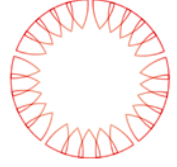




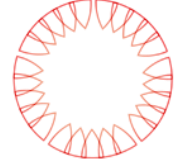
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# OMBUDSMAN'S REPORT ON THE VISIT TO THE CORRECTION AND REHABILITATION CENTRE (JAU PRISON)

## REPORT No. 1



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## **3 - 5 SEPTEMBER 2013.**

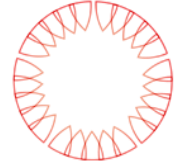
### **Introduction**

The Ombudsman assumes the task of visiting prisons, juvenile care centres, pre-trial centres and detention centres to assess the legal detention and that the prisoners are not subjected to torture or to inhuman or degrading treatment, as stated in Article 12 of Decree 35 / 2013 amending Decree 27 / 2012.

The assessment is based on the criteria that are in line with national laws and regulations, including the Prison Systems of 1964, as well as with international covenants used in the inspection of prisons and places of detention, including those endorsed by Her Majesty's Inspectorate of Prisons in the United Kingdom.

In this context, a team from the Ombudsman visited the Correction and Rehabilitation (Jau prison) for three days from Tuesday 3 September until Thursday 5 September, 2013. To assess the implementation of the standards related to humane treatment, the conditions of the centres, and legal rights and guarantees of the prisoners and the health care available.

The prison administration committed to provide all the necessary evidence, including documents, and to facilitate interviews with staff and prisoners alike, which contributed significantly to aiding the visiting team perform their tasks with objectivity and professionalism.



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## **Section 1**

### **Data and information**

Principles of the visit:

1. Methodology: According to the criteria and administrative regulations adopted by the Ombudsman
2. Type of visit: Advance notification
3. Access to information through:

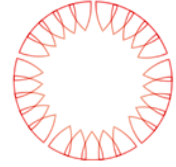
a. Interviewing prisoners: Random samples of prisoners were selected according to the statistical methodology depending on the lists of their names, to ensure impartiality and objectivity.

Many prisoners were interviewed during the field visits carried out by teams from the Ombudsman to the prison. They were questioned regarding a number of issues about the conditions and location of their imprisonment to assess the implementation of major standards established by the Ombudsman such as humane treatment, guarantees and legal rights, health care, in order to have a genuine and objective assessment of their treatment and their conditions, and thus contributes to actions or recommendations that improve them and ensure that the rights endorsed by the laws and regulations in the Kingdom of Bahrain are exercised freely and safeguarded.

b. Documents reviewed:

- Records of meetings and directives
- Staff records to check figures, training and development
- Information and statistics that determine the direction and styles of the administration

c. Staff: Checking with the director or officer in charge to assess the following:



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- The development and maintenance of prison buildings
- The presence of trained personnel in all prison suites
- The existence of a plan to manage the risks that may occur in the place.
- Psychological and physical health care for prisoners
- The prisoners' diverse needs and how to meet them.

**The principles and standards used for the assessment**

**Principle 1: humane treatment and conditions**

Standard:

- Conditions of the cell and prison facility
- Care for prisoners
- Prisoners are offered sufficient food and drink
- Respect
- Safety
- Legal use of force
- Rehabilitation
- Learning, work and skills activities
- Other requirements (Outside exercise, reading materials, the opportunity to have visits and calls)

**Principle 2: Rights and guarantees**

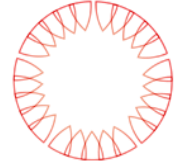
Standard:

- Prisoners' legal rights
- Complaints
- Legal procedures related to imprisonment
- Prisoners who have difficulty communicating are provided for

**Principle 3: Health Care**

Standard:

- Health services
- Patients care
- Prisoners receive prescribed medication



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- Mental health

**The stages of the visit:**

1 - A formal letter was directed to the Director of the Reform and Rehabilitation Centres at the Ministry of Interior, on 01 September 2013 regarding a visit by an Ombudsman team to the Correction and Rehabilitation Centre (Jau prison).

2 –An Ombudsman team went to the prison on on the morning of Tuesday 3 September 2013. The Ombudsman was accompanied by his Deputy, the Director of Complaints, the Director of the Monitoring of Correctional and Detention Centres, the Director of International Cooperation and Development, and members from various relevant departments and divisions.

3 - Teams were comprised of inspectors from the Ombudsman, so that each team was responsible for checking the adherence and implementation of the standards between 3 and 5 September.

4 –The teams' processes included the following:

- Collecting evidence (documents, the existing administrative system...)
- Conducting interviews (with the staff and prisoners and their visitors).
- Making direct observations.
- Assessing what has been monitored according to the standards.

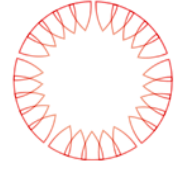
**Basic statistics**

*Note: The following numbers of officers and members of the police are limited to those who deal directly with the prisoners and do not include those in the security guards and other support services.*

1. Number of officers / Shift

Shift	Morning	Evening	Night	Total
Number of officers	4	1	1	6

2 - Number of prisoners compared with the intended maximum capacity. The table includes the number of police staff for each building in each shift (05 September 2013)

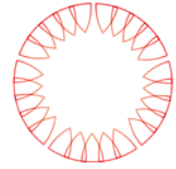


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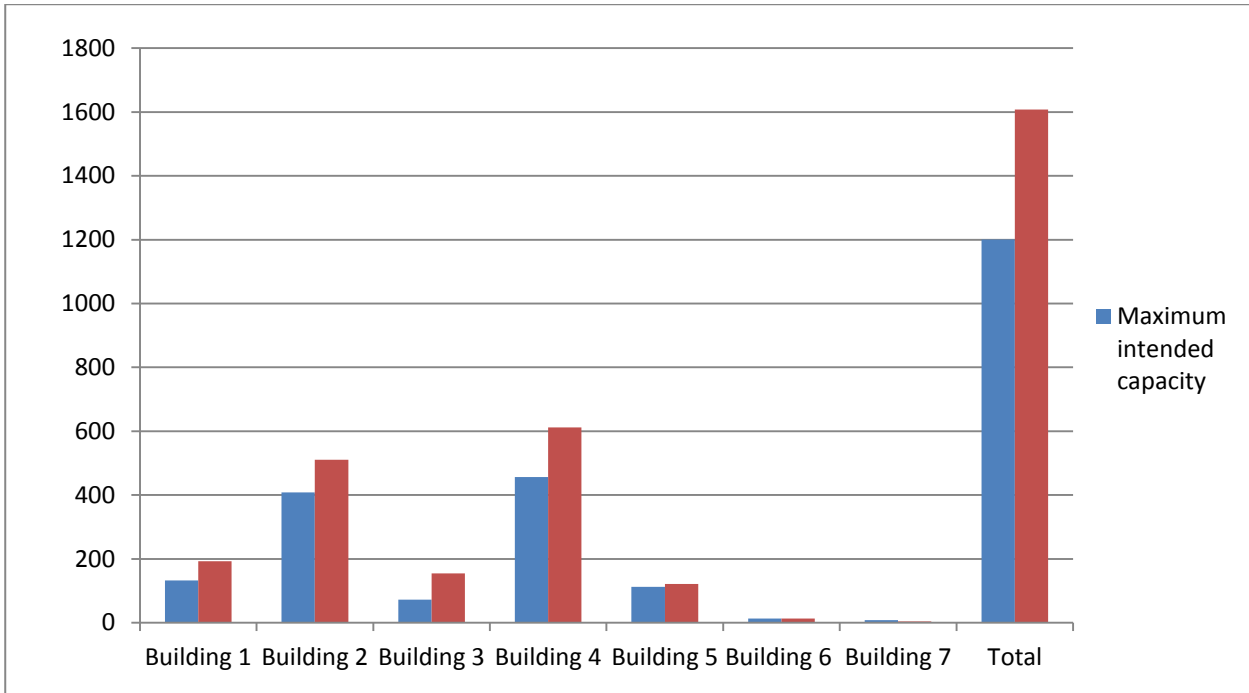
Building	Total capacity	Actual number	Number of police personnel for each building per shift
1	132	193	3
2	408	511	6
3 (Includes category between 15 and 21 years old)*	72	154	2
4	456	612	6
5	112	121	2
6	13	13	1
7	8	4	1
Total	1201	1608	21

\* The number of prisoners aged between 15 and 18 was 62.

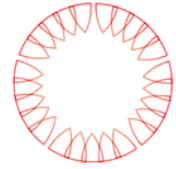
Actual numbers total capacity



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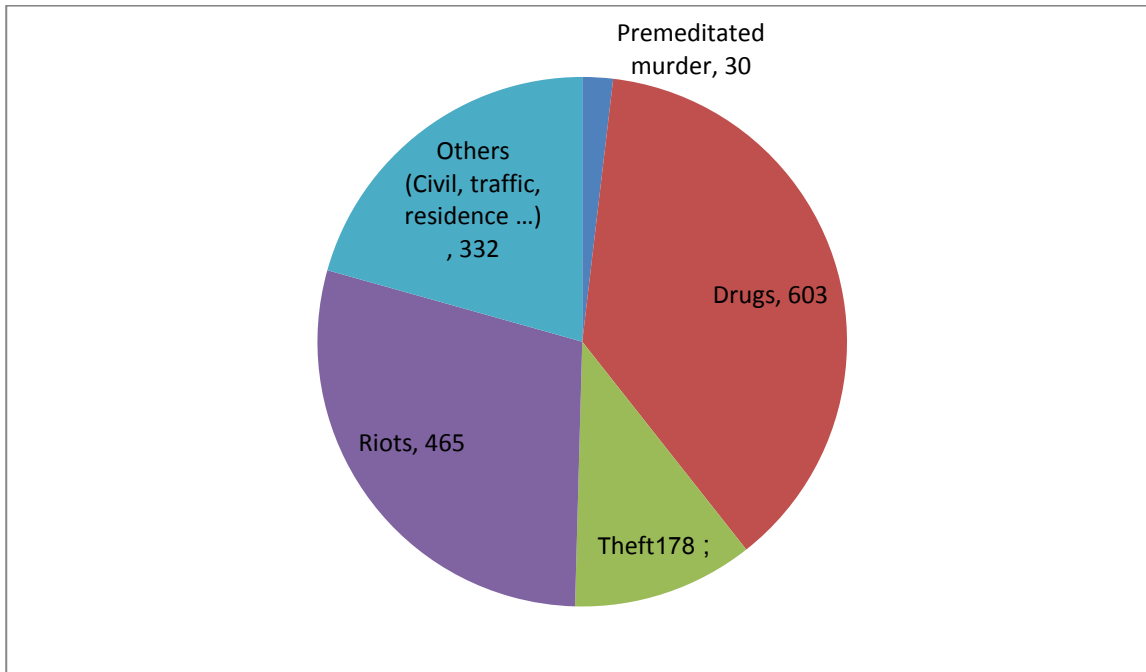
- Graphics to compare the number of prisoners with the maximum intended capacity



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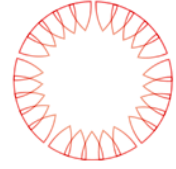
4- Categorisation of prisoners according to type of felony (5 September 2013)

Case	Premeditated murder	Drugs	Theft	Riots	Others (Civil, traffic, residence ...)
Number	30	603	178	465	332



Other felonies include: Financial crimes, traffic, illegal residence ...





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## **Section 2**

### **Principles and standards and the extent of their implementation in prison**

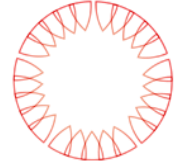
#### **Principle 1: the humane treatment and conditions**

##### **The conditions of the place**

- Prisoners are placed in safe cells.
- There are measures to improve the lighting of the cells and facilities with limited natural lighting.
- There are clear shortcomings in the arrangements and maintenance of existing facilities in place.
- There is overcrowding in the majority of cells. Overcrowding ranges from slight to severe.
- Inconsistency in the appropriateness of the temperatures in the cells.
- Prisoners have difficulty in calling emergency personnel.
- Some of the cells do not have toilets inside them.
- Some of the cells and wards have a low standard of cleanliness and hygiene.

##### **Care for the prisoners**

- Personal hygiene kits are available.
- Basic requirements for sleeping, such as mattresses, pillows and blankets, are available.
- As a result of overcrowding, there are low levels of comfort among prisoners during their stay in most of the cells and wards.
- There are not enough beds for all prisoners because their number exceeds the maximum intended capacity of the place.
- There are no specific and clear procedures on how to change the mattresses, pillows and blankets, either after a specific period of time, or in the event of damage or unfitness because of the lengthy use.
- There is difficulty in changing or renewing underwear as new clothes for prisoners are allowed only in exceptional cases. The clothes in the prison shop that prisoners are allowed to purchase do not include all sizes and do not meet the needs all groups.
- There are not enough lockers for all prisoners to keep his personal belongings.



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### **Prisoners are offered sufficient food and drink**

- Food and drink are provided for prisoners at meal times.
- There is an appropriate amount of food containing sufficient nutritional value.
- There is no specific method to monitor the quality of food provided by the supplier company and ensure that it is according to stipulations in the supply contract.
- There is no procedure to ensure the arrival of special meals for prisoners that require a specific diet due to health or other recognized reasons.

### **Respect**

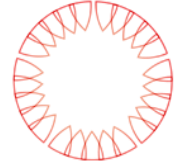
- prisoners are separated based on criteria such as the type of the felonies, the term of imprisonment, the age group (15 to 21 years old), and preventive health isolation.
- There is no classification or separation for the age group between 15 and 18 years old.
- Inadequate and insufficient training programmes for prison staff to develop the skills to deal with and meet the diverse needs of the prisoners.
- There is no social worker at the facility.
- The lack of written procedures governing the process and method of prisoners searches.

### **Safety**

- Prison staff are aware of their responsibility in the assessment and management of risks arising from dealing with prisoners or resulting from prisoners dealing with one another. They are also aware of and understand the concept of self-harm by some prisoners and the danger of some of the prisoners to others and how to deal with it.
- Staff did not receive initial or refresher training on risk management procedures (such as first aid training).
- There are no plans for assessing risk management and periodic follow-up.
- The lack of surveillance cameras in all prison buildings, corridors and wards, which are required under international standards adopted and accepted in this regard.

### **Legal use of force**

- The procedures in prison ensure the appropriateness and proportionality use in cases that require it within the provisions of the law and the relevant regulations.
- Weak theoretical and practical training on how to use force when necessary to ward off risks and maintain order.
- Deficiencies in the documentation of the use of force and its levels in the personal record of the prisoner in the event of his involvement in or being subjected to acts that lead to the use of force.



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## Rehabilitation

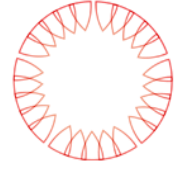
- Prisoners have opportunities to continue their education at various levels according to the home schooling or affiliation systems.
- Prisoners are allowed to study in their cells at any time.
- The existence of a procedure to receive textbooks and deliver them to prisoners.
- Families are allowed to provide prisoners any study books or notes they need.
- Rehabilitation programmes do not cover all categories of prisoners, even those who are serving short sentences.
- There are shortcomings in promoting prisoners' registration in home schooling or affiliation (distance learning) programs.
- The registration process may be lengthy, which may cause prisoners to miss enrolment deadlines to lose their chance to enrol in the school year.

## Learning, work and skills activities

- There is sufficient space for purposeful activities.
- Diverse training activities are available in different workshops (painting - carpentry - electricity - arts).
- Some prisoners are hired to perform some simple functions such as washing, cleaning, grooming, for a wage.
- The number of supervisors for the learning programmes, skill acquisition and training of prisoners for employment is not enough.
- There is no clear procedure to take advantage of the spaces allocated for purposeful activities.
- There is no procedure to ensure the effective use of information and data on prisoners for the development of objectives from the educational and the skill acquisition programmes.
- There are no written regulations that highlight to the prisoner his rights and responsibilities in the event of his hiring to a paid job.
- There is no mechanism to motivate prisoners to participate in purposeful activities.

## Other requirements (Outside exercise, reading materials, the opportunity to have visits and calls)

- Procedures allow prisoners out of their cells in accordance with the 1964 prison law and systems.
- The facility has different fields.
- Every prisoner has visitation rights in accordance with the 1964 prison law and systems.



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- Staff in the visitation building know how to calm a situation and how to deal and interact with visitors.
- The building for visits is clean, air-conditioned and well-lit. It has a sufficient number of employees and a canteen for the sale of food and beverages for visitors.
- There are no special measures in the visit regulations for visits to persons within the 15-18 age group.
- There is a deficiency in the available reading material both in terms of quantity and quality.
- The number of telephone booths is not sufficient.

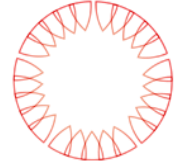
## Principle 2: Rights and guarantees

### Prisoners' legal rights

- Procedures ensure the prisoners' rights to lawyers and consult them.
- Procedures ensure that prisoners are informed of right to tell their families of their whereabouts.
- Procedures ensure the ability of prisoners or their lawyers to obtain copies of some documents from their records upon their release from imprisonment.
- Prisoners receive a copy of the documents that describe their rights and duties, and in three different languages.
- The instruction documents obtained by the prisoners do not cover all their legal rights and obligations.

### Complaints

- Prisoners are encouraged to solve problems amicably before submitting formal complaints.



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- Complaints submitted by prisoners are addressed impartially.
- Responding to complaints is relatively slow, and there is no classification of complaints by priority.
- There is no procedure that clarifies whether complaints are resolved orally or in writing.
- There are shortcomings in presenting the information about submitting a complaint or appealing its outcome, through posters, flyers and in the wards and corridors, clearly and in different languages and formats.
- There are no specific procedures to ensure there is no pressure on those who submit complaints is exerted on them to withdraw the complaint, or measures to protect them or the staff or other people to whom they had referred.
- There is no mechanism for the health complaints system. There are no procedures to facilitate the submission of such complaints or their prompt receptions by specialists. There are no methods to inform prisoners about how to submit complaints about health issues.

#### Legal procedures related to imprisonment

- There are clear procedures and specific legal guarantees to ensure prisoners' legal imprisonment in prison when they come for the first time to the reception venue.
- Accuracy in the validation of the prisoner's documents and details.
- Letter of appeal is presented to the prisoner.
- There is a system of punishment alternatives, in coordination with the competent judicial authorities.

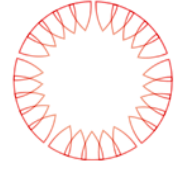
#### Prisoners who have difficulty communicating are provided for

- Information and guidance are provided in diverse formats and languages

#### Principle 3: Health Care

##### Health services

- Caring for prisoners is provided in the medical department or in any hospital outside the facility by specialists in health care.
- The examination rooms are designed in a way that preserves the patient's privacy.
- Health care staff undergo regular training and have the required knowledge and skills to meet the prisoners' health needs.
- The clinic is open twenty-four hours a day.
- The appointment system has a high degree of accuracy.
- The clinic has a small number of generalists, a dentist, and a psychiatrist



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- Medical examinations are confidential.
- There are a small number of doctors, nurses and administrators at the clinic.
- Some medical devices and equipment are out of order or cannot be used. There is no regular schedule for their inspection and maintenance.
- The level of cleanliness of the place is poor since it is cleaned only once a day.

#### Patients care

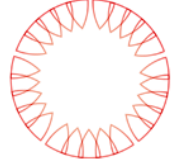
- Patients are properly treated when they arrive to the clinic
- There is a medical record for each prisoner that contains the entire medical and health information about his condition and the dates and stages of his treatment
- All contacts between patients, doctors and health care employees are recorded.
- There is coordination between the prison administration and the competent medical authorities outside to complete the treatment of patients with chronic or contagious diseases.
- Prisoners face difficulties accessing care workers and health professionals in a timely manner.

#### Prisoners receive prescribed medication

- There is commitment to distribute medications on a daily basis.
- Procedures ensure the process of storing, dispensing and disposing of medications safely if not consumed.
- Most types of medications are provided a regular basis.
- The health care specialist moves to buildings to deliver medications to patients according to a prepared list.

#### Mental health

- Prisoners with mental problems have the ability to go to the prison health facility. The prison administration allows them to communicate with the relevant health institutions that offer them support.
- There are plans and arrangements for the transfer of patients to psychiatry in the cases that require it.
- Clinic staff undergo training sessions on psychological health issues to enhance their aptitude to deal with relevant problems.

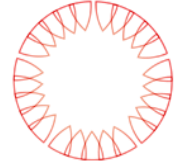


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## Recommendations

### General recommendations

1. Taking urgent action to address the problem of overcrowding in cells. It must be reiterated that the at the time of inspection the facility held 1608 prisoners where its maximum intended capacity was 1201 only.
2. Separating prisoners aged between 15 and 18 years old from the other categories and finding ways to treat them in a manner that meet their diverse needs.
3. Drafting rules that specify the methods and cases of prisoners searches. A team should be trained in accordance with these rules.



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4. Modifying the copies of regulations and instructions received by prisoners so as to clarify their rights and obligations clearly and adequately.
5. Setting up clear and specific procedures on complaints, grievances and the protection of complainants.
6. Installing surveillance cameras in all buildings, corridors and wards, according to the international standards in this regard.
7. Drafting written rules to regulate telephones calls and increase the number of phone booths.
8. Maintaining and renovating the wards and facilities periodically.
9. Allocating classrooms to enable students to continue their education, with the adoption of incentives to encourage them to carry on with their learning.
10. Allocating rehabilitation and productive classes to use the prisoners' energies and skills. All prisoners should be included in the programmes, regardless of whether their terms are short or long.
11. Holding specialized training sessions for all staff to boost their aptitude to deal with prisoners
12. Increasing the number of staff dealing with prisoners and appointing social workers.
13. Taking the necessary measures to ensure the food supplier/caterer commitment to supply various varieties of foods according to the contract, taking into account the conditions of prisoners with special diets.

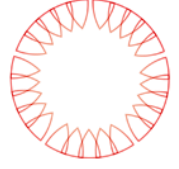
**Special healthcare recommendations**

1. Increase the number of doctors, nurses and administrative staff in the clinic.
2. Take the necessary measures to raise the level of cleanliness in the clinic.
3. Ensure the maintenance and periodic update of medical devices and equipment
4. Develop a mechanism to enable diabetic patients to receive insulin injections.
5. Extend the periods of work in the pharmacy to meet the needs of the clinic





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