



**STANDING COMMITTEE ON JUSTICE, LAW AND
HUMAN RIGHTS**

**Report on the Review of the
Fiji Corrections Service (01 August 2016-31 July 2017) Annual
Report**



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LIST OF ACRONYMS

FCS	-	Fiji Corrections Service
JEE	-	Job Evaluation Exercise
NDP	-	National Development Goal
SO	-	Standing Order
YRP	-	Yellow Ribbon Project

CHAIRPERSON'S FOREWORD



The Fiji Corrections Service is a key component in the Government's administration of Criminal Justice whereby it is responsible for persons that are being referred by the courts. The Correction services key accomplishments is to emphasise the principals of good governance, transparency and accountability.

The Standing Committee on Justice, Law and Human Rights was referred the *Fiji Corrections Service Annual Report* for the period *01 August 2016 – 31 July 2017*, on 21 June 2019 for review and to report back its findings to Parliament.

The objectives of the review was to analyse the overall functions of the institution and its accomplishments towards achieving good governance, transparency and accountability and its newly adopted vision of "*Effectively rehabilitate all inmates that they will become lawful abiding citizens, who contribute positively to the country*".

While reviewing the *Annual Report*, the Committee noted pertinent issues, which were discussed extensively with the representatives of the Fiji Corrections Service. Some of the main areas of discussion, included:

- i) the substantial progress made by the institution in terms of the services provided that are of international standards, which include new programs for inmate rehabilitation and the improvement of the human resources to carry out the vital service being provided by the Fiji Corrections Service; and
- ii) certain key aspects relating to the overall functioning of the Service, which include;
 - the outstanding job evaluation exercise for the human resource of the Service;
 - the push for the establishment of a Parole Board; and
 - the cost of incarcerating a person, which in turn leads to the introduction of programs that promotes the reduction of recidivism.

Consideration was also given to the requirements of the Standing Orders of Parliament pertaining to the impact on gender when deliberating on the *Annual Report*, therefore, as from the review, it was encouraging to note that the Service has committed itself in responding to the aspiration of being an institution that gives due consideration to gender issues. The Service has constructed two new Women's Correction Centres and this has also resulted in the recruitment of more female officers. Not only are females recruited for inmates management, there are also female staff that enter the Service, as psychologists and counsellors and are engaged in the Headquarters of the Service.

Through the review of the *Annual Report* and the findings of the Committee, it can be inferred that there has been commendable effort and tireless work conducted by the organization in meeting its obligations. However, the Committee after extensive deliberation has come up with a few recommendations for consideration by the Service and these are captured in this Report.

I would also like to thank the Honourable Members of the Standing Committee Justice, Law and Human Rights, Hon. Rohit Sharma (Deputy Chairperson), Hon. Ratu Suliano Matanitobua, Hon. Dr. Salik Govind and Hon. Mosese Bulitavu for their deliberations and input, the alternate members who made themselves available when the substantive

members could not attend, the secretariat and the officials from the Fiji Corrections Service who had assisted in the Committee work.

On behalf of the Committee, I commend the Committee's Report on the *Fiji Corrections Services Annual Report* for the period *1 Aug. 2016 – 31 July 2017* to the Parliament and seek support of all its Members to take note of the recommendations by the Committee.



Hon. Alvick A. Maharaj
Chairperson

COMMITTEE COMPOSITION

The Committee is made up of both the Government and Opposition Members, pursuant to Standing Order 115. Members of the Standing Committee on Justice, Law and Human Rights for the 2018-2022 Parliamentary Term are as follows:



Hon. Alvick Avhikrit Maharaj (Chairperson)

- *Assistant Minister for Employment, Productivity, Industry Relations, Youth and Sports*
- *Chairperson of Public Accounts Committee*
- *Government Whip*
- *Registered Pharmacist*



Hon. Rohit Sharma (Deputy Chairperson)

- *Deputy Chairperson of the Standing Committee on Justice, Law and Human Rights*
- *Deputy Government Whip*



Hon. Ratu Suliano Matanitobua (Member)

- *Shadow Minister for Youth and Sports*
- *Former State Minister of Fijian Affairs*
- *Former Military Territorial Officer*



Hon. Dr. Salik Govind (Member)

- *Public Health Specialist – United Nations (World Health Organisation)*
- *Deputy Chairperson of the Standing Committee on Foreign Affairs and Defence Committee*



Hon. Mosese Bulitavu (Member)

- *Shadow Minister for Defense, National Security, Immigration and Correction Services*
- *Former Opposition Whip*
- *Business Consultant/Farmer*
- *Territorial Military Officer – Republic of Fiji Military Forces*
- *Law Graduate and Researcher*

Committee Secretariat Team

Supporting the Committee in its work is a group of dedicated Parliament Officers who make-up the Committee Secretariat, and are appointed and delegated by the Secretary-General to Parliament pursuant to Standing Order 15 (3)(i). The Secretariat team is made of the following Parliament officers:

- Mr. Ira Komaisavai – Senior Committee Clerk
- Mr. Jackson Cakacaka – Deputy Committee Clerk
- Ms. Darolin Vinisha – Committee Assistant

1.0 INTRODUCTION

The Standing Committee on Justice, Law and Human Rights (“Committee”), was referred the *Fiji Corrections Service Annual Report 01 August 2016 – 31 July 2017* (“Report”) for review, on June 2019, pursuant to Standing Order 38 (2) of the Standing Orders of the Parliament of Republic of Fiji.

The Committee conducted its own deliberation and invited the representatives from the Correction Services to clarify issues pertaining to the Reports.

This review outlines the findings and recommendation by the Committee.

Fiji Corrections Service

The Fiji Corrections Service is primarily focused on three major aspect which is to provide security measures for all convicts and non-convicts, safety and care through rehabilitation process for inmates ensuring to strive towards zero recidivism

The Fiji Corrections Service being an institution that derives its funding from public funds was required under the law to prepare an annual report and to submit to the Minister responsible for Economy and whereby the Minister will then table the report in Parliament.

The Fiji Corrections Service Annual Report covers information on the work carried out by the organisation for the years 2016 and 2017.

The Annual Report also covers the main highlights of the organisation’s activities for the respective years.

2.0 COMMITTEE DELIBERATION AND FINDINGS

Initial deliberation by the Committee

The Committee read and deliberated and identified issues pertaining to the Annual Report. These issues were then brought to the attention of the Fiji Corrections Service (FCS) for clarification whereby discussion on the issues was conducted with the FCS representatives. The Committee identified a few key findings from the report in which a copy of the supporting documents provided by the Service are provided in the **Appendices**, which are uploaded with this Report and can be obtained from the Parliament website (www.parliament.gov.fj).

- i. During the reporting period there was an increase rate of recidivism of 7.27% compared to the baseline of 4% set in the National Development Plan (NDP).
- ii. The FCS had a standing ratio of 1:18 for Correction Officer per inmate as compared to 1:4 set in the NDP.
- iii. It was noted that there was an unutilized budget of \$500,000 allocated for the *Naboro road and maintenance project* and given that the FCS could not secure a

tender within the allocated budget, the project was carried forward to the next fiscal year.

- iv. it was noted that there was a revenue reduction on the Trade and Manufacturing Account (TMA) for the year 2016 – 2017 as compared to revenue collected by FCS in 2015;
- v. It was noted that there were additional programmes enlisted with the Yellow Ribbon Project and given the stagnant budget allocated under the YRP, it was highlighted that the budget was sufficient enough to facilitate other awareness programmes that was not part of the YRP of the FCS.
- vi. It was noted that under the General Administration of the FCS, there was an increase in number of projects from 14 to 17 amounting from \$7.1M to \$10.2M respectively.

Evidence received via submission and discussion with the FCS

As part of its review the Committee had an extensive discussion with the Fiji Corrections Service. The following is a summary of the discussions on the

Since 2016, the FCS has seen its fair share of ups and downs and like any other institution, also has weaknesses, which it tries to overcome and has made positive strides in this.

In terms of proportionality of corrections officers against the number of inmates – in 2016, the ratio was 1:18, which has since then reduced to 1:14 (1 correction officer against 4 inmates); this is in line with international standards. This ensured that the risk posed by inmates is reduced and at the same time protects corrections officers while on duty and managing inmates.

The FCS is working towards full implementation of the Mandela Rules (rules governing how inmates held in correctional facilities are to be treated).

The FCS spends approximately \$52.00 per inmate per day, which accounts for food, hygiene, clothing and beddings. However this is separate from the rehabilitation program budget. Currently, the FCS has a total of 1934 convicts, 608 persons in remand and 3 are detainees.

The FCS has shifted its approach on corrections services from in-care to through-care. FCS has built relationships with communities in trying to improve rehabilitation and reintegration of inmates. There have numerous MOU's signed with provinces and had engaged religious bodies in assisting the FCS of rehabilitating of offenders

In terms of its human resource, the FCS currently has 34 vacant positions with 929 established staff on the ground. The Service prioritises investment in rehabilitation programs such as employing counsellors and psychologists and has also saw fit to direct investment to uniform officers to undergo psychology and counselling studies at the University of the South Pacific, with 4 staff scheduled to graduate soon. The investment will contribute to FCS's endeavours in rehabilitation programmes in alleviating the recidivism rate of inmates.

It was also noted that the FCS staff had contributed immensely towards the overall service of the institution. The Committee was also advised that given the strenuous work conducted by the corrections officers, the executives of the Service are consistently working towards the review of the work being undertaken by the men and women of the Fiji Corrections Service and hoping that appropriate incentives be provided.

Another issue worth noting was that there has been push for the establishment of a Parole Board, but this comes under the purview of the Minister responsible for Justice. It was noted that there haven't been certain cases that have been considered by the Mercy Commission – 11 have been released since 2019 and 9 pending files with the Commission currently.

Other pertinent issues considered were regarding clarifications to statistics and certain errors in the Annual Report, whereby the clarified that the error. These errors and its clarification were as follows:

- Page 37 concerning project costs, whereby certain costs of projects were not specifically mentioned. It was clarified that these projects were funded from the same budget amount, which was \$500,000.
- Other projects, there were funds set aside for it, but were not utilised and this was clarified by FCS, in that this was due to the change in the financial year.

Copies of the submission documents are uploaded, along with this Report, in the Parliament website. The Verbatim Report of the submissions can also be found on the Parliament website: www.parliament.gov.fj.

Findings

The following is a summary of the main findings from the committee's review of the Annual Report.

The Committee noted that the Fiji Corrections Service has made substantial progress in its services, which are considered as being in line with international standards. This progress is evidenced in the programs it runs for the rehabilitation of inmates and the improvement in human resources that forms a vital part of important service provided by the institution.

Apart from the progress made, it was also noted that there are certain areas of the service that triggered much discussion between the Committee and the Service, and these include;

- the outstanding job evaluation exercise for the human resource of the Service;
- the push for the establishment of a Parole Board; and
- the cost of incarcerating a person, which in turn leads to the introduction of programs that promotes the reduction of recidivism.

Gender Analysis

The Committee took into account the provisions of SO 110(2) which states when a Committee conducts an activity listed in clause (1), the Committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit on both men and women equally.

As part of its review the Committee noted that the FCS, has a current staffing strength of 963, whereby facilities are manned by 929 staff and this is disaggregated into 134 (14%) who are female personnel and 795 (86%) are males. The projected difference between the two genders indicates that the FCS is a male dominant institution due to the nature of its operations.

It was encouraging to note that the FCS has endeavored to respond to the aspirations of being an institution that gives recognition to gender related issues. The FCS has constructed two new Women's Correction Centres and which led to the recruitment of more female officers. Majority of the female staff also work in the Headquarters of the Service. Female staff also enter the Service, as psychologists and counsellors.

3.0 RECOMMENDATIONS

After reviewing the *Fiji Corrections Service Annual Report 2016-2017*, the Committee noted a few issues which it brought to the attention of the FCS representatives.

The Committee acknowledges the achievement on the FCS specifically to the rehabilitation progress of inmates and reducing the recidivism rates. However, the Committee has identified some recommendation in which it believes will contribute to the improvement of services of the FCS.

The Committee notes:

- i) the shift by the Fiji Corrections Service from in-care to through-care programmes, which has allowed integration of ex-prisoners into the community and thus committee recommends that this be given much support as possible as this enables ex-prisoners to live a decent life;
- ii) the increasing mental and physical stress related to the work carried out by the Fiji Corrections Service staff, thus the committee recommends that there be health impact assessments for Fiji Corrections Officers to create a decent and conducive working environment.
- iii) the work being done by the Fiji Corrections Service on rehabilitation of inmates, thus recommends that this be given more support from related stakeholders to reduce the rate of recidivism.

4.0 CONCLUSION

The Standing Committee on Justice, Law and Human Rights has fulfilled its mandate approved by Parliament, which is to examine and review the *Fiji Corrections Service Annual Report 2016-2017* with due diligence.

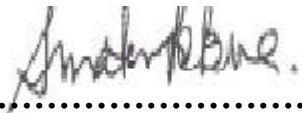
The Committee's review findings highlighted a few issues which was brought to the attention of the FCS representatives and was appropriately addressed and this was reflected in the findings and the recommendations put forth in this report.

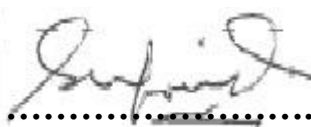
The Committee through this Report commends the *Fiji Corrections Service Annual Report 2016-2017* and seeks this August house to take note of its recommendations.

MEMBERS SIGNATURES OF ENDORSEMENT:


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HON. ALVICK MAHARAJ
(CHAIRPERSON)


.....
HON. ROHIT SHARMA
(DEPUTY CHAIRPERSON)


.....
HON. RATU SULIANO
MATANITOBUA
(MEMBER)


.....
HON. DR. SALIK GOVIND
(MEMBER)


.....
HON. MOSESE BULITAVU
(MEMBER)

DATE: 25/05/2020