

Report (12)

Unannounced visit to the Women's Removal Center (WRC)

24-25 May 2016

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Executive Summary

The Prisoners and Detainees Rights Commission (PDRC) was established in Kingdom of Bahrain by royal decree No.61 of 2013 as part of the pioneering measures to promote respect for human rights in the Kingdom, which it's the first of its kind in the region. It exercises its functions freely, impartially, transparently and in a completely independent manner within a well-developed vision of dealing with prisoners and detainees, in order to ascertain their status and the treatment they receive to ensure that they are not subjected to torture, inhuman or degrading treatment.

In order to execute PDRC's mandate and legal responsibilities, it made an unannounced inspection visit to the Foreign Women Removal Center (WRC) which it's under the General Directorate of Nationality, Passports and Residence Affairs (NPRA) on 24-25 May 2016, The Executive Summary will cover PDRC main findings as follows:

- WRC is overcrowded with capacity of 80 detainees, and total number of population at the time of the visit was 138 detainees. Number of children with mothers is two.
- PDRC team met 33 detainees out of 138, representing approximately 24% of WRC population, without any interference of WRC administration using random sample method.
- Staff were aware of the detainees various needs and had training to help meet detainees various needs.
- Detainees showed general satisfaction regarding staff treatment, and with overall center conditions. WRC administration organizes visits of various religious clergy, embassy representatives and NGO's for support and assistance of detainees.
- Detainees stated that they are able to contact their country's embassy, lawyers and families, but they complained about the insufficient availability of telephone booths. There are only two telephone booths

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- The PDRC team noticed the center is not equipped with surveillance cameras. While training on emergencies is provided to staff.
- PDRC team found out that there are no available records on programs to evaluate risk assessment. However there are written, organized procedures regarding the basic principles of the legal use of force inside the center, the staff have not received any training on risk management.
- The team inspected the quantity of food and drink and meal times, and concluded that it was being provided at regular timings, and the amount of meals is appropriate and with good nutritional value. Special food is provided for infants.
- The team noticed the level of cleanliness in the kitchen was bad, varied in some cells, and some toilets and showers are in need of maintenance.
- The PDRC team found that detainees' detention documents are in accordance with the law, with dossiers available for each detainee. Detainees are aware of their whereabouts since the first day and are able to notify their families, lawyers, and their embassies of the place. Most detainees are held for a short period, only one detainee was held for a prolonged detention (6 months), because of judicial process, which was found to be beyond the administrative control.
- In regards to complaints, detainees informed the team that they try to solve their personal complaints amicably and informally and do not file their complaints to the administration, because they are unaware of procedures to submit complaints. However, they can file these complaints verbally
- When detainees were asked about the medical services provided, they indicated satisfaction in general. They are able to meet with medical staff when needed. Detainees did complain of the long waiting period for a dentist appointment.

PDRC presented a draft of inspection visit report of the Center which falls under the General Directorate of Nationality, Passports and Residence at MOI, under Article

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(10) of the royal decree established the PDRC, which states: “The Commission shall prepare a report following each visit it conducts to prisons, jails and other places referred to in Article (1) thereof. Such report shall include recommendations on the conditions of inmates and detainees, and preventive measures designed to improve their conditions. The draft report shall be presented to the authorities concerned, which will be required to respond to its contents within a reasonable time period to be agreed upon between the Commission and the concerned authority”.

The General Directorate of Nationality, Passports and Residence at MOI responded to the draft of this report and they have sent their observations as it shown in the attachment in this report, where it includes the recent procedures were implemented or taken into consideration after the visit.

Section 1: Introduction

In order to fulfil the tasks entrusted to PDRC to monitor and inspect prisons, detention and juvenile care centers and other places where people could be detained such as mental health hospitals and detention centers, and in light of terms and references stipulated in Decree No.61 for the year 2013,. PDRC aims to improve the conditions and treatment of detainees. Therefore, the PDRC decided to make an unannounced visit to the Women's Removal Center (WRC), the General Directorate of Nationality, Passports and Residence Affairs (NPRA), in order to assess the conditions and treatment of detainees, whether rights and guarantees are provided to them, in accordance with principles and standards adopted by PDRC to ensure that they are not subjected to torture, inhumane or degrading treatment. The methods followed re-examining documentation, observation, speaking to detainees and staff, and issuing recommendations to raise the standards to be in par with human rights guidelines. taking into account the special nature of WRC as it is considered as an administrative center for foreign women deportation, not a penal institution or as a reformation and rehabilitation center, where judicial decisions is issued.

Background and Methodologies

Overview:

Women's Removal center (WRC) is organizationally under the General Directorate of Nationality, Passports and Residence Affairs (NPRA) – Ministry of Interior (MOI). WRC is located in Southern Governorate, and is the only Removal facility for women. Prior to its designation, two years ago as WRC, it was used as a women's reformation and rehabilitation center. The visit was conducted over a period of two days: 24 – 25 May 2016. A private office was allocated to PDRC team during the inspection period on the premises. Following the visit, PDRC team issued a report using a professional methodology agreed upon by the members and drawing on field visit reports by similar international institutions. The PDRC team greatly benefited from the wealth of experience it has accumulated from its past inspection visits.

Evidence and Information Gathering:

(i) Detainees

PDRC team met 33 detainees out of 138, representing approximately 24% of WRC population. The detainees were randomly selected by PDRC team without any interference from WRC staff. Names were chosen in a fixed sequence from the total list.

The random selection ensured good representation of WRC detainees including various nationalities, detention period and reason and their health conditions

In addition, the team asked other detainees verbally who gave their opinion, complain to the team while moving in the premises.

While moving through the Center the team inquired about the situation of pregnant detainees and whether their healthcare needs are being met during pregnancy and after birth.

Meetings with detainees were held independently of WRC staff. The detainees were briefed on PDRC team's role as well as the purpose of the interviews, ensuring them of privacy and confidentiality. The team listened carefully to all comments by detainees who were interviewed. All answers by detainees were taken into account.

(ii) WRC Staff

The staff provided a presentation on the conditions of the premises that included data and statistics related to detainees and staff.

During the meetings with the staff throughout the inspection, questions, comments and allegations raised by detainees were discussed or any findings which the team had observed the premises and the procedures which were followed, the administration replied to these questions and inquires, and gave their feedback. In general, the administration were cooperative with the PDRC team during the visit.

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(iii) Inspecting documents

PDRC had access to documents whenever needed to complete the inspection. For example, deposition documents regarding the legality of detention process, and administrative documents that includes statistics of detention period and reason. As well as the allocation to wings and cells.

PDRC team reviewed documents related to health care, safety and maintenance work and training.

(iv) Direct Observation

This is one of the most important mechanisms during inspections and it is conducted according to a work plan that ensures proper distribution of tasks and the selection of all principles and indicators that are verified in inspection. These included physical observation of WRC conditions, such as description of the place, and interaction between staff and Detainees.

All observations were documented by PDRC team, using two methods of observations:

- A. Observations made by the PDRC team.
- B. Testimonies of detainees and staff.

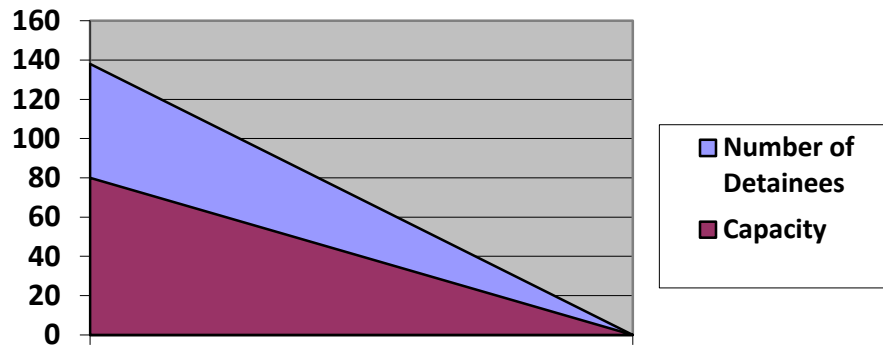
In both cases, PDRC verifies the observations by meeting with staff and detainees.

Section 2: Basic Data and Statistics

Number of detainees and total capacity of the center:

Total Capacity	Number of detainees	Children
80	138	2

Total Number of Detainees Compared to Capacity



* The place is overcrowded (72.5%).

Premises description

Reception - Administrative offices - Dining area- Kitchen-Storage - Two wings with five cells each, two shared bathrooms in each wing and one of the wings included two cells for mothers with children. In each cell there is a private bathroom, outer yard, and shop.

Staff

3 women officers and 31 police women's, who deal directly with the detainees. The staff are the ones in direct contact with detainees, and does not include guards and service support staff.

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Section 3: Humane Treatment and Conditions

- Throughout inspection and interviews it was concluded that, staff were aware of the detainees various needs and training to enhance understanding of detainees various needs are conducted. Mothers with children's (2) are assigned to cells with private bathrooms, but special beds for children were not available, thus the infant sleeps on the same bed with his/her mother due to the overcrowding issue. Moreover, mothers with children were supported by both the staff and detainees, and children had the necessary entertainment items.
- Detainees showed general satisfaction regarding staff treatment, and with overall center conditions, where WRC Administration organizes visits of various religious clergy, embassy representatives and NGO's for support and assistance of detainees.

PDRC team noted there are written procedures which organize detainees search methods upon arrival. The search method used is frisking, where a female staff would run her hands along the outer clothes of the detainee. Cell doors are left open at all times and staff office is located right next to the wing where detainees are able to call for staff whenever needed. Detainees have access to the external exercise area. A dining area with a small TV is available, but there was no library.

- PDRC team asked the detainees about their knowledge of their visitation rights. They stated that they have no knowledge of such rights although they receive visitors, but without clear guidelines. When the team requested the visitation record from the administration, they noticed that there is no specific visitation records. The administration stated that visitation requests are attached in the detainee's dossiers, but the team did not find such requests attached to them.
- The detainees stated that they are able to contact their country's embassy, lawyers and families, but they complained about the sufficient availability of telephone booths. There are two phone booths available at WRC, but one of them is in need of maintenance. The staff said that a maintenance request to the telecommunication company has been submitted. The team notes that the number of phone booths provided is insufficient to serve the number of detainees.

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- Regarding safety conditions in the Center, the team noticed that the center is not equipped with surveillance cameras, while smoke detectors were available in main entrance, reception area, administrative offices, and dining area, but not available in cells and inner hallways. Two fire extinguishers are available but it inspected lastly on, (08/09/2013). It was noted that the last inspection of smoke detectors was on (18/04/2016). Training on emergencies is provided to staff.
- In regards to safety related to self-harm, staff clarified that they have limited knowledge in that regard, and they have not received any training of risk management. The team did not find records of training in risk evaluation management.
- There is administrative guidance regarding the basic principles of the legal use of force inside the center, but training is not provided to staff. Staff did not find records of legal use of force. However, this was only mentioned in private statements.
- The team checked the availability of sufficient food and drink given to detainees and their catering dates. The team confirmed that food and drink are given at appropriate times in an organized manner. The quantity of food is adequate, varied, and nutritious. The team asked the detainees about the possibility of receiving clothes and food from outside, and about the store. Detainees indicated that in the store, there are different types of food, and beverages, and health related items available, and allowed to purchase from the store. Only canned food is allowed from external sources. Detainees are allowed to receive clothes from outside the center. The team noticed that various types of food was available in the cells, when asked why they were stored in their cells, the detainees complained that no proper storage is available due to lack of maintenance and cleanliness of the refrigerator. Special food is provided for infants.
- Some detainees complained of overcrowding in cells, cleanliness, and that health facilities are in need of maintenance. The team inspected the conditions of the place, and noticed overcrowding in some cells, with some detainees sleeping on the floor because shortage of beds. The team states that the center is 72.5% over populated. The temperature and air ventilation is appropriate, but some cells lacked natural

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lighting. The level of cleanliness in the kitchen is bad, varied in some cells, and some toilets and showers are in need of maintenance. Detainees have easy access to wash rooms and toilets. The team inquired staff about maintenance, staff said that request for maintenance are regularly submitted to the maintenance department, which is left to their discretion. The team requested to see the maintenance records, and noted that some maintenance requests are delayed or left unattended.

- Some detainees complained that pillows, covers, and beds were not clean, and that personal hygiene items are provided but in limited quantities. The team inspected and found that basic sleeping requirements such as pillows, covers, and beds were available and clean, with clear procedures for exchange of linens. Personal hygiene kits and cleaning material was assigned to the oldest detainee who volunteers for distribution. The WRC administration explains that they do not directly interfere in the delivery of supplies to the detainees. The team noted that no specific mechanism was available to ensure materials are distributed equally.
- Detainees are transferred from and to the Center in clean and safe vehicles. Staff are prepared to receive detainees to avoid long waiting periods in vehicles. Detainees are not handcuffed during their transfer and informed the team that they are allowed to carry cash only and are not allowed to carry official documents. Staff explained that they are responsible to keep documents but can receive their personal belongings, when detainees are transferred to and from the facility.
- Some detainees expressed concern regarding their deposited items in storage or personal items received from outside the center before their deportation, and were worried that the administration sometimes does not notify them of the deportation time sufficiently in advance, this occurred with their cell mates who were deported. Staff responded that detainees are informed of their travel schedule and are allowed to receive their deposited personal items in an appropriate time. The team checked the deposits storage and found that it is disorganized, and the detainees required more time to recognize their personal items, and obtain their property.

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Section 4: Individual Rights and guarantees

- The PDRC team found that detainees are kept in accordance with the law, with dossiers available for each detainee and they are aware of their location from day one, and able to contact family, lawyer, and embassy. Most detainees are held for a short period, only one was held for a prolonged detention (more than 6 months), the administration said it is because of judicial process, which was found to be beyond the administrative control. The administration mentioned the deportation process occurs after the completion of judicial and legal procedures.
- The detainees were asked if they were familiar with their rights and grantees, and whether they were provided with translation services in a language they understand. Some detainees decided they were unaware of their duties and rights, they depend on asking the oldest detainees in the place. They also said they were not provided with information in a language they understood, neither provided with translation services in their native language. The team concluded that no translation services were provided to those did not understand Arabic or English.
- The team noticed that rights and guarantees posters were not available. The staff rationalized the unavailability of such documents because they provide a copy of the legal rights and duties to each detainee upon arrival to the center and are required to sign a copy. This document did not include the detainees held in (WRC) the team noticed that such documents are only written in Arabic and English, and are truly signed by the detainees. Detainees complained that they signed on a form on the personal items deposit form, which was written in Arabic only. Staff responded that they do usually verbally explain to the detainee the contents of the form before it is signed.
- The detainees were asked if they had knowledge about the possibility of submitting complaints, they informed the team that they try to solve their personal complaints amicably and informally, they do not file the complaints in writing because they are unaware of procedures to submit complaints and how to follow up. Some complaints are submitted verbally. The team noticed that complaint boxes were not available. Staff said, they encourage detainees to solve their complaints in a friendly matter

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and in case a complaint is received, it is dealt with accordingly. The team found there is no clearly written procedure for complaints that organized methods for submitting them confidentially or dealing, appealing them, or protecting complainants

Section 5: Healthcare

There is a common healthcare center provided by the Ministry of Interior, which serves WRC, Juvenile Care Center, and Women's Reformation and Rehabilitation Center. Medical details are recorded in the detainee's dossier upon arrival.

When detainees were asked about the medical services provided, they indicated satisfaction in general. They are able to meet with medical staff when needed, either by visiting the healthcare center or by being transferred to the public government hospitals. They receive prescribed medicine in a timely manner, which are stored in police offices. Detainees have access to psychiatric care, and children get check-ups with vaccinations. However, the detainees did complain of the long waiting period for a dentist appointment. The team found there is relatively a long waiting period for detainees in public hospitals.

NOTE :(A visit to the healthcare center took place on January 18-20, 2015 which is published on reports of Women's Rehabilitation and Reformation Center (WRRC), Women's Detention Center (WDC), and Juveniles Care Center (JCC). Available on the Commission website www.pdrc.bh)

Section 6: Recommendations

1. Ensure that a mechanism is in place to quickly transfer patient detainees to governmental dental clinics.
2. Take proper procedures to avoid overcrowding.
3. Install surveillance cameras in all the center with written rules which indicates the pathway of the detainees in the center, ensuring all common areas are completely monitored.
4. Formulate procedures to raise the level of cleanliness and speed up the maintenance process, and review the delivery mechanism of personal hygiene tools.
5. Increase the number of phone booths.
6. Improve the process of receiving, preserving, and delivery of personal deposited items.
7. Install more smoke detectors in cells and hallways, with periodic inspection of fire extinguishers.
8. Train staff on the legal use of force in the center and providing training on evaluation and risk management.
9. Put in place a clearly written procedure that defines the process of filing complaints that guarantees confidentiality and follow up. This includes informing complainants of outcomes
10. Provide translation services to detainees, who do not speak Arabic or English.
11. Provide a suitable visitation and waiting room.
12. Put in place specific regulations, which take into account the rights and guarantees of detainees.

Section 7: References

- The Constitution of the Kingdom of Bahrain.
- The National Action Charter.
- The Penal Code and its amendments.
- Code of Criminal Procedure and its amendments
- The Law of the Public Security and its amendments.
- The Law of the Reformation and Rehabilitation Directorate.
- Decree on the formation and functions of the Commission for the Rights of Prisoners and Detainees.
- The Universal Declaration of Human Rights.
- The International Covenant on Civil and Political Rights.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol.
- The International Convention on the Elimination of All Forms of Racial Discrimination.
- The Convention on the Elimination of All Forms of Discrimination against Women.
- The United Nations Convention on the Rights of the Child.
- Convention on the Rights of Persons with Disabilities.
- The Charter of the United Nations.
- The Arab Charter on Human Rights.
- Standard Minimum Rules for the Treatment of Prisoners (The Geneva Rules, 1955).
- The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules).

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- Inspection Standards of Her Majesty's Inspectorate of Prisons in the United Kingdom.
- Ombudsman's standards for visiting prisons and places of detention (September 2013).

Standard 1: Treatment and Conditions

- Conditions of the Premises.
- Prisoner's Care.
- Sufficient Food and Drink.

- Respect.
- Safety.
- Legal use of Force.
- Rehabilitation.
- Learning, work and skills activities.

- Outdoor Exercise, Reading Materials, Visits and Calls.

Standard 2: Individual Rights and Guarantees

- Legal Rights.
- Complaints.

Legal Procedures Related to Imprisonment.

Providing assistance for those who suffers difficulties in communication

Standard 3: Health Care

- Health Services.
- Patient Care.
- Dispense of medical Prisoners prescription and treatment.
- Psychological Health.

National Directorate of Nationality, Passports and Residence Affairs (NPRA)
Response on WRC Report

- In regards with the capacity of WRC, (MOI) were addressed to build a new center to be in par with national and international standards.
- In concerns with detainees knowledge about their visitation rights and they don't get visitation regularly, each detainee has the right to visitation where the common criminal justice system (Najm) is activated in WRC 24/7 in all shifting hours to do all procedures related to detainees, including giving visits permits mechanism where all the procedures are documented and archived electronically, and has also been written administrative instructions for officers and non-commissioned officers organize visits to the detention process work.
- In regards to the availability of phone booths, WRC has given access all detainees to have mobiles phone (without camera) to be used at any time, as well as allowing them to use WRC phone booths.
- Regarding to safety requirements and the availability of surveillance cameras at the center, WRC have addressed MOI in this regard, noting that there is a continuous follow-up.
- Regarding the availability of smoke detector in WRC, it is installed now in the cells, kitchen and corridors, and maintenance work has been made, and fire extinguishers has been increased.
- In regards to safety related to self-harm and the availability of risk management programs to assess and manage risks, WRC staff were giving training courses on human rights and first aid .These courses are still ongoing.
- As for the training of the staff on basic principles for the legal use of force, WRC has addressed the training department in (MOI) to provide the necessary courses on

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how to deal with the detainees and the controls of the legal use of force, risk management and responsibility arising.

- In regards to detainees brings various type of canned food in their rooms, WRC has taking into account health conditions, and has banned detainees to do that anymore, new refrigerator has been provided to store foods in, moreover the cleanliness of the refrigerator supervised daily.
- All the necessary maintenance for medical facilities, toilets, have been done, methods have been taken to increase the cleanliness of kitchen and cells, maintenance for these areas are completed. Sufficient lighting is added to WRC, corridors and cells.
- In concerns to lack of personal hygiene kits and cleaning material, WRC has set up a clear mechanism, and assigned a staff to be in charge to distribute them equally.
- Regarding the unorganized detainee's deposit storage there is an electronic mechanism in (Najm) project for regulating the deposited items, also, the personal items for each detainee is fitted in her own bag with a private lock. At the time of deportation, she opens the lock to receive her own-deposited items. Informing them in a timely manner before deportation to receive their personal items, knowing that to end a deportation process in (Najm) system, it is only done after completion of receiving the detainee's personal items.
- In regard to lack of awareness about the rights and guarantees for some of detainees and if there is translation services in their native language, WRC has contact the Legal Affairs Department of (MOI) in this regard to communicate with the detainees embassies to offer translation services.
- In concern to the availability of detainee's rights and guarantees posters in the center, WRC has addressed Legal Affairs Department in MOI. In regards to misunderstanding the contents of personal items deposit form, the common criminal justice system (Najm) is available only in Arabic and WRC will coordinate with the concerned authority to add more languages to the form.

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- In terms of prolonged deportation period, when all documents are available the detainee is deported within 48 hours, in case of missing documents the detainee is deported within 5 days. It is also worth noting that a governmental fund has been allocated with mechanism in place to buy tickets through MOI for detainees who are unable to buy them, and a decision is issued to exempt all deportees from all charges for humanity reasons in order to facilitate their deportation.
- Regarding the absence of a dedicated complaints box, WRC has provided a special complaints box to detainees and allow them to raise their complaints, NPRA has established a mechanism for complaints and taking the necessary action.
- Regarding the long waiting period for detainees' dental treatment, WRC administration is working hard to submit proper dental services appointments on time and there is a continuous follow-up.

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