



# ANNUAL REPORT

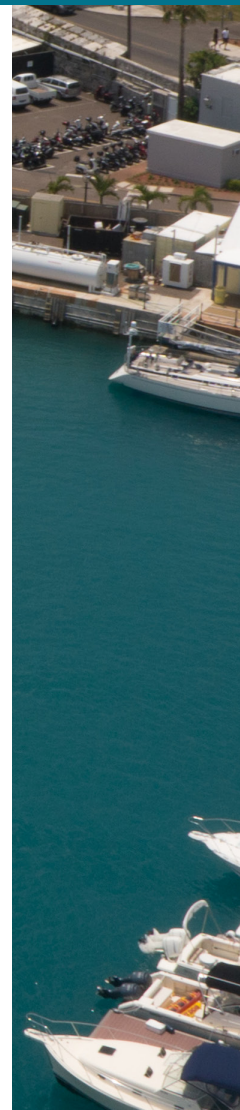
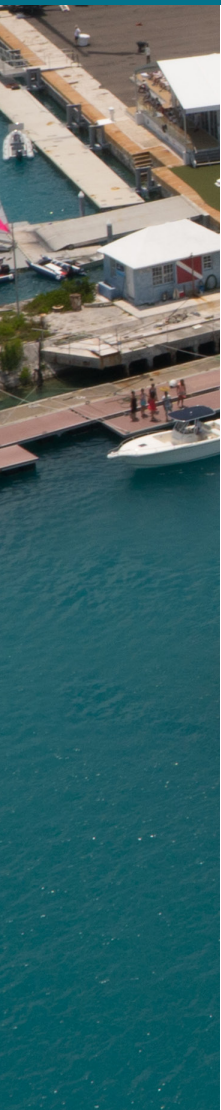
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## TREATMENT OF OFFENDERS BOARD (TOOB) REPORT 2020

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GOVERNMENT OF BERMUDA  
**Ministry of National Security**





## TREATMENT OF OFFENDERS ACT (1979)

The Treatment of Offenders Board was created by The Treatment of Offenders Act 1979. This Act was brought into operation on 1<sup>st</sup> September 1979 by BR 35/1979.

The Minister appoints the Treatment of Offender Board for the time being responsible for the treatment of offenders.

The Act stipulates that members of the board should include persons who possess expertise in medicine, psychology, law or education.

### **The Treatment of Offenders Board**

The Treatment of Offenders Board is governed by: -

- *The Prison Rules 1980*
- *The Prison Act 1979*
- *The Prison Amendment Act 2013*
- *The Treatment of Offenders Act 1979*



## **TREATMENT OF OFFENDERS BOARD 2020**

Mr. Zayna Foggo (Chairperson)  
Mr. Glenn Woods (Deputy Chairperson)  
Mr. Cleveland Foggo JP  
Mr. Vance Hollis  
Mr. Paul Wilmot JP  
Mr. Delano Bulford  
Mrs. Sheila Burrows  
Mr. Marquis Caines  
Mr. Damon Hendrickson  
Mr. Jamahl Simmons JP MP  
Ms. Komieko Roberts  
Ms. Roydell Neverson

### **REPORT PURPOSE**

This report is in accordance with Section 8 (1) of the Treatment of Offenders Board Act 1979 and Rule 170 of the Correctional Rules 1980 as per 1989 Revision.

### **MEETINGS**

The Board meets on the First Wednesday of each Month at (and/or for) the Westgate Correctional Facility and on the Third Wednesday of each Month at (and/or for) the Co-Education Correctional Facility, which includes the Farm Facility and Right Living House. The Board met virtually using the Webex Online meeting platform from April 2020 due to the regulations and policies put in place due to Covid19.

### **MATTERS CONSIDERED**

- Monthly Reports of Facility
- Interviews
- Adjudications
- Rota Visits

## CHAIRPERSON'S REPORT



On behalf of the Treatment of Offenders Board (TOOB), I take this opportunity to thank the Bermuda Government and the Minister of National Security, The Honourable Renee Anderson-Ming, JP, MP, for entrusting members to service the corrections community.

Longstanding TOOB members have a wealth of knowledge and have serviced the correctional community exceptionally. Their commitment to service and professionalism over the years is appreciated and commended. The dedication of the following members must be highlighted - Mr. Glenn Woods (Deputy Chairperson), Mr. Cleveland Foggo, and Mr. Vance Hollis. Thank you to all members returning and new for your continued support and interest in working with the Ministry of National Security and the Department of Corrections.

The objective of the board is to operate co-operatively and collaboratively with The Department of Corrections to ensure matters relating to a corrections facility or inmate are dealt with expediently and in the best interest of all parties. The Board saw it fit to make several suggestions to the Ministry of National Security relative to the Prison Act and the functions of the TOOB.

- Amendments to The Prison Act
- Regular meetings with the Parole Board
- Identification for Board members
- Mandatory classes for inmates
- Transitional Housing Project
- Security systems enhancement

In the first quarter of 2020, members of the board participated in meetings, at all three correction facilities, as normal. For the remaining three quarters, meetings were held virtually via the Webex meeting platform. Rota visits, milestone events, and celebrations at the corrections facilities were not attended given the Covid19 restrictions put in place.

This year the Board could not enhance or develop new relationships with inmates, in the typical Rota Visit setting, as Covid19 restrictions prohibited entry to the facilities. The Board had to use the interviewing process to keep abreast of the day-to-day functions of the facilities, from the inmate's perspective. Interviewing inmates unveiled the harsh realities of life in prison. Inmates highlighted in their interviews how difficult navigating life in a corrections facility with Covid19 regulations is to manage. Understandably frustrations mounted. Inmates and Administration both noted that the environment at the facilities continues to be of grave concern – physical and otherwise. Levels of tension at Westgate remains high as it is the home to younger 'men' with long-term sentences.

The physical condition of the facilities is understandably poor, given their age. Each facility continues to record its restorative needs with the government Works and Engineering department. Westgate Correction Facility had a new water boiler installed which addressed major concerns of the inmates in previous years. The deterioration and destruction of the facilities and perimeters was compounded by the impact of previous hurricane seasons. Thus, security breaches are still of grave concern.

The Board continues to adjudicate inmates for various forms of prison rule violations. The following is a statistical breakdown of Adjudications and Interviews for Infractions against Prison Rules and general concerns of inmates, respectively.

## ADJUDICATIONS

Adjudications are conducted with a quorum of five (5) members. There were fifty-five (55) adjudications at the Westgate Facility in 2020. There were no adjudications conducted by TOOB at the Farm or Co-Ed facilities.

Month	Facilities			Total
	Westgate	Farm	Co-Ed	
January	0	0	0	0
February	3	0	0	3
March	3	0	0	3
April	0	0	0	0
May	5	0	0	5
June	8	0	0	8
July	15	0	0	15
August	5	0	0	5
September	5	0	0	5
October	1	0	0	1
November	4	0	0	4
December	6	0	0	6

The level of contention at the Westgate facility worsened over the year as inmates struggled to conform to life at the facility. This year's difficulty escalated exponentially with the introduction of Covid19 and the restrictions on visitors (and external parties) to the facilities. Approximately 40% of the adjudications conducted by TOOB are the result of prison rule infractions involving unauthorized articles i.e., mobile phones and related parts. This increased by 5% from 2019. The ever-increasing number of mobile phones and equipment related offenses is a battle for The Department of Corrections team. They continue to work to combat this issue.

With increased tensions and the added restrictions due to Covid19, 13% of the Board's adjudications involved assaults on officers and inmates. Conversations and interviews with both Department of Corrections staff and inmates revealed the uphill battle to reducing the tension and existence of mobile phones within the facilities.

## INTERVIEWS

Interviews are conducted in an environment that allows for inmates to express themselves comfortably, without fear of judgement. Inmates continue to express their concerns over the physical state of the various facilities, classes and programs available to inmates, and the difficulty in securing housing and employment leading up to their release and parole. Further, inmates expressed the need for transitional housing to assist in ensuring a successful reintegration back into society upon release. Seasoned inmates reflect on the TLC transitional housing program which was privately funded but run by the Department of Corrections.

Month	Facilities			Total
	Westgate	Farm	Co-Ed	
January	0	0	0	0
February	3	0	1	1
March	3	0	4	7
April	0	0	0	0
May	0	0	0	0
June	0	0	0	0
July	3	0	0	3
August	0	0	0	0
September	5	0	0	5
October	3	0	0	3
November	1	1	0	2
December	0	0	0	0

## ROTA VISITS

Rota visits are conducted in teams of two (2) or more members at each facility. They allow for on location discussions and resolutions with both inmates and Department of Correction administration and officers of ongoing concerns. Rota Visits did not occur during 2020 as Department of Corrections ceased entry into the facilities. Correction facilities are classed as vulnerable populations and thus our attendance to the facilities was governed by policies put in place to protect the inmate population. The Board worked with the Department of Corrections to ensure the inmate populations safety; however, we wrote in to resume Rota Visits.

### ***Westgate Correctional Facility***

The Westgate facility continues to undergo upgrades and improvements with the assistance of Works and Engineering.



### ***Farm Facility***

The main concerns at the Farm facility with both inmates and the Department of Corrections officers are with the condition of the facility. In the living compound the hollow rib ceiling of the hallway is rusted, the bathroom needs major repairs and the doors on some rooms need repairs.

The chicken coups, gardens and apiary are thriving. The Farm Facility continued its donations to the elderly communities in the St. George's parish and its partner facilities in the Corrections family.



### ***CO-ED Facility***

The Co-Ed facility is comprised of The Right Living House (RLH) program and the Women's section. The success rate for the RLH program remains positive and the Board commends the inmates and staff on a job well done.

The main issues expressed by inmates at Co-Ed are relative to the overall physical state of the facility, management of Covid19, work release and charitable work.



## ACKNOWLEDGEMENTS



The Board acknowledges the Minister of National Security the Honourable Renee AndersonMing, JP, MP, Permanent Secretary Dr. Danette Ming, and the Administration and staff of the Ministry of National Security.

The Board appreciates the help provided throughout the year by the Commissioner of Corrections, the Assistant Commissioners, the Chief Officers, and the Corrections staff. Further, the Board extends its appreciation to the Office of the Ombudsman and the Human Rights Commission. Our co-operation and collaboration will ensure that we conduct the work of the Government together and strive to improve the health and wellbeing of the corrections community.

***Only together can we succeed.***

