



PRESS STATEMENT

Apia, 7 June 2022 – COVID-19 preparedness, prevention and control in places of detention assessment report published

Empowered by section 33(e) of the Ombudsman Act 2013, the Office conducted its COVID-19 preparedness, prevention and control in places of detention assessment for the Tanumalala Detention Facility on the 28 April 2022. The aim of the Assessment was to evaluate preparedness, prevention and control of COVID-19 in places of detention in Samoa specifically the Tanumalala Detention Facility. Areas in which the Office focused its assessment on included: Human rights, Risk assessment and management, Referral system and clinical management, Contingency planning, Training, Risk communication, Prevention measures, and Case management.

The Office observed during its assessment several good practices and measures put in place at the site. These included having in place a comprehensive COVID-19 Response Plan, having dedicated isolation cell blocks for positive cases, testing for staff when they come in and leave shifts, distribution of sanitizers, soaps and face masks for inmates and staff, granting of temporary release for prisoners who were 55 years and above who have underlying health conditions and early release for inmates who have already served over 50 per cent of their total term with 6 months remaining and for breastfeeding mothers.

However, there were also deep concerns observed which require attention to ensure effective management of COVID-19 and any future public health emergency in places of detention. This is especially in relation to overcrowding with some cell blocks not meeting the social distancing requirement, anxiety and mental stress of prisoners and staff, delays in handling court cases of some prisoners due to court shutdown, as well as lack of resources such as testing kits to conduct comprehensive surveillance for all inmates and visitors to the facility.

In light of the above, the Office made 16 recommendations for the Ministry of Police and Prison Services (MPPS) to consider to ensure that the rights of inmates and custodies (as well as staff) continued to be protected and safeguarded given their vulnerability to COVID-19. Some of the recommendations include:

- Addressing the systemic causes of overcrowding in prison including working with the courts and lawyers to facilitate more bail hearings and seek review of bail conditions especially for those who are likely to spend a longer period in custody awaiting trial;
- Ensuring that there is timely communicating of information regarding plans and risks of COVID-19 in a way that is user friendly (including being displayed at cell blocks and entry points) for all inmates;
- Putting in place of a system or mechanism to gather and integrate risk perception of people in prison (especially those most vulnerable including pregnant female inmates, older prisoners and

inmates with underlying health conditions as well as young inmates), staff and visitors in planning and message development;

- Continue to provide low-risk social interactions and continued psychosocial support inmates especially young offenders (in accordance with Samoa's obligations under the Convention on the Rights of the Child) to assist with concerns of anxiety and mental stress;
- Ensuring that instances of discrimination especially against inmates who test positive for the virus are adequately addressed;
- To work closely with the Ministry of Justice and Courts Administration and the Office of the Attorney General to facilitate hearings of inmates whose cases are due for hearing. Alternative methods for conducting non-contact hearings such as video links must be fully utilized.

While the Office's *COVID-19 Assessment* was only conducted for the Tanumalala Prison, recommendations made are relevant for all three prison facilities managed by the MPPS to ensure consistency in measures applied. This is especially essential for the Juvenile Detention Centre at Olomanu where young offenders must be provided with the necessary support in accordance with Samoa's obligations under the Convention on the Rights of the Child.

To read the Report you can download a copy from our website using this link: <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>

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