

**CAYMAN ISLANDS**  
**INDEPENDENT MONITORING BOARD**  
**(CIIMB)**  
**for Prisons and Places of Detention**

*“the eyes and ears of our community behind the closed doors of our  
prisons and places of detention”*

**Annual Report 2019**

## TABLE OF CONTENTS

### PART A-INTRODUCTORY SECTIONS

Section	Topic	Page
A1	Statement from the Chair	3-4
A2	The Role of the CIIMB	5-6
A3	Executive Summary	7-12
A4	Description of the Prison Facilities Monitored	13-15

### PART B- EVIDENCE SECTIONS

Section	Topic	Page
B1	Safety	16-18
B2	Respect	18-23
B3	Purposeful Activity	24-25
B4	Rehabilitation and Release Planning	26-29

### PART C- WORK OF THE BOARD

Section	Topic	Page
C1	Board Activities	30
C2	Applications from Prisoners	31
C3	Board Members	31

### PART D- APPENDIX I- Management Response to the Key Areas for Development

Section	Topic	Page
A	Main Areas For Development	32-35
B	Any Key Improvement Made In Relation To Other Issues Identified In The Annual Report	36-37

## A1-Statement from the Chairman

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From left to right: CIIMB Board Chair, Mr. Herbert Crawford; Governor, Mr. Martyn Roper; Deputy Chair, Ms. Dorothy Davis; and Deputy Governor, Mr. Franz Manderson.

I am very happy indeed that I was appointed a member of the newly formed Cayman Islands Independent Monitoring Board and to have been chosen as the Chair.

Looking back on the first year of the work of the CIIMB, I believe that the Board laid the foundation very well in terms of carrying out the mandate of being the “eyes and ears of our community behind the closed doors of our prisons and places of detention in the Cayman Islands.”

It is not always easy for a Board to function 100% effectively especially being a new Board performing many different functions. In this context, the training which members received as well as the support of the government, allowed the Board to do its work in an independent, professional and efficient manner.

I am proud to report on some of the achievements of the Board in our first year of monitoring. Members of the Board conducted over 369 Rota visits comprising of over 857.25 visiting hours, processed 79 applications from prisoners, produced interim notes, and attended monthly Board Meetings, as well as meetings with stakeholders and supported functions and graduations held at the Prisons.

The Board has much more work to do to ensure that the voices of prisoners are heard and that general conditions within the prisons are monitored closely. Of grave concern to the Board is the issue of mental health. There is about 10% of the prison population with mental health issues which have been diagnosed and others that have not been diagnosed formally. From observation and discussion with the prison staff, it is the Board’s impression that this causes problems for staff who have little or no training to handle such cases.

As independent monitors inside the Prisons and detention centres, we must constantly question ourselves and ask how much did we achieve for the year and did we do what we were tasked to do in monitoring fairness, equality, humaneness, respect and justice for those in custody.

On behalf of the Board, I would like to thank the government of the Cayman Islands through the Governor's and Deputy Governor's Office, the Secretariat, the Director of Prisons and his staff as well as the Prison Council for all the help and assistance they provided to the Board. Without the assistance and cooperation received the Board would not have been able to carry out its duty effectively.

Especially, the Board would like to make an acknowledgement to The Director of Prisons "Director" and all his staff for all the assistance they provided to The Board in their first year of operation in carrying out their duties.

The Board recognizes the tremendous challenges faced by the Director and his staff in operating facilities that are well outdated and the difficult circumstances and conditions, under which they have to work. It is the wish of the Board that before long a new facility will be in place to improve the quality of living and working conditions for everyone.

Respectfully,

A handwritten signature in black ink, appearing to read 'Herbert Crawford', written in a cursive style.

Herbert Crawford  
Chairman, Cayman Islands Independent Monitoring Board

## A2-The Role of the CIIMB

*“Human Rights” is a modern term but the principle that it invokes is as old as humanity. It is that certain rights and freedoms are fundamental to human existence. They are inherent entitlements that come to every person as a consequence of being human, and are founded on respect for the dignity and worth of each person. They are not privileges, nor gifts given at the whim of a ruler or government. Nor can they be taken away by any arbitrary power. They cannot be denied, nor can they be forfeited because an individual has committed any offence or broken any law. ... While facing situations of lawful limitations of freedoms an rights, prison officials are at the forefront of human rights protection on a daily basis, experiencing them and putting them into practice; respecting them and enforcing their respect.(UN:2005, Human Rights and Prisons-Manual on Human Rights Training for Prison Officials, p.4)*

Prisoners’ and detainees’ human rights are not lost because of their imprisonment or detention. The Cayman Islands Bill of Rights, in line with various international Human Rights instruments, requires all persons deprived of their liberty to be “treated with humanity and with respect for the inherent dignity of the human person”.

The Cayman Islands Independent Monitoring Board was operational in February, 2019. Its members are appointed by the Governor. The Office of the Deputy Governor provides Secretariat support and services to the CIIMB.

Its role is to monitor the conditions and treatment of those imprisoned, incarcerated or otherwise detained in custody in the Cayman Islands, to satisfy itself as to the humane and just treatment of those held in custody and the range and adequacy of the programmes and other arrangements preparing them for release.

The CIIMB members are not qualified professionals and they do not conduct formal, episodic inspections. Instead, they are volunteers who operate as the eyes and ears of the community behind the closed doors of our prisons and places of detention, monitoring and observing what goes on, on a day-to-day basis. The members provide commentaries on what they see in prisons based on their experience and the expectations of society outside the prison.

The CIIMB is broadly modelled after the UK Independent Monitoring Boards. It replaces and builds on the work of the previous Prison Inspection Board.

The Board is responsible for:

- Making regular monitoring visits to prisons and place of detention to observe first-hand, the treatment and condition of prisoners and detainees on an ongoing basis;
- Receiving and dealing with prisoners’ and detainees’ applications and requests confidentially, and referring issues to the appropriate individual or agency when specialist advice and support is required;

- Informing the Director of Prisons (or any other official to whom he/she has delegated authority) promptly of any concern it has;
- Reporting annually on the Board’s main findings and observations regarding the treatment and conditions of prisoners and detainees and any key areas for development, based on the monitoring activities carried out during the year.

To enable the Board to carry out these duties effectively, its members have right of access by policy and not yet by legislation, to every prisoner and in private where necessary; every part of the prison or place of detention and all of the establishment’s records (except for personal medical records).

The Chair and the Deputy Chair of the CIIMB will also have the opportunity to discuss emerging themes at meetings with officials who have a significant interest in the outcomes of the work of the CIIMB, and which includes the Director(s) and Ministry representatives of the establishment(s) being monitored, as well as representatives from the Office of the Governor and Deputy Governor. Beginning in 2021, it is expected that these meetings will be held quarterly.

The CIIMB’s monitoring and reporting is organised around the World Health Organisation’s (WHO) four key tests of a healthy custodial environment:

- **Safety**  
*Prisoners, even the most vulnerable, are held safely.*
- **Respect**  
*Prisoners are treated with respect for their human dignity.*
- **Purposeful activity**  
*Prisoners are able, and expected, to engage in activity that is likely to benefit them.*
- **Rehabilitation and Release Planning**  
*Prisoners are prepared for release into the community, and helped to reduce the likelihood of re-offending.*

For more information about the CIIMB, please visit [www.odg.gov.ky](http://www.odg.gov.ky) or email [CIIMB@gov.ky](mailto:CIIMB@gov.ky).

## A3-Executive Summary

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### INTRODUCTION

CIIMB members made 369 visits for a total of 857.25 monitoring hours from February to December 2019, to HMP Northward, HMP Fairbanks and the Enhanced Rehabilitation Unit (ERU) for male prisoners.

### MAIN JUDGEMENTS

**1. SAFETY: Are prisoners, even the most vulnerable, held safely?**

- There are a few areas that are of concern to the Board in regards to safety. Of primary concern, there is no adequate vulnerable prisoner wing in either prison and many prisoners with mental health issues, or those vulnerable due to type of crime committed are incarcerated within the general prison population.
- Another area of concern is the lack of CCTV throughout the Prison estate at Northward, and what does work seems to work on an inconsistent basis. The Board was informed that the new fiber optic system would be operational by Year end 2019. However, there seems to have been some delays.
- In addition, the dilapidated and overcrowded state of the accommodations at Northward has proven to be a breeding ground for roaches and rodents, which is a Health and Safety concern to the Board. There is an ongoing treatment contract in place and the prison estate is regularly treated. However, this does not seem to be effectively controlling the issue.
- Furthermore, in attempts to control this infestation, bleach seems to be available to all prisoners and they have it readily available for cleaning in every wing and in cells at Northward. The bleach solution stored in and around the prison the Board is informed is diluted, however, the Board is still concerned that it could pose a health and safety hazard if used as a weapon against fellow prisoners or staff.

**2. RESPECT: Are prisoners treated with respect for their human dignity?**

- On the whole relations tend to be cordial. Prisoners are generally treated with respect by officers and staff and seem to have good relationships. However, there are exceptions to this and the Board has witnessed a few officers' behaviors, on a few occasions, which the Board considered to be disrespectful and inflammatory.
- Prisoners have access to health and dental services provided by HSA within the prisons. It is the Board's impression that their health needs are taken care of adequately and promptly. The clinic is open daily and the dental surgery is available weekly for any issues prisoners may have. The prison buildings in which these services are provided, however, did not pass their 2019 Health Commission inspection initially and the Board was informed that this was due to structural issues and lack of fire escapes. Work has now been undertaken on these issues.
- The Board is concerned that neither prison estate is adapted to cater for prisoners with physical disabilities. There are no ramps, or elevators at Northward and stairs are the only access point to many facilities.

- One of the main areas of concern in regards to respect is that of the living conditions. The Board has observed prisoners' accommodations are dilapidated, with issues of roach infestation and often with broken window/mesh and tiles/showerheads in the bathrooms. Natural light and ventilation are also lacking and the accommodations are constantly filled with cigarette smoke, which is a grave Health and Safety hazard for prisoners and staff too. It has been noted by the Board that prison staff and management make considerable efforts in maintenance and improvement of these living conditions. However, with continued vandalism, and the inherited issues and general dilapidated state of the prison and prison layout, it seems impossible to keep on top of this, or to make any considerable improvements to the current buildings that are in place. Throughout 2019 there has been ongoing work by the prison senior management to develop the business cases for new prison estates.
- One exception to the general state of the prison estates is at the ERU where the building is in good condition and is fully modernized, with good ventilation and the prisoners usually smoke on the outside of the building. The ERU was set up at the start of 2019 and is the first of its kind nationally.

**3. *PURPOSEFUL ACTIVITY: Are prisoners able, and expected, to engage in activity that is likely to benefit them?***

- There are several educational and vocational courses to take advantage of at Northward, but only a small number of prisoners participate in these classes. However, throughout 2019 the Board did notice an increase in the number of prisoners participating in these classes. There have also been some issues with the timely supply of equipment to maintain the consistency of these class schedules at times.
- During the reporting period the prison also set up a community partnership with the Department of Environmental Health, which has led to employment for a number of prisoners after their release.
- Prisoners at Fairbanks do not have the same variety of purposeful activities to choose from as the prisoners at Northward. The classes are much fewer and there have been complaints by prisoners that some are inconsistent, due to frequent cancellation of classes.
- Both prisons have a functioning gym that prisoners can use as they will. Northward gym closes at 4pm most days causing some issues for the prisoners working who are then unable to exercise.
- There is no gym, or exercise facility at ERU and prisoners do not have the ability to go off site to use a community gym anymore. Several prisoners at the ERU have complained to the Board about this and claim that it has been problematic for those wishing to maintain their physical health and fitness.

**4. *REHABILITATION AND REINTEGRATION: Are prisoners supported to maintain and develop relationships with their family and friends? Are prisoners helped to reduce their likelihood of reoffending and is their risk of harm managed effectively? Are prisoners prepared well for***



***reintegration into society and are they provided with adequate social support when they are released?***

- Prisoners are supported to maintain relationships with family and friends with visitation rights and phone access and family fun days etc. Some prisoners have complained about the lack of writing material, or delays in sending letters overseas, but this is very infrequent.
- There is also help in place to assist prisoners with their behavior and the psychologist and counselling team have programmes in place that seem to be effective from the Board's discussions with prisoners and staff.
- The re-entry team is also a big part of the rehabilitation process getting the prisoners to work in their daily routine.
- The Release on Temporary License (ROTL) programme is available to those eligible, to help with reintegration into society providing work and living in the rehabilitation unit during this time. The qualifying criteria for this programme includes: nationality / status, category and risk assessment ie. a prisoner must be: Caymanian (or a status holder being reintegrated into the local communities), have a category D status and be considered low risk to qualify for this programme. Prisoners on the ROTL programme are usually housed at the Enhanced Reintegration Unit (ERU) next to Fairbanks prison. The ERU is exclusively for male prisoners. The ROTL programme is available to female prisoners too, however, there is no dedicated building for them. They do have an enhanced Dorm in Fairbanks prison that is available to them, however, this is lacking in comparison as to what is available to the male prisoners on this programme.
- At the ERU up to 22 prisoners can be housed there at any one time. A few prisoners on this programme have expressed concerns that the work is not consistent enough and they have been out of work for several weeks at a time. However, most prisoners have good things to say about the programmes and the opportunities provided.
- One area of concern to the Board is that of management of reentry into society for prisoners in general. This is one area that seems to have gaps currently between the prison services and other governmental agencies. As an example, the Board has witnessed cases of housing issues upon release for those who have served their full term and they do not have to be found housing prior to release by the prison / authorities. Several prisoners have also voiced concerns about the difficulty in finding work after being released from prison, which is not only a prison issue but a societal issue more generally too. However, efforts are made by the prison to help with this ie. helping setting up bank accounts upon release for prisoners and a compulsory saving scheme which is in place while incarcerated. In addition, from the Board's observations ROTL seems to be a good opportunity for those who qualify, but few prisoners meet the criteria for this programme. We are informed by the Director that this is for public protection reasons.

## APPLICATIONS FROM PRISONERS

A confidential Prisoner Application process has been set up for prisoners to request support from the CIIMB.

- Total number of Applications received from prisoners: **79**
- Key observations/themes/responses: Of the Applications received the two areas of concern that generated the most applications were:
  1. Health and sanitation (16 applications), and;
  2. Complaints procedure, regime and rights (11 applications).

## MAIN AREAS FOR DEVELOPMENT

**[Please see Appendix I- Management Response to the Key Areas for Development, CIIMB 2019 Annual Report provided to the CIIMB]**

### **To the Ministry:**

1. The CIIMB wishes to state their concerns with the current arrangements to house Juvenile offenders at the adult male prison. As it stands now Juvenile offenders are housed in the same building with adult prisoners, in a separate annex of the same building. The Board feels that every effort should be made to ensure that all juvenile offenders are kept separate and apart from all adult prisoners, while ensuring that they feel safe. In addition the Board is concerned about the Juveniles not having full access to structured support services, such as counselling, religious services, education and purposeful activities during their time in custody during this reporting period. Although these services are available to juveniles, the Board has witnessed, and been informed by Juveniles in custody, that there can be issues with these services being provided on a timely and/or regular basis, and this is partly due to segregation issues and having to work juveniles access and schedule around the adult inmate populate.
  - **Can the Ministry please explain what is the policy in regards to the incarceration and treatment of juvenile offenders and the minimum basic services that should be provided to them currently?**
  - **Can the Ministry say what actions it proposes to take to address the key weaknesses identified by the Board and ensure that juvenile prisoners, as far as possible, receive their basic entitlements under international Human Rights legislation and our Bill of Rights?**
2. Another main area of concern is the general dilapidated state of the overall prison accommodations at both Northward and Fairbanks. The Board is concerned about this issue, not only from a humane stand point, but also as a Life and Safety concern.
  - **Can the Ministry please advise what strategic actions will be taken to help the Director and his staff to make significant improvements to the current dilapidated state of prisoner's accommodation at Northward and Fairbanks, especially to**

**tackle issues that are health and safety concerns for the prisoners, even while a new facility is being planned?**

3. The Board is concerned about inmates with severe mental health issues, who could pose a threat not only to themselves but to others. Many of these prisoners seem to require specialized treatment, which the prison staff is unable to provide.
  - **Can the Ministry please advise what is the Ministry's policy in relation to the identification and treatment of prisoners with mental health issues?**
  - **Can the Ministry explain what improvements are proposed to ensure that prisoners with mental health issues, including those with severe mental health issues, are identified and receive the help they need?**
  - **Can the Ministry also say what training and support will be provided to HCIMPS to help them deal with prisoners with mental health issues?**

**To The Director of Prisons:**

The CIIMB is concerned about the issue of smoking at both HMP Northward and HMP Fairbanks which is impacting the health of all those who work inside the Prisons. Cessation classes were supposed to have been started last year July and it is disappointing to know that this has not been the case.

- **Can the Director please explain why the smoking cessation programme has not yet started, what is the revised target date for implementation and what specific steps are planned and budget allocated to get this programme started?**

**IMPROVEMENTS NOTED OVER THE MONITORING PERIOD:**

- Outside and inside walls of the prison have been painted at Northward improving overall appearance.
- There has been an introduction of some new classes in VT at Northward adding to the educational selection for prisoners.
- At Northward there have been 6 new Prison Officers hired to cover existing gaps where staff had left.
- A new Kitchen Manager was hired at Northward and a Dietician is now working with the clinic for prisoners with special dietary needs and improving nutrition value of meals in general.
- A new Farm Manager was hired improving support for this educational programme.
- A new psychologist was hired who has made an impact with behavioural models and new programmes helping prisoners address behavioural issues.
- The salon at Fairbanks became operational and courses are now available for cosmetology, which enhances the educational selection for prisoners.

- The Kitchen at Fairbanks became operational early 2020 and is now supplying meals to prisoners at Fairbanks, ERU and the Police Detention Center. Prisoners are now receiving hot meals on site.
- Much needed repairs were done on the roof and kitchen at Fairbanks helping improve sanitation and functionality.
- New Yoga classes started at Fairbanks adding more variety to available activities.
- Replacement of Emergency Generator at Fairbanks and to administration area at Northward.
- Waste water pumps serving the sanitation systems were replaced. (As advised by the Director).
- Fibre optic cabling to support an upgraded communications and CCTV system were installed
- Major repairs carried out to entrance gate and carriageway.
- Systematic replacement of A/C machines across a variety of areas.
- Created the Enhanced Reintegration Unit. The first ever national top-end facility.
- Supported the introduction of the CI IMB as well as providing office spaces for them to work.
- 12 staff sent to the UK for exposure to a range of development opportunities including mental health training, working with children in custody, and attendance at leadership and development programmes. (As advised by the Director).
- Work, education, counselling and offending behaviour programmes, community placements and other activities delivered approximately 100,000 purposeful activity hours. (As advised by the Director). Partnership with DEH resulted in 10 prisoners being placed with employment opportunities.

## A4-Description of the Prison Facilities Monitored

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Her Majesty's Cayman Islands Prison Service was opened in 1981 to secure persons committed to serve prison time by the Cayman Islands Judiciary.

Responsibilities of the service include taking care of all adult and juvenile offenders in custody, as well as ensuring that court orders are followed and community standards upheld. In addition to public safety, the Prison Service is also committed to providing opportunities for all prisoners to rehabilitate themselves, improving their chances of a positive life after release.

Her Majesty's Cayman Islands Prison Service consists of four facilities. HMP Northward is a category C facility also holding category A, B, C and D prisoners. The facility experienced a riot in 1999, when A Wing, B Wing, Eagle House (which held female prisoners) and some ancillary buildings were set on fire. These buildings were mainly repaired and brought back into use. HM Prison Fairbanks, formerly an immigration centre, came into existence as a female establishment as a direct consequence of this. In 2019 two new units were established: a new Juvenile unit for males, at the HMP Northward Prison site, and an Enhanced Rehabilitation Unit (ERU) for males, located at Fairbanks.

Her Majesty's Prison Northward provides services to convicted and pre-trial adult male prisoners. Convicted and pre-trial, young juvenile male prisoners are held in the Juvenile unit, which has been segregated at the back of Charlie wing on the Northward site.

Her Majesty's Prison Fairbanks provides services to convicted and pre-trial female adults.

The name of the Director of HM Prisons Service is: Steven Barrett

The numbers of Prisoners held (as at Dec 31st, 2019):

<b>PRISON FACILITY</b>	<b>NUMBER OF PRISONERS</b>	<b>CERTIFIED NORMAL ACCOMMODATION NUMBERS</b>
HMP Northward	204	225
The ERU for Male Prisoners	11	22
Juvenile males unit at HMP Northward	1	4
HMP Fairbanks	15	35 with bunk beds

This report does not address the detention facilities maintained by the Immigration authorities, nor police detention facilities, the Board having been instructed that such facilities fall outside of the initial scope of the CIIMB's work, as no such agreements are in place.

The number of prisoners held at each wing at HMP Northward (as at Dec 31st, 2019):

<b>Wing</b>	<b>NUMBER OF PRISONERS</b>
Alpha	32
Bravo	56
Charlie	32
Delta	39
Foxtrot	34
Echo (Closed)	0
HRU	11

The number of prisoners held, by Category (as at Dec 31st, 2019):

<b>PRISONER CATEGORY</b>	<b>NUMBER OF PRISONERS HELD</b>	
	<b>2019</b>	<b>2019</b>
	<b>HMP Northward</b>	<b>HMP Fairbanks</b>
Category A	1	0
Category B	124	12
Category C	45	2
Category D	33	3

\*Category Descriptions:

A = Prisoners who escape would be highly dangerous to the public, the police, or the security of the State and for whom the aim must be to make escape impossible.

B = Prisoners for whom the very highest levels of security are not necessary, but for whom escape must be made very difficult.

C = Prisoners who cannot be trusted in low security conditions and who are likely to escape.

D = Prisoners who present a low risk; can reasonably be trusted in low security conditions and for whom low security conditions are appropriate.

The number of deaths in custody (as at Dec 31st, 2019):

<b>Death In Custody</b>	<b>2019</b>	<b>2019</b>
	<b>HMP Northward</b>	<b>HMP Fairbanks</b>
Death In Custody	1	0

Staffing Levels:

<b>Uniform Staff in Post (by category/band/grade)</b>	<b>2019</b>	<b>2019</b>
	<b>HMP Northward</b>	<b>HMP Fairbanks</b>
Director	1	
Deputy Director	2	1
Unit Managers	7	

Supervisors	16	2
Prison Officers	100	13
OSG/Prison Officer Trainee	6	

\*The Board has observed an increase in staffing levels in the prisons over this reporting period, both uniformed and non-uniformed staff. Northward has recruited 6 new Prison Officers, a new Kitchen Manager and also a Dietician to assist with dietary requirements of prisoners. The Kitchen manager also assists at Fairbanks. A new Farm Manager and a new Psychologist have also been hired.

Services to the prisons were provided and managed by the following partners:

SERVICE PROVIDER	SERVICES
<b>Northward</b>	
Health Services Authority (HSA)	Health Services
Department of Community Rehabilitation (DCR)	Probation
Public Works	Maintenance
Island Universities	Education
Department of Environmental Health (DEH)	Education and Work Opportunities
Digicel	Telecoms
Individual Volunteers	Education and Religious Services
Private Companies	Education and Work Opportunities
<b>Fairbanks</b>	
Health Services Authority (HSA)	Health Services
Department of Community Rehabilitation (DCR)	Probation
Public Works	Maintenance
Department of Environmental Health (DEH)	Education and Work Opportunities
Digicel	Telecoms
Individual Volunteers	Education and Religious Services
Private Companies	Education and Work Opportunities
<b>ERU</b>	
Health Services Authority (HSA)	Health Services
Department of Community Rehabilitation (DCR)	Probation
Department of Environmental Health (DEH)	Education and Work Opportunities
Private Companies	Education and Work Opportunities

## B-Evidence from the Board's Monitoring Activities in 2019

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### B1. SAFETY

#### HMP Northward (including ERU and Juvenile Wing)

##### Reception and Induction

The intake of new prisoners at Reception as was observed by the Board was fair and humane. The processing was done in a cordial and respectful manner and staff ensured that prisoners were provided with the necessary personal items they would need such as prison clothes, hygiene materials, sleeping gears etc.

Once they were processed and assigned to their cells, they were then escorted to their respective Wings where an Orderly gave them further assistance.

##### Managing Behaviour (Encouraging positive behavior, Adjudications, Use of force, Segregation):

- The wing for segregation and punishment in Northward is the High Risk Unit or "HRU". Prisoners can be placed in segregation for various infractions or to be monitored on an Assessment, Care in Custody and Teamwork instruction, or "ACCT", if it is deemed they pose a threat to themselves or others or are at risk of suicide. Segregation can last up to 3 days and then prisoners will be assessed.
- The Board has also witnessed HRU being used as a holding place for vulnerable prisoners who are placed there for their own safety. The Board is concerned that HRU is being used to house these vulnerable prisoners and this goes further than the 3 day period limit for reassessment. While the Board recognizes that this is done for the protection of those vulnerable prisoners to keep them safe, it is also not ideal to keep them in such restrictions for a long period of time. However, with the lack of a dedicated vulnerable prisoner wing, the Prison management seem to be left with no other options.
- The Board was informed by Officers that the doors are not dual lock mechanism, which could prove difficult with prisoners who barricade their doors as it can't be opened from the other side. However, the Board has been informed that the prison does possess certain equipment to force entry if needed.
- The Board has noted that the HRU has been fitted with an Association Room during this reporting period, which is available for one prisoner to access at any one time. In addition the air conditioning in the office has been fixed and the office chairs have been replaced.



## Security:

The Board received concerns in regards to the malfunctioning of the CCTV cameras throughout the prison. On investigating, the Board was advised that they were taken out in a lightning strike some years ago and have not been replaced. However, the Board was further advised that a vendor had been confirmed and financing was underway. The Board is concerned of the length of time it is taking to have a proper CCTV security system in place. The Board was informed by the Director that while malfunctioning CCTV was not ideal; it should also not be too heavily relied upon and there are other approaches, such as: human observation and verbal communications.

- It was also brought to the Board's attention that the upstairs gate lodge leading to security was condemned several years ago due to the concrete slab collapsing. Concerns have been expressed about the danger this situation poses to everyone entering the prison. Board Members viewed the collapsed concrete slab which apparently has remained in that state for all these years without any restoration work being done to it, but neither has any incident yet arisen due to its current state. The Board understands that this issue has since been addressed.
- The searching of females upon entry to the prison was noted by the Board as lacking throughout 2019. By the end of the reporting date the Board noted progress had been made, with more female officers available to do the searches required.

## Safeguarding (Suicide and self-harm prevention, protection of adults at risk):

- During the reporting period Echo Wing, which can house up to 4 prisoners, was used as a vulnerable prisoner wing. The Board was advised that the prisoners housed here suffered either from mental health issues, or some kind of physical ailment. The Board observed the wing to be unsanitary with dirty cells and bathrooms and was informed by officers that the prisoners were responsible for the upkeep and cleaning of the wing themselves. No cleaners were available to assist. However, air conditioning has been installed in this wing, which is a great improvement to the living conditions of those housed there.
- Unfortunately, during the reporting period, one prisoner housed on this wing died due to natural causes. This was not related to the sanitation on the wing. Outside agencies were brought in to investigate the death and it was fully reported to all outside agencies as required. And staff dealt with this issue in a very sensitive and caring way.

## **HMP Fairbanks**

- The Segregation Unit at Fairbanks can house two prisoners and has a separate toilet and shower facility. This unit is also used to house prisoners with disabilities due to the shower being fitted with a rail to assist with physical disability. This unit has also been used to accommodate those with mental health issues and those who are seen as more vulnerable.

- The Board was informed that there has not been a fire drill at Fairbanks Prison. This is of concern to the Board should such emergency situations arise. It has, however, been observed by the Board that there is adequate emergency fire equipment, such as fire extinguishers in the kitchen area.
- In regards to security, the Board has also observed that searches are not frequently done upon entry to the prison and most of the time CIIMB members are not searched before entering the prison to conduct visits. However, Board members are consistently asked to leave their keys and any other prohibited items, such as cell phones, in a designated area outside the facility.

## **B2. RESPECT**

### **HMP Northward (including ERU and Juvenile Wing)**

#### Staff-prisoner relationships:

- On the whole interactions have been observed by the Board to be cordial and prisoners are usually treated with respect.
- Notwithstanding, the Board has observed some tense and aggressive interactions between prison officers and prisoners on occasion. Infrequently the Board has witnessed prison officers shouting at prisoners who are showing aggressive behaviour, thus escalating a conflict as opposed to diffusing it. The Board has also received several complaints regarding disrespectful or bullying behavior by prison officers in applications from prisoners and verbally.

#### Daily Life (Living conditions, residential services, prisoner consultations, handling of complaints, Legal Needs/rights):

- By the end of this reporting year the Board observed an improvement in the overall look and state of the inside of the prison and its outer walls, as much of the prison had been painted and minor refurbishments had been carried out. There has also been an effort to improve pest control, in terms of dealing with the termite issue in the Dental clinic and the serious roach infestation in Delta wing, by bringing in a professional pest control services. There is still an overall general problem with roach and rodent infestation, which has been observed on Board night visits and this is something that continues to concern the Board.
- The general state of prisoner accommodations continues to be an issue, with cells having poor natural light and no air-conditioning. Many windows are also in disrepair throughout, with glass smashed and mesh broken. Members of the Board have also observed dustbin liners being used as window covers, or makeshift shower curtains. It has been noted, however, that Foxtrot and

the enhanced wing on Charlie wing are considerably better maintained, ventilated and lit than the other wings, with good ventilation or air conditioning, windows in good condition and adequate lighting.

- The showering and toilet facilities are adequate on some wings, such as Foxtrot, but on most other wings the Board has observed shower heads missing and broken tiles, toilets that do not flush or that have no covers, and electrical wires hanging from the ceiling light fittings in Delta. While the facilities are often inadequate it is noted that prisoners are regularly provided with toilet roll, soap and oral hygiene equipment and laundry is done twice per week to help them maintain personal hygiene and sanitation.
- The prisoners are provided with 3 meals per day from the Kitchen and a new kitchen manager has recently been hired, along with a dietician, who works along with the clinic to help those who have specific dietary and health requirements. From time to time a few prisoners complained to the Board about the quality of the food, however, the majority of prisoners seem to be satisfied. Board members ate food from the cafeteria themselves and were satisfied with the quality and variety of the food provided. One area that is of concern to the Board is that in some wings they lack an association room to sit down and eat their meals, such as Delta, and the Board has often observed prisoners eating in their cells or in corridors. This is not only uncomfortable for the prisoners, but also unhygienic and is likely adding to the roach and rodent issues within the prison.
- The Board has also observed that there continues to be an issue with prisoners smoking throughout the prison and inside their cells, despite the fact that the Board was advised that a smoking cessation programme was due to start last July to make Northward a smoke free prison by 2020. The Board is concerned for the other prisoners, staff and Board members coming into contact with the smoke and the effect this could have on their health.
- Although there is not yet a smoking cessation programme in place at Northward, the Board was informed by DCR that there is a substance use treatment programme in place, which is run by the National Drug Council. The Board spoke with a prisoner who had been through this programme and he said that although it was informative he didn't find it interactive enough and he eventually dropped out.
- The Board has also received complaints from prisoners concerning inadequate facilities to store their valuables and inadequate protocols for securing their possessions on transfer. Several prisoners have complained to the Board on Bravo wing especially regarding this issue. Theft of property and lack of secure storage has been noted as an area of concern on this wing in particular, but the issue does seem to be of general concern throughout too.

- The juvenile wing located at the back of Charlie wing in Northward is segregated from the rest of the adult population and can house up to 4 male juveniles. There is air-conditioning and a basketball court for exercise and a separate laundry facility, bathrooms and classroom in this unit. The issue of segregation can pose a problem at times, for instance when juveniles make trips to the barber to get a haircut, because the barber is an adult prisoner. Also on any trip to use the gym, or at visiting times, even though escorted, they are still mixing in the general prison population during transfer to any of these activities. Their health needs are also taken care of within the clinic with the general population. This situation with juveniles being housed in an adult prison is of grave concern to the Board.
- The ERU accommodation facilities have been observed by the Board to be more than adequate in all areas of cleanliness and hygiene, space, furnishings, ventilation and are air-conditioned. One area that could be improved upon is storage for prisoners belongings e.g. drawers, as prisoners were using the floor to pile up their personal items.

#### Equality, diversity and faith:

- The prison has an onsite Chapel and a Chaplain who conducts services and ceremonies for the prisoners of Christian denominations. The prisoners who attend speak highly of the services provided at the Chapel and greatly respect and appreciate their Chaplain.
- Prisoners attend weekly church services hosted by different Christian denominations; participate in specific programmes run by the Chapel e.g. “Sycamore Tree Project” & “The Prisoners’ Journey”. Prisoners who graduated from these programmes expressed positive feedback to the Board and gratitude for the opportunity they had in participating and for the work of their Chaplain. They also participate in spiritual and grief counseling sessions with the Prison Chaplain.
- Upon querying if services are provided for other religious groups, the Board was advised by the Chaplain that no services take place and there is no multi-faith room, but that a religious leader of a prisoner’s specific faith can be called for upon request.
- Due to the segregation issue with the juvenile wing in Northward, any juvenile in custody is unable to attend services with adult prisoners at the Chapel. The Chaplain does however visit the juvenile wing separately once per week for bible study.
- The ERU does not have a visiting Chaplain or multi-faith room. This is something that prisoners have discussed with Board members as something that could enhance their experience and rehabilitation at the unit.

### Health, well-being and social care:

- During visits the Board has observed that there are currently no facilities in place for prisoners with disabilities. There are no specially adapted bathrooms or showers for disabled use and there is the lack of wheelchair access throughout the prison. Upon questioning the extent of facilities provided for prisoners with disabilities, the clinic staff advised the Board that crutches, wheelchairs and commodes can be provided on an as-needed basis.
- The Board was informed by the clinic staff that both the clinic and the dental surgery did not pass their 2019 inspection by the Health Commission, due to structural issues and lack of a fire exit. The Board was also made aware by the visiting Dentist that there was a termite issue in the dental surgery, which the Board has since been informed by staff has been treated. The Director informed the Board that he had spoken with the CMO and the Inspector and that remedial actions are underway. In the interim, the Board observed the clinic and dental surgery functioning as normal.
- The Board was informed by clinic staff that the clinic is not open 24 hours per day and is closed on weekends. The clinic is staffed during normal office hours and appears to be sufficiently equipped to deal with the basic health needs of prisoners. First aid kits are kept on each wing for any minor incidents that may occur outside opening hours. The prison also has a dental surgery with a visiting Dentist who visits weekly.
- One area of concern to the Board and to clinic staff is that of medication handling and distribution. The Board was informed by wing officers and clinic staff that medication is stored and distributed on each wing by prison officers, who have no training in this area. The Board has also observed medication on various wings, including Delta and Charlie, being stored in an unsecured place with no apparent organized system. Clinic staff advised the Board that there are plans to hire a pharmacy assistant to assist with medication handling and distribution.
- In regards to health, the main area of concern for the Board is that of inadequate facilities and training for dealing with prisoners with mental health issues. The Board was informed that prison officers have little training on how to deal with prisoners with mental health issues and there is no real vulnerable prisoner wing, or treatment facility to care for their needs. The sole place available within the prison for emergency mental health watch is the HRU, which is used for punishment and segregation. We are advised by the Director that this area is currently under review.
- The Board was advised by the visiting psychiatrist that there is a written care plan in place for each prisoner with mental health issues and this is partly communicated to clinic staff for issues they need to be aware of. Due to confidentiality concerns she advised that this plan is not

communicated with the psychologist or counsellors in the prison and there is no collaboration between them in their treatment of the prisoners with mental health issues.

- It is the Board's opinion that Prisoners with serious mental health issues do require better facilities and support than is currently being provided. However, the Board has observed that there is one psychologist and 3 counsellors on staff, who are fully qualified and regulated by the Health Commission. They deal with the prisoners' general mental health needs on a daily basis. The prisoners can request to see a counsellor or the psychologist at any time and will be given an appointment within 24 hours, but usually the same day.
- At the ERU there is no on site clinic, or nurse. This would have to be arranged upon request, on a case by case basis.

## **HMP Fairbanks**

### Staff-prisoner relationships

- While staff-prisoner relations have usually been observed by the Board to be cordial on first impression, the Board has been advised by various prisoners that relations between staff and prisoners are not consistently good. Prisoners have complained several times of bullying and have advised the Board that they have stopped putting in applications to the Board for fear of repercussions from officers when they do. However, upon speaking with staff at Fairbanks they do not believe there to be an issue in this respect and say that relations are good.

### Daily Life (Living conditions, residential services, prisoner consultations, handling of complaints, Legal Needs/rights):

- There are 3 dormitory style accommodations for prisoners and a Segregation Unit. The Board has observed that there is no air-conditioning in the dormitories or common area and both lighting and ventilation are below standard. Large fans are provided to assist with the heat issue. The Board is concerned about the excessive heat prisoners have to endure in these areas.
- The Board has observed that there is a fully functional kitchen at this facility. A new stove was installed and upgrades were made. Throughout the reporting period only breakfast was prepared at Fairbanks. However, towards the end of the reporting year the New Kitchen manager was preparing the kitchen to prepare all meals on site with assistance of new staff. Currently food is prepared by prisoners who completed food preparation training as explained to the Board.

- The Board received numerous complaints from prisoners and also observed that the floor tiles in the main bathroom are very slippery when wet and a number of prisoners have fallen due to this. Also the furniture provided in the common room looks to have lost most of its covering.

#### Equality, diversity and faith

- There is a visitor's room as you enter the prison and this also functions as a place of worship where service is provided by the Prison Chaplain weekly and also by other visiting church groups. They provide a Christian service. No "other-faith" church services are provided.

#### Health, well-being and social care:

- There is a small medical room used by the visiting nurse located inside the main reception area and a secondary location inside the main accommodation that dispenses medication. There is a Nurse who visits three times a week, and it was observed by the Board that prisoner medication is stored in a safe and secure manner.
- The Board was informed that there is a visiting psychiatrist and the psychologist visits weekly. Counsellors are also available upon request for prisoners' general mental health needs.
- There is no wheelchair access to the main bathroom and no rails fitted to assist those with disability, which has caused an issue for a prisoner on crutches. The Board observed that there is one shower adapted for disabled use in the segregation unit fitted with a rail. The Board is concerned about the lack of adequate provision made for wheel chair access.
- During this reporting period, the Board was advised by both prisoners and staff of issues with the roof (which was repaired) and the confirmed presence of mould in areas of the prison, including the gym and classroom. The ceiling in the gym had still not been fixed and patches of damp were still visible by the end of the reporting period. The Board is concerned about the issue of mould in the prison which impacts the health of all concerned.
- The main area of concern in regards to health is that of mental health. The Board received complaints from prisoners about the disturbance and abuse they receive from other prisoners with serious mental health issues. The Board has observed that there are no facilities available for prisoners with mental health issues and limited support available. The Board considers this to be a very big problem at both prisons and the issue of prisoners with mental health needs to be addressed urgently.

### **B3. PURPOSEFUL ACTIVITY**

#### **HMP Northward (including ERU and Juvenile Wing)**

- Time out of cell and involvement in constructive day-to-day activities (exercise, sports, library services, other activities that support rehabilitation, re-socialisation and reintegration)
- At HMP NW the prisoners are out of their cells between 6:45 am and 11:45 am then 1:15 pm to 9:15 pm. During these times prisoners have the opportunity to take part in the different activities that are available.

#### Education, skills and work activities:

#### **HMP Northward (including ERU and Juvenile Wing)**

Overall it has been observed that there has been improvement in the educational and skills development opportunities at Northward Prison. Classrooms have been outfitted with smart TV's. Although the facility is wired for internet, the service is currently not available which resulted in classes being postponed. Twelve new computers are on order to facilitate online courses which currently have twenty prisoners registered and waiting. The Board is concerned that prisoners who are enrolled in these classes are unable to access their courses due to the lack of computers and internet connection.

- The computer room is being upgraded and new computers are on order to replace the outdated ones in the lab. The computer lab serves as a general classroom for business related subjects as well as computer related subjects. The classroom is wired for internet but there is no service in place, due to delays in the provision of an appropriate firewall. Class sizes range between 5 and 10.
- The electrical classroom has been upgraded with six work stations and a smart TV which allow for greater efficiency in the delivery and enhancement of the subject. At the end of July there were 24 prisoners registered but this programme was on hold because there was no instructor. By the end of October the number of participants was down to 10.
- In the kitchen much needed work was done to upgrade the facility. The staff and kitchen helpers were trained by the DEH. A new manager was hired to operate the facility and workers were fitted with new uniforms.
- The gym is furnished with used pieces of equipment. It is opened daily to 4:00 pm and occasionally after 4:00 to facilitate prisoners who are on work assignments. There have been complaints from prisoners to the Board about the use of the gym especially by prisoners who work off site. This is due to the opening/closing hours of the gym, which are not compatible with their working hours.
- A new Farm Manager was hired to run the day to day operations on the farm. A variety of vegetables are grown for local consumption and a small percentage are sold mainly to the staff. Some fish, chickens and rabbits are also raised on the farm. Less than 5% of the prison



population takes advantage of the vocation. The Board is concerned about the low participation in this programme and wonders what is being done to spark more interest.

- Prisoners have complained to the Board that the Library in the prison is small and mostly filled with old stocks of books. There are two computers but only one is working. No printer is connected to the computers. The Board is concerned that this area is in need of attention and it is an area that prisoners have raised concerns about with the Board.
- The Board is concerned that the sole Juvenile in custody is not receiving adequate education and meaningful activity. By December 2019 his schedule only allocated 2 hours per week of education in the subjects of Maths and English. He is also prevented from using many of the programmes and activities due to the issue of segregation from the adult prisoner population. The Board has been advised, however, that the Chaplain visits him directly for Bible study and some concessions are made during lockdown time, so that he can use the gym.

### **HMP Fairbanks**

At Fairbanks the Board has observed some inconsistencies with classes, with complaints from prisoners about a few classes being infrequent or sometimes cancelled on short notice. However, there have been many improvements, such as the Salon becoming operational and new classes being added to the schedule.

- The Salon became operational in August 2019 and Cosmetology classes are held Wednesdays, Thursdays and Fridays from 9am – 4pm. There are 8 prisoners in the programme who show up for classes at the same time.
- In regards to the Arts and Crafts, arrangements are still being made to obtain materials. Some supplies are provided, however, the Board was informed by the prisoners that they mostly get art supplies and materials from family members and work on their own. The Board is concerned about the many complaints received from prisoners in regards to supplies.
- The Board was informed by officers that the gym is now operational again after repairs to the leaking roof were made. There is still no formal instructor, however, there is one officer who is a trained instructor who assists in this area on her shifts on duty.
- The Board was informed by officers that there is a new Yoga instructor who is scheduled weekly for classes. However, the attendance of prisoners is irregular and few in numbers. Additionally the Board was also informed by officers that there is no organized sewing programme in operation as it is difficult to get full time volunteers to assist.
- There are six computers but only three are working. The Board was informed by officers that three computers were out of service for more than a year and no funding was allocated in the budget for the past year for education activities. The Board is concerned that prisoners have been denied the use of computers due to malfunction. However, the Director advises that funding was not the issue and was more so a protection issue and being able to safely integrate them to a secure network.

#### **B4. REHABILITATION AND RELEASE PLANNING**

##### **HMP Northward (including ERU and Juvenile Wing)**

##### **Children and families and contact with the outside world:**

- The prison has several programmes in place to assist with the establishment or rebuilding of family ties for prisoners. The weekly visitors programme, the scheduled Family Day and the Release on Temporary License (ROTL) programmes all support this.
- There is a regular visitors' programme in place. Family and friends are allowed to visit 2 times per week for 30 minutes per visit. The Board was informed by some prisoners that the time for visits is too short and prisoners complained to the Board that they have no privacy in speaking with their visitors. The Board has observed that the visitors' room is brightly painted and with good lighting. It has also been observed by the Board that the room is small for the accommodation of prisoners and the number of visitors allowed.
- The Board was informed by a senior officer that children are allowed to visit their incarcerated parents. If their parents desire them to visit they are included on the visitors list for the parents. There is no special center for the children so they use the general visitors' centre.
- The Board was informed by a senior officer that many prisoners have the privilege of visiting sick relatives in the hospital or attending the funerals of loved ones and that there are special procedures in place to facilitate this and prisoners must make an application for such a visit. The Board was further advised that if the information given is certified correct then permission is given but that this may be contingent upon the prisoner's behavior. The Board was advised that prisoners can also receive special license for other visits to home.
- In speaking to senior officers in charge, the Board was informed that prisoners have regular access to telephone communications. There are telephones on every unit with three units having 24 hours service. Each prisoner has an assigned phone number that relatives can top –up with minutes. The system only allows for outgoing calls.

##### **Rehabilitation and Reducing Risk of Reoffending:**

- The Board, in speaking to officers in the Re-entry Department, was informed that planning for the prisoner's release begins on their arrival at the prison through the reception programme and ends when the prisoner is released and that prisoners have a case plan and are assigned to case managers, who are probation officers. The Board was told that individual assessment is done by the case managers and that each Case manager has a case load of 30-40 prisoners, which makes for a heavy case load. In addition the Board understands that each prisoner also has a designated officer advisor with a case load of approximately 10-1 and the officer works with the

individual prisoner and advises on training courses, encouraging participation and generally keeping up with the prisoner's progress.

- The Board was told that identified needs are taken care of accordingly through different programmes. Use of a multi-disciplinary /multi-agency approach is used to work with prisoners individually and in groups. Members of the Rehabilitation team commented that more prisoners are participating in purposeful activities than previously recorded.

#### Support to achieve targets:

- The Board was also informed by the re-entry team that the prisoners are made aware of their case plan through their individual case managers. The Board understands that each prisoner gets an outline and works towards achieving targets set, supported by their officer advisor and the various other staff members who work with them on a daily/weekly basis on various Educational and Skills programmes. The Board was advised that when interest in these programmes is not high Counsellors then work with these prisoners to help them see all the value that comes with learning a new skill or participating in programmes that support re-entry into society.

#### Intervention services:

- The Board was informed by members of the clinical team that as far as possible appropriate interventions are provided for the benefit of the prisoners, e.g. the Clinical Team of five has created a referral system and assessment process. They do individual as well as group counseling. The team employs the use of programmes proven to work (evidence-based) for high intensity service (prisoners with high risk/high needs) and make adaptations where necessary. Entry for some programmes is through referral as part of case plan, others are freewill/choice. There are several psycho-social activities that take place weekly. These programmes are used to help prepare prisoners for re-entry.
- The Delta Wing of Northward has a support team that works with prisoners with emotional needs giving them needed support. However more training is needed for the team of officers.

#### ROTL Programme (ERU):

- The Release On Temporary License (ROTL) programme is an important part of the Prison's rehabilitation strategy and resettlement journey for the prisoners.
- By the end of the reporting period there were 13 prisoners in the programme. There was 1 prisoner housed in the Foxtrot Unit at Northward with 11 stationed at the ERU centre in George Town and 1 at Fairbanks Estate.

- In general prisoners speak positively about the programme and also about the personnel who run it. There are concerns by some prisoners about the consistency of employment and the lack of a wage in some areas of employment and initial 6 month periods of employment. Some prisoners have also expressed that they were no longer able to be employed as there was no work for them after the “free” period ended and they were required to be paid a stipend.
- There is presently a group of 10 public and private partners who provide employment for prisoners. The Re-entry team is working at improving the number for the year 2020.
- A few Prisoners have expressed their opinion to the Board that they would like to be able to look for their own employment during the ROTL programme, such as handing out résumés etc., which would help them rehabilitate and reintegrate better into society in the process. However, others have expressed the opposite, wanting the prison instead to take on the responsibility of finding the job placement. The prisoners cite setbacks, such as: access to the internet, mailing application forms and going for interviews as the reason for their preference.
- From the 2019 release there are 4 prisoners who have found permanent jobs with private companies and government agencies.

#### ‘Managing Prisoners’ Finances:

- The Board was informed that the prison has a job programme and all prisoners can have a job – if they apply for one. However outright refusal to participate in the programme comes with a negative consequence e.g. reduced time for interaction (for a few hours). The Board was told that prisoners receive advice on how to manage the money earned while incarcerated and how to save money for when released. Prisoners are paid for their work with payments made into a split account; voluntary and compulsory saving. The Board was also informed that with passing time, prisoners have seen increases in their pay –all payment to prisoners comes through the Prison Service Instruction (PSI).
- Jobs requiring special skills, such as building and construction, are given to prisoners with the needed skill. A few prisoners doing a particular job have complained to the Board that the wage paid is small and needs to increase.

## HMP Fairbanks

- There is a visitor's room, which is also used for church services at the entrance to the prison. The visitor's room has sufficient tables and chairs for visitors and prisoners' needs.
- Calls can be made by prisoners in the telephone area located upon entry to the accommodation section of the prison, so they are able to keep in touch with family and friends on their vetted phone list.
- The Deputy Director Informed the Board that for Christmas visits, prisoners are allowed to have up to five children visit and their parents or a spouse. This is worked out on a schedule to allow each prisoner the opportunity in the visitor's room. A similar thing is also planned for Mother's Day. There is also a monthly games night that prisoners can attend where prizes are given out and cakes are baked for the evening.
- Given the size of the facility and number of prisoners there is not much availability for full time employment and the fact that the work is part time, or infrequent is often reflected in the stipend prisoners receive, which was confirmed by the Deputy Director. She did advise, however, that there is some sort of work available for every prisoner at the prison, even if it is on an ad hoc basis. The Board was also advised that by the end of 2019 the Kitchen was due to be fully operational and would be providing additional work.
- Another aspect of Rehabilitation and Release noted by the Board was that a prisoner due for release was having weekly meetings with her probation officer.

## Part C- Work of the Board

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### C1- Board Activities

The CIIMB meets monthly. The Director is invited when required to attend for part of the meeting, to inform the Board of developments in the prisons and to respond to current observations from the visits of members.

**Table 1- Board Statistics**

CATEGORY	NUMBERS
Number of Board Members at the end of the reporting period*	12
Number of Board Meetings Held	11
Total number of visits/hours to the Northward	255/ 626.25
Total number of visits/hours to Fairbanks	90 / 180.75
Total number of visits/hours to the ERU	24 / 50.25
<b>Total Visits /hours All Facilities</b>	<b>369 / 857.25</b>

*\*Note: 4 members resigned from the Board in 2019*

### C2- The Applications Process

All detainees can ask any member of the CIIMB to help them with a request or issue. They can do this in writing. Forms to make confidential applications to the CIIMB are available on every wing of Northward, in the prisoner telephone access area at Fairbanks and in the entrance area at the ERU. Prisoners can place their forms in the CIIMB's locked boxes, which are cleared regularly by the CIIMB members. Prisoners can make a confidential application directly to the Chair of the Board by placing the form in a sealed envelope addressed to the Chair of the CIIMB. Prisoners can also speak directly to a member of the Board during their visits.

**Table 2 –Applications from Prisoners Submitted to the CIIMB Feb-Dec 2019**

	Category	Number of Applications Received Feb-Dec 2019
<b>A</b>	Accommodation	<b>5</b>
<b>B</b>	Adjudications	<b>5</b>
<b>C</b>	Equality, Diversity and Faith	<b>4</b>
<b>D</b>	Education, Employment and Training	<b>2</b>

<b>E</b>	Family, Visits, Mail and Phone	<b>4</b>
<b>F</b>	Finance and Pay	<b>2</b>
<b>G</b>	Food and Kitchen	<b>1</b>
<b>H</b>	Health and Sanitation	<b>16</b>
<b>I</b>	Property within this establishment	<b>4</b>
<b>J</b>	Property during transfer or in another establishment or location	<b>1</b>
<b>K</b>	Canteen facility	<b>1</b>
<b>L</b>	Sentence Management inc. HRU, ROTL, Conditional Release, release dates, re-categorisation	<b>8</b>
<b>M</b>	Staff/prisoner concerns including bullying	<b>9</b>
<b>N</b>	Gym & Leisure Facilities	<b>2</b>
<b>O</b>	Complaints System, Regime and Rights	<b>11</b>
<b>P</b>	Outside our Remit (ie. Legal)	<b>3</b>
<b>Q</b>	Misc.	<b>1</b>
	<b>CIIMB Applications</b>	<b>79</b>
	<b>Confidential Applications to the Chair</b>	<b>0</b>
	<b>TOTAL ALL APPLICATIONS</b>	<b>79</b>

### **C3- Our Board Members**

Mr Herbert Crawford (Chair) Ms Dorothy Davis (Deputy Chair), Mr Hugh Lockwood, Mr Anthony Herzog, Ms Evette Burnell-Harris, Mr Hugh Chin-Sin; Ms Olga Gourzong, Ms Lorna Lumsden, Ms Cheryl Myles, Ms Cassandra Morrison and Ms Dahlia Miller and Secretary, Nancy Lacasse, CIIMB Secretariat, Office of the Deputy Governor.

We thank the following former Board Members for their service in 2019:

1. Mr Thomas Mylott (Member)
2. Ms Beulah McField (Member)
3. Mr Corey Brown (Member)
4. Ms Grenda Solomon (Member)

**Part D- Appendix I- Management Response to the Key Areas for Development, CIIMB 2019  
Annual Report**

<b>A. MAIN AREAS FOR DEVELOPMENT</b>				
<b>AREA FOR DEVELOPMENT</b>	<b>MANAGEMENT RESPONSE</b>	<b>PROPOSED ACTIONS</b>	<b>DATE</b>	<b>RESPONSIBILITY</b>
<p><b>1. Can the Ministry please explain what is the policy in regards to the incarceration and treatment of juvenile offenders and the minimum basic services that should be provided to them currently?</b></p> <p><b>Can the Ministry say what actions it proposes to take to address the key weaknesses identified by the Board and ensure that juvenile prisoners, as far as possible, receive their basic entitlements under international Human Rights legislation and our Bill of Rights?</b></p>	<p>The position of the Ministry to both of the areas for development is that juveniles should be held in facilities that are designed and purposed to meet the needs of young adults. The existing Prisons Law directs that juveniles should be segregated from convicted adults and that is consistent with the view of the Ministry and indeed the Prison Director.</p> <p>It must be recognized that compliance with the letter of the law will present circumstances where being held within an adult facility, places limitations in terms of access to services for juveniles and brings challenges with complying with some international human rights instruments.</p>	<p>A wider and fundamental inter-ministerial policy discussion about Youth Justice is required. This would encompass discussion about the continuum of care and services for youth, which would include the consideration of viable alternatives to prison, amongst other things. An initial meeting with relevant stakeholders will be called in early 2021.</p> <p>It is expected that current legal statutes will require revision to support the policy, including the Prison Law and subordinate Prison Rules, which the Ministry intends to seek Cabinet approval for in Q1 of 2021.</p>	Q1 of 2021	Director of Prisons
<p><b>2. Can the Ministry please advise what strategic actions will be taken to help the Director and his staff to make significant improvements to the current dilapidated state of prisoner's accommodation at Northward and Fairbanks, especially to tackle issues that are health and safety concerns for the prisoners, even while a new facility is being planned?</b></p>	<p>The IMB will already be sighted on a significant number of large and small capital projects that have been undertaken at both HMP Northward and HMP Fairbanks. This work is continual and diverse in nature.</p> <p>The prison estate's maintenance team is working systematically through each of the residential areas to progress a schedule of improvement works that has sought to improve the internal environment; the IMB will appreciate however that these works in isolation will not address the human rights non-compliance issues. These will only be addressed fully by new construction.</p>	<p>OBC due for submission to Cabinet before close of 2020.</p>	End of Q4 2020	Director of Prisons



	<p>The IMB will already appreciate and recognise the extent of the major environmental improvement works that have been carried out since the reporting period closed. The IMB will also recognize that expediency in completing major reconstruction and maintenance work is very much more challenging and complex when that work needs to be completed in an operational prison environment.</p> <p>The programme of maintenance and repair will continue to cycle whilst proposals and plans for a completely new prison facility are progressed and finalized.</p>			
<p><b>3. Can the Ministry please advise what is the Ministry’s policy in relation to the identification and treatment of prisoners with mental health issues?</b></p> <p><b>Can the Ministry explain what improvements are proposed to ensure that prisoners with mental health issues, including those with severe mental health issues, are identified and receive the help they need?</b></p> <p><b>Can the Ministry also say what training and support will be provided to HCIMPS to help them deal with prisoners with mental health issues?</b></p>	<p>The Director of Prisons, during late 2019 commissioned a strategic level review of the current mental health service resources and arrangements across the criminal justice and healthcare system. The recommendations from that review has been circulated to relevant stakeholders who are now considering the most appropriate methodology for implementing those that have been accepted.</p> <p>It is also important to note the investment of a second psychologist at HMCIPS who will be recruited during Q1 of 2021.</p> <p>Regarding mental health screening, all admissions to our prisons receive an initial mental health screening and this screening process prompts, where required, a referral to a mental health specialist. However, a range of programmes to support the prisoners is provided and include Dialectical Behaviour Therapy and the Calm and Compassion programme which teach prisoners how to handle emotions like anger,</p>	<p>Recommendations from MH Review under consideration by a cross-sectoral, multi-disciplinary team.</p>	<p>Ongoing</p>	<p>Involves multiple ministries including Health, Community Affairs and Home Affairs.</p>

	<p>stress and compulsiveness in constructive ways which help to improve their ability to have positive relationships. These programmes complement the Interpersonal Relationship Enhancement Awareness Programme, the core teachings of which help prisoners to develop healthy, pro-social behaviours that are required for effective functioning in society.</p> <p>Other targeted interventions are provided in group and individual modalities to help prisoners deal with histories of trauma and abuse, sexual deviance, grief, self-harm and suicidal ideation and substance abuse and addiction. Marriage and family counselling are also available.</p> <p>Prison Officers are not mental health specialists or practitioners, however, they are, as a routine part of their roles, required to work very closely with many individuals with a range of mental health issues; a key prison officer skill is to identify and understand when the emotional well-being of anyone in our care changes. Training to undertake that work is extremely important. The IMB are asked to note therefore, that all prison officers have completed mental health awareness training. Mental health awareness is also a core component of prison officer recruit training.</p>			
<p><b>4. Can the Director please explain why the smoking cessation programme has not yet started, what is the revised target date for implementation and what specific steps are planned</b></p>	<p>I am grateful for the focus of the IMB on health and in particular the commitment I have previously made to create a smoke-free prison environment. I also acknowledge the considerable drift in the timelines to deliver that.</p>	<p>Partnership collaboration with Public Health, NDC and HSA has commenced.</p> <p>Modality of interventions to be developed from those discussions.</p> <p>Revised smoking policy and a revised operational</p>	<p>Ongoing</p>	<p>Director of Prisons, in collaboration with identified leads in partner agencies under Ministry of Health</p>

<p><b>and budget allocated to get this programme started?</b></p>	<p>Delivery of a smoke free environment will require the full collaboration of behavioral specialists, counselling services and other critical resources and personnel. Adverse behavioral outcomes have arisen in nearly all jurisdictions where a smoking prohibition has been introduced. I am keen to ensure therefore that the move to a smoke free environment is carefully managed and is underpinned by education and other smoking cessation support interventions.</p> <p>The IMB will recognize that we had introduced a no-smoking section in C-Wing which, although introduced and operating at full capacity during 2019, has not been mentioned in this report.</p> <p>I committed to have the prison smoke free by September 2020 but had hoped the preparatory work and support interventions to enable that would commence in July 2019. This included smoking cessation classes and increased access to addictions counselling; other operational priorities simply overtook those plans.</p> <p>Albeit sometime after our initial plans were announced, COVID-19 restrictions have since reset all of those intentions. However, discussions with NDC, Public Health and HSA are being arranged at this time.</p> <p>Unfortunately, there is no dedicated budget for this and HMCIPS shall absorb this investment from the operating budget.</p>	<p>instruction will be drafted and issued by end of January 2021.</p>		
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## **B. ANY KEY IMPROVEMENTS MADE IN RELATION TO OTHER ISSUES IDENTIFIED IN THE ANNUAL REPORT**

### **Management Response**

The Ministry is very grateful to the members of the Cayman Islands Independent Monitoring Board (CIIMB) for their 2019 Annual Report which contains an appraisal of our prisons across many key areas.

The CIIMB provides an extremely important conduit for transparency which allows communities to have an independent view of the treatment and care offered to those in custody.

Whilst noting that the reporting period for this report is some 11+ months past, and many of the issues highlighted have therefore already been addressed, it is nonetheless important to note that the Director of Prisons and his team acknowledge and appreciate the vigour and focus that the IMB has applied to its task and the honesty with which they have reported, as does the Ministry.

Many of the issues noted in the report are environmental and long-standing in nature. The ongoing cycle of repairing, replacing, and maintaining the fabric of the buildings has gone beyond the point where that will provide long-term remedy.

In recognition of this, the Cayman Islands Government 2020 Strategic Policy Statement included a commitment by the Government to commence work on building a modern, fit-for-purpose prison for the Cayman Islands.

To achieve this, the Prison Director has progressed the development of a fully costed Outline Business Case (OBC) which will be provided to Cabinet for consideration before the end of Q4.

In the meantime, the 'here and now' issues relating to the standard of the current facilities remain, and a programme of capital maintenance to address these issues is ongoing and as previously stated, is cyclical. We are pleased that the CIIMB has recognised this in the report.

By way of illustration, the prison service has completed several environmental improvements with the capital funding provided by this Government. These include:

- i. Creation of the Enhanced Reintegration Unit (ERU), a transitional facility for pre-release of suitably assessed long-term prisoners;
- ii. Replacement of generators at both HMP Fairbanks and HMP Northward to improve resilience and service continuity;
- iii. Renovation and reinvigoration of the beauty salon facility at HMP Fairbanks to provide a purposeful activity outlet for our women;
- iv. Replacement the roof at HMP Fairbanks;
- v. Completion of the full repainting of internal and external areas at HMP Fairbanks and HMP Northward – this will be a cyclical maintenance project;
- vi. Installation of fibre optic cabling network at HMP Fairbanks and HMP Northward to support an improved and updated communication system;
- vii. Installation of 4HD CCTV systems at both prisons;
- viii. Completion of major emergency works to gate complex at HMP Northward;
- ix. Facilitation of a programme of significant renovation of the kitchens at HMP Northward and HMP Fairbanks;
- x. Installation of industrial laundry amenities at HMP Northward;
- xi. Commencement of a programme of window and toilet replacement at HMP Fairbanks and HMP Northward – this is an ongoing project;
- xii. Commencement of the installation of central air conditioning at HMP Fairbanks and HMP Northward;
- xiii. Renovation of c-wing communal area to create accommodation for children;
- xiv. Commission of the upgrading of dormitory accommodation within one of the residential wings at HMP Northward to create a dedicated area for those awaiting to be upgraded to low risk facilities;
- xv. Near completion of several environmental upgrades including the creation of new fire escape routes for the healthcare facilities.

Despite the challenges presented to the Director and his team, it is pleasing to note that a number of key achievements have also been noted in the report:

- a) increased opportunities for prisoners to engage in purposeful activities,
- b) the opening of additional vocational workspaces,
- c) the continued engagement with community placements, including the very fruitful partnership with DEH which led to several prisoners securing employment following their release.

This has been achieved with careful planning and with a continued focus on balancing access to opportunities with the need to ensure appropriate public protection arrangements.

Yet, other initiatives to support rehabilitation and reintegration will follow in 2021, including the expansion of prison agriculture services and further embedding of the Vocational Training (VT) portfolio of qualifications in partnership with Inspire Cayman Training.

In addition, very early talks have been held with external education bodies with a view to broaden the education provision.

2021 will also see an uplift in prison officer numbers by a further 20. This will allow the Director to progress his vision of having prison staff provide post-release support services in the community. An additional Psychologist resource will also be recruited and a strategy for developing staff and nurturing local talent that the Director is working on with the assistance of the Portfolio of the Civil Service will be completed.

The Director of Prisons and his management and staff teams have worked very openly and closely with the CIIMB members and they share a common objective; to ensure that everyone sent to our prisons are treated fairly, humanely and in accordance with international prison regulations and established best practices.

This report encapsulates the view of the CIIMB as at 2019 and as mentioned, a raft of the points referred to have been addressed already, whilst one or two have been impacted by the restrictions created as a result of COVID-19 responses, which required a diversion of resources.

These and other accomplishments will no doubt be featured in the CIIMB's 2020 report and we look forward to receiving a copy of the clearance draft once it has been prepared.