



Department of Corrections

Bermuda Department of Corrections
Information Statement
Produced as required by
The Public Access to Information (Bermuda) Act 2010

INTRODUCTION

The purpose of Public Access to Information (Bermuda) Act 2010 is to give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions for the public interest and the protection of the rights of others. Also, the Act aims to increase transparency and eliminate unnecessary secrecy with regard to information held by public authorities, while informing the public about the activities and operations of public authorities, including the manner in which they make decisions.

The aim of this Information Statement is to provide useful information on the operations and structure of the Bermuda Department of Corrections that will assist the Public with enquiries as well as to enable it to better understand how we function.

Structure, Organisation and Governing Legislation

LEGISLATION

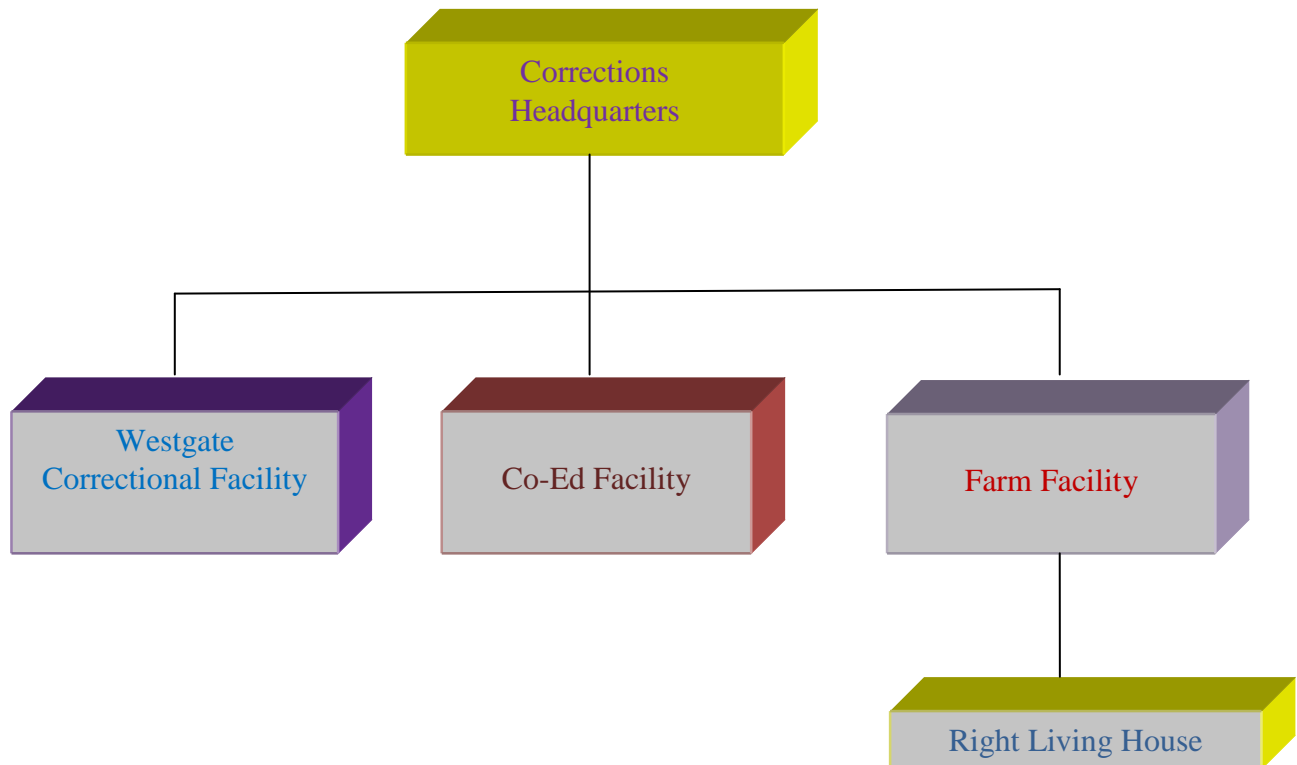
The Department has a responsibility for adhering to the following legislation:

- Treatment of Offenders Board Act 1979
- Prison Act 1979
- Prison Rules 1980

- Young Offenders Act 1950
- Senior Training School Rules 1951
- Prison Officers (Discipline, Etc.) Rules 1981
- Sections of the Mental Health Act 1968 and portions of other Legislation
- Sections of the Parole Board Act
- Sections of the Criminal Code Amendment Act.

ORGANISATIONAL STRUCTURE

The Department of Corrections is set up with the following structure:



Corrections Headquarters

The Department is managed and directed by a Committee of Management (Corrections Department Committee - CDC), which is led by the Commissioner, who is responsible for the overall direction and administration of the Department. Staff at Headquarters administer and coordinate the training, security strategies, human resources, financial resources and policy direction for the Department.

Other members of the CDC team include:

- Assistant Commissioner, Finance and Administration
- Facility Assistant Commissioners
- Human Resources Manager
- Chief of Security
- Chief of Training

Location: Upper Level
Clocktower Building
5 Freeport Road
Dockyard
Sandys MA 01

Telephone: (441) 295 4975

Fax: (441) 296 6156

Westgate Correctional Facility

Westgate Correctional Facility is an adult male establishment with the design capacity to house 208 prisoners in conditions of Maximum, Medium and Minimum security. The majority of

inmates fall within the Medium security classification. The majority of assessment and treatment programmes for inmates take place at this facility.

Various programmes, all designed to enhance the rehabilitation of offenders, are provided to inmates at this facility.

Location: Pender Road
Ireland Island
Sandys MA01

Telephone: (441) 234 0555
Fax; (441) 234 3075

Co-Ed Facility

This facility with a capacity of 56 cells has separate and distinct provisions to house 40 adult females and 16 young male offenders between the ages of 16 – 21. The programmes provided are similar to other facilities based on the assessment of needs and available resources. Young males can prepare for their General Education Diploma, Duke of Edinburgh awards, gain skills in Carpentry and Computer classes, and receive treatment for substance abuse and other cognitive based intervention as identified. The females are given Computer, Bookkeeping, Sewing, Hairdressing, Parenting, Substance Abuse and other cognitive programmes.

Location: 31 Ferry Reach Road
St George's GE 01

Telephone: (441) 297 1280
Fax: (441) 297 0955

Farm Facility

The Farm Facility is an adult male, minimum security facility with a capacity to house ninety three (93) inmates. The pre-requisite for inmates housed at this facility is completion of their core sentence plan requirements and classification of minimum (low risk) security.

Treatment continues to be provided focusing on relapse prevention and additional treatment based on the cognitive behavioural approach. Inmates are also involved in work release programmes, charity programmes, increased activities and other on-going projects within the facility.

Location: 29 Ferry Reach Road
St George's GE 01

Telephone: (441) 297 0222

Fax: (441) 297 2164

Right Living House (RLH)

The RLH is a Therapeutic Community is located on the northern perimeter of the Farm Facility and is a segregated residential Substance Abuse Programme with a capacity to house eighteen (18) residents. The programme is developed for adult male offenders with a history of substance abuse and associated criminality.

The mission of RLH is to provide a drug-free, safe and structured environment characterized by two (2) central qualities – mutual peer support and mutual peer accountability. The treatment environment is one where residents live and work together within a supportive and habilitative framework of mutual self help.

The goal of the Therapeutic Community is to return residents to the broader community with an increased potential for a life free of drugs and crimes by providing them an opportunity to realize their potential for change.

ABOUT US – AN OVERVIEW

The Bermuda Department of Corrections falls within the Ministry of National Security. The Department's mission is to **“Empower Inmates to be Responsible and Productive Citizens.”**

The Department's mandate is to administer sentences imposed by the courts under conditions of safe custody and well-ordered community life so that convicted persons can lead good and useful lives on discharge.

The Department's objectives are:

1. To protect the public by holding inmates securely, reducing the risk of re-offending; providing safe, humane, well ordered and lawful regimes.
2. To provide a humane but demanding regime aimed at reducing re-offending by presenting inmates with a range of opportunities in which reward is linked to effort (incentives and earned privileges), to prepare for life after release.

The Department's expected outcomes are:

1. Where practicable, to exceed the United Nations Minimums Standards for the treatment of inmates
2. To make an effective contribution to public safety and the rehabilitation of offenders.

The principal functions of the Department of Corrections fall into two categories:

1. Custody

The main functions under custody include inmate reception, release, security, visits, court escort security, safety and general daily operations.

2. Treatment and Rehabilitation

This function can be challenging as offenders, based on their mindsets, attitudes and irrational thinking, often consider programmes unnecessary and irrelevant. However, this is achievable through the provision of offending behaviour programmes, cognitive interventions, life skills training, educational classes, skills and recreational development which are aimed at addressing offending behaviour and promoting positive change.

The Beliefs of the Department of Corrections are:

- (i) Those in our custody have the potential to change;
- (ii) Our staff are our greatest asset in the achievement of our mission, and that they have the potential to bring about change;
- (iii) The Bermuda Department of Corrections is an integral part of the entire Bermudian community and;
- (iv) We should operate the department cost efficiently while retaining our mission.

INMATE SERVICES/PROGRAMMES

As part of its mandate to rehabilitate offenders, the Department of Corrections offers a wide variety of programmes at all of its facilities. These programmes are designed to meet the needs of inmates which are identified in their individual case plans.

The programme team is multi-disciplinary and comprises Psychologists, Social Workers, Case Managers, an Education Officer and a Vocation Officer. Services and programmes include psychological, social and case management, drug-treatment, sex offender and violent offender programmes, health, educational, vocational, recreational and chaplaincy.

Also included in our programmes is a Health Services Unit, which provides medical services to all facilities. The health services team is comprised of a Senior Nursing Officer and five (5) registered nurses. These personnel are supplemented by external doctors, dentists, psychiatrists and a Corrections Medical Officer.

EXTERNAL BOARDS

There are two external boards to the Department of Corrections that play a significant role in the management of inmates. They are the **Treatment of Offenders Board (TOOB)** and the **Parole Board**. Each is governed by legislation specific to their roles and both are independent of the Department of Corrections.

The TOOB primarily is responsible for hearing complaints of inmates, as well as adjudicating them for offences committed while incarcerated. They also make regular inspections of facilities and report on their findings.

The Parole Board reviews all applications for parole from inmates and reserves the right to grant or deny parole. There are various criteria that the Parole Board considers when deliberating on each application for parole and if granted, there are a number of conditions attached.

Policies and Procedures

The Department of Corrections has a dedicated team in its Policy Unit, which is responsible for maintaining and updating all policies and procedures within the Department. Each year, the Department sets a target for updating a number of its policies which, if approved, are signed off by the Commissioner.

All policies and procedures are crafted so as to conform to relevant legislation, as well as ensuring high standards of safety and security.

EXEMPTION OF INFORMATION

Some records of the Department of Corrections fall within Part 4 of the PATI Act and should therefore be viewed as exempt records. For example, as an employer, some records of the Department of Corrections are confidential information pertaining to personnel, and so fall under the definition of “personal information” pursuant to Section 23 and 24 of the PATI Act.

Also, as an agency within the judicial system, certain records pertaining to security and other sensitive information that may have a direct impact on national security and the maintenance of law and order, fall within Section 32 and 34 of the PATI Act and therefore, should be considered exempt from access.

Classes of Information not generally included :

The following information is not accessible, due to requirements of security or confidentiality, or exemption under the PATI Act 2010:

Information held in the personnel file of inmates and staff, unless that information is requested by the individual him/herself (subject to certain instances where disclosure may be allowed).

Exemptions according to the Act:

Health or safety: where disclosure would endanger the physical or mental health or the safety of an individual

Information received in confidence

Cabinet documents

Ministerial responsibility: where disclosure of records could undermine free and frank discussion and advice between Ministers, or between Ministers and public officers, in the course of their public duties

Deliberations of public authorities: where disclosure could undermine free and frank discussion and advice during the course of the deliberative process

Operations of public authorities: where disclosure could prejudice the effectiveness of operations of public authorities

Records for which disclosure could have an adverse effect on the **financial and economic interests** of Bermuda

National security, defence and international relations (e.g. Intelligence information gathered from inmates, searches etc; Policies and Procedures relating to security Standard Operating Procedures)

Law enforcement records: where disclosure of certain types of information would prejudice law enforcement efforts or would endanger a person's life or safety

Legal professional privilege: where disclosure of records would be exempt from production in legal proceedings on the basis of legal professional privilege

Records for which disclosure would be in **contempt of court or a breach of parliamentary privilege**

Disclosure prohibited by other legislation

Avenues for accessing information

Members of the public may contact the Information Officer (Assistant Commissioner, Administration) at Corrections Headquarter in order to request information.

Fees for Processing Requests

Depending on the type of information requested, a fee may be levied in accordance with Part 3 20 (1) of the PATI Act 2010.

