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COLONY
OF
THE
BRITISH
VIRGIN
ISLANDS

PRISON
REPORT
FOR
THE
YEAR
1976
FEB 27 1977

GENERAL :-

The Colony of the British Virgin Islands comprises the main Island of Tortola with a number of smaller Islands of which Anegada, Virgin Gorda and Jost Van Dyke are the largest. Altogether the area is 59 Sq. Miles with a population of about 10,000. Beside Tortola 12 of the other Islands are inhabited, varying from approximately 600 people in some cases to a single family in others.

The Prison is situated at Road Town Tortola, which is some 40 Miles from Anegada, the Island farthest away, 23 Miles from Virgin Gorda and 19 Miles from Jost Van Dyke. These are the most distant points from the Prison.

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ANNUAL REPORT
OF
THE BRITISH VIRGIN ISLANDS PRISON SERVICE
FOR THE YEAR 1976 *

PART I ADMINISTRATION

ORGANISATION :

1. The British Virgin Islands Prison Service is constituted under the Provisions of the Prison Ordinance Cap 166 which was enacted in 1956 when the Territory formed part of the Leeward Islands. There have been one major amendment since its enactment.

2. The normal Administration of the Service is governed by the Prison Rules of 1956 which received amendment in 1961.

3. The Service comes within the portfolio of the Hon. The Chief Minister.

Visiting Committee :

4. Section # 6 of the Prison Ordinance and Regulation # 3 of the Prison Rules empower The Governor to appoint a Visiting Committee for the Prison made up of three or more Justices of the Peace. The following persons were members of this Committee during 1976.

1. Ralph T. O'Neal Esq, OBE , J.P. - Hon Chairman
2. Miss Ermin Penn J.P. - Secretary
3. Mrs Esmie Downing J.P.
4. Mr Melvin Dawson J.P.
5. Mr Edmund Maduro J.P.

Command :

5. At the beginning of the year 1976 the Prison Service was divorced from the Police under the Command of Mr Earl Hall.

Prison Staff Establishment and Strength (1973 - 1976) December

6. Table I

Post	1973		1974		1975		1976	
	Est	Str	Est	Str	Est	Str	Est	Str
Keeper of Prison	1	1	1	1	1	1	1	1
Assistant Keeper	-	-	-	-	2	-	1	1
Officer Grade I.	-	-	-	-	2	-	1	1
Prison Officers Gd II	-	-	-	-	2	-	3	3
Prison Officers Gd III	3	3	4	4	4	3	3	2
Cpl Warder	1	1	1	1	-	-	-	-
Total	5	5	6	6	9	4	9	8

At the end of March, 1976 Mr Roy Attwood arrived in the Territory from Antigua and took up the post of Asst. Keeper on Contract. During the month of May, 1976 Mr Ishmael Sparks a National was admitted to the service on probation.

On 1st September, 1976 Mr George Pierre was transferred from the Police Force to the Prison Service as Prison Officer Grade I on Contract. -

On 1st December, 1976 Mr Theodore Campbell arrived in the Territory as a Prison Officer Grade II on Contract.

On the 15th December, 1976 Mr David Thomas was admitted to the Service on probation.

One other Officer was recruited from Antigua, but his service was later terminated and one Officer resign from the service during the year 1976.

During the year the Police continued to assist the Prison Department with staffing until December 21st when all Police personnel was withdrawn from the Prison. -

One Extra Officer was hired on a daily rate until 31/12/76

Prison Staff - Distribution of Establishment

7. H.M. Prison is situated in Road Town Tortola, and all staff are employed at that location. During the year 1976 Prison Officers and Police personnel were employed on shift duties, which provides for two Officers on duty at all times. The shift system provides for three working shifts at eight hours each and operates from 6:00am to 2:00pm, and from 2:00pm to 10:00pm and from 10:00pm until 6:00am. Police personnel also provided relief for annual and sick leave, The duty roster provide for an average day off after serving three days on any shift duty.

Prison Staff - Qualification for Appointment

8. There are no special requirements for appointment as Prison Officer. Qualifications applicable to Police Officers are applied. Appointments are made by the Public Service Commission.

Prison Staff - Condition of Service

9. Prison personal emoluments equates with Police. Conditions of service are set out in Government General Orders and part II of the Prison Rules 1956. Permanent and Pensionable appointments are offered to British Virgin Islander whilst non-British Virgin Islander serve on a two - years contract with a 25 % gratuity on completion of the contract.

10. As at December 31 st , 1976 the service was made up of Five Contract Officers of which one is a national. One P&P Officer grade II. Two Temporary Officers , and One extra Officer not included as part of the establishment

Prison Staff - Training :

11. During the year both the Officer i/c and his Assistant gave lectures and basic Prison training to the recruits, and in-service training to all serving Officers.

Ashford Frett a Prison Officer Grade II and a national was offered a correspondence course in Jail Operation issued by The National Institute of Correction - Department of Justice Bureau of Prison of America and was successful.

Prison Staff - Housing :

12. No special provision exists for housing Officers. Quarters are available in the Barracks as accommodation for single Officers, and in other cases Housing arrangements are made for other Officers.

Prison Buildings :

13. The Prison is of Eighteenth Century Construction and contains 8 Cell's, There are no section for Female or Juvenile Prisoners.

Inspection and Visits :

14. During the year one visit was made by External Prison Officer Col J. Allan. Visits were made to the Prison by His Excellency The Governor Mr. W.W. Wallace CBE, DSO, The Hon. Chief Minister Mr. Willard Wheatley MBE, The Chief Medical Officer, Mrs Rita Georges Chief Mental Health Nurse, Members of the Visiting Committee, and the Chief of Police Mr Rex Jones.

Finance

15. Table II ; Comparative Expenditure (1973 - 1976)

	1973	1974	1975	1976
Personal Emoluments	13,993	19,924	22,116	35,304
Other Charges	6,250	10,750	8,250	17,250
TOTAL	20,243	30,674	30,366	52,554

Part II Prison Population Admission

16. Table III - Prison Population (1973 - 1976)

Year	Total	Convicted
1973	80	28
1974	61	27
1975	61	28
1976	55	30

17. Table IV - Types of Prisoners 1976

		TOTAL	
		Male	Female
Admission 1975	Convicted	30	-
	Remands	25	-
Population at I.I.86	Convicted	11	-
	Remands	4	-
Discharges in 1976	Convicted	30	-
	Remands	28	-
Population at 31.12.76	Convicted	12	-
	Remands	-	-

18. Table V Age Groups of Convicted Prisoners 1976

	Male	Female
Juveniles (Under 16 Years)	-	-
16 yrs to 20 years	17	-
21 yrs to 25 years	8	-
26 yrs to 50 years	4	-
Over 50 years	1	-
TOTAL	30	-

19. Table VI - Sentences of Convicted Prisoners 1976

	Male	Female	Total
Under 1 Month	3	-	3
1 Mth but less than 3 mths	11	-	11
3 Mth but less than 6 mths	9	-	9
6 Mth but less than 12 mths	3	-	3
12 Mth but less than 18 mths	-	-	-
18 Mths and over	4	-	4
TOTAL	30	-	30

20. Table VII Offences of Convicted Prisoners during 1976

	Male	Female		Male	Female
Wounding	-	-	Rape	1	-
Larceny	7	-	Burglary	6	-
Assault	-	-	Fines	13	-
Drugs	9	-	Petty Offences	12	-
Vagrancy	6	-	(Some Prisoners were convicted on more than one offences)		
Escape	2	-			

21. Corporal Punishment

No Corporal punishment was inflicted during the year 1976

22. Religion

There is no appointment of Prison Chaplin. Ministers of various Denominations visit the Prison regularly for Divine Worship.

23. Mental Patients

No Mental Patients were detained in the Prison during the year 1976.

24. Prison Labour

Prisoners are employed on such work as cleaning Government Units, Police Stations, Magistrate Court, and other Government properties.

25. Extra Mural Labour

No Extra Mural sentences were imposed during the year 1976

26. Executions

No Executions were carried out at the Prison during the year 1976

27. Remission

Regulation # 160 of the Prison Rules provides for remission of up to one third of a Prisoner's sentence for good behaviour and Industry. All prisoners earned full remission during the year 1976.

28. Rehabilitation

There are no facilities for Rehabilitation, or for training prisoners in skilled work prior to release.

29. After Care

No facilities exist.

30. Probation

There is no established probation service in the Territory. The Social Welfare Department assists whenever possible with Juvenile Offenders.

31. Health and Diet

No serious health problems were noted during the year 1976. The Government Medical Officer visited the Prison whenever requested.

The Diet is in accordance with schedule (B) to the Prison Ordinance and is adequate, variations of diet and the provision of fresh fruits is made within the scale laid down.

32. Discipline

The discipline of Prisoners was very good during the year 1976

CONCLUSION :-

At present the only thing that can be said for certain about a prison sentence is that it keeps the defendant off the streets, and away from the community for a given period of time. There is very little evidence that such a sentence is either deterrent or rehabilitative. Such statistics as we have generally in prison, as a matter of fact, indicate the contrary, more than 50 % released from prison recidivate, and a similarly large percentage of all crimes committed are committed by those who have already been in prison.

Some experts go so far as to suggest that prison sentence may actually be counterproductive in that they tend to corrupt young prisoners. Under the circumstances, it seems questionable to advocate large outlays of public funds for more prisons, unless ~~the~~ and ~~the~~ correctional programs can be devised which both deter crime, and rehabilitate offenders.

One obstacle, at least, is that no prison program, no matter how sophisticated and brilliant, can ^{deter} potential criminals, as long as the chances of arrest are small, and the delay between the commission of the crime, the appearance in court, and the ultimate prison sentence is a matter of months or years, rather than days or weeks.

Psychologically, it is unsound to expect any punishment to act as a deterrent if it is not both swift and relatively certain.

Every man needs to feel that he is a valuable, unique, and productive member of the society in which he lives. The discovery and cultivation of skills, coincident with the development of sound working habits is one of the most effective aids in the prevention and treatment of delinquency and crime.

One of our basic goals must be to attain a practical means of harnessing the constructive energies of all persons committed to the care of the state. We must provide the opportunity for each of them to know the pride of a job well done.

1. To initiate a social orientation program for Convicted offenders at point of entry into, rather than exit from, the correctional institution setting.
2. To provide an environment in which the convicted offender can develop self/help skills in learning to cope with the problems of everyday living.
3. To aid in the prevention of delinquency among the children of these convicted offenders, an extremely high risk group, leading to involvement with the other youth of the community.
4. To increase community awareness and understanding of the problems and constructive potential of convicted offenders.
5. To assist in maintaining stability within the families of these individuals.
6. To build a base of understanding and skills within the ex-offender population which will allow them to assume an increasing amount of

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responsibility and leadership in working within " The System " to expand and develop this basic program according to the priorities they learn to recognize and value.

7.- And ultimately, to explore and develop mechanisms whereby the community and the offenders might assume responsibility for the operation and financing of this program.

The purpose of the Jail can be summed up in two fairly simple statements :-

First - The accused must be held safely until his guilt or innocence has been established, and the convicted must be held to carry out the sentence of the court.

Second - The treatment accorded those in detention must square with our ideals of democratic justice in which the accused is presumed innocent until proved guilty. If innocent, he must be impressed with the reality of this idea of justice. If guilty, his punishment must be tempered with a deep-seated interest in his individual welfare and his ultimate restoration to the community and to society.

It should be emphasized that no matter how modern the buildings, how secure the facilities, how efficient the operating procedures may be or how well the personnel may be trained, security cannot be assured if it is predicated entirely on procedures imposed wholly against the will of prisoners. If the prisoners are committed to inactivity, moral degradation, humiliation, and mental stultification, then the desire within them to escape will become so strong that security facilities and procedures will be breached sooner or later.

The degree of effectiveness will be determined to a considerable extent by the treatment of the prisoners, by their morale, and by their willingness to cooperate in an admittedly difficult environment. Someone has said - and he might well have been talking about prisoners who have been deprived of their independence and liberty * Quote "YOU CAN'T TAKE AWAY FROM THE PEOPLE ALL THE REASONS FOR LIVING AND EXPECT THEM TO WANT TO GO ON LIVING " Unquote.

To sum it all up, the control of prisoners cannot be achieved by regulation alone. Neither can operational procedures, no matter how perfect, supply the means of control without certain values added to the program. Some of these values are:- Opportunity for useful employment, social growth, spiritual growth, such as healthy relationships with other persons, opportunity for intellectual growth, for constructive use of leisure time, for relationships with family and the community so far as that is possible in an institutional setting, fairness, honesty, and a spirit of friendliness on the part of all employees, the absence of useless or unnecessarily restrictive regulations, and lack of tension- a relaxed yet purposeful atmosphere.

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