our intention is to continue working with all the various agencies. Even under the Ministry of Justice, we had a close relationship and continue to have a close relationship with the Trinidad and Tobago Prison Service. And we continue, I guess, in our area from a monitoring and evaluation perspective, looking at the systems that are working, looking at the systems that need to improve and the evaluation that we are doing right now, which is close to complete, because we are in the process of reviewing the report, so by next week we should have a final evaluation report for this programme. So the evaluation report as well should see quite a lot of recommendations moving forward where we can improve, where we can actually work closer together because we are seeing some quick wins with respect to that, by, you know, more and closer collaboration, as well.

**Mr. Chairman:** And the—

**Ms. Dookie:** Just to—

**Mr. Chairman:** Another point? All right.

**Ms. Dookie:** Yes. Just to put on—on the record, with respect to the recidivism, the current figure that I would have gotten was 51 per cent. So it will be 51 per cent that we are submitting for the current report that will be going to Cabinet. And that will be information that we would have gotten from the—

**Mr. Chairman:**—thank you.

**Ms. Dookie:** Prison Statistical Department.

**Mr. Chairman:** Thank you, Ms. Dookie. And again, the Secretariat will be in communication with your PS in order to get those particulars in writing, the additional information—

**Ms. Dookie:** Yes.

**Mr. Chairman:**—timelines and closures—

**Ms. Dookie:** Yes.

**Mr. Chairman:**—to this very important aspect. I want to come back to Mr. Chance. You know the Vision on Mission, I know we heard from the Commissioner of Prisons and also the Assistant Commissioner of Prisons, and it is in relation to some of the comments and some of the information

that probably you may have, you know, that could—that you could shed some light on. In your submission, with regard to the need for correctional staff, including prison officers and probation officers to play an expanded role in the rehabilitation process, on page 8 of your document. What are your views and the effectiveness of the work of the Prison Welfare Department? I know you have been one that have been—Ms. Ameen, just complimented you with regard to the work that you all have been doing. Again we would just like to get a quick synopsis into the effectiveness of how you think the Prison Welfare Department is operating and also, based on international standards, what pre-release support services are currently lacking in our Trinidad and Tobago Prison system? Briefly please.

**Mr. Chance:** I will let Mr. Husbands answer.

**Mr. Husbands:** Thank you, Mr. Deputy Chair. We have to look at the Welfare Department in a bigger scope, in terms of what is the function of the Welfare Department. In terms of indicating whether Vision on Mission is satisfied with the Welfare Department and how they operate, I would not want to comment on that for one reason. I do not know what is their present mandate. In another incarnation I was part of the Welfare Department but things probably have changed so I do not know exactly what are their mandates. Right? Until we get that mandate then I can make a better assessment.

**Mr. Chairman:** But you would have sat there and heard certain information, you know, mentioned by both senior officers—

**Mr. Husbands:** Yeah.

**Mr. Chairman:**—and if you can, you know shed a little light, as to—

**Mr. Husbands:** Well from my experience, I think a little more can be done in terms follow through, follow-up. Because as I said in another incarnation, I know welfare officers used to do follow-up up to two years, particularly for long-term people, in the communities, yeah.

**Mr. Chairman:** For clarity—

**Mr. Husbands:** Yes Sir?

**Mr. Chairman:**—be specific.

**Mr. Husbands:** Sure.

**Mr. Chairman:** This incarnation is where, what, who?

**Mr. Husbands:** Yeah I used to be Chief Prison Welfare Officer at a time in the prison and we used to do two years aftercare, particularly for long-term people, people who did five years and

over and we had to do a proper report and the like. Well I do not want to get there, but in terms of the barriers and the services that are required, I go right back to the whole aspect in terms of if you want to do a proper reentry, your probation department would be an integral part, a joint approach from the beginning, from an admission. You must have a parole unit and a—sorry a probation department within the prison, to work jointly with the prison service because they are the ones supposed to do the supervision. And earlier I mentioned about the electronic monitoring is coming. Probation department is the department supposed to be supervising and monitoring that. And it is not only about the electronic monitoring you know, it is the contact, the kind of supervision that is required because the electronic monitoring would not impact on the minds of the individual. The probation officers are the ones to develop or what they call a whole treatment plan, continue of care plan, together with prison, together with Vision on Mission as well, right.

**Mr. Chairman:** The Commissioner of Police is nodding his head, so I think he is in agreement with you.

**Mr. Husbands:** No, no that is it. And you see the thing is—

**Mr. Chairman:** Prisons.

**Mr. Husbands:**—the thing is that, Mr. Vice-Chair, for too long, right, we have been allowing probation to just sit there and they are ones supposed to be providing the kind of supervision, care, surveillance, right, within the communities. But that starts from the beginning and not only after the inmates—

**Mr. Chairman:** Point taken. On the second aspect, in terms of international standards—

**Mr. Husbands:** Sure.

**Mr. Chairman:**—where do we stand with regard to that?

**Mr. Husbands:** In regard to standing—in regard to what, Mr. Chairman?

**Mr. Chairman:** Okay. With release, pre-release?

**Mr. Husbands:** Well—

**Mr. Chairman:** Support systems.

**Mr. Husbands:** The thing is the Preparation for Release Programme that they run is in conjunction with the prison, we do not run the pre-release programme. We have no control of home for laws or release to go and view corpse and the like, that is the prison. But, we do preparation for release in terms of dealing with the cognitive aspect. And that is based on what we call in corrections, counter-behavioural approaches, to try to retool the mind of the thinking. And, if I may at this

point, I do not know if you would be able to allow me, to ask Pastor Skinner to say something, because part of our programme is to try to build character, right, and this is an integral part in this, in any correctional planning right now, how you teach inmates how to build character. If I may, could I just pass on to Pastor Skinner?

**Mr. Chairman:** Briefly, Pastor Skinner.

**Mr. Skinner:** Very briefly. In preparing the inmate for pre-release, when we look at businesses, businesses are saying they hire for skills and they fire for character. That means they show us the pathology, so if we have to deal with the pathology, the key is making good assessments. So we made assessments and we know what are the character qualities that needs to be inculcated in the mind of the inmate, so he can be transformed because it is crucial now, because all of the research that been done in neuroplasticity which means, your brain is always changing. But a lot of people had mixed-up the brain with the mind. Your mind and your brain are not the same. So, I used character cognitive behavioural transformation.

So we make an assessment. We want consistency. That is what the probation needs to look at for rehabilitation. Is this person consistently behaving within the proper structures of society? To find that out you have to look at two things, character and competency. If the root cause is one because he lacks competency which are skills, then you cannot—you cannot use character to overcome it. But if it is a character issue, then you cannot use competency. Most of the problems that have a person in prison is a lack of characters not competency. So if you do not put character, you will have no sustainability and no maintainability and once you understand character you can use it in every facet of life, especially to restore him, number one with his life partner, to restore him with his children, to restore him on the job and to restore him in the community. Character is the missing piece and internationally, work done that even came up with the “one broken window”, the guy who said it, character was the key for change. And if we do not do it, then we are not going to rehabilitate and have citizens who can together achieve, to acquire, incidentally Sir, one of the key character qualities we use is tolerance and we use tolerance to build self-acceptance in them, so they can be successful.

**Mr. Chairman:** Thank you. Commissioner of Prisons, I think I should bring you in at this time just as a little follow-up on a couple comments made by Mr. Husbands, you know, for any clarity. He mentioned about, you know, a two-year programme follow-up and so on. Is that system still in the Prison Service as we go forward?

**Mr. Wilson:** All right. If it is—

**Mr. Chairman:** If you could just clarify.

**Mr. Wilson:** Yeah. If it is a welfare issue of course the subject matter expert is here, Mr. Walcott will answer that, Sir.

**Mr. Chairman:** All right.

**Mr. Walcott:** Thank you very much, Sir. The Prison Welfare Department, we do bi-social reports for all inmates who are serving a period of incarceration of five years and over. And that report is done. It details their social history, criminal history, and criminogenic needs and all of these various things, which will take too long to go into, and recommendations are then made to the Prison Administration in terms of discharge planning and in terms of care after discharge in terms of what the Prison Service can offer. We also do follow-up in terms of the inmates as Mr. Husbands rightfully said, two years and even beyond because we never really turn it off. So once we are aware that client needs assistance and once we—we will always in many instances seek to find them in terms of giving them that necessary support. We also “currently doing”—we have recently started it about two years now, case management reports. So when the inmate comes in, the inmate who is serving a period of time of three years and over, we do in-depth reports in terms of them, in terms of their needs, criminogenic needs and a proper plan is done, in documenting. And that plan is submitted to the various superintendents and also in terms of the programmes department, for recommendation in terms of effective treatment going forward, and also aftercare as well is a critical component of the Prison Welfare Department.

We liaise with external agencies, for example someone asked in terms of housing, all right, in terms of that. So I can talk about that or these—we will always first engage the family and the social support system first, of course, because you know, that is the place most likely that the client wants to go. If however, there is no place like that, we liaise with all external agencies who can offer assistance: Ministry of Social Development and Family Services, Vision on Mission, and various other entities in terms of trying to assist, in terms of providing housing? Right, and most have been corporative in terms of gaining some temporary housing because, as we know, housing is a key component in terms of recidivism. Of course, they can always be more, of course we will always seek to have other private sector organizations come on board but over to the agencies that we contact, they generally try to assist, and once they can assist, they do assist.

**Mr. Chairman:** Right. Thank you, Mr. Walcott. Again, member Antoine.

**Brig. Gen. Antoine:** Learning is continuous. As Mr. Skinner mentioned, capabilities and skills training occur at different levels. Is there any kind of arrangement between the prison service and outside agencies to continue the training of offenders once they are released into the society so that they can continue to develop their skill training? In the response from the prisons, you speak about—you have a programme with rabbit rearing and so forth, and I see that Vision on Mission has a 12-acre plot at Wallerfield that you do agriculture. Is there any continuity between the prison service and Vision on Mission in terms of agriculture for inmates who were involved in the prison as the case may be?

**11.50 a.m.**

**Mr. Wilson:** I will answer. With some of the skills development programme, especially short-term like rabbit rearing, duck rearing, the hydroponics, also the concrete pot making, a lot of the inmates who are engaged in those training programmes usually, they want to start business on their own. So, as long as there is a request, either through the Programme Industry Department or through the Prison Welfare Department, that connection would be made.

I must say we have always had a good relationship with Vision on Mission and they have been very instrumental in that aftercare support for inmates leaving the institution. So, as long as that opportunity is available, if the person does not have the space, those who live in the so-called concrete jungle, as long as they do not have the space to do it and they are willing, we would, of course, make that network with Vision on Mission for that.

**Brig. Gen. Antoine:** But are any arrangements with outside agencies, where a recommendation could be made on behalf of the ex-inmate, in terms of continuing his skill training if he plans to do so?

**Mr. Walcott:** Yes, we have had, over the many years, various relationships with many organizations, for example, the University of the West Indies. We have had students in the past moving from the prison, leaving us and going to the university and doing particularly well. We have continuous contacts with the Small Business Development Company and various other agencies, which it will take too long to go into, but we have numerous support in which we refer clients. We had meetings with them prior to the inmates coming out, so that we are able to effectively refer and many of them are on board where that is concerned, and also some private agencies as well.

**Brig. Gen. Antoine:** And Vision on Mission, they—



**Mr. Walcott:** Including Vision on Mission.

**Brig. Gen. Antoine:** Well your 12-acre plot, is there any continuity in terms of the prison inmate population and those who were released, as the case may be?

**Mr. Chance:** Well, from the pre-release perspective, we are able to have continuity. Our continuity, in terms of being able to support those persons in their training, we collaborate with other external agencies. Currently, right now, we have the EU that is supporting training of inmates in terms of the agriculture. So currently we have the development of the 12 acres of land in different agricultural products, and so forth. So, yes, but we only work with persons who come out of the pre-release, the preparation for release programme. So that is an incentive that we have so that if you come to the pre-release programme, you have an opportunity to get involved in agriculture. You get an incentive stipend to participate in the agriculture and when you complete the training, you are then able to get a plot of land to then do, well not own the land but actually to continue planting your crops, and so forth, and get your own market, and stuff like that. So that is the kind of incentive. And you have a lot of inmates that gravitate to that.

On that 12 acres of land we also had established under the Ministry of Social Development and Family Services a house that can accommodate 85 persons that have been commissioned since 2013, but we did not receive funding until 2017 for the actual opening of that facility. So we are in the process now of actually beginning to house persons at that facility, which will accommodate 85 persons. And those 85 persons would be involved in training. We have different rooms developed for barbering and other types/like training, and so forth, and different lecture rooms and computer rooms, and so forth. So that would definitely be able to aid in the reintegration of persons successfully back into society.

We have also established at Claxton Bay a women facility that would accommodate 65 women. That facility was supported by Republic Bank in 2017. A year now we have had the Government come on board to help finish the facility. The facility is 90 per cent completed. We are hoping to commission that facility this year that would now accommodate work.

One of the major challenges with persons leaving prison is not just not having a place to go, but a lot of them, in terms of returning to that which was the former community, are at risk, going back to the places where certain familiarity is concerned. So we try to get them to shift to a new community so that they are able to mould them and shape them into that kind of citizen that you want them to be.

So, the challenge is, again not knocking the prison, the voluntary aspect of it and the challenge is you also have not much support on the ground, with officers on the ground that are supposed to encourage inmates to come to the programme. Because, we had in attendance, up to 2013 thereabout, over 600 and 700 persons attendant. It was a very uniformed programme where persons were able to be distinguished from the rest of the population when they are in the last two years. They were given a jersey that marked pre-released inmate, and so forth. Within the last couple years, the programme has really deteriorated, where it is we have to kind of hope for the best. Right?

**Mr. Chairman:** And again, I hear your point Mr. Chance. But then you see, when you make your statement we always tend to have to come back to the Commissioner in order just to make sure we are on the same playing field. Right? So, again, that incentive, you are saying that the prison service needs to create 100 per cent incentivization in order to ensure that these prisoners go to these programmes in order to ensure that when their release time comes, they can then fit back into the society. That is the whole incentive that we need to make clear. So Mr. Commissioner, are you all doing all that you can to ensure that these incarcerated individuals participate fully in these programmes that we offer?

**Mr. Wilson:** Well, Mr. Vice-Chair, I mean, from experience you would know that the Commissioner of Prisons is always in the firing line. So, this is no exception. I think one of the things that Mr. Chance alluded to was the cooperation of some of the officers on the ground, and it is something that we have been working with in order to try to get officers to do. Because not every officer who is on the ground is, you know, amenable to programmes, and what have you. So we would have had some issues and we try to put the correct officers in the correct places so that Mr. Chance would get that type of support.

But I think Mr. Bruce wanted to highlight something relevant to your question, so I will give him an opportunity.

**Mr. Chairman:** How do we get these prisoners to be part of the programme? Clearly, that is the question.

**Mr. Bruce:** So, we agree with you. We have made recommendations that it be tied into the warrant, the committal, where, if they are involved in the programme, they are able to access the remission for conditional release. And these are the issues we work with. If an individual, today he does not feel to be there, as they say, they make “bucket jail”, they will sit on the bucket, they

will play drum, they will talk. If there is not a consequence, if there is not an incentive, a reward, the reality is, in spite of the officers going there and saying you need to be here, you need to be here, that choice and that is—

**Mr. Chairman:** We need more than that. I think we need more than that.

**Mr. Bruce:** Yes, we need more than that. We need more teeth than that.

**Mr. Chairman:** What is it, bucket jail?

**Mr. Bruce:** Bucket jail.

**Mr. Chairman:** Clarify for us, please.

**Mr. Bruce:** That is where they take their buckets and turn it over and they sit on it.

**Mr. Chairman:** And they sit on it.

**Mr. Bruce:** And they rather sit on it and talk.

**Mr. Chairman:** So we would come down to member Ameen, member Newallo-Hosein and Antoine and then we would probably get closing remarks.

**Ms. Ameen:** Mr. Chairman, I just want to take the discussion about agriculture and the discussion about rehabilitation and bring them together. Sometimes prisoners are sentenced to hard labour. We sometimes see prisoners involved in cutting grass. Even as far as disaster response, we have had instances where the prison would provide manpower.

When I was Chairman of Tunapuna/Piarco Corporation, I know we partnered with so many organizations, but that was one area that had to go through so many approvals that is was not practical because of the security risk in having prisoners participate in clean-up exercises, for instance, cleaning water courses, dumpsites, cutting vacant lots, and so on. These are excellent community projects for prisoners to participate in. So what I want to get is, to what extent do you have prisoners, especially those who are sentenced, to do some sort of labour? It is now mandatory, as opposed to those who volunteer. To what extent do you get them involved in agriculture? Because I do believe that agriculture could play a role in rehabilitating the mind. Yeah?

**Mr. Wilson:** Okay, it is an interesting question, because if you look at the statistics, we have much more remanded inmates than we have convicted. That is the issue now. So that, a lot of them are involved in agriculture, as you will see as you pass along the Golden Grove Road. And then we have a small group, which we refer to as the “out gang”, which consists of about four, five or six inmates for the most, who would go out to do those exercises. So that it is a bit limited, but it happens, because persons make requests to have inmates like cut a tree or clean up, you know,

a particular area. So it is sort of limited. We do not have the amount of convicted inmates again to do those exercises.

**Ms. Ameen:** I want to know if you are getting to the point where you can feed yourselves.

**Mr. Wilson:** In terms of agriculture?

**Ms. Ameen:** Certainly, because the food bill for the prisoners would fall on the State. Does the prison play a role in growing its own food?

**Mr. Wilson:** Yes, a very big role. In fact, like watermelon, cucumbers, you know, like those short crops we have a lot. And, of course, the hydroponics as Mr. Bruce would have mentioned, is now starting but we are getting there. So that, I would not say that we are self-sufficient but we are starting to plan for that.

**Mrs. Newallo-Hosein:** Thank you so much Chair. Now, I had really two questions for Mr. Chance and one for Ms. Dookie, but I am just going to expand it to four questions and I am going to give it all in one shot, so that you could answer.

The first thing is that you indicated, Mr. Chance, that ex-prisoners participate in agricultural programmes whereby they get a stipend and I wanted to know if that stipend comes out of the subvention that you get?

**Mr. Chance:** No, it does not. That is a special grant that we got from EU to treat with those inmates that participate in that agricultural programme.

**Mrs. Newallo-Hosein:** Okay.

**Mr. Chance:** But, in going forward to sustain it, we would be having an allocation so that we can sustain that aspect of the programme.

**Mrs. Newallo-Hosein:** Very good. Also, how many caseworkers in regard to the monitoring and evaluation of the success or failure of your reintegration and rehabilitation programme, as submitted on page 4, I wanted to ask: How many caseworkers are currently employed with you, and what is the average length of time a former prisoner is enrolled in the outcome-based programme that you have?

**Mr. Chance:** The length of time? Excuse me?

**Mrs. Newallo-Hosein:** The outcome-based programme. In your submission you spoke of an out-based programme. So I am asking what is the average length of time a former prisoner is enrolled in that out-based programme?

**Mr. Chance:** Two years.

**Mrs. Newallo-Hosein:** And how many caseworkers?

**Mr. Chance:** We have five caseworkers but there is the need for actually four more caseworkers in the commissioning of the other facilities.

**Mrs. Newallo-Hosein:** And my final question to you, Mr. Chance, would be based on the women's ability to be rehabilitated, in light of the fact that your programme is—is the programme on stream in light of the fact that the facility is not completed? It is 90 per cent finished. So what is in place for the women? Is there anything in place for women?

**Mr. Chance:** Presently, women who come to us, we put them up at inns and hotels, and so forth, well not Five Star Hotels and so on, right, but we put them up and try “we” best to get them reconciled with family members as fast as possible.

We have established what they call a rental programme where we established a facility in Laventille of 16 apartments. Because at the end of a person's stay at Vision on Mission we had challenges in terms of finding accommodation for them or housing for them. Right? Because of their conviction, and so forth, it is a problem to get housing from HDC, and so forth. And even rental, there is a problem in terms of people renting their places to those inmates. So we have established 16 apartments for a person to be able to rent at a minimum cost, very nice place. On the open market a room could be rented there for about \$2,500 to \$3,000. So we have persons there who would rent for approximately a year after their stay at the Vision on Mission, to help them in their successful reintegration.

**Mrs. Newallo-Hosein:** Thank you. And to Ms. Dookie, because of the fact that you represent the Ministry of National Security, where is the probation department now? I am not talking about in terms of locality, I am referring to functionality, especially in light of the fact that the probation, from what we are hearing here, the probation officer is really key to the ex-prisoner successfully being reintegrated into society. And that is my final question.

**Ms. Dookie:** Thank you, Chair. I as well am now really aware of the large role that probation has in relation to this. Mr. Husbands would have mentioned EM and his view of it being more a probation role. I know with respect to the implementation of the electronic monitoring, they would have collaborated and consulted with all of the relevant agencies, probations being included. So I know probations had a key role to play with respect to the implementation of electronic monitoring. But with respect to their role in this area, right now I would not be able to speak to that. So we would have to get information to you.

**Mr. Chairman:** Okay, Ms. Dookie, the Secretariat will send communication to you. Member Antoine and then I will ask the technocrats, in order to give a brief closing remark. I will start with Mr. Chance and then I will go to the Commissioner and then you, Ms. Dookie.

**Brig. Gen. Antoine:** To the Commissioner of the Prisons authority, I am just concerned about the voluntary aspect of the inmates' life, in terms of skill development and the possibility that additional incentives could be placed from the prison authorities to get reluctant prisoners to participate in programmes that are for their benefit and for the benefit of the society.

**Mr. Wilson:** I take your point, Sir, and it is one of the things that we will sit and have a serious discussion about and try as much as possible to incentivize these persons. However, I think in the long-term, or probably medium-term, we can look at some legislation that would force them into it.

**Mr. Chairman:** Yes, definitely. Closing question to Mr. Chance. This Committee has to meet again. We have more submissions and we have to meet with the Ministry of Labour and Small Enterprise Development. All right? Could you just give us quickly what relationship exists between your organization and the Ministry of Labour and Small Enterprise Development?

**Mr. Chance:** Well, we have made attempts to collaborate with the Ministry of Labour and Small Enterprise Development. That has not been forthcoming. However, there is no relationship with the Ministry of Labour and Small Enterprise Development. We do have a high clientele of persons who need employment, and so forth. So, I welcome the opportunity, if possible, to see how we could collaborate on that aspect.

**Mr. Chairman:** Okay. You would have mentioned earlier in one of your submissions that the CEPEP company, you have a relationship with them, but that is not via the Ministry of Labour and Small Enterprise Development.

**Mr. Chance:** No.

**Mr. Chairman:** That would have been a direct.

**Mr. Chance:** That would have been directly through the Chairman of the Ministry and the Government of Trinidad and Tobago looking at the whole question.

**Mr. Chairman:** Okay, so your closing comments, please.

**Mr. Chance:** Well, I really want to appreciate the idea of this investigation into ex-prisoners reintegration. I think it has been long overdue and I really hope that it would continue for the sake of public safety. I really appreciate the idea of this question. And let me just also say that Vision

on Mission has an 80 per cent success rate in terms of persons that come to the programme. And persons who are deported from external prisons, right, from around the world, we have a 95 per cent success rate. So, we are very proud, in terms of that. And again, we look forward to continue looking into the whole aftercare situation of ex-prisoners. Thank you very much.

**Mr. Chairman:** Commissioner of Prisons.

**Mr. Wilson:** Mr. Vice-Chair, let me thank you and other members of the Committee for allowing the prison service to participate in such an important area into reintegration. Let me say two things I would like to see for the prison service in probably the not-too-distant future is the parole system. And may I say, Sir, that in Jamaica, the parole system is run by probation officers with a 95 per cent success. I just want to say that. And also, that the movement from prisons to corrections, I think would help a lot, based on where we are now and where we intend to go. So let me thank you again, Mr. Chair, and other members and wish you all the best. Thank you.

**Mr. Chairman:** And I presume that both your office and Vision on Mission, that is in your recommendation going forward to the Ministry?

**Mr. Wilson:** Yes, Sir. Yes, it is.

**Mr. Chairman:** Ms. Dookie.

**Ms. Dookie:** Thank you, Mr. Chair. I have to say thank you as well for the opportunity for this, because this is a situation that touches us all, not just the staff of the Ministry, staff of the Trinidad and Tobago Prison Service, but all as citizens when we talk about reduction in reoffending and reduction in crime. So, we really look forward to closer collaboration to update and review and improve our systems and our performance moving forward. So we are happy to hear that with respect to the recommendations, through the Committee, can be given additional attention as well.

**Mr. Chairman:** Okay, thank you. I would like to thank the chief officials for attending this meeting today. I would also like to thank the media, the observers in the public gallery and the viewing and listening audience to this Joint Select Committee today, and I now bring this meeting to an adjournment. Thank you.

**12.13 p.m.:** *Meeting adjourned.*

## Appendix V

**VERBATIM NOTES OF THE THIRTY-SIXTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE J HAMILTON MEETING ROOM (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, NOVEMBER 20, 2019 AT 10.15 A.M.**

### **PRESENT**

Mr. Paul Richards	Chairman
Mr. Esmond Forde	Vice-Chairman
Mrs. Christine Newallo-Hosein	Member
Ms. Allyson West	Member
Mr. Julien Ogilvie	Secretary
Mr. Brian Lucio	Assistant Secretary
Ms. Janelle Mills	Parliamentary Intern

### **ABSENT**

Mr. Rohan Sinanan	Member [ <i>Excused</i> ]
Ms. Khadijah Ameen	Member [ <i>Excused</i> ]
Mrs. Glenda Jennings-Smith	Member [ <i>Excused</i> ]
Brig. Gen. Ancil Antoine	Member

### **PRISON OFFICERS' ASSOCIATION**

Mr. Ceron Richards	President
Mr. Lester Walcott	General Secretary
Mr. Alloyee Youksee	Former Prison Welfare Officer

### **EYE ON DEPENDENCY**

Mr. Garth St. Clair	Host, Eye on Dependency
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**OFFICIALS (UNAFFILIATED)**

Reverend Stacey Ann Beckles	Reformed Ex-offender
Mr. Dane Manickchand	Reformed Ex-offender

**THE WAY OF HOLINESS**

Pastor Wilma Kelly	Senior Pastor
Mr. Rudolph Garcia	Member

**NEW HOPE PRISON MINISTRY**

Mr. Richard Barker	Chief Executive Officer
Mr. Richard La Croix	Reformed Ex-offender

**10.15 a.m.**

**Mr. Chairman:** Good morning and welcome to everyone, and good morning to the viewing and listening audience to the 36<sup>th</sup> Meeting of the Joint Select Committee on Social Services and Public Administration. This meeting is being broadcast live on the Parliament's Channel 11 and Parliament radio 105.5 FM, and is also being streamed on our YouTube channel *ParlView*.

This is the Committee's second public hearing with stakeholders pursuant to its enquiry into the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago. Our first hearing was convened on September 18, 2019, with the representatives of the Ministry of National Security, the T&T Prison Service, and Vision on Mission. We also advise that members of the public are invited to submit their comments and/or questions via the Parliament's social media platforms.

At this point I would like to ask members of the Committee to introduce themselves, starting on my right with member Hosein.

*[Introductions made]*

**Mr. Chairman:** And I am the Committee's Chair, Paul Richards. We also have members absent, who are member Glenda Jennings-Smith, member Rohan Sinanan, and member Khadijah Ameen. Thank you once again for joining us. All right, at this point I would like to outline the stakeholders who are with us today. In terms of prisoner rehabilitation, we have The Way of Holiness, and New Hope Ministries, we also have representatives from the Prison Officers' Association, we also

have reformed ex-offenders Ms. Stacy Beckles who is also a motivational speaker, Mr. Dane Manickchand, advocate for greater inclusion for ex-prisoners, and Mr. Garth St. Clair, host of the radio talk show Eye on Dependency. At this point I am going to invite stakeholders through their representatives to introduce themselves. Starting with Mr. Ceron Richards.

*[Introductions made]*

**Mr. Chairman:** Mr. Manickchand.

**Mr. Manickchand:** Good Morning, my name is Dane Manickchand. Good morning Chairman, members of the Committee and members of the general viewing public. I was incarcerated at Carrera Convict Prison for approximately 12 years for my sole crime of false imprisonment. I have been back in society for approximately nine years, and I have made myself available to the community and the general public to discuss some of the issues that ex-offenders face in re-entry into public society.

**Mr. Chairman:** Thank you. I apologize Mr. Youseekee, Youksee. Okay, go ahead, Prison Officers. I am sorry.

*[Introductions made]*

**Mr. Chairman:** Mr. St. Clair.

**Mr. St. Clair:** Good morning, I am Garth St. Clair, former prisoner—well, former client of the Trinidad and Tobago prison system. After spending six months, I am back in society for the last 28 years and I have been hosting the programme drug demand reduction prevention programme Eye on Dependency. I am also a recovering addict as well.

**Mr. Chairman:** Thank you. Way of Holiness.

*[Introductions made]*

**Mr. Chairman:** New Hope Prison Ministry. Could you turn on your microphone please?

**Mr. Barker:** No, but before—"I eh want to put on de mike because I eh want dat". Before I say anything, I find personally, two things, I want to say—

**Mr. Chairman:** All this at this point is introductions, Sir.

**Mr. Barker:** No, "I eh talking about de introductions", I find we did not have a word of prayer to start our meeting.

**Mr. Chairman:** Well, I appreciate that, but that is not our procedure.

**Mr. Barker:** That is not the procedure?

**Mr. Chairman:** No, it is not.

**Mr. Barker:** Well, then they must send procedures to me properly.

**Mr. Chairman:** Thank you.

**Mr. Barker:** My name is Richard Barker, I did 13 years in prison with the cat o' nine tails, and I opened the prison ministry when I was down in Carrera in 1975. That is how everything started down there. Richard Barker, Collins, Rosales, Foqua, Chin, Nunez, all of us where there in the prisons and brother Clyde Haynes and all of us. This is how the thing started, and I really surrender myself to object to help not only ex-prisoners or prisoners, but to help the community to develop themselves in a right way. So we could do the right thing, at the right time, to the right person, for a right purpose, because a wise man learns from his mistakes, but a wiser man learns from other people's mistakes. "Wisdom build a house, knowledge furnish it but understanding live in it." And that is my purpose.

**Mr. Chairman:** Thank you so much. All right, Ms. Beckles.

**Ms. Beckles:** Good morning Chair, and members of this esteemed Committee. I am Stacy Ann Beckles, former inmate, now ordained reverend, president of Women of Transformation, an NGO. My mission is working with former inmates, particularly women, to teach them life transforming skills and encouragement of restoration.

My goal is not only to encourage but bring improvement to my community and the people of my absolute beautiful country. One of my greatest desires this morning is to see that we who were incarcerated, and those who are coming out, get that transformation to their lives by having their records expunged. I wish to thank this Committee for granting me the opportunity to share my experiences, challenges, and my success. Hopefully my recommendations offered today will be accepted. Thank you.

**Mr. Chairman:** Thank you so much. Mr. Garcia.

*[Introductions made]*

**Mr. Chairman:** Mr. La Croix.

**Mr. La Croix:** Pleasant morning to the community. My name is Richard La Croix. I am a member of the New Hope Prison Ministry, which established 1975 at the Carrera Convict Prison, became an NGO on August 18, 1988, objective to awake the conscience of the inmates through the teachings of good orderly direction so that he or she could have a solid foundation to stand on, on his release. One that is built on the principles of patience, self-sacrifice, and dependency on good. Thus, having these powerful virtues we lead to a life of good self-governance. Aim: To

continue to produce ex-inmates to live an exemplary life on re-entry into society. To do the right thing, at the right time, to the right person, for the right purpose. Programmes to assist and develop ex-inmates, church service to provide spiritual guidance and moral support, job placements, financial support, and food, clothing, and shelter. Sorry, small business management sponsored by the Ministry of Justice. Thank you.

**Mr. Chairman:** Thank you so much. Thank you all for being here. We have three objectives in this enquiry.

1. To examine the social, psychological and financial challenges to societal reintegration experience by former prisoners.
2. To assess the services and facilities available to support the reintegration of former prisoners into society; and
3. To assess the adequacy of policies and laws to treat with prisoner re-entry into society.

All right, I am just going to simply ask for the Supreme Being's blessings in our proceedings today. I think that would suffice everyone. All right, just a matter of housekeeping. We remind Committee members and officials and stakeholders to direct your questions through me, the Chair. Please put on your microphones to deliver your comments or questions, and we ask you at this time if you have not yet to put your telephones on mute, or you can turn them off, all right. Thank you all again for being here.

Now, just to give some context, let me just go through some information that we received in terms of recidivism rates, offender categories, and moneys spent on inmates—to transport inmates annually in Trinidad and Tobago. Recidivism rates according to the Ministry of National Security submitted to this JSC on Social Services and Public Administration. From 2014 to 2018, the rates are: 2014, 50 per cent; 2015, 54 per cent; 2016, 51 per cent; 2017, 55 per cent; and 2018, 51 per cent. The re-offender offences profile and most prevalent includes drug offences and property offences. And from the data I just read there, it means that more of the persons who are being released in society are ending back up into the system.

In terms of the prison population of convicted or serious minor offences. Percentage of prisoners in the prison population convicted of serious crimes, 75.3 per cent, and in the convicted of minor offences, 24.7 per cent. And that is part of the reason that we are engaging in this enquiry. It is to really look at the system, the challenges that persons—ex-offenders face when they are

coming out into the system—into the wider population, in terms of possibly getting jobs, staying on the straight and narrow, and the circumstances and conditions which may be facilitating their easy return into the system, and them not being able to become productive members of society.

Also, the average monthly upkeep for an inmate at the Immigration Detention Centre is approximately \$7,500 and the average monthly upkeep for an inmate at Remand Yard at Golden Grove in Port of Spain prison and the Carrera Island Prison is \$15,736. So, it is in our interest in Trinidad and Tobago to provide a proper restorative justice rehabilitation system, so that we can facilitate inmates re-engaging society in a productive manner.

Let me start with the officials from the Prison Officers' Association, with Mr. Richards who is the president of the Officers Association. In your interface with inmates, particularly those who end back up in the system, give us a sense of what you think is their mindset while in the system, in terms of their exposure to rehabilitation protocols, restorative justice so that, their mindset is changed going out to try to become more productive citizens. Is that adequate, and what is your experience?

**Mr. Richards:** Good morning again, Mr. Chair, and to the panel. The reality is you have to look at reintegration from the earliest point to the point of actually re-entering society. And the earliest point will be at the court level, because in a proper reintegration system the court in most modern countries deals with strategic sentencing. So at that level of the court once criminogenic needs will be assessed, reports will be given to the court by either social workers, legal practitioners, other professionals, and so on. And that will assist the court in providing the type of sentence necessary to treat with the inmate's need.

Upon entry into the service we are supposed to in a best case scenario, have what is called an assessment centre or a reception centre. At that reception centre then the inmate's criminogenic needs will be further assessed, and a number of interventions can be made, treatment for rehabilitation and so on.

All right, you ask the question, how does the inmate feel? When after all of that—after all of that, re-entering the system and so on. Of course, to assess the feelings of the inmate, those feelings will sort of be reflective of the type of treatment mete out to the inmates while incarcerated and of course, the treatment mete out to the inmate after incarceration. When you look at before incarceration because of the impediments that are involved in our internal system, because one, we do not have strategic sentencing from the court as we should. We should develop towards that

point. Two, the prison is still in absence of a reception centre, a designated area where persons can come in from the court and can be monitored over time. Ideally, a few months before their criminogenic needs are noted, and then they will be dispatched to various areas for treatment and rehabilitation.

So from the external point of view, those inmates who re-enter society, because make no bones about this, over 90 per cent of the inmates that come into the prison system will end up back into society, that is a fact. And when you look at the shortcomings in the reintegration process, you look at opportunities that are available to the inmates upon re-entry. You look at jobs, you look at training, you look at a soft landing, because you would appreciate after you spend X amount of years in the prison system, you would have been all but lost, and you need some sort of soft landing. In some countries they call it “half-way houses”. All right? So that you do not have to be exposed to the full brunt of what society expects at that time.

Now, some of the most notable impediments and we would have been complaining about it ad nauseam is the fact of employability, and that is seriously and adversely impacted on simply because, when persons pass through the system they have now what is called a criminal record. And persons who are owners of business, persons who you know—the public service and any other entity, the standard for employing persons in Trinidad and Tobago has emerged over the years as one, first and foremost, having a criminal record available to the employer, and that criminal record—

**Mr. Walcott:** Certificate of Good Character.

**Mr. Richards:**—that Certificate of Good Character, as they call it, will, you know, tell the person or the employers your history as it relates to crime.

**Mr. Chairman:** Now, the Ministry of National Security has highlighted a list of mechanisms used to quote-unquote “divert” ex-prisoners from returning to lives of crime including academic education; vocational training; religious intervention; life skills development; sporting activities; music; culture and arts; agriculture; inmate radio station; inmate debate; Vision on Mission mentorship, and concrete furniture making. From your experience, or any of your colleagues in the Prison Officers’ Association who are exposed on a daily basis to these inmates while they are incarcerated on their way through serving their sentences, is any psychological analysis, psychometric testing done to track, if you would, the mindset progress of these inmates on their way to finishing or completing their sentences? So that, some sort of assessment document can be

provided? Even when they come out to say well you know this person has shown some remorse; this person has engaged in X and Y to change their life; they have engaged in a certain number of programmes in the prison with a certain amount of points, so that they have a document or some sort of resource to show that they are on their way to rehabilitation and a person can take a chance on them?

**Mr. Youksee:** Good morning, Mr. Chairman, and of course to the panel. I just want to reiterate something that Mr. Richards just mentioned. When inmates come into prison they go through an assessment process. It is called the Length of Service Case Management Inventory and it does assess the deficiencies of these inmates whether it be educational or family issues, or whatever the issues are. It looks at the risk factors involved that they may pose to the community. It looks at their criminogenic factors and all the various attitudes and so on. Like for instance, impulsive behaviour, anger and all these things. And from that assessment, there we start to do a proper development of an intervention programme. The welfare department in particular, in more recent times, I have seen they have now gone into case management, which is now individualizing the interventions.

So that, in doing that, they will be doing a much more in-depth piece of work relative to the rehabilitation of inmates. So that is what I see. But I do not think that there is a document or a paper that you can say okay, this person has arrived at let us say 70 per cent rehabilitation rate or whatever in terms of monitoring and measuring whatever is being done. I think that might be an area for strengthening because I am not aware of such a document. But of course, I would say that it has to come—if it is not—it has to come into being, because you have to measure what you are doing.

**Mr. Chairman:** Thank you. Member Hosein.

**Mrs. Newallo-Hosein:** Thank you. Just to ask Mr. Richards, the strategic sentencing that you referred to, what countries have strategic sentencing, and where have you seen it been successfully implemented? And of course, what it is we are trying to in fact prevent is in fact, you have data to support?

**Mr. Richards:** Well, if you look at the Scandinavian countries including Holland, Denmark, Sweden, they have a history, as a matter of fact they have a lot of the information that we can tap from.

**10.35 a.m.**

They—actually in the Scandinavian countries now, they are closing down prisons because their system is working so well that their rate of recidivism is very low. So a lot of prisons are being closed down in those Scandinavian countries, namely Holland at this time and that is because they look at sentencing from almost a purely treatment level. So, in other words, you at the court, you are assessed as to the type of illness you have. Let us nickname crime, an illness. Right? And based on the type of illness you have—and I am relating to crime here—you are then sentenced in a manner that could assist those organizations now who have to continue this assessment and treatment to do their job. So, the sentencing starts from at the court level and then it is drilled down to the prison and the prison now will have the apparatus and all the different things set up, to further assess, monitor and evaluate. So that, that person can be treated where throughout the duration of their sentence.

And based on what Mr. Youksee was saying, based on his experience as a former welfare officer and he put it correctly, yes, there are facets of that in our system but where we have not reached is proper policies and practice that will put it into a proper, more systematic kind of manner, so that we will derive the kinds of benefits that we are looking for. Because prison exists, prison, modern-day prison I said, exists for crime prevention. That is what modern-day prison exists for.

**Mrs. Newallo-Hosein:** Thank you, Mr. Richards. And I understand where it is you are going from, because you are looking at the preventative as opposed to the post.

**Mr. Richards:** That is absolutely correct.

**Mrs. Newallo-Hosein:** And Mr. Youksee, I hope I am pronouncing your name correctly.

**Mr. Youksee:** Yes, you have.

**Mrs. Newallo-Hosein:** You spoke about when you come in, the prisoner comes in, you have something called “length of service”.

**Mr. Youksee:** Case Management Inventory; it is a fourth generation criminal assessment tool.

**Mrs. Newallo-Hosein:** And you indicated that this is already in place and the responsibility really of the welfare officer is to ensure that the prisoner, when they come into the system, that there are in fact some sort of—although you may not have had the strategic sentencing, you may have some aspects of it being implemented in the system. How successful has this been? And how long has this programme been in existence?

**Mr. Youksee:** Okay, thank you for that question. In terms of the length of service/ Case



Management Inventory, that came in just in the last few years. But it is actually prison officers who actually do it. Who are trained to do—to administer that tool. The welfare officers now come in, they are doing case management. That is a more in-depth study in terms of the psychological, sociological courses. They do a lot of biosocial reports in giving us that holistic picture of what is happening. And I am saying that these processes are important because the only way you could develop effective interventions is by having proper assessments.

And I wanted also to comment on something quickly, again that came up and I think that is very important. I heard Mr. Ceron talking about the strategic, you know, sentencing from the court and so on. For us, we term that as, in terms of the criminal justice system, we call that the “therapeutic jurisprudence”, that is the name for that, therapeutic jurisprudence. So what a magistrate or a judge would be further trained beyond law in the area of sociology, psychology, social work and all these other human behavioural areas and fields. So that, if young person comes before them, it is not just dealing with them how we deal with it. Right now, our criminal justice system is largely retributive; fines, imprisonment, reprimand and discharge. Bring a therapeutic jury system, a young person or a first-time offender comes before them, you are looking at the due justice, diversion. You do not want that young person to be contaminated by being in the prison and being criminalized and all the rest of it, have to deal with a record and all the stigmatizations, stereotyping, labelling that goes with that.

You have a juror or somebody who is a substance abuser, that magistrate will want what—10 different, you know, infractions of the law for larceny, when you do a little further check, oh, he has an addiction problem. So, treatment and mental health, you can at least detect that and so on and say, “Okay, this person may need some psychiatric evaluation.” The bottom line is there is diversity within the population that comes before you.

**Mrs. Newallo-Hosein:** Thank you. And if I could just ask a follow-up to it but from Mr. St. Clair. I read in your document paper, in your submission, you highlighted the need for a drug rehabilitation facility in the prison system. And I am wondering if this facility that you are referring to is in fact what it is, Mr. Richards as well as Mr. Youksee is in fact suggesting, if it is a form of rehabilitation in the prison system? Strategic sentencing.

**Mr. St. Clair:** Good morning, Mr. Chairman. Yes, I have to agree with Mr. Youksee, that is exactly what I meant when I submitted that there—As a matter of fact, there was one. But unfortunately, as we know nothing is carved in stone here. So, from under the last administration,

for some reason there were some issues that—and instead of examining the issues and sorting it out, they threw out the baby with the bath water and shut it down. If I had the benefit of a rehab facility then, among so many of my colleagues, things would have turned out different. Because that—the way that is done, the person is allowed now to go through the system, once they graduate successfully, then they come up with clean record, rather than having a conviction now and I had to go now and look for a Presidential Pardon. So it is very, very important.

**Mr. Richards:** Mr. Chair, if I could add. In the—we have visited countries, namely the United States, even little Jamaica and what you see existing in the United States as best practice for those types of scenarios—because you did say, Mr. Chair, in your earlier submissions that recidivism is somewhere between 50 to 56 per cent based on the numbers you would have been calling out over the years. And you said, which is significant, that the majority is drug offenders, so right away it tells you something. In the absence of what they deemed in other countries, maybe to be mental health units or drug rehab centres within prison walls, are to treat with those persons who are—who have those factors, who have those deficiencies. Prison officers as we are today, we are not really trained to treat with drug users. We are not trained to treat with those type of cases.

In extreme cases, what has been the practice and it is facilitated by law, is that some of those persons will be sent to St. Ann's, for further treatment and assessment and so on. And if that situation no longer exists, then they may be sent back to the prison. But the reality is, in a best case scenario, when you look at best practices, one of the key feature in any prison establishment that speaks to proper rehabilitation and so on, is the establishment of drug treatment centres or in some countries they call it a mental health unit, outfitted with the necessary professionals and the type of persons who can assess properly and then apply treatment to those individuals and maybe that is what is accounting for the high rate of recidivism as you would have correctly stated.

**Mr. Chairman:** Member Forde and then member West.

**Mr. Forde:** Yes, thank you. Thank you, Mr. Chairman. Again, Mr. Richards, right, you sit as the President of the association in the prison service?

**Mr. Richards:** Yes, I do.

**Mr. Forde:** Right. In terms of full participation, full cooperation of what your superiors would put in place with regard to the rehabilitation process, in the prison service. As the President, you have full support of your organization and so on, in terms of prison officers participating in the process, seeing it as their roles and responsibilities to assist with the rehabilitation of these

prisoners/inmates as the case may be?

**Mr. Richards:** Yes, I think we would have excelled through leaps and bounds over the years in developing those sorts of constructive regimes within the prison to aid in the proper rehabilitation of inmates. The problem is, and we would have always stated this problem ad nauseam in the public domain, the lack resources, lack of proper infrastructure. Right? Lack of some of the things that are necessary for proper delivery of our objectives.

**Mr. Forde:** For example, give some examples as you go along.

**Mr. Richards:** For example, we would have said over the years, and I said it in my opening remarks, we do not have a reception centre. Right? That is something that is key, right, it is something that key upon entry, you properly assess those inmates. Then we have things like sporting programmes, we have to further develop those things. We have to develop the infrastructure to have more trade shops and more technical/vocational and even educational areas, so that persons could properly, you know, participate. Now, another key thing that is existing in other countries— because I visited Miami and I was shocked to see in their Federal Detention Centre, that participating in these programmes is a must. It is legislated there, you must participate. In Trinidad and Tobago, it is up to your own volition to participate.

Even in those countries with the use of parole systems, which are conditional relief systems and which are hinged on your participation in these type of constructive regimes, you know. And the benefit of that could be parole and other conditions attached and other benefits attached to a sentence and so on, that you will enjoy as an inmate. So, all these areas we have to develop. But I must say as with regard to rehabilitation and reintegration, yes, the prison service is on one page. The Prison Officers' Association and the prison administration are in a good position, we collaborate a lot on rehabilitation and so on, the extent to which we would have seen a number of developments in that area. But, of course, as I am stating to you here now, there are further developments to—that we would want and it would require resources.

**Mr. Forde:** Okay, and to follow-up again, Mr. Richards. Again, you all would have documented, send necessary report to your superiors in order that they can then send further to the Minister of National Security accordingly.

**Mr. Richards:** Well, we would—

**Mr. Forde:**—what else have you been documented based on visits to Miami, Jamaica and assessment you all would have submit—

**Mr. Richards:** Yes, yes, yes, we—well, based on what we would have experienced, based on the knowledge we would have attained in those countries, of course, the knowledge would be the subject of discussions and so on, in a way to harmonize our local situation and bring it more within the context of what is accepted internationally. Right?

**Mr. Forde:** One other thing, Mr. Chairman. Again, with regard to the ex-prisoners also, we were informed by the Commissioner of Prisons that there is a two-year period after prisoners exit the prison system, right, that there is—let me quote it exactly:

Welfare Officers also provide follow-up support to ex-prisoners up to two years after release. However, ex-prisoners are not legally mandated to accept their support.

So I would like to hear your comment on that and then I would like to hear the comment of Mr.—the ex-inmates that we have, if that system is in place and what you all can say with regard to that particular aspect. So, after you comment, Mr. Chairman, I would like to get the inmates—

**Mr. Richards:**—Well, I will pass you on to Mr. Youksee to comment on that.

**Mr. Youksee:** Thank you. All right, with respect to that issue, yes there is two-year period where after releasing, that post-release period, two years, welfare officers are supposed to be doing follow-ups on these ex-offenders and so on. But I will tell you eh, in my own experience, I have not seen that taking place to the extent that it really—that it requires. But there is an awareness, there is in the rules, if you look at it, you are going to see that two-year, they must follow-up. Each year.

**Mr. Chairman:** Let me bring Mr. Manickchand and Ms. Beckles into the conversation specifically to give us a sense of what your experience had been like when you were incarcerated and what your reintegration experience was before I veer to member West. So, I will start with Ms. Beckles first, please.

**Ms. Beckles:** Good morning, Chair. Good morning, committee. All right, before I was released, my experience in—while being incarcerated was somewhat not as bad as some will say. For the Women's Prison, I speak as a woman, it was a bit different. I was afforded the opportunity to learn. There were some days we were not afforded that opportunity, because to be honest, there were always different issues in the prison: to take your class, sometimes no tutor, sometimes the clients themselves teach you or a person coming from the outside. However, there were some—to be honest, some personal behaviour of some of the female officers. There are sometimes some issues they show, you know, they are not restorative in their mind. They will do it because they are

mandated to do it but sometimes we had some issues. So, for me, I did not really have issues for me, but I had colleagues at the time in there, cellmates who had issues.

Also, in being released, the welfare question, as Mr. Youksee rightly said, it is supposed to happen. For me, it went up to six months. The Welfare came, I had a tragedy, of course, my former common-law husband was murdered so I came out with basically nothing, right. Welfare did follow-up, did help and stuff up to six months. However, after the six-month official visit, I was living with my then, now deceased pastor. Welfare came officially for six months. And I say officially, because after that, I became a minister of the gospel. I starting speaking in many churches and the Welfare now became a mentor to me. So, it was no longer an official visit. So, I will get the normal calls, “How are you doing?” but it was not official. The official went up to six months, to be honest, checking on me.

**Mr. Chairman:** What year was that?

**Ms. Beckles:** In 2016 I was released the 29<sup>th</sup> March, a Tuesday morning.

**Mr. Chairman:** Mr. Manickchand, what was your experience like?

**Mr. Manickchand:** Morning Chair, morning members of the Committee. My experience within the prison, note I use the word prison. I do not use the word correctional facility. That is what it is called, a prison. And I would put it down, my period of incarceration was from 2002 to 2010. I would consider it as a holding bay, plain and simple. And basically, no rehabilitation—rehabilitation it had with education, inmates taught inmates but it was a struggle. The mindset of the officers depends on—it does not mean that all officers share the same view, from the junior to the superintendent to the commissioner. So, a commissioner might have a certain ideology that he wants in place, but if it is not shared by the superintendent or shared by the officer who opens one’s cell to go out to a class, it will never take place.

**Mr. Chairman:** So what are you saying, you are saying that there may be a policy but it is not enforced down the rank?

**Mr. Manickchand:** Yes.

**Mr. Chairman:** Okay.

**Mr. Manickchand:** I would more put it as window dressing. Because I remember, clearly, one of my first experiences. I asked to go to the library, the exact word from the officer was, “When you was outside, you did not want to go to library”. Those were the kind of things I had to experience.

Now I taught in the prison successfully, inmates, I give back as I was a little more educated

and to see people get a lil certificate, it meant a lot. These people never finished secondary school, but the prison regime, the mentality that it had at present— I will give you a little example. I wrote—I asked permission to write my victim an apology letter, two years before I was released. It took me two years to appeal. It took two different superintendents who were saying, “I am not willing to give permission for that. I am not putting my head, let somebody higher do it.” I said, “But are you all not saying restorative justice?” “No, no, no, let somebody else do that.” Until a next superintendent came and he was of a different opinion. He said, “Write it, let me read it and we will mail it for you.”

So the prison it depends—there are many differences where I find prison lacks humanity, that prisoners should get more humanity in them because that is what they lacked, first of all, many of them to go in there, in the first place. And numerous examples, I wrote a letter to mother a time telling her that I was feeling depressed. The prison suppressed the letter and carried me upstairs and told me, “Write happy thoughts.” It is still on my prison file if anybody were to pull it today. So I was like, “What you mean write—”. “No, doh tell yuh mother, make sure she feels everything is going good. Write happy thoughts”. I said, “But I feel depressed, well do you feel happy every day?” My same mother, when she passed away, I was told from officers do not cry, do not show signs of emotion because this will bear—the prisoner will be monitored, he may be considered volatile, he might swim the channel as they say. So, you have no signs of emotions to show. You have a welfare officer who will talk to you and say, “Well, you know life, everything comes to an end.” I recently now saw the prison is now hiring psychologists.

**10.55 a.m.**

So, you could imagine a person who has anger management, rape, et cetera, who they were talking to before? And I have seen these things over and over in the prison. Within the educational aspect, I used to beg. I said, “Let us do some new courses. I want to do A plus and networking, IT. Could we get somebody from outside? Our families would pay for it.” A stumbling block, because somebody of the chain does not agree.

**Ms. West:** Thank you, Chair, that segues well into the question I wanted to pose. Mr. Youksee indicated that fairly recently we started an assessment and case management system and that the prison officers do the assessment. If we are talking about moving from a situation of retribution to rehabilitation, does it not require a retraining of the mindset of the prison officers? Has that occurred? Is that ongoing? How is that working? Have we changed the profile of persons we

target to come into this system as prison officers?

**Mr. Youksee:** That is a great question actually, eh, and a fundamental question. In 2002, that Cabinet appointed Task Force Report that came out, which was actually road mapped for transforming the Trinidad and Tobago Prison Service into a modern correctional facility, shifted the philosophy of the organization from retribution, which is deserved punishment for evil done, into restorative justice, which is a more holistic, humanistic approach in dealing with criminality. I want to say here that the organization—there is a story in that actually in terms of organizational change. Notwithstanding that the policies were changed, I am saying that the mindset of officers, I think we still have some way to go. Meaning to say that, we know we have not arrived as an organization where we are supposed to be, but we are nowhere where we used to be.

So, the point I am making is this, you have something called “cultural persistence” and that is something the administration and the management of the organization has to treat very seriously with. Because at the end of the day, if there is one thing, one thing that I would like to see actually manifest itself in the prison service, in terms of the whole rehabilitation movement and everything that they are doing, is that shift in the mindset of the officers. Get that right— that actually is the low hanging fruit, eh. If we can get that right, it will spiral into so many other things.

**Mr. Chairman:** The shift in mindset is not going to occur by osmosis. It is not going to occur unless the prison authority changes its mindset and philosophy from a prison to a corrections philosophy. What is going to be the catalyst for that? I mean, Mr. Walcott seems chomping at the bit. Could you turn your mike off, please, Mr. Youksee?

**Mr. Walcott:** As an officer also attached to the training college, we know the need and importance of training and retraining. There is a course that we are dealing with the new batch of recruits. It had started a few years now with successive batches that have passed. We teach something called philosophy of the organization where we look at, collectively, as a prison service what our mission is, what our vision is, what our strategic priorities are. So that, in terms of protect, correct, relate, reintegrate and restore, we try to impart to these young officers the need to move away from the retributive to the restorative. So that, with the retraining, even with the older officers who over the years would have shown some resistance, there needs to be an ongoing retraining to bring everybody on board.

**Mr. Chairman:** Can I interject? Member West was also chomping at the bit. I applaud the training and the attempt, but how can you, or is it possible to instil that sort of approach in a

situation where 12 men are held in an eight by six cell in Remand for 10 years under squalid conditions? Can you really instil any level of—any start of restorative process in that kind of mindset, in that kind of environment and the officers also exposed to those conditions?

**Mr. Walcott:** Well, in terms of—that was one of the points that we were going to raise within this JSC—in terms of the need to transform what we called a remand facility into a purpose-filled built prison. And not only that, we have to look at the length of time that a person stays on remand. This takes away from that intervention that we need to rehabilitate a person, because we have persons in the remand facility who would be there upwards of 15 years and sometimes when this period now, little or no intervention can be done. And when the court sentences this person, they would take into consideration the time spent on remand and they might get a few months, when no intervention or little intervention could be made to help this person especially when, as you say, a person locked away in a cell with very little facilities, like toilet facilities in cramped conditions, what mindset—what you, as an officer, could tell this person now to help them become transformed to be a productive member of society? It is very difficult. That is why persons, when they get discharged, they—

**Mr. Chairman:** More angry, angrier. Before I go to member Hosein, Mr. Youksee, let me just go to Mr. St. Clair. Mr. St. Clair, Mr. Manickchand and Ms. Beckles outlined the experiences in the system and their challenges in reintegration and what worked for them. What was your experience?

**Mr. St. Clair:** Mr. Chair, my experience—I was fortunate that on release, the folks that I worked for, I was a gym instructor, so that they came to pick me up as soon as I was released from prison. But I was not made aware of any welfare assistance. So I think I was given what—like \$10.50 or something like that when I was—but, other than that, I was not made aware of any welfare assistance that was available to me that I can tap into. That did not happen. Fortunately, I had folks who felt that I— they would have helped me reintegrate, so I was given a job at a gym and they came and picked me up, actually, upon release. That was my experience. But apart from that, the challenges to get to here, 28 years later, it is humongous, it is almost like a roller coaster ride.

**Mr. Richards:** Mr. Chair, before we go on, if I may—

**Mr. Chairman:** Give me one second. I am going to come to you. I just want to bring because—let me bring the officials from The Way of Holiness and New Hope Prison Ministry into—let us



know what your clientele has been telling you, if it echoes what you heard from the ex-inmates and what your thoughts are?

**Pastor Kelly:** Mr. Chair and members, I must say because I do pastoral care, I do not have that type of difficulty in the prison system even with the officers. What happens is that when you see things in a Godly manner and a Godly fashion, you see it differently to someone that is not seeing it in that manner. What I recognized with the prison system is that there are a lot of things— they are working with little or no money. They are functioning with little or no money. How could a man be rehabilitated when there is rat running in and through the prison? When you look above you, even when I go to preach in Port of Spain Prison, there are pigeons and the filth from the pigeon is right there. And the officers have to be there also and we must understand that the officers have a life too. Some would react really badly because they are also making a prison—is as though they are making time for prison, they are also making a prison system.

I am saying—I know that a lot of people are being dealt with, might have been going through some things, but I have been in the prison for the past 23 years and what I recognized is that because of being a church, we assist in many ways. We would bring in things like basketball rings for them, chairs, toilet paper, toothpaste, because sometimes the prisoner is out of these things. So what happened is that the prisoner is under such a strain that it is only God to help to them. The more they ask for things, they are not getting it and a lot of people are not on the inside to understand what the prisoner is going through. Because the men would not even get a pen, a simple thing as a pen, an officer would have to take their money and sponsor a pen for these people.

So what I am saying is that, I understand what they are saying. I, in turn, before the prisoners come out to my establishment— because I consider what I am doing very successful— and before they come to that establishment, they are already assessed by the prison and then they are referred to me and even I have a relationship with them. I believe that one of the areas in this nation that needs to be looked into severely at this time, in order to stop the crime in our nation, is the prison system. Because working with men who as you said before that are in a cell, 10 men in a cell, the floor is dirty, they are “peeing” through the fence, you stand up and when you look at the gate they “pee” through the gate. They are taking time—when you look at their holistic approach and everything that is taking place in the system, it is just a place to break down and build over and start afresh.

What we are trying to do, we are trying to ensure that people be rehabilitated in a dump. It

is as though you are in a dump and we are looking for great success and we are in a dump, hence the reason why it is so important. I see a lot of things on the media, but they need to get behind the bars, they need to spend some time inside to understand what is taking place. We are very grateful. I believe it is only because of Almighty God that things are holding together still in spite of, because if you enter in—when I go in to minister, a lot of men in there are still giving their heart to Jesus Christ. I baptized in about two months, a month or two ago 40-something men, 10 Spanish amongst them. I am saying that it is really good that we have a topic like this because a lot of people need to come and know the truth.

**Mr. Chairman:** Thank you so much. Let me hear from Mr. La Croix. Could you turn your mike on, please?

**Mr. La Croix:** Good day again to everyone. In my time of incarceration—

**Mr. Chairman:** And what time was that?

**Mr. La Croix:**—1996 was my first incarceration and the system was really, really poor, less developed than it is now. Now, I realized that officers and inmates contend with each other under a really poor management. Because I mean, we cannot put all the blame to the officers who come to do their jobs and face with the harsh conditions. They are not comfortable enough to deal with inmates of all different walks of life who have their heads mixed up a lot in different aspects of life.

Now, one thing we must remember that we are all human beings, you understand? And you cannot take—these guys, they are sick, ill-minded and you having fellas who are smoking marijuana, locked up for marijuana, some locked up for cocaine, and then it have murder and it have different types of criminal activities and they put everybody and categorize them as one type of person, criminals. Right? But we are dealing with criminals in different aspects, you understand?

You cannot put the pressure on a marijuana offender with a murder offender, you understand? That is two different categories there, yet still they banish them as one, they are all criminals. And to me, it works like this, the officers come to do their jobs and some of them— I have seen officers naturally just waiting for the time of departure to come for them to go because they are frustrated, they cannot take that pressure, they cannot deal. There is nothing put in place by Government to allow officers to really pursue their job in a relaxed manner. Everything is just a frustration. Everybody on edge; inmates and officers are on edge. Something needs to be done

about that.

Now I spend—I did 14 imprisonments back and forth, you understand? Now you might say, “Wow”, but there is nothing put in place by Government that when I re-enter society back then that I could have gotten a job in some business place or the other—

**Mr. Chairman:** So you went in and out of prison 14 times.

**Mr. La Croix:** Fourteen times.

**Mr. Chairman:** For what kinds of offences?

**Mr. La Croix:** Marijuana, cocaine, larceny, you understand. Now on my 14<sup>th</sup> imprisonment I decided, you know, I said, “Lord, you know, this is not what you created me for.” I talk to myself. My family spoke to me, friends, strangers, and the last person “was to speak to me” was myself and I did so and I realized that, you know, this is not what is best for me in life, I need to pick up on myself, I need to be a better person in society, this is not the way I supposed to go. And then, when I thought this way, God intervened into my heart and said, “Son, I do not want that for you neither,” you understand. And I decide to do something for myself in a different way of life. I want to be counted as a good person in society, whereby I can go on to help people that is in situation similar to mine or even worst, to be better persons in society.

**Mr. Chairman:** So you made a conscious decision?

**Mr. La Croix:** A conscious decision.

**Mr. Chairman:** Thank you for your testimony. Let me go to Mr. Barker, please.

**Mr. Barker:** Let me say good morning, brothers and sisters. Here you are rendering a lot of appreciation listening to the—my time in imprisonment was in 1975, so it is totally different, totally different. I have a different experience.

**Mr. Chairman:** And what were you convicted of, if you can share?

**Mr. Barker:** I was convicted of robbery with aggravation. But, you know, I did not do the crime. I never say I did not do crime, you know. Because I was a fella that, “doh skylark with me, I will deal with yuh”. But on that occasion, I came through the Black Power business and they gave me a frame case to get me out and they put me in jail. And when I was in jail, I recognized that the system was very uneducated to the proper system of operation. The people did not even know their history, they did not know nothing about anything else, neither prisoners, neither officers. So, they did not know and to the fact then this is where we opened up a school and some of the officers came and helped us and thing. Really and truly, they were very nice, appreciation. And

to understand that, that is how, I believe that God do that because they did not have anything to my personal agreement.

Right, when I came out of prison, it did not have any officer to come and visit you and thing. In my 13 years, I get \$110. I came out and I pay for a fella—they charged him \$100—I pay for a fella to come out of jail and I tell them to keep the money, it is all right, pay for him. So then, it is a different thing. So my experience was a different experience of the situation. Because of the Ministry that Colin Rosales and myself—that is where you had fellas like Wayne Chance and all of them.

I could also bear witness for some more officers in my time; they became superintendents. Even Mr. Baptiste called me—well, let me go back to Mr. Hercules. It is Mr. Hercules that called me and gave me the job as Spiritual Counsellor into the prison, you know. Mr. Hercules, you know, because he saw my potential in jail, in class and all of this. So, it was a different thing.

**Mr. Chairman:** So, your behaviour while incarcerated was an important factor in you changing your life coming out?

**Mr. Barker:** No, well, you see to say that. You see my pre-imprisonment was, in my mind, was an educated idea of a system of oppression. So, I would think differently. I came through the Black Power thing, so I was thinking differently that my brothers and sisters were oppressed. Even the officers I talked to and I recognized the answer they gave me because—if you go to a fella—if I ask you a question, what is the biggest room in any house? You could answer me?

**Mr. Chairman:** It depends on the house.

**Mr. Barker:** Well then, if you ask me I will tell you. Ask me.

**Mr. Chairman:** What is the biggest room in any house?

**Mr. Barker:** Room for improvement.

**Mr. Chairman:** Thank you. I will ask you to put a pause there, Mr. Barker—

**Mr. Barker:** No, no. What I am saying here is how we think. The hottest cup of tea to me is honesty, sincerity. That is to me. I told you I would think differently. If you spell “sin” backwardly, what would you get? “NIS ent?” National Insurance— Jesus is mind. *[Laughter]*

**Mr. Chairman:** Mr. Barker, put a pin—

**Mr. Barker:** Well you see that is what I am saying.

**Mr. Chairman:** Put a pin.

**Mr. Barker:** No, well, you should not put a pin—

**Mr. Chairman:** Yeah, because we have a limited time and we want to get everyone.

**Mr. Barker:** “Oooh”, well “allyuh” must start a little more earlier when you are calling people.

**Mr. Chairman:** Next time. Mr. Garcia, could you give us your comments on what you heard so far please and your experiences with interface. Thank you for that, Mr. Barker.

**Mr. Barker:** I know you, “yuh” know. I know you very well. [*Laughter*] You cannot remember me—

**Mr. Garcia:** Okay. I have been in the system—I have been a prison officer for over 35 years, now retired. I sit here and I am pleased hearing all the niceties that the prison should offer as it relates to reintegration of the inmates. In my time, which was nine years ago, I retired at 2010, inmates’ problem, in my view, as it relates to reintegration is family life on being discharged. The faith-based ministries played an important part in getting family to be in line with the inmates while incarcerated as to having their family knowing what is being done as for the re-entry back into society.

The biggest problem in my view was a memory. How do we erase the memory of an inmate family when going back out to meet them? So, we put a lot of stress on the spiritual development, having the pastors interact with a family on the outside, letting them know that the work that was being done in the prison, to accept them back when they re-enter back into society. In my view, that was the biggest and is still the memory, how do you erase the memory? People normally remember you how you were. All the work that we do in the prison, people do not understand what we are doing. So, on seeing you on discharge, they remember how you were. So, if you could get a link, a proper pre-release programme to go into a post-release programme whereas the pastors, the ministries, the people of God could interface with society on the outside having them know what is being done on the inside that will help a lot, in my view, into the reintegration, successive reintegration of offenders.

**Mr. Chairman:** Thank you. Member Hosein.

**Mrs. Newallo-Hosein:** Thank you. Now, I am going to ask a question, it is really several. If I can ask the prison, but also I need to get input from my guests who have been in the system. And that is, I know that Mr. Walcott, you indicated that earlier that the prison officers more or less, you know, you have been looking at trying to—you spoke about protect, correct and really encouraging them to think restorative as opposed to retributive. And my question is really with the type of laws that were recently enacted, you find that it is more— the sentences and so forth are more punitive

and therefore, there is little room for restoration. And how does this impact upon what your thoughts are and the direction this Committee is going and how often does the Mercy Committee meet and for the persons who are here what about your records being expunged? How does this all impact upon—

**Mr. Richards:** Yes, again, you have to look at rehabilitation and reintegration from the perspective because I heard the Chairman, Mr. Paul Richards talk about how can you reintegrate or rehabilitate when you are in a small cell with a number of persons. And I just want to make the distinction quickly. There are two areas in the prison service. There is the convicted section and there is the unconvicted section, the remand section. We really have no real mandate to rehabilitate unconvicted inmates, of course, based on the tardiness of the judicial system. Unfortunately, we have them for extended periods of time and it will be wise to develop programmes for them but we will reach to that as with regard to the—

**Mr. Chairman:** Let me put a pause. You just hit on a critical point in this entire phenomenon. Because if you are stating as the head of the Prison Officers' Association that you have no mandate to provide rehabilitation services to the largest portion of the inmate population, which is the remandees, 3,500, is that correct?

**Mr. Richards:** That is—

**Mr. Chairman:** Compared to convicted, therein lies the problem, because these individuals are spending up to 15 years—

**Mr. Richards:** More than that, we have people 17 years in prison, as we speak, awaiting justice.

**Mr. Chairman:** I stand corrected, 17 years, in particularly horrible environments and there is no mandate from the prison service to start— to understand one, that the rehabilitation process as you rightly said starts from your interface with law enforcement going through the court system, your conditions of remand into your conditions as a convicted inmate and through the system. So, if there is no mandate for the prison service and prison officers to provide restorative justice services and rehabilitation to remandees, we might as well end this session now and go home.

**Mr. Richards:** Well you see, Paul, we have to understand something here. Unconvicted inmates were not supposed to stay that long within our system.

**Mr. Chairman:** But they are.

**Mr. Richards:** No, no, I am getting to that. Mr. Chair, I am getting to where you are going. Just allow me, I am getting to where you are going. Unfortunately, for us, because the judicial system

has its issues, we end up in a situation where persons are spending inordinate lengths of time in the remand, coupled with the fact that there is this type of conditions given the fact that we have no purpose-built remand facility in Trinidad and Tobago. In other words, a purpose-built facility that is designed to treat with the needs of remandees. We do not have that. What we have is the fact that the Minister could deem any building a prison, a building was deemed a prison by the Minister and that building was now customized, somewhat, to fulfill some needs.

Now, why I went there is for one simple reason. Just as you are saying, if we cannot effectively manage or treat with remandees then what we will be doing is effectively undermining our ability to treat with the convicted because the convicted come from that very remand. And once people persons feel that their rights would have been taken away unfairly, persons feel that they were continuously exposed to extreme conditions of every kind because one politician sum it up as “jail eh designed to ripe fig”. The fact is those persons will be angry, prison officers cannot treat with that level of discontent and demotivation.

When those persons get convicted and they go to the convicted section where our definitive mandate is to treat and rehabilitate and so on, far and apart from providing security, there is something where you get into some sorts of problems because the type of mindset going there. But even at the side of that, you have situations where when persons come to the remand, stay long periods, for example, 15 years, 17 years, when they are convicted, based on the length of time they stay on the remand, those times often are removed from their sentences and they do not even go to the convicted section, they are released back into society. If you all understand where I am going.

**Mr. Chairman:** So, they basically jump over the one small—

**Mr. Richards:** That is correct, that is correct.

**Mr. Chairman:**—time when they could be exposed to restorative justice—

**Mr. Richards:** That is correct. So what happened, you would have lost the opportunity to properly rehabilitate and reintegrate by virtue of a judicial system that is in dire need of repair.

**11.25 a.m.**

**Mr. Chairman:** Put a pause. While I agree with you, several of the ex-inmates here, if not all today, with the exception of, I think, Ms. Beckles, spoke about the inconsistency of the officers’ treatment of the inmates themselves, even in the absence of a stated rehabilitation mandate—  
[*Interruption*] Let me finish. The officers themselves, in many instances, as human beings, seem to be part of the problem.

**Mr. Richards:** And I agree. I am in total agreement of that, but you have to understand the evolution. We started with one dispensation, one philosophy which is retribution that was engraved. As a matter of fact, I want to even tell you, going further than that, that Trinidad and Tobago itself, the mentality of citizens is largely retributive. So if you have to go to restoration—right?—you have to change the mindset of all the human beings in a society—inmates, officers. Right? So that change, as you said earlier, was not managed properly from the time of the Task Force Report, because the strategic head should have done more to ensure that that is rolled down to the line staff, whatever procedures, practices, policies, would have been put in place at that time to ensure. So officers, who naturally are part of society, who is naturally prone and conditioned to this retributive system, it is very difficult, based on what Mr. Youksee was saying earlier, that change is very hard—

**Mr. Chairman:** While I agree with you to some extent, it reminds me of the often used metaphor or euphemism that the several sectors use: “Well, we are all a subset of the wider society, so we have to understand, blah blah blay, blah blah blay”. I think, with the greatest of respect, that while it is generally true, I think an opportunity exists within the Association and the officer population at large, to make an intervention in the absence of a stated policy. So while, yes, we all come from a particular jurisdiction and the jurisdiction may have a mindset, “Well all prisoner bad; all inmate bad”, I think the positioning and the opportunity exist in the Association to try an intervention through its influence on its officers to have a different mindset, whether it be through their training or through your daily interactions.

**Mr. Richards:** And we have not said that we were not.

**Mr. Chairman:** Just a minute. Member West.

**Ms. West:** Mr. Chair, that takes me to the follow-up question I had about an hour ago. To Mr. Walcott: I know we said that we train the officers as they come in to take a different approach, but in our assessment and progression of these officers, do we focus on officers who are taking that different approach to promote them, so that we get a continuous improvement in the approach of officers? Or do we just train them and put them in the system and however they operate they operate?

**Mr. Walcott:** Well, in terms of training, we have a system where we monitor performance through the job evaluation, but that system is not to our liking. We would not say it is very effective. So with regard to the persons who are performing, going forward, their performance appraisals would



reflect this, but then it must be done properly to capture this, and I do not think that is done.

Just one more thing. With regard to what Mr. Richards spoke about with regard to the remand population and introducing programmes, you see the difficulty, you have to look at the concept of convicted and un-convicted. An un-convicted person is said to be innocent until proven guilty. In his mind he is saying, “I am not convicted of anything.” And when a person goes to court, every time they go to court, they go as a dischargee. So when they go to court, every time they go, there is a possibility that they would not return. So having proper intervention at this level sometimes would not make sense. And the thing is, the key problem is this, that nobody should be in prison this length of time before their matter is determined. So that when—you see, I mean, 15 years, that is a ridiculous amount of time. It is either you have the evidence or you do not. So get the persons—whether or not they are convicted of their crime, get them into the convicted section where intervention could take place. This makes practical sense.

**Mr. Chairman:** Member West wishes to follow up and then member Forde.

**Ms. West:** Yes. I know I am focusing on the prison officers. It is not that I am ignoring the other parts of the broken system, but because you are before us I want to focus on that issue. So you indicated that the assessments are not properly done. Who is responsible for that and how do we change it?

**Mr. Richards:** Well, remember, when you have objectives as an organization, somebody has to carry out the objectives. The employees, the officers, are the ones charged with the responsibilities to carry out those objectives. Those objectives have to be continued to be monitored and measured to determine the extent to which these objectives are being carried out. The system that you will employ in almost any organization to measure and to track performance is your performance management system, and attached to that is your performance appraisals done periodically during the years. Ideally, performance appraisals are done twice per year. In some organizations they do it as much as every quarter.

So if you do not have a proper performance management system—and what constitutes a proper performance management system? A system where the supervisor or the person who monitors your performance sits with the officer, sits with the person and set objectives to be met. And those objectives are supposed to be in alignment with what is expected of the officer, based on the strategic direction that we are going. Right? So until and unless you have these performance measures being done and evaluated and connected to, maybe, a proper reward system and so on—

because performance management is usually connected to a reward system. In the prison system it is connected to increments; it is connected to promotions; it is connected to a number of things that officers will like to achieve—

**Mr. Chairman:** Mr. Richards, can I ask you to supply those IR challenges in writing to us, in the interest of the time that we have left?

**Mr. Richards:** Yes.

**Mr. Chairman:** So you can outline exactly what Member West asked you. Member Forde?

**Mr. Forde:** Just a follow-up to the Prison Officers Association. There were three Bills that readily come to mind that would have been tabled in the last session of Parliament, which is, one, the Bail (Amdt.) Bill; Trial without Jury (Judge Only), and also the Elimination of Preliminary Inquiries. Again, in terms of an opinion coming from your Association, and with regards to the comment that you made of the delays in the justice system, how do you see those three Bills fitting into—

**Mr. Richards:** Well, certainly the last one that you spoke about, the movement of the preliminary inquiries, that is an excellent idea, and I say that against the backdrop that a lot of cases are stuck at the magistrate level. That preliminary level, that level is where a matter is determined to be heard at the Assizes. And if we could efficiently, as a country, remove it, and have those cases moving along, then that would be a plus for the prison system, definitely. It will have a positive impact on what we see happening at the Remand Prison at this time. And the Prison Officers' Association would like to support the AG, the hon. Attorney General, in that endeavour. Because we have inmates, and would you believe who have over six years' incarcerated waiting for their cases to be determined as to whether or not they have a case to hear at the Assizes, and they are at the preliminary inquiry stage? That is cruel and extremely unusual punishment. To have a person incarcerated in the Remand Prison for over five years at the preliminary inquiry stage—and it is very normal to see those cases existing in the prison service—that, in itself, reeks discontent. As a matter of fact, inmates are so frustrated in that type of scenario that they are very unsettling. If you track over time, most of our serious incidents in the Remand Prison, it is owing to some of these problems that we are now highlighting.

**Mr. Chairman:** Absolute frustration. I want to change the gears a bit and bring Mr. Manickchand back into the conversation, because I think we have pretty thoroughly perused the internal issues, but upon being released, the issue of employment. And I know many of the others would have had, what I would describe as special interventions, because there are either caring family members,

pastoral services or religious intervention and religious group intervention that would have facilitated a smoother transition. So they had support not necessarily provided by policy from the State.

Mr. Manickchand, you went through a particularly different situation where you were employed and you had a matter before the courts because your employment was terminated or not renewed because of your ex-convict status. Let us hear about it and the importance of employment opportunities in the context of, well, “If I cannot get a job when I come back out to take care of myself, I am more than likely going to reoffend to take care of—cause I eh go sit down and starve.”

**Mr. Manickchand:** Well, yes. One of the greatest issues is employment opportunities. I sought employment within the public service area and I gained employment as a Litter Prevention Warden from 2013 to 2016. Now I have always been honest to every employer—even if they did not ask for a certificate of character—about my conviction, because it is an infamous one. I am always thanked about it, but at the end of the day they either say management might have a problem with this issue. But in this particular instance I was hired for three years as a Litter Prevention Warden, and when my contract came to an end I went back for application. This time they requested a certificate of character. But I had always told them; I told my supervisors, my head of departments, and I was welcomed. When I was not renewed, the union took the matter and we ended up going straight to the Chief Personnel Officer, who stated, “There is a government policy that no one with a conviction can be hired within the public service.” So I said, “Well, we want to see it.”

**Mr. Chairman:** What year was this?

**Mr. Manickchand:** Pardon? This was in 2017.

**Mr. Chairman:** So recently.

**Mr. Manickchand:** Yes. We said we wanted to see it, so they said, “No. This is a longstanding government policy.” So I said, “Well, okay.” And through Freedom of Information I wrote the Ministry of Labour; I wrote the CPO. I said, “Well, I want to see the policy.” Everybody backtracked and said, “Well, we doh have a policy, but it is a sort of practice.” So they said, “We deliberated because of the seriousness of your offence. We did not decide to renew your contract.” Again, we took it to Industrial Court, because I wanted to know, how did you deliberate if you never asked me anything about the conviction, although I have told you over and over and over?

I also submitted the findings of the court in the ruling where I was awarded damages, because, basically, the court found the Ministry had no policy. The Ministry said they sought

advice from the CPO and other agencies. When I asked for the advice, I was told the advice was not given in a written format. There seems to be no government policy dealing with the recruitment. There are only theories. If 10 years pass, it does not count; if you do this crime, “yuh cyar geh ah job here”. But the fact about it, there is no policy. They have had people who have been hired in the public service before and they have indicated to me that they got hired because of political affiliation. A government in power; they were aligned; they got the job because a permanent secretary would have given them. Even though they knew they had the conviction, it was not an issue. But at the end of the day there seems to be no clear policy. And when I go for jobs within the public service—

**Mr. Forde:** One second. Mr. Chairman, through you, again, the statement you are making, you have documentary evidence to support that?

**Mr. Manickchand:** Yes, I do. I have submitted all evidence towards the court. I have written Ministers; I have gone by MPs who have told me—I am not calling the MP’s name, but an MP told me he understood my situation. He said, “Hear what, change your last name.” Right? I am not going to call his name, but if you wish, I would. Right? I have been told by other MPs, “Take them to court.” The situation is, it is a quagmire. It is a problem. There is nothing, and society does not lack the will either.

**Mr. Chairman:** So the State is also complicit in the issue.

**Mr. Manickchand:** The State is also complicit in many ways. For instance, in Parliament, how many times, for political mileage, across the floor have they stated, “This one has a conviction”; “That one has a conviction?” How do we expect members of the community to want to hire somebody when you yourself, in Parliament, are throwing talk at each other, stating, “I would not have that one with a conviction? She is going to jail. Ah hope it have good rehabilitative programmes for her there.” How do we expect—

**Mr. Chairman:** Well, that may be a different context. [*Laughter*] Member Newallo-Hosein.

**Mrs. Newallo-Hosein:** Thank you very much. I know that Mr. Manickchand had indicated the challenges. For Ms. Beckles, I know that you had indicated some challenges regarding getting simple stuff like, you know, your driver’s permit and assistance from the Ministry of Social Development. Could you identify what those challenges are and if they are still persistent today with the persons that you assist?

**Rev. Beckles:** Thank you. Well, one of my challenges was, for instance, when I came out of

prison on the 29<sup>th</sup> of March, I had no ID. Everything was expired. So when I went to the licensing office, they charged me \$1,700 to get a new driver's license. Two reasons why: One, they said it is either you do over the test and pay \$500. At that time I wanted an ID, because there were people wanting to help me abroad to get money via Western Union and I needed an ID. I paid the \$1,700 because when I left prison I received \$200 for my labour for the five years, four months; \$30 transportation from Welfare. But there were officers—as I said, everybody's walk is different. There were female officers who pooled and gave me a sum of money in an envelope. I was able to use that exact sum of money to pay for the licence.

They told me, walk with a letter from the prison. I did get a letter from the Welfare Department on New Street. I rushed back down to licensing, St. James. They said the letter was not appropriate. It had to come months before from the prison or dated. It was dated the very day. I paid the same \$1,700, which was hard, because I have a daughter with me. I had lost everything and I was now going to a pastor's home.

**Mrs. Newallo-Hosein:** Just asking Mr. Richards to intervene in this. Is it that there is a procedure where you provide a letter to any of the state agencies to indicate that, okay, this person has been a prisoner and therefore we are asking for a courtesy in this regard, for getting your ID or your driver's permit—

**Mr. Richards:** Yes, there is, but I will let Mr. Youksee answer that clearer.

**Mrs. Newallo-Hosein:** Now, I do not want to take away from Ms. Beckles, eh.

**Mr. Youksee:** Yes, there is an established procedure that months before, especially that pre-release period and so on, all the various needs are identified for that particular offender and documents are done; letters are typed and all these things, and so on, for the various agencies as the case might be.

**Mrs. Newallo-Hosein:** All right. So you did not—

**Rev. Beckles:** And I want to beg to differ—

**Mr. Chairman:** Well, it did not happen with her.

**Rev. Beckles:** I did not get any letter. They did a case study before you leave. They have everything on file about me. Right? So you come out with your money. However, if you are going—because when I went down to licensing with my sister, who is a prominent business—they told me—I said, “I now come outta prison.” I spoke very raw. I say, “I just come outta prison. Ah come back tuh renew meh licence”, thinking it is just the \$500. The woman say, “Well, okay. You have a letter?”

I said, “No”. I then met a then former prison superintendent female. She works with the Judiciary now on another level. She said, “Run up to New Street. Let dem give yuh a letter.” I did get the letter upon request. It was not—“ah” did not get a letter stated, “go to here and there and go there”. It was upon request. You will get the letter if you ask for it. But I did not get it in my hand walking out. I then got the letter from the Welfare, thinking it would have helped me. It did not. The persons at the desk at our Ministry of Transport said, “No. The letter should have come a little earlier.” And I paid my \$1,700.

**Mr. Chairman:** Why was it \$1,700?

**Rev. Beckles:** She said the period of time that my licence was expired.

**Mr. Chairman:** Oh, basically a restart.

**Rev. Beckles:** Yes, and they charged me that, Sir. Secondly, with the ID card—secondly, of course, everyone knew I had help from my pastor, but it was temporal. Getting a job for me, I worked at a former university of this country. There are many universities. I worked at one before I was incarcerated, as a Clerk I. However, in the form before, I did not have a conviction so they gave me the opportunity—manners—to get the job. When I came back out, I, thinking I can go back and sweet-talk my way to get back a job at that establishment, I was blatantly told silently on the side, “Doh even try tuh apply again because now that you have a record.”

Let us move away from the establishment of the big university, I wanted to get back a job. I went several other places to get a job. They started off nicely when they gave me the job. Some of them “doh” have the paperwork with “conviction” on the end, so you get the job, for a good smile, your little education. Then when they found out, somebody—and I have other case studies of women I could bring here, who were working places and somebody came and say, “Ay ay, yuh come outta jail?” Real talk. And then you hear them in the next sentence—and something similar happened to me but not in a bad way. The persons gently said, “Well, the contract is over”, in a small way. Right? So I was then ridiculed somewhat in a—or marginalized, to use the big word—very high-fashioned way. They did not do it in a raw way.

Thirdly, I spoke about—I got a job then with Vision on Mission. I went there because I remember their programme, among Ms. Kelly and others. But they were the ones at the time. I did not want housing because I was at my pastor’s room. But they gave me a job. All right? And that was one of the establishments that gave me a job because they knew my story. There were no prejudices, but I have faced prejudices in very subtle ways because of where I was. They did not

see where I was trying to go and where I was.

Another recommendation I made—and something I want to touch on before I move on. In my tenure of 2010, the 6<sup>th</sup> of December, charged by the High Court of Trinidad and Tobago till the 29<sup>th</sup> of March—I got seven days release early for good behaviour. My tenure I did not get—I was a Joseph in prison. I was loved; I was respected because I did not go in there like they owe me something. Everybody's walk is different. Right? Ms. Kelly knows me very well from in there, being in all the programmes. I took what little and made much of it, because I always think rehabilitation is a personal thing. It is a personal thing. I can speak from experience. There are remanded clients—in my tenure, I can speak from 2010 to 2016—that went to school, participated in programmes, especially the ones that were there for capital offences. They taught me. It was a client on an AT that taught me maths. She then did maths and got her distinction in there. She is coming out in January. There were other ATs, and AAs. I was an AA and went to school in there, and received four CXC subjects; finished the rest when I got convicted.

**Mrs. Newallo-Hosein:** What is an AA?

**Rev. Beckles:** Awaiting Appeal. Right? So I waited a year and a month before I got the dress, which we call convicted. So I can speak for women's prison. In my tenure, there are remanded that go to school, but mostly those who are on capital offence, ATs waiting trial, which we see the reason why—long stays—Right?—and AAs, awaiting appeal. So I want to correct that. For women's prison, women go to school.

**Mr. Chairman:** Member West.

**Ms. West:** Thank you, Chair. Ms. Beckles, you indicated that you were assisted when you came out by Vision on Mission?

**Rev. Beckles:** Yes.

**Ms. West:** And that is the role that we understand in the public, generally, that they perform. But, Mr. Manickchand on the other hand, in your submission, did not suggest that you got the kind of support that you thought you should have got. So can you comment on your experience versus what we heard from Ms. Beckles, please?

**Mr. Manickchand:** Okay. The support that I got, I did not have any living family residing, but I had friends who basically were the cushion that provided basically acclimatization for a six months. My mother, as I said, passed away, so I had premises to go to, but it was basically abandoned and needed some remedial work with utilities, et cetera. And during that six months

my friends basically assisted me in giving me a little shelter, clothes and showing me how things were about, assisting me. Because I agree with Ms. Beckles, with the ID card, driver's permit, if you have no documentation and you have to start over from scratch, now, these are things which I think could be done before you leave prison, eh. It is not rocket science. Right? So when you come outside—so you are basically—I could not do anything. I could not open up a bank account or anything at that point in time, and when I got on to my feet, the first thing I would have done was, I went to educate myself by getting a degree. Right? Again, it was quite hard because I am shy and when somebody says “Wi-Fi”, I was like, “Wha is that?” Right?

**Mr. Chairman:** You mean you used to be shy.

**Mr. Manickchand:** I was locked away when it had infrared. Right? But, again, from adversity, build strength, that I was the class valedictorian in my year—Right?—that after the first year of being quiet everybody used to come and ask me the questions, because I worked for it harder.

**Ms. West:** Just a quick intervention, Mr. Manickchand. Did you have an experience with Vision on Mission and what was it? I am trying to get the sense of what you—

**Mr. Manickchand:** My experience with Vision on Mission, I called them regarding employment, so I told them I would email my résumé. So apparently that was the first thing. They say, “Nobody does really email résumé, but go ahead.” And when I sent—I have diplomas and so forth, they were like, “Okay. We doh really have work in line for you and more of our work is towards the northern area.” So I asked them if anything could be—is there anything in the south? Now this is after I tried on my own, eh. I am still, up to this day—I am a degree holder, went for a work in JTA to pack shelves and was refused. Peak time in Courts, they called me and as soon as I say I have a conviction, “We will call yuh back. If we doh call yuh back, doh bodder tuh call.” Right?

I have lowered my standards. That is not a problem for me. Right? Because money at the end of the day bills when they come do not ask you where the money come from. You have to pay your bills. And I have tried. Not to say, Vision on Mission—I tried with them. It did not help. But at the end of the day I still go about trying for myself, and to be quite honest, if I had shut my mouth and did not say I have a conviction, I “woulda” be employed today. Honesty really does not work here.

**Mr. Chairman:** Thank you, Mr. Manickchand. Unfortunately, we are into the final 10 minutes of the interface and we apologize because it is a large group because of the postponement of last week's interface. So we thank you for coming. I am going to start to ask persons to provide their



wrap-up in hopefully a minute, starting with Mr. St. Clair. We apologize again, but it is just the time we have.

**Mr. St. Clair:** Mr. Chairman, I wish this—sessions like these, I have been waiting for this for the last 28 years and this, we just barely scratched the surface here.

**Mr. Chairman:** And everyone can supply comments and documents—

**Mr. St. Clair:** The problem is if anything is going to come out of this, first of all, because we have so many areas that we were yet to speak about, like the rehab situation and magistrates' understanding people with drug problems who are predisposed and, you know, people are not criminals coming before them. Half of the remand can be emptied if magistrates understand this. But there must be a connectivity with the Judiciary and the penalty advocated for drug treatment courts, the magistrates not using them. We advocated for rehab facility in the prison. They shut it down.

So from government to government, things change. Nothing is carved in stone. We need to have things carved in stone, so when a government changes, they cannot touch a rehab facility in the prison because it is mandatory, and that is our problem. We continue to run around in a circle and, unfortunately, we are going to be here next year again if we continue the way we are going. So I just want to thank you for the opportunity, little as it was. The anxiety was more than the contribution, I could tell you. But I am really hoping that this can continue because society needs to hear where we are falling short. And finally, if leaders of the pack—and when I say leaders of the pack, I mean both Government and Opposition, can stand on platforms and preach to the population that we must now take a corrective approach instead of retributive to people coming out of prison, I think it has to start from there. When the leader of the flock says, “Let us go left”, everybody will follow. But if they “doh” do that and we continue to hear terms like, “Well, jail eh make tuh ripe fig”, we continue to speak like that, I think society will continue to see us like that.

**Mr. Chairman:** Thank you. And you can supply some of your suggestions and recommendations which we will factor into our recommendations and we will have follow-ups to see how many of the recommendations are actually adopted, because it is part of our protocol. Mr. Richards?

**Mr. Richards:** When you look at reintegration, it is evident that society plays a big part in effective rehabilitation, and coming out of this meeting you could clearly summarize that society is a bit apprehensive as regards to facilitating the proper reintegration of inmates back into society.

I would like that the Government play a key role in sort of motivating people to assist in

that regard. And I am looking at the area of employability. We, as a country, as a Government, people benefit when—businesses benefit when they display good corporate social responsibilities. When businesses give donations for sports or they sponsor events, and so on, they get some relaxation back in taxes and different benefits for that.

Maybe the time has come to create additional incentives for persons who may employ ex-inmates who keep them within the employment, and so on.

**11.55 a.m.**

There must be some incentives so that people would believe well, look, listen, the Government has our backs so we will open up ourselves to facilitating opportunities and so on. The other thing is we need proper legislative support. We need definitives in terms of policies that will develop practices that are facilitating to that process as well. So it cannot be vaille-que-vaille that you go to this employer, and you get a different response to the other employer, and there is a lot of inconsistencies and so on, if you have a political friend where then an opportunity might open up and so on. We need to be very consistent as in regard to—and a good way to usher in some sort of consistency is through laws, policies, and practices that are standard and everyone will have to conform with that. So in terms of that, we really have to pursue those objectives.

Now, one of the things that I would like to see happen also, because when you go to the security industry—

**Mr. Chairman:** Thirty seconds, please

**Mr. Richards:**—you see a lot of inmates end up in the security industry, because those industries virtually take people without records, and without looking at records, and so on, and then they are exploited. So I want the Government and society to know that if we want to facilitate proper reintegration, proper reintegration cannot be treated with through exploitation. I have gotten a lot of ex-inmates who said that they are being exploited in the security industry, having to work 14 hours without proper terms and conditions, and so on, because the managers know that they cannot get another job anywhere else and they are now conditioned to this kind of scenario. So we will want policies, practices, and insensitives that will assist society to conform to those types of objectives.

**Mr. Chairman:** Thank you. Pastor Kelly, on behalf of your organization.

**Pastor Kelly:** On behalf of the organization, Mr. Chair, and members, I would really like to see—I do not want anything from the State. God is taking care of me and the organization. All I would

love to have is after we take care of them, and they are ready to get a job, is that the State provides somewhere for me to send them because what happened is that I will keep them for two years, sometimes even more, because they are not getting employment just as they were saying. So I am, as a church, even the members of the church, people assist us by giving us free will offering to take care of it, but if we can just get someone to take them up—and please, the church can see the difference when God can change people. God can change people. I am looking at Trinidad and Tobago and all I am encouraging, even today, is that other churches get involved and assist for this to become a reality.

I am looking forward for change, but please, when we work hard with them, could you all please assist us to take them and give them a job so that they would not go back into what they have been into. I have one more point. What is happening, there are some people who would not be able to come to places like the place that we have but they have their families, and you know what we catch ourselves doing, we have to give them finances so that they would not go back in crime. Some sleeping on mattresses on the ground with family and they cannot afford it. So I am just appealing, please help us by putting something in place to assist them that when they come out of centres like ours they can have somewhere to go, and a stipend until they catch themselves. Thank you.

**Mr. Chairman:** Thank you so much, Pastor Kelly. On behalf of New Hope Prison Ministry, Mr. Barker.

**Mr. Barker:** Yes, I have two requests right now and I will—

**Mr. Chairman:** Could you turn on your mike, please?

**Mr. Barker:** I am making my thing. Right now, I am fixing the computer place. When those fellas come out of prison they would get their computer from Mr. Clyde Haynes. Right now, I want some cement. When I am going up to buy and put down the tile and everything. Right now, I do not want to write to the Government for anything. So all who have a little money, if they could put together and give it to me, I could buy my cement, right now, and no other thing. I am not making any request; no other how. And let us love one another and forget all the things because we were born sinful and we are supposed to help one another. That is my request. So if you all could put a little something for me so that I could get 10 bags of cement, I am glad to get it, and then I will know you all are starting to work. So if you could use your office right here and say, “You all put something and give it to him”, I will buy my cement when I am going up. And you

could send inmates when they come out of jail, let them use the computer class with Mr. Clyde Haynes. What do you say? Say Amen one time.

**Mr. Chairman:** Amen.

**Mr. Barker:** Thank you. So I will get something.

**Mr. Chairman:** Thank you. Ms. Beckles. Rev. Beckles, sorry.

**Rev. Beckles:** Thank you again. I would like to thank the Chair and the Committee for having me here. It is a really awesome feeling, a bit nervous, but I just want to say I want to see more done for female clients. Female clients are being taken advantage of in many different ways, and I sit here for a female client and I want things to be put in place for females. You know the men can go out there and do a security job, the men can get a—filling a van, but for women it is very hard and we are taken advantage of in different areas. There are so many things I as a women has faced especially when they know who I was affiliated to, why I went to prison, and now I am out, but it is too much to mention now. I want to see more done for women—housing—especially women with children because when homes will take women we have children. That was one of my issues. So I want to see more done for women especially with jobs, housing, records being cleaned because we are getting opportunities.

Women get opportunities sometimes faster than men, but at the end of the day people are securing their business. “Oh, she was in jail for drugs. Wow!” Last but not least, I just want to say this. You know, I am not all into researches, but I looked up some of the sections and I believe section 34 would have benefited in some of these issues because a lot of it we are speaking here directs to that. My friend here, my colleague, Dane, he is more into the research, but I just want to see more done for women because, again, women are being exploited out here by some of the big hierarchies because your pretty face could take you as far, but when they find out, oh, they start to manipulate and talk a talk, and not all women are like me to try to stand on your two feet as my mentor, Ms. Kelly says, with God. Thank you.

**Mr. Chairman:** Mr. Manickchand.

**Mr. Manickchand:** Yes, what I would like to see is that—again, as I agree with many of the comments have been made before me, I would like to see policies and legislation regarding employment of individuals who have convictions put in place with the public service so they do not make ad hoc decisions. They have some guidelines. HR individuals within the public sector especially, do not know what to do. I would also like when laws are put in place, such as the

Public Procurement and Disposal of Property Act, you all pay attention to the fine details. For example, that Act has a clause that if a person has a conviction and is a director of a company, no services or goods could be provided from government agencies. God forbid if Mr. Chance does not have a pardon, it is actually—when the Act is proclaimed—possible that he would not be able to get subventions due to this simple clause that has no guidelines, eh. I have actually spoken to the chairman about it and he and all agreed. They have written to the Attorney General on recommendations because there are no guidelines on it, and there are other laws also that have these things in effect. So this kind of gives the idea that, okay, you have a conviction, government agencies cannot deal with you, so how is John Public supposed to hire us? Thank you very much.

**Mr. Chairman:** I would like to thank you all for your appearance here today and your significant contributions, and remind you that if there is anything that you were not able to divulge or discuss today, please feel free to submit it through the Secretariat in writing and we will certainly factor it into our considerations for our final recommendations, and our follow-up in terms of monitoring if the recommendations were actually implemented and how they were implemented with a view to achieving our Committee's objectives.

We would also like to thank all members of the media, observers in the public gallery, and the viewing and listening audience, and just before we adjourn, announcement on the Committee's reports. The public is advised that the following reports of the Committee were recently presented in Parliament and they are now available for reviewing on the Parliament's website, [tparliamnt.org](http://tparliamnt.org), which are the Eleventh Report of the Committee on a Follow-up Inquiry into the Effectiveness of the State's Interventions Directed at Socially Displaced Persons, and also the Twelfth Report of the Committee on an Examination of the Current Level of Childhood Obesity and the State's Interventions to Promote a Healthy Lifestyle among Children.

At this time, we would like to bring today's proceedings to an end. Thank you very much for viewing and listening, and for being here.

**12.04 p.m.:** *Meeting adjourned.*

## Appendix VI

### Responsibilities of Clinical Psychologists, Forensic Psychologists and Mental Health Team

Inmates of the TTPrS. Additionally, they are tasked with the planning, organizing and directing the work of the psychology department and the supervision of Practicum Students/Interns and/or Research Students. The responsibilities for officers and inmates are outlined in the table below.

Responsibilities to Officers (Clinical Psychologists)	Responsibilities to Inmates (Clinical Psychologists)
<ul style="list-style-type: none"> <li>❖ To ensure annually a minimum of four (4) mental health programmes for Officers;</li> <li>❖ To conduct or ensure the conduction in-service workshops on a variety of mental health topics;</li> <li>❖ To assist in the training and development of new recruits;</li> <li>❖ To develop therapeutic programmes for training and staff development;</li> <li>❖ To utilize psychological treatment methods such as cognitive behavioural, reality therapy and family systems therapy to alleviate behavioural and other problems in the area of education, vocation, family relations, and/or individual functioning;</li> <li>❖ To maintain documentation and written reports;</li> </ul>	<ul style="list-style-type: none"> <li>❖ To evaluate, diagnose and ensure the treatment of psychological disorders of all inmates;</li> <li>❖ To conduct intake assessments;</li> <li>❖ To provide quarterly visits to each station;</li> <li>❖ To provide diagnostic assessments and psychotherapeutic services to Inmates;</li> <li>❖ To provide individual, family and family counselling as appropriate to Inmates;</li> <li>❖ To provide crisis Intervention;</li> <li>❖ To ensure annually a minimum of two (2) mental health programmes are implemented for inmates;</li> <li>❖ To collect data about individuals through the use of interviews, case history and observational techniques;</li> </ul>

<b>Responsibilities to Officers (Clinical Psychologists)</b>	<b>Responsibilities to Inmates (Clinical Psychologists)</b>
<ul style="list-style-type: none"> <li>❖ To facilitate groups in various topics;</li> <li>❖ And any other assigned by the Commissioner of Prisons.</li> </ul>	<ul style="list-style-type: none"> <li>❖ To utilize psychological treatment methods such as cognitive behavioural, reality therapy and family services therapy to alleviate behavioural and other problems in the area of education, vocation, family relations and/or individual functioning;</li> <li>❖ To attend and participate in Committee and other staff meetings;</li> <li>❖ To maintain open lines of communication via walk-ins, phone calls. E-mails etc.</li> <li>❖ To maintain documentation and written reports;</li> <li>❖ To prepare reports on inmates' functioning for court purposes;</li> <li>❖ To access and prepare reports on inmates' risk of re-offending, suicide, self-injury or other high-risk behavior;</li> <li>❖ To undertake research projects to evaluate the contribution of specific service elements;</li> <li>❖ And any other duties assigned by the Commissioner of Prisons</li> </ul>

## **Forensic Psychologists**

Responsibilities of the Forensic Psychologists are outlined in the table below.

<b>Responsibilities to Officers (Forensic Psychologists)</b>	<b>Responsibilities to Inmates (Forensic Psychologists)</b>	<b>General Responsibilities (Forensic Psychologists)</b>
<ul style="list-style-type: none"> <li>❖ Administration of Psychometric Tests to prisons Officers;</li> </ul>	<ul style="list-style-type: none"> <li>❖ Counselling of Inmates;</li> <li>❖ Psychological Risk Assessment of Inmates</li> <li>❖ Psychological Evaluation and Assessment of Inmates</li> <li>❖ Administration of Pre-Selection Evaluations to help determine suitability for employment;</li> </ul>	<ul style="list-style-type: none"> <li>❖ Development, Implementation and Evaluation of Mental Health programme;</li> <li>❖ Crisis Intervention;</li> <li>❖ Participation in programme and Workshops as the need arises;</li> <li>❖ Any other Psychological Services that may arise</li> </ul>

## **The Mental Health Team (Trained Prison Officers)**

The Mental Health Team is a team of Prison Officers who were trained to be Mental Health First responders by the British High Commission in 2018. As of January 2020, this team of officers have joined the Psychology Department in order to form the Mental Health Unit. There are a number of planned in-service workshops and training to strengthen their Basic Training and enhance their ability to meet their objectives as stated hereunder:

- ❖ To enable staff and clients the opportunity to cope with stress and be free from enmity;
- ❖ To train staff and clients to identify their mental health issues as well as those within their colleagues;
- ❖ To expose the effects of substance abuse on the mental well-being of clients and staff;
- ❖ To introduce alternative methods of stress relief within the Prison Service to all clients;
- ❖ To broaden the scope of programmes offered to our clients with a view to promoting their mental well-being;



- ❖ To enlighten staff at parades as well as conduct workshops on positive well-being with a view towards changing the attitudes and thoughts towards persons with mental health issues;
- ❖ To produce and share relevant data via the internet, newsletters, brochures, poster, handouts, etc.;
- ❖ To produce and complete client assessment tools which detect poor levels of well-being (at Reception or at Board);
- ❖ To occasionally conduct health workshops for employees;
- ❖ To facilitate caravan visits to station accompanied by the psychologist and psychiatrist with a view towards promoting mental health;
- ❖ To partner with Prison Service Outreach Program;
- ❖ To provide hotline counselling, advice and support for those affected; and
- ❖ To touch and save lives

## Appendix VII: Participation in Prison Based Programmes 2017-2019

A breakdown of involvement in Programmes by Convicted Inmates for the period 2017 to 2019 at Port of Spain Prison (P.O.S.P.), Carrera Convict Prison (C.C.P.), Golden Grove Prison (G.G.P.), Maximum Security Prison (M.S.P.), Eastern Correctional Rehabilitation Centre (E.C.R.C.), Women’s Prison (W.P.) and Tobago Prison (T.P) is outlined in the table below. Participation rates above 20% have been highlighted in yellow.

Programme	Year	P.O.S.P.	C.C.P.	G.G.P.	M.S.P.	E.C.R.C.	W.P.	T.P.
<b>Academic Education</b>	<b>2017</b>	2 inmates out of a total population of 230 (0.87%)	27 inmates out of a total population of 324 (8.33%)	7 inmates out of a total population of 279 (2.51%)	87 inmates out of a total population of 444 (19.59%)	5 inmates out of a total population of 139 (3.60%)	7 inmates out of a total population of 115 (6.09%)	7 inmates out of a total population of 57 (12.28%)
	<b>2018</b>	2 inmates out of a total population of 200 (1%)	30 inmates out of a total population of 370 (8.11%)	5 inmates out of a total population of 244 (2.05%)	92 inmates out of a total population of 496 (18.55%)	7 inmates out of a total population of 142 (4.93%)	12 inmates out of a total population of 148 (8.11%)	11 inmates out of a total population of 64 (17.19%)
	<b>2019</b>	2 inmates out of a total population of 235 (0.85%)	35 inmates out of a total population of 330 (10.61%)	5 inmates out of a total population of 345 (1.45%)	89 inmates out of a total population of 553 (16.09%)	5 inmates out of a total population of 189 (2.65%)	10 inmates out of a total population of 146 (6.85%)	12 inmates out of a total population of 52 (23.08%)
<b>Vocational Education</b>	<b>2017</b>	<i>Vocational education was not offered at this prison establishment during this period</i>	9 inmates out of a total population of 324 (2.78%)	60 inmates out of a total population of 279 (21.51%)	57 inmates out of a total population of 444 (12.84%)	<i>Vocational education was not offered at this prison establishment during this period</i>	4 inmates out of a total population of 115 (3.48%)	5 inmates out of a total population of 57 (8.77%)
	<b>2018</b>	<i>Vocational education was not offered at this prison establishment during this period</i>	7 inmates out of a total population of 370 (1.89%)	60 inmates out of a total population of 244 (24.59%)	30 inmates out of a total population of 496 (6.05%)	<i>Vocational education was not offered at this prison establishment during this period</i>	12 inmates out of a total population of 148 (8.11%)	8 inmates out of a total population of 64 (12.50%)

	<b>2019</b>	10 inmates out of a total population of 235 (4.26%)	7 inmates out of a total population of 330 (2.12%)	60 inmates out of a total population of 345 (17.39%)	30 inmates out of a total population of 553 (5.42%)	<i>Vocational education was not offered at this prison establishment during this period</i>	10 inmates out of a total population of 146 (6.85%)	9 inmates out of a total population of 52 (17.31%)
<b>Religious Interventions</b>	<b>2017</b>	65 inmates out of a total population of 230 (28.26%)	85 inmates out of a total population of 324 (26.23%)	7 inmates out of a total population of 279 (2.51%)	99 inmates out of a total population of 444 (22.30%)	71 inmates out of a total population of 139 (51.10%)	21 inmates out of a total population of 115 (18.26%)	10 inmates out of a total population of 57 (17.54%)
	<b>2018</b>	90 inmates out of a total population of 200 (45%)	70 inmates out of a total population of 370 (18.92%)	5 inmates out of a total population of 244 (2.05%)	82 inmates out of a total population of 496 (16.53%)	40 inmates out of a total population of 142 (28.17%)	25 inmates out of a total population of 148 (16.89%)	11 inmates out of a total population of 64 (17.19%)
	<b>2019</b>	86 inmates out of a total population of 235 (36.60%)	91 inmates out of a total population of 330 (27.58%)	10 inmates out of a total population of 345 (2.90%)	79 inmates out of a total population of 553 (14.29%)	92 inmates out of a total population of 189 (48.68%)	27 inmates out of a total population of 146 (18.49%)	9 inmates out of a total population of 52 (17.31%)
<b>Life Skills Development</b>	<b>2017</b>	4 inmates out of a total population of 230 (1.74%)	33 inmates out of a total population of 324 (10.19%)	60 inmates out of a total population of 279 (21.51%)	130 inmates out of a total population of 444 (29.28%)	24 inmates out of a total population of 139 (17.27%)	12 inmates out of a total population of 115 (10.43%)	5 inmates out of a total population of 57 (8.77%)
	<b>2018</b>	10 inmates out of a total population of 200 (5%)	27 inmates out of a total population of 370 (7.30%)	60 inmates out of a total population of 244 (24.59%)	77 inmates out of a total population of 496 (15.52%)	28 inmates out of a total population of 142 (19.72%)	8 inmates out of a total population of 148 (5.41%)	7 inmates out of a total population of 64 (10.94%)
	<b>2019</b>	11 inmates out of a total population of 235 (4.68%)	21 inmates out of a total population of 330 (6.36%)	60 inmates out of a total population of 345 (17.39%)	75 inmates out of a total population of 553 (13.56%)	91 inmates out of a total population of 189 (48.15%)	10 inmates out of a total population of 146 (6.85%)	5 inmates out of a total population of 52 (9.62%)

<b>Sporting Activities</b>	<b>2017</b>	<i>Data was not available</i>	46 inmates out of a total population of 324 (14.20%)	23 inmates out of a total population of 279 (8.24%)	38 inmates out of a total population of 444 (8.56%)	18 inmates out of a total population of 139 (12.95%)	37 inmates out of a total population of 115 (32.17%)	10 inmates out of a total population of 57 (17.54%)
	<b>2018</b>	10 inmates out of a total population of 200 (5%)	70 inmates out of a total population of 370 (18.92%)	19 inmates out of a total population of 244 (7.79%)	120 inmates out of a total population of 496 (24.19%)	36 inmates out of a total population of 142 (25.35%)	40 inmates out of a total population of 148 (27.03%)	9 inmates out of a total population of 64 (14.06%)
	<b>2019</b>	24 inmates out of a total population of 235 (10.21%)	60 inmates out of a total population of 330 (18.18%)	22 inmates out of a total population of 345 (6.38%)	<i>Data was not available</i>	52 inmates out of a total population of 189 (27.51%)	44 inmates out of a total population of 146 (30.14%)	7 inmates out of a total population of 52 (13.46%)
<b>Music, Culture &amp; the Arts</b>	<b>2017</b>	5 inmates out of a total population of 230 (2.17%)	36 inmates out of a total population of 324 (11.11%)	11 inmates out of a total population of 279 (3.94%)	30 inmates out of a total population of 444 (6.76%)	21 inmates out of a total population of 139 (15.11%)	21 inmates out of a total population of 115 (18.26)	7 inmates out of a total population of 57 (12.28%)
	<b>2018</b>	5 inmates out of a total population of 200 (2.50%)	55 inmates out of a total population of 370 (14.86%)	9 inmates out of a total population of 244 (3.69%)	51 inmates out of a total population of 496 (10.28%)	23 inmates out of a total population of 142 (16.20%)	24 inmates out of a total population of 148 (16.22%)	4 inmates out of a total population of 64 (6.25%)
	<b>2019</b>	5 inmates out of a total population of 235 (2.13%)	37 inmates out of a total population of 330 (11.21%)	12 inmates out of a total population of 345 (3.48%)	55 inmates out of a total population of 553 (9.95%)	17 inmates out of a total population of 189 (8.99%)	35 inmates out of a total population of 146 (23.97%)	5 inmates out of a total population of 52 (9.62%)
<b>Agriculture</b>	<b>2017</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	17 inmates out of a total population of	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>

				279 (6.09%)				
	<b>2018</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	30 inmates out of a total population of 244 (12.30%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
	<b>2019</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	21 inmates out of a total population of 345 (6.09%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
<b>Live Stock Rearing</b>	<b>2017</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	27 inmates out of a total population of 279 (9.68%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
	<b>2018</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	25 inmates out of a total population of 244 (10.25%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
	<b>2019</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	25 inmates out of a total population of 345 (7.25%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
<b>Inmate Radio Station</b>	<b>2017</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	5 inmates out of a total population of 444 (1.13%)	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>
	<b>2018</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	6 inmates out of a total population of 496 (1.21%)	<i>Inmates from this prison establishment were not part of the programme</i>	2 inmates out of a total population of 148 (1.35%)	<i>Inmates from this prison establishment were not part of the programme</i>

	<b>2019</b>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	<i>Inmates from this prison establishment were not part of the programme</i>	10 inmates out of a total population of 553 (1.81%)	<i>Inmates from this prison establishment were not part of the programme</i>	2 inmates out of a total population of 146 (1.37%)	<i>Inmates from this prison establishment were not part of the programme</i>
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## Appendix VIII: Correspondence from the Ministry of Labour



**Ministry of Labour**  
**Levels 5 & 6, Tower C, International Waterfront Centre,**  
**#1A Wrightson Road, Port of Spain, Trinidad and Tobago**  
**Telephone No: (868) 65-8478**  
**Email: labour-communications@gov.tt Website: labour.gov.tt**

*L: 13/8/99 Vol. I Sub II.*

November 13, 2020

Ms Jacqui Sampson-Meiguel  
Clerk of the House  
Office of the Parliament  
Parliamentary Complex  
Cabildo Building  
St. Vincent Street  
**Port of Spain**

Dear Ms. Sampson-Meiguel

**Re: Fourteenth Report of the Joint Select Committee on Social Services and Public Administration on an inquiry into the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago**

Reference is made to the subject.

The Fourteenth Report of the Joint Select Committee on Social Services and Public Administration on an inquiry into the challenges of prisoner re-entry into society and prisoner reintegration services in Trinidad and Tobago identifies on page 13, item xxxiii that,

*“The Court found a lack of a written policy by the former Ministry of Labour and Small Enterprise Development (MOLSED) to treat with the hiring of persons with criminal records.”*

The report further stated, on page 75, item v that,

*“The Industrial Court ruled in favour of Mr. Manickchand’s case against the Ministry of Labour and Small Enterprise Development (MOLSED), which was based on the non-renewal of his contract (for the position of Litter Warden) on the grounds of a “policy” prohibiting the hiring of ex-prisoners.”*



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The Ministry of Labour hereby advises that the Industrial Court case mentioned above refers to **Trinidad and Tobago Trade Dispute No. 378 of 2017 in the Industrial Court between the National Union of Government and Federated Workers and the Ministry of Rural Development and Local Government and the Chief Personnel Officer**. The former Ministry of Labour and Small Enterprise Development was not a Party to this matter.

In this regard, the Ministry of Labour requests that the Report be corrected to reflect that the Ministry referenced in the report with respect to Trade Dispute No. 378 of 2017 is the Ministry of Rural Development and Local Government. A copy of the judgment is attached for your information.

Should you require any further information, please contact Ms. Natalie Willis, Permanent Secretary (Ag.), Ministry of Labour, at 625 8478 ext. 1539/1307 or via email at [natalie.willis@gov.tt](mailto:natalie.willis@gov.tt).

Yours faithfully

  
**Permanent Secretary (Ag.)**  
**Ministry of Labour**



**TRINIDAD AND TOBAGO**  
**TRADE DISPUTE NO. 378 of 2017**

**IN THE INDUSTRIAL COURT**

Between

**NATIONAL UNION OF GOVERNMENT AND  
FEDERATED WORKERS**

- Party No. 1

And

**MINISTRY OF RURAL DEVELOPMENT AND  
LOCAL GOVERNMENT**

- 1<sup>st</sup> Party No. 2

**AND**

**CHIEF PERSON OFFICER**

- 2<sup>nd</sup> Party No. 2

**CORAM:**

His Honour Mr. Herbert Soverall	- Vice President
His Honour Mr. Kyrii Jack	- Member
His Honour Mr. Azeem Mohammed	- Member

**APPEARANCES:**

Mr. C. St. Rose	)	
Deputy Director – Industrial Relations	)	-For Party No. 1
Ms Anthea Huggins	)	- For 1 <sup>st</sup> Party No. 2
Legal Officer II	)	
Ms Melissa Papoonsingh	)	
Attorney-at-Law	)	-For 2 <sup>nd</sup> Party No. 2

**DATED: 29<sup>th</sup> October, 2019**

## JUDGMENT

Delivered by His Honour Mr. Kyril Jack

This Trade Dispute, according to the Certificate of Unresolved Dispute concerns the unfair termination and refusal to employ twelve Litter Prevention Wardens from four Corporations, Dane Manickchand and eleven others (**hereinafter referred to as "the Workers"**) by the Ministry of Rural Development and Local Government (**hereinafter referred to as "the Ministry"**) and the Chief Personnel Officer (**hereinafter referred to as the CPO**) from February 28, 2016 and was referred to the Minister of Labour and Small Enterprise Development by the National Union and Government and Federated Workers (**hereinafter referred to as "the Union"**) on March 31, 2016 for conciliation. The unresolved dispute was subsequently referred to the Court for determination. At the commencement of the hearing of the matter the Union sought and was granted leave to withdraw eight disputes and continue pursuance of matters affecting Dane Manickchand, Soohann Mead Bruce, Annyha Joseph and Suzette Edwards.

### THE UNION'S CASE

A summary of the Union's case as gleaned from its evidence and arguments is as follows:-

The Union applied to the Registration Recognition and Certification Board for certification as the Recognised Majority Union (RMU) status on January 25, 2016 which followed the issuance of termination letters to the Workers by the Ministry

on January 20, 2016. In February 2016 an advertisement for Litter Prevention Wardens was placed in the daily newspapers by the Ministry of Rural Development and Local government. The Workers responded to the advertisement and was subsequently interviewed for the position. Sometime in June 2016 the Ministry began to call successful applicants. However, some were told they were unsuccessful and new employees were recruited. As a result of the Employer's decision four of the unsuccessful workers decided to challenge this decision namely Dane Manickchand, Soohann Mead Bruce, Annyha Joseph and Susette Edwards Lewis. Manickchand received commendation from the Senior Officers of the San Fernando City Corporation as recent as July 2018. The Union is relying on the witness statements of the Workers to support its case.

The Union is contending that the Employer's action does not represent good industrial relations practice and cited **Trade Dispute No. 216 of 2001 between Banking Insurance and General Workers Union and Royal Bank of Trinidad and Tobago** and **TD No. 364 of 2010 between Oilfields Workers Trade Union and The Chief Personnel Officer and the Ministry of Education** in support of its argument.

The Union contended the following:

The Workers' right to employment was infringed when their contracts were not renewed under the guise of restructuring. The Ministry failed to properly notify the Workers in advance and to give reasons for its decision.

The Ministry violated the principles of good industrial relations practice.

## THE MINISTRY'S CASE (1<sup>st</sup> Party No. 2)

The Ministry is a government Ministry which has oversight responsibility for the implementation of Government policy, in so far as it relates to the fourteen Municipal Corporations. The Ministry avers that by Cabinet Minute No.1093 of April 26, 2012 Cabinet agreed *inter alia* to the employment on contract of one hundred and forty seven (147) Litter Prevention Wardens for assignment to the various Municipal Corporations for a period of three years with effect from the date(s) of assignment on terms and conditions to be negotiated with the Chief Personnel Officer (CPO) and approved by the Ministry.

Consequent upon the grant of Cabinet's approval the Ministry commenced the recruitment process by advertising the position of Litter Prevention Warden and interviews for the said position were held during the period October 17, 2012 to October 25, 2012 and December 6 to 11, 2012. One hundred and forty-seven Litter Prevention Wardens were employed and assigned to various Corporations on three-year contracts with effect from January 20, 2013. The Ministry avers that the three year term of employment of Litter Prevention Wardens expired on or about January 28, 2016.

Prior to such expiration, by Cabinet Minute 1853 of July 30, 2015 Cabinet approved the Ministry's six-year contract employment staffing plan which included the employment of one hundred and forty-seven (147) Litter Prevention Wardens in keeping with Government's policy for the recruitment of contract personnel within the Ministries and Departments. The Ministry advertised the vacant position of Litter Prevention Wardens and interviews were held during the period May 2 to 16, 2016. Upon the conclusion of the recruitment process and in accordance with

Cabinet's directive, the Ministry employed one hundred and forty-seven (147) Litter Prevention Wardens for two years effective July 4, 2016. The Union's complaint of unfair termination and refusal to re-employ one hundred and one (101) Litter Prevention Wardens is hereby denied.

The Ministry has provided a breakdown of the candidates selected, pointing out that sixty two of the Litter Prevention Wardens on the Union's list who were previously employed during the period 2013 to 2016 were offered employment for the period 2016 to 2018. The breakdown shows that some workers declined the offer or did not attend the interviews while others were either unsuccessful or failed to provide a Certificate of good Character. Details of the outcome of the interviews and oral reasons were provided to the Union.

It is hereby submitted that the Ministry did not unfairly terminate and/or refuse to employ one hundred and one (101) Litter Prevention Wardens as claimed by the Union.

#### THE CASE FOR THE CPO

We shall not repeat here what is already stated by the Ministry on the Employer's behalf.

The Chief Personnel Officer (CPO) is deemed to be the Employer of any worker employed by the Municipal Councils by virtue of Section 2(5) of the Industrial Relations Act, Chapter 88:01.

The system of recruitment and retention of Litter Prevention Wardens by the various Municipal Corporations on their own volition began in or around 2005. To this end the employment of the Litter Prevention Wardens had originally been on short term contractual basis with terms and conditions of employment including remuneration being fixed by the respective Corporations. As such the remuneration of Litter Prevention Wardens varied from Corporation to Corporation and the engagement of such Litter Prevention Wardens was also not against job positions approved by Cabinet.

Cabinet sought to streamline and regularize the system of employment and recruitment of Litter prevention Wardens by Municipal Corporations. As such by Cabinet Minute No. 1093 of April 26, 2012, Cabinet agreed *inter alia*, to the employment on contract of one hundred and forty seven (147) Litter Prevention Wardens for a period of three years for assignment to the various Municipal Corporations with effect from their assumption of duty. By Cabinet Minute No. 946 of April 11, 2013 Cabinet agreed *inter alia*, that upon completion of the training of Wardens for deployment as contract officers to the Municipal Corporations the existing non-established short term positions of Litter Prevention Wardens become redundant, persons employed in such positions to be compensated in accordance with Retrenchment and Severance Benefits Act.

The CPO submits that no Litter Prevention Wardens were terminated as alleged. The CPO will contend that all Wardens in issue contracts for the period 2013 to 2016 came to a natural end/expired by the effluxion of time. The position on the effluxion of time was demonstrated in the case of **Trade Dispute No. 44 of 2005**

**Government Industrial and General Workers Union v North West Regional Health Authority.**

The CPO seeks a declaration that the State has not violated the Industrial Relations Act, Chapter 88:01 and it maintained the principles of good industrial relations practice. In the circumstance the CPO prays that the Court dismiss this dispute on the ground that the Union has not made a claim for termination and as a result the Union's claim is devoid of merit.

**OTHER DISPUTES**

During the course of the trial the Union sought and was granted leave to withdraw the case for Sookhann Mead Bruce and Suzette Edwards and the disputes on these two workers were dismissed.

**THE EVIDENCE**

Two witnesses testified for the Union, Dane Manickchand and Annyha Joseph. While the Ministry provided one witness in the person of Charmaine Dookie, Director of Human Resource. No witness was provided by the CPO. Witness statements were provided by all the witnesses. Manickchand *viva voce* evidence was consistent with his witness statement. He was also very forthright in his responses during his evidence in chief and under cross examination. In response to a question from the Court whether he disclosed his previous conviction to the interview panel, he responded in the affirmative. He explained that he was asked



by a member of the panel for details of the crime and he unhesitatingly provided same.

Joseph's testimony under oath was very straightforward and she also never deviated from her witness statement in her responses to questions. She emphasized that she answered all questions that were asked at the interview and stated that she felt some of the questions were irrelevant to what was required of a Litter Prevention Warden.

Dookie's evidence under cross examination and her evidence in chief was in a large part consistent with the Ministry's case. She testified that she was involved in the interviews of the Litter Prevention Wardens and that the sole factor that was considered in the case of Manickchand was his previous conviction which was the reason for the Ministry's refusal to re-employ him. She said there was no written policy that she was aware of that restricted the employment of such persons.

## CLOSING SUBMISSIONS

### The Union

#### Dane Manickchand

The Union contended that the Employer's action does not represented good industrial relations practice.

From February 25, 2016 to April 2017 while being an ex-Litter Prevention Warden Manickchand attended court on 15 occasions and won two court matters. In February 2016 he responded to an advertisement and was called for an interview

for the position on May 5, 2016 during which he was asked to fill out a bio data form on which he disclosed his previous conviction. The Union contended that the advertisement did not indicate a clean certificate of character or certificate of good character was required. The worker received commendation dated July 20, 2018.

The Union contended further that the Ministry cannot have a policy that will affect certain members of society ie persons with conviction without supporting legalization or directive from Cabinet. The Litter Act itself does not include such a prerequisite for Litter Wardens. Adherence to the rules of natural justice as recognized by all civilized States is of supreme importance when a judicial body embarks on the determination of disputes. These rules are intended to prevent injustice. Principles of natural justice include rule against bias.

The witness for the Employer, Dookie in her evidence in chief stated that she was involved in the interviews and the sole factor considered for Manickchand's recruitment was his past conviction which the Union deems to be unfair. It averred that from correspond with the Minister it is evident that the Ministry does not have a policy in place regarding recruitment of individuals with criminal record. In the performance appraisal reports of Manickchand he was recommended for renewal of contract which gave him a reasonable expectation that his application for re-employment would be accepted.

The Union cited **ILO Convention No. 111 concerning Discrimination in respect of Employment and Occupation, 1958** in support of its aforementioned arguments.

Annya Joseph

Joseph's contract was not renewed under the guise of restructuring notwithstanding that each of her performance reports recommended renewal of contract. The Employer failed to properly notify the Worker in advance of the reasons for its decision and to give the Worker an opportunity to offer a plea in mitigation.

The Union contended that the inability to offer the Worker a new contract was not because of a reduction of work resulting in there being no need for the position because the undisputed evidence before this Court is that this position continue to exist. There was no fixed task specified, just the duties of Litter Prevention Warden which is consistent with a regular employment engagement.

The decision of the Employer not to reemploy the Worker is harsh and oppressive and contrary to good industrial relation practice. The Union is seeking an order from the Court that the Worker be paid damages for all loss of earnings from the date that the Litter Prevention Warden position was filled to present.

### The State

The joint closing submissions of the State (Ministry and the CPO) are in parts a repetition of information contained in its evidence and arguments. We shall offer a summary in the following manner as we proceed to elucidate these submissions.

The Employer proceeded to address the dispute in two parts;-

- (i) Unfair termination of Mr. Mannickchand and Ms. Joseph

(ii) Refusal to re-employ Mr. Mannickchand and Ms. Joseph

The State submits that the instant matter before the Honourable Court is a very simple one. As it relates to the first issue of the alleged '*unfair termination*' as claimed by the Union. It is submitted that the employment contract for the period 2013-2016 of both workers came to a natural end by the effluxion of time on the last day of their contract. Both Workers confirmed in cross examination that they were not terminated.

An abundance of relevant case law has been cited by the Employer to support its cas on this issue as well as the principle of fixed term contract, one such case is **Trade Dispute No. 95 of 2002 between Banking Insurance and General Workers Union and La Horquetta Regional Complex.**

With regard to the "*refusal to re-employ*" (*Contract period 2016-2018*)

With regard to this issue it is submitted that the case of the Union regarding Mannickchand and Joseph consists basically of two elements. To this end the Union asserts that :-

- (a) The State should never be allowed to have a criterion for hiring its own employees.
- (b) The State should never take into account an employee's previous conviction no matter how grave the offence no matter the duties attached to the position inclusive of whether it was a law enforcement position and no matter if it directly affects trust confidence and safety of the public. The Union is thus requesting the State to close its eyes and apply a blanket over the State's entire hiring process for potential employees even if the

potential employee possesses a serious criminal conviction as in the instant matter a criminal charge of false Imprisonment in 2002 with a sentence of twelve years (12) in prison with hard labour.

The law recognizes the state as an employer that has the right to make decisions on how to manage its business inclusive of hiring its employees. The State has at all times acted in a fair and transparent manner in developing an unbiased criterion for recruiting Litter Prevention Wardens, a process which Joseph underwent but was however, unsuccessful. However, in instances where the position is deemed to be one of law enforcement, is one which carries coercive powers, contains powers to detain and arrest without a warrant and one which directly impacts on the safety and protection of the public, a clean Certificate of Character is required. The position of Litter Prevention Warden is one of law enforcement which required such a certificate which the Worker could not produce.

The State asserts that the powers ascribed to litter Prevention Wardens under the Litter Act are similar to that of law enforcement officers in particular the police Service. This is evident by section 16A (6) (a)-(b) of the Litter Act which states:-

“The following persons shall by virtue of their office be deemed to be **litter prevention wardens** for the purpose of this Act:

- (a) Every member of the **Police Service** established by the **Police Service Act**, and every member of the **Special Reserve Police** established by the **Special Reserve Act** and every person to whom precept has been issued under the **Supplemental Police Act**.
- (b) Every member of a **Municipal Police Service** within the meaning of the **Municipal Corporation Act**.

In response to the Union's submissions, the State submits that the Union was not the Recognised Majority Union as intimated in its submissions since by its own admission it was at the time pursuing recognition status.

The State rejects the Union's submissions on its claim of unequal treatment and discrimination of Mannickchand by the Ministry and avers that there can be no issue of unequal treatment or discrimination because the Worker had no equals. The State has cited **The Port Authority of Trinidad and Tobago (Respondent) v Daban (Trinidad and Tobago) (Appellant)** delivered on May 20, 2019.

The State submits that at all times it upheld the principles of good industrial relations practice in relation to Mannickchand and Joseph.

The Ministry and the CPO is seeking:

A declaration from the Honourable Court that they have not violated the provisions of the Industrial Relations Act, Chapter 88:01 and have acted in accordance with the principles of good industrial relations practices.

An order from the Honourable Court that the claim by the Union is devoid of merit and that this trade dispute is dismissed.

### **ANALYSIS AND FINDINGS**

We noted that the Employer stated that the two workers were not employed due to:

- i. Mr. Manickchand - his conviction
- ii. Ms. Joseph - effluxion of time

In consequence these cases were not similar and different consideration had to be taken into account in the determination of each matter. This was evident from the submissions of the Parties; this will be much clearer later in this judgment.

The Court is called upon to determine whether Dane Manickchand and Annyha Joseph were unfairly terminated and in the case Manickchand refused re-employment as a Litter Prevention Warden.

**We begin by examining the case of Manickchand.**

This Worker was employed on a three year fixed term contract beginning on February 22, 2013 and ending on February 24, 2016. He claimed at the time the Litter Prevention Warden position was advertised there was no requirement for a certificate of good character. However, during the course of the interview in October 2012, he of his own volition disclosed to the interview panel that he had a criminal conviction. He was asked by a member of the interviewing panel, incidentally a woman police officer, for the details of the crime and he provided same indicating that he was convicted in 2000. This did not affect his success for employment as in December 2012 he was informed that he was successful and did obtain the job of Litter Prevention Warden. The evidence before us emanating from his two performance appraisals confirms that he was an excellent worker and was recommended for contract renewal/re-employment.

The Worker testified under oath that in August 2013 during his first contract he voluntarily informed his Head of Department, John Ramkhelwan of his past conviction. The Ministry therefore cannot deny that it had knowledge of the Worker's record and by its non-action, there was tacit approval of his employment notwithstanding. After the expiration of his contract the Worker responded to an

advertisement in the daily newspapers for Litter Prevention Wardens and was called for an interview during which he again disclosed to the interviewing panel that he had a criminal conviction. So that the Ministry is informed a second time of the Worker's conviction.

The Worker posits that he went before the interview panel that comprised Public Health Officer P.H.I III Andy Ragoobar, Public Health Officer Ian Grey and the Ministry's Human Resource Officer Ms. Dianne Lakhan. Ragoobar was his direct Supervisor for over one year during his contract for 2013-2016 while attached to the San Fernando City Corporation. Both Lakhan and Grey said they were well aware of the case that resulted in his conviction. These are agents of the Ministry acknowledging that they were indeed aware of the Worker's conviction and who did not seek to prevent or vet the Worker's employment in any way whatsoever,

It is therefore on the basis of the Ministry's conduct that the Worker formed a legitimate expectation that since the Ministry was aware of his conviction before and during his employment under the first contract and this did not adversely affect his employment, he would have been re-employed. Moreover, the Worker continued his employment after the expiration of his contract in order to complete his cases that were pending, being paid by the Ministry that now finds him unsuitable for employment. Dookie testified that the Worker's conviction was the main reason for the Employer's refusal to re-employ him.

The body of evidence provided by the Worker supports a display of unreasonableness by the Ministry in its treatment of the Worker when he applied for re-employment, the antithesis of the important industrial relations doctrine of reasonableness. The Worker displayed loyalty to his employer executing his job



responsibilities to its satisfaction. It is pellucid that the refusal to re-employ the Worker was premised on his conviction which was well known to the Ministry when he was employed on the first contract.

The Employer is contending in its closing submissions that the refusal of the re-employment of the Worker for the 2016 -2018 contract was premised on the existing legislation since the powers afforded Litter Prevention Wardens are similar to other law enforcement services which have been identified as :- Police Service Act, Special Reserve Police Act and the Supplemental Police Act, and every member of a Municipal Police Service within the meaning of the Municipal Corporations Act.

This submission raises the question of whether these pieces of legislation existed during the period of the Worker's employment under the 2013-2016 employment contract. And as we are sure they did, then why was this position not taken then. The employer posits that while the State as an employer has the right to make decisions on how to manage its business inclusive of hiring employees except Law Enforcement positions except Law Enforcement positions, it has at all times acted in a fair and transparent manner.

We are of the view that the Employer being fully aware of the Worker's past criminal record during his 2013 to 2016 employment contract and its failure to express any concern, disagreement or discomfort with his employment cannot now reasonably object or refuse the Worker's re-employment on that basis. To justify its position the employer now raises the point that since the position of Litter Prevention Warden is similar to law enforcement officers and similarly empowered, the aforementioned legislation restrict his employment.

The Employer is therefore estopped from advancing the Worker's criminal record as a reason for its refusal to re-employ him.

Reference is made to I.C.A. No. 8 of 1995 between **Bank Employees Union and Republic Bank Limited**. In this dispute the Company was estopped from seeking to implement its dress code policy directing the worker to cut his "ponytail" four years after he had been sporting the "ponytail" hair style.

In coming to its decision, the Court had this to say:- "On the basis of the evidence, we are satisfied that the wearing of a "ponytail" by this particular worker, Michael Escalante was condoned by the Bank for two and possibly four years and we therefore hold that the Bank has thereby estopped itself from requiring him to desist from maintaining that hair style."

**In Trade Dispute No. 1 of 1965 between Federated Workers Trade Union and the University of the West Indies and the Attorney General of Trinidad and Tobago (1965-1967)** the Court in examining the issue of estoppel, stated inter alia the following:-

**"the first of several requisites to found an estoppel is representation by words or conduct by one party with the intention that the other party should act on the faith of it . . . "**

There can be no doubt that this threshold was met by the Ministry's conduct when the Worker was employed on February 22, 2013 to February 29 2016 employment contract with the knowledge that the Worker had a conviction reflecting a three year condonation of the Worker's employment.

There is no issue of unfair termination as claimed by the Union since the Worker's employment contract was not terminated but ended with the effluxion of time. Although his contract did not contain a renewal clause we opine that with the removal of the obstacle of the Worker's conviction by the estoppel principle and considering the *viva voce* evidence of the Director of Human Resource Management who indicated in her evidence that the Worker's conviction was the determining factor in the Employer's refusal to employ him, he would have obtained re-employment. We are therefore of the view that an award of damages will meet the justice of the case.

We do not agree with the Union's arguments relative to the unequal treatment and the discrimination of the Worker for the reason that the Worker had no equal as argued by the Employer and therefore there can be no fair treatment of equals if there were no equals and thus there was no breach.

Contained in the joint response of the Employer (1<sup>st</sup> Party No2 and 2<sup>nd</sup> Party No 2) are an abundance of case law in support of its case as raised by the Union on behalf of both Joseph and Mannickchand which we will not reiterate here. On the other hand the employer has responded to the Union submissions and its citations as inapplicable to the instant matter since the issues identified were in fact different.

In the case of Mr Manickchand we find that:-

- a) He was interviewed for the post of Litter Warden in 2012 at which he informed the Interviewing Panel of his conviction and sentence'
- b) The certificate of character showed that he was sentenced to twelve years on 18<sup>th</sup> November, 2002;

- c) Notwithstanding, he was employed on a three year contract from 20<sup>th</sup> January, 2010 to 28<sup>th</sup> January, 2016;
- d) During his employment, he also informed his supervisors of his convictions and sentences, one of whom indicated that he was aware;
- e) He had an unblemished record of service with the Employer;
- f) His supervisor recommended in his performance appraisal dated 9<sup>th</sup> December, 2015 as follows:

“A critical asset to the team as well as the Public Health Dept. His knowledge of the Litter Act and Court procedures makes him an ideal candidate for consideration as team leader of Litter Prevention Unit when the contract is renewed.”
- g) In that same appraisal, the Head of Department also stated that “I am of the view that a new contract should be offered at end of the period.”
- h) He received commendation from external persons regarding his work and conduct, who in one instance, was the Magistrate in the San Fernando Court before whom he appeared;
- i) He was still appearing in the Court for work done as a Litter Warden after the expiration of his contract of employment; and
- j) The Ministry had no policy regarding the employment of persons with convictions.

**We turn now to the case for Joseph.**

Joseph's fixed term contract of employment had a commencement date of January 29, 2016 and an expiry date of January 28, 2016, the main feature of all fixed term contracts. Her contract therefore ended with the effluxion of time and thus she was

not unfairly terminated. By letter dated January 20, 2016 the Worker was notified of the date that her contract would have come to a natural end in accordance with its terms. The Worker's contract did not contain a clause for its renewal and thus there is no automatic renewal.

In response to an advertisement for Litter Prevention Wardens by the Ministry in the daily newspapers in February 2016 the Worker made an application for employment. Applicants were short listed and invited to attend interviews during the period May 2, 2016 to May 16, 2016. Applicants were required to fill out a Bio Data declaration Form and to present a Certificate of Good Character from the Trinidad and Tobago Police Service.

Applicants were ranked by an Order of Merit list of all persons interviewed for the position who attained a minimum average score of 50. This list comprised one hundred and seventy four (174) persons, the highest ranked person receiving a score of 92.33 and the lowest 50. The Worker was not successful as based on her individual performance at the interview she did not obtain the required minimum score of 50 to earn a place on the merit list. The Worker failed the job interview and cannot claim any right to be re-employed.

### **DECISION**

In our opinion an award of the payment of damages to the Worker Dane Manickchand will meet the justice of the case and in respect we order the Ministry of Rural Development and Local Government to pay to the Worker damages in the amount of fifty thousand dollars (\$50,000) on or before 25<sup>th</sup> November, 2019.

In the case of the Worker Annya Joseph we find no merit in the Union's claim for the reasons aforementioned and as such this case hereby dismissed.

**H.H. Mr. Herbert Soverall  
Vice President**

**H.H. Mr. Kyril Jack  
Member**

**H.H. Mr. Azeem Mohammed  
Member**