



GOVERNMENT OF BERMUDA

ANNUAL REPORT

**TREATMENT OF
OFFENDERS BOARD
(TOOB)
REPORT**

2023



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 1st September 1979 by BR 35/1979.

The Minister appoints the Treatment of Offenders Board members (**Board**) who are 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 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 2023

Mrs. Komieko Roberts (Chair February 2023 to current)
Mr. Paul Wilmot JP. (Deputy Chair February 2023 – current)
Mr. Glenn Woods
Mr. Cleveland Foggo – Inactive member
Mr. Vance Hollis
Mr. Delano Bulford
Mr. Anthony Darrell
Mr. Victor Roach
Ms. Karen Pitt
Ms. Charlene Webb
Mr. D. Terry Hassell

REPORT PURPOSE

This report is provided 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 Westgate and the third Wednesday of the month at Co-Ed/Farm Right Living House. In 2022/2023, a decision was made to allow Board members the option to attend meetings either in person or via Webex. After two years of Webex meetings, the return to in-person attendance was welcomed. The Chair has strongly encouraged all members to attend meetings in person moving forward, as it fosters a more personal, engaging, and attentive environment, especially when inmates are present.

At these meetings, the Board considers: previous minutes, monthly facility reports, interviews, adjudications, correspondence, and rota visit reports.

Once COVID restrictions were lifted within each facility, Members resumed their Rota visits, whereby the Board continued to undergo strict testing processes for the safety and wellbeing of all inmates.

Rota visits are stipulated by section 9(2) of the Prisons Act 1979 and section 160(4) of the Prison Rules 1980, there shall be a monthly Rota visit of two TOOB Board members who shall have ‘free access to every part thereof [of any prison] and to every prisoner detained therein.’ (Prisons Act 1979 section 9(2)).

MATTERS CONSIDERED

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



CHAIR'S REPORT

On behalf of the TOOB, I would like to extend our gratitude to the Bermuda Government, particularly the Minister of National Security, The Honorable Michael Weeks, JP, MP for appointing members to serve the corrections community.

We appreciate the commitment of both long-serving and newly appointed members who bring valuable knowledge and experience, as well as qualities such as compassion, fairness, and dedication to driving positive change within our correctional community. Although the current Board composition no longer aligns with the required Act, which specifies the expertise needed in medicine, psychology, law, or education, I can assure you that our current members possess the necessary aptitude, wisdom, passion, and integrity to make informed and fair decisions. We commend the Board's commitment to service and professionalism over the past year. Member attendance has remained consistently high, demonstrating our collective dedication. Meetings, which can last between 5-6 hours at Westgate and 2-3 hours at the east end, reflect the commitment of our members despite the modest \$50.00 remuneration per meeting per person.

Since assuming the role of Chair in February 2023, I have been fortunate to receive the unwavering support of the longstanding and newly appointed members who have seamlessly integrated due to their dedication and commitment to service. Together, we have worked tirelessly to oversee and ensure the overall well-being of individuals in our correctional system. It is worth noting that our members have generously contributed their time and finances, going above and beyond the basic requirements of their roles.

The Board is gracious with their time and finances by going over and beyond the basic requirements as Board members.

Donations from TOOB members (primarily Deputy Chair Wilmot):

- paint donations (X3) (\$3000 plus)
- lumber (\$1500+)
- microwave (\$400)
- chicken feed (\$150)
- miscellaneous items (CD players, batteries, books)

Throughout 2023, members of the Board participated in monthly Board meetings and Rota visits. In addition, Chair Kim Roberts, and Deputy Chair Paul Wilmot JP. met with individuals with the intent of aiding in forging healthy relationships. This included meeting with the Commissioner of Corrections, Mrs. Keeva Joel-Benjamin, the Programs Director, Mrs. Laura Walker accompanied by the Educational Officer, Mrs. Lisa Brewster, The Minister of National Security Michael Weeks, Medical staff, and the Lifers Committee. Chair Roberts and Deputy Chair Wilmot JP. also organized a walkabout of all three facilities during May and June of 2023. Upon the Board's invitation, Colonel David Burch Minister of Public Works, and Minister Michael Weeks, Minister of Security accompany the Board members to assess the conditions of each facility. Col. Burch took photos of all areas that required immediate attention. Additional personnel included the Permanent Secretary Colonel Eddie Lamb, Commissioner of Corrections Mrs. Keeva-May Joel-Benjamin, Assistant Commissioner of Corrections Phillip Downey, Chief Officer Gladwyn Simons, Chief Officer Dwight Richards, Principal Officer Michael Christopher, Deputy Chair Wilmot JP, TOOB members Messrs. Paul Bulford, D. Terry Hassell, and me. The TOOB Administrator, Ms. Emily Ross, and Westgate Administrator were tasked with compiling a report outlining structural issues and concerns. The Board has not yet received an update or feedback regarding any progress made. All structural damages and inmate complaints or concerns are highlighted within the monthly Rota Visit Reports which are forwarded to the facilities. The Board has concluded that reporting on structural matters has become redundant and has agreed that concentrating on engaging inmates is paramount.

Please find a brief list of required repairs needing immediate attention which are as follows:

- Excessive mold in cell units including the general areas
- Exposed ceilings/missing ceiling tiles
- Rust throughout which include doors, bed frames, light fixtures etc.
- Exposed wiring within water fountains, infrequent changing of water filters.
- Floor tiles require replacing.

While slow progress is being made, it has been noticed by members that an increased presence of W&E contractors is evident. However, there remains an outstanding number of pressing issues including the kitchen, which is in desperate need of renovations.

There were also safety concerns expressed by kitchen personnel. The Board has been advised that the Westgate Correctional Facilities' kitchen was said to be condemned by the health inspector, thus the Board was highly disappointed and surprised that the facilities budget put forth by the Administration, failed to meet the 2024 budget, for upgrading the kitchen.

There are several matters of concern by the Board which are as follows:

- The Board has identified a significant lack of programs available to inmates, a concern substantiated by both inmates and officers as we engaged with the inmates and officers during Rota visits. This shortage of constructive programs is deeply troubling, as it fosters idleness – a known catalyst for negative behavior – and hinders the development, growth, and maturity necessary for successful reintegration into society.
- Chronic understaffing at the Department of Corrections (DOC) which adversely affects the inmate population and has a knock-on effect on their reintegration into society, once released.
- Members have been advised that several community members have contacted the facilities to volunteer to teach, without response.
- Restrictions on work hours and transport to and from work are unrealistic for an independent contractor to hire someone (inmates) with limited hours.
- Ensuring the needs of young offenders are being met, brains are still developing coupled with childhood trauma in many instances.
- Suitable housing conditions must be assessed, especially for trainees.
- Reports from Inmates that there is NO access to an Orthodontist which has been substantiated by the Administration. Further, there has been no dentist at either of the facilities for months.
- The Board recommends that the Government strongly consider revisiting legislation to mandate the acquisition of a GED certificate as a pre-requisite for parole eligibility.
- The Board has suggested an oral orientation for new inmates who are processed through intake. The concern is that many inmates are unaware of the prison rules. One can assume

the lack of education, in reading and comprehension can very well contribute to their lack of knowledge. Thus, causing a gap that does not permit them to gain an understanding of the function and rules of the prison. An inmate who cannot read should not be left to gain information from another inmate who may not have interpreted the policies and acts correctly.

- Limited access to prepare for trials/appeals due to a shortage of staff.

Purpose of the request to the Director of Programs – Mrs. Walker.

Data outlining the following was requested from the Programs Director, Mrs. Walker (cc to the Commissioner) on March 25, 2024.

1. Please provide a list of all educational, vocational, psychological, and social work classes/programs that have been made available to inmates from January 2023 to the present (April 2024).

Provide the duration of each class which encompasses start-to-finish time frames, to include the number of participants per class.

2. The objective is to highlight and convey the Board's findings within each facility. We intend to report accurate details which will be a true reflection of what is taking place in our correctional facilities. The report can also be a means of appealing for assistance or resources that will aid in the progression of the DOC.
3. The secondary purpose of this request is to address the continued complaints received by inmates (young and old), who continue to echo, on numerous occasions, the lack of unavailable opportunities. The Board intends to address these concerns and in doing so we must research and attempt to rule out or substantiate any allegations made by the inmate population.
4. This request was made in the past; however, some time had lapsed (including COVID interruptions). Thus, we deem it only fair to permit updated data which will be reflected in the 2023-2024 reporting period.
5. A request for data outlining the recidivism rate has also been requested several months ago.

All responses remain pending at this time.

Highlights within the Correctional facilities:

It would be remised of me not to mention the support and guidance from the Administration who understands and respects the role of the TOOB. All staff members and inmates understand that we are representatives who seek to ensure all inmates are treated fairly and receive the necessary tools that will prepare them to integrate into society. The objective of the Board is to operate co-operatively and collaboratively with DOC to ensure matters relating to the facilities or the inmates are dealt with expediently and in the best interest of all parties.

- The one-on-one mentorship program, approved by Chief Caisey-Brown is ongoing. Over the span of three years, Ms Caisey-Brown authorized Chair Roberts to mentor Inmate Warner, providing guidance and knowledge in entrepreneurship. As a result of this mentorship, Inmate Warner has successfully launched his handbag line, branded “Andre”. This achievement has been supported by a robust network, including sewing teacher Mrs. Frasier, art teacher Mr. Harnett, business studies teachers Mr. Nyobango and Ms. Somner, programs director Mrs. Walker, Mrs. Brewster, Administration, family, and friends.

We are proud to report that Mr. Warner has handcrafted over 100 high-quality handbags over a period of 16 months, with 65 sold. These beautifully crafted handbags demonstrate a level of quality that rivals large-scale manufactured products.

The possibilities for Mr. Warner’s future are vast. He envisions expanding his operations within the correctional facility to enable mass production, which would provide other inmates with a sense of purpose and an opportunity to build financial stability. Such initiatives not only foster positivity and hope but also contribute to reducing internal infractions within the facility.

This inspiring success story highlights the power of mentorship and the transformative impact it can have on an individual’s journey toward rehabilitation and a brighter future.

- The chicken coups and gardens are thriving. The Farm and Westgate facilities crops allow for fresh vegetables to be shared amongst the facilities.
- Yoga – Ms. Leah Scott
- Kite Kite-making and carpentry are ongoing however, very few inmates are participating. This past Good Friday, kites were donated by Inmate Keishon Baker who completed 42 kites in total. 30 kites were donated to “Kites for Kids” and the remaining were donated to Francis Patton Primary. Mrs. Walker, the program director, was instrumental in ensuring Mr. Baker was outfitted with all supplies.

Data:

Rota visits and interviews unveil the harsh realities of life in prison. Inmates and Administration both echo concerns, and frustrations of the deplorable environment at each facility, primarily Westgate, continues to be of grave concern – to include the detriment to human beings: physical, emotional, and mental state. 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. Security breaches continue to be of grave concern and levels of tension at Westgate continue to rise as the demographics of the inmate population shift. Westgate is home to young men with more violent offenses which causes long-term sentences.

The Board believes that drastic changes must be made, a more hands-on and new-age approach for this current inmate population, strict daily routine structure, one one-on-one mentorship, consistent and vigorous programs, motivational speakers, ideas, and incentives that will bring about hope.

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 fifteen (15) adjudications at the Westgate Facility and two at the other facilities.

Month	Westgate	Farm	Co-Ed	Monthly Total
January	1	0	0	1
February	0	0	0	0
March	1	0	0	1
April	2	0	0	2
May	1	0	0	1
June	4	0	0	4
July	2	0	0	2
August	1	0	0	1
September	0	0	0	0
October	0	0	0	0
November	1	0	0	1
December	2	0	2	2
Facility Total	15	0	2	17

The ever-increasing number of mobile phones and equipment-related offenses is an ongoing battle for the DOC team. They continue to work to combat this issue.

INTERVIEWS

There were forty-four (44) interviews conducted at the Westgate Facility two at the other facilities.

Month	Westgate	Farm	Co-Ed	Monthly Total
January	5	0	0	5
February	3	0	0	3
March	6	0	0	6
April	3	0	0	3
May	4	1	0	4
June	6	0	0	6
July	2	0	1	2
August	4	0	0	4
September	2	1	0	2
October	4	0	0	4
November	4	0	0	4
December	1	0	0	1
Facility Total	44	1	1	46

ROTA VISITS

Rota visits are conducted in teams of two (2) or more members at each facility. They allow for on-site discussions and resolutions of ongoing concerns with both inmates and the DOC administration and officers. The Rota visits were convened after a long-term restriction regime. Although members were permitted back into the facilities, it was not without having to go through the proper mandated processes implemented by the corrections departments which continue to include antigen testing.

Month	Westgate	Farm	Co-Ed	Monthly Total
January	0	0	0	0
February	1	0	0	1
March	0	0	1	1
April	2	0	0	2
May	0	1	2	0
June	1	1	1	3
July	0	0	0	0
August	0	0	0	0
September	0	0	0	0
October	0	0	0	0

November	1	0	0	1
December	0	1	0	1
Facility Total	4	2	3	9

Westgate Correctional Facility

There was a total of four (4) visits to the facility. During these visits, members spoke with inmates about the challenges at the facility and their overall well-being.



Farm Facility

There were two (2) visits to the facility. During these visits, members spoke with inmates about the challenges at the facility and their overall well-being.

The main concern at the Farm facility with both inmates and the Department of Corrections officers are with the condition of the facility. The lack of classes (educational, and vocational opportunities), spiritual and religious engagement, legal research, mentorship, and work release opportunities continue to be a pressing concern for inmates.



Co-Educational Facility (Co-Ed)

There were three (3) Rota visits to the facility in 2023.

The Right Living House program has graduated one inmate and continues to benefit inmates with drug or alcohol diseases. The 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, including the lack of programs, educational and vocational, and the limited access to computers to prepare for appeals.

ACKNOWLEDGEMENTS

The Board acknowledges the Premier, the Honourable David Burt, JP, MP, Minister of National Security the Honourable Michael Weeks JP, MP, his Permanent Secretary Christopher Farrow, and the Administration and staff of the Ministry of National Security.

The Board extends a special thank you to Wilmot Trucking owned by Mr. Paul Wilmot, who donated lumber and books. Mr. Wilmot and Mrs. Roberts jointly donated a microwave and an urn, after an appeal from an inmate during an interview.

The Board appreciates the assistance 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.

It is through transparency, collaboration, hard work, and funding that we can begin to make headway in correctional facilities. We must continue striving to improve the health and well-being of the corrections community.

Submitted by:



Mrs. Komieko Roberts, Chair

Date: 31 January 2025

