



# Asamblea General

Distr. general  
24 de julio de 2024  
Español  
Original: inglés

## Consejo de Derechos Humanos

### 57º período de sesiones

9 de septiembre a 9 de octubre de 2024

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos, civiles, políticos, económicos, sociales y culturales, incluido derecho al desarrollo**

## Visita a las Bahamas

### Informe del Grupo de Trabajo sobre la Detención Arbitraria\*

#### *Resumen*

El Grupo de Trabajo sobre la Detención Arbitraria realizó una visita a las Bahamas del 27 de noviembre al 8 de diciembre de 2023 por invitación del Gobierno. En el presente informe, el Grupo de Trabajo señala avances positivos, como la ratificación de los principales tratados internacionales de derechos humanos y el hecho de que se haya cursado una invitación permanente a todos los procedimientos especiales del Consejo de Derechos Humanos, la presentación al Parlamento en 2023 del proyecto de ley sobre el Defensor del Pueblo, para establecer la Oficina del Defensor del Pueblo, y otras numerosas iniciativas legislativas y normativas, la creación de la Comisión Parlamentaria de Derechos Humanos y el hecho de que la admisión en instituciones asistenciales del Estado de personas que necesitan cuidados sea con carácter voluntario.

Al mismo tiempo, el Grupo de Trabajo observa problemas en el sistema de justicia penal, como la práctica generalizada de la detención sin orden judicial. El Grupo de Trabajo expresó preocupación por la falta de una oportuna supervisión judicial de la detención y por las denuncias de violencia policial contra los detenidos, que podían dar lugar a confesiones involuntarias o poco fiables. Además, el Grupo de Trabajo señala las deficiencias del sistema de libertad bajo fianza, que incluyen problemas técnicos y condiciones de libertad bajo fianza que a menudo superan los medios económicos de los sospechosos y de sus familias. El derecho a la asistencia letrada está gravemente limitado, y algunas personas que no pueden permitirse un abogado se quedan sin asistencia letrada durante las fases iniciales del procedimiento.

Las condiciones de detención en el Departamento de Servicios Penitenciarios no cumplen las normas internacionales, ya que los presos preventivos a menudo son reclusos junto con presos condenados y es frecuente que los procedimientos penales sufran retrasos. En relación con la justicia infantil y juvenil, el Grupo de Trabajo observó que la edad de responsabilidad penal no se ajustaba actualmente a las normas internacionales, que los niños no disponían de asistencia letrada del Estado y que los reclusos en el Departamento de Servicios Penitenciarios no tenían acceso a una educación regular ni a visitas de familiares.

\* El resumen del presente informe se distribuye en todos los idiomas oficiales. El informe propiamente dicho, que figura en el anexo, se distribuye únicamente en el idioma en que se presentó. El apéndice del informe se distribuye tal como se recibió, únicamente en el idioma en que se presentó.



Los retos en el contexto de la migración incluyen barreras en el acceso a la representación letrada, la interpretación, la información sobre el derecho a la asistencia jurídica, la asistencia consular y los procedimientos de asilo.

Por último, en el contexto de la discapacidad psicosocial y la atención social, el Grupo de Trabajo observa la actual falta de servicios basados en la comunidad, lo que hace que algunas personas tengan que permanecer institucionalizadas. Entre otras recomendaciones, el Grupo de Trabajo alienta a las Bahamas a que adopten prácticas específicas que proporcionen mayor protección contra la detención arbitraria.

**Anexo****Informe del Grupo de Trabajo sobre la Detención Arbitraria relativo a su visita a las Bahamas****Contents**

	<i>Page</i>
I. Introduction .....	4
II. Overview of the institutional and legal framework .....	4
A. International human rights obligations .....	4
B. National legal framework .....	5
III. Good practices and positive developments .....	5
A. Ratification of international treaties.....	5
B. Ombudsman Bill and other legislative initiatives .....	6
C. Parliamentary Human Rights Committee .....	6
IV. Main findings concerning the right to personal liberty .....	6
A. Detention in the context of criminal justice .....	7
B. Detention in the context of migration .....	13
C. Detention in the context of psychosocial disability and social care.....	14
V. Conclusions .....	15
VI. Recommendations .....	17
Appendix .....	20

## **I. Introduction**

1. At the invitation of the Government, the Working Group on Arbitrary Detention conducted an official visit to the Bahamas from 27 November to 8 December 2023. The Working Group was represented by Priya Gopalan (Malaysia), Ganna Yudkivska (Ukraine) and Mumba Malila (Zambia), who were accompanied by staff from the Office of the United Nations High Commissioner for Human Rights.
2. The visit was the Working Group's first to the country, and the Working Group extends its gratitude to the Government for the invitation. The Working Group met with officials from the Ministry of Foreign Affairs, the Office of the Attorney General and Ministry of Legal Affairs, the Royal Bahamas Police Force, the Royal Bahamas Defence Force, the Office of the Director of Public Prosecutions, the Department of Social Services, Information and Broadcasting, the Department of Rehabilitative/Welfare Services, the Bahamas Department of Immigration, the Bahamas Department of Correctional Services, the Registry of the Supreme Court and Court of Appeal, the National Anti-Drug Secretariat, the Prerogative of Mercy Board, offices concerned with the rehabilitation of offenders and trafficking in persons, the Office of the Public Defender and the Ministry of Health and Wellness.
3. The Working Group visited 10 facilities: the Bahamas Department of Correctional Services, the Carmichael Road Detention Centre for migrants, police stations, detention facilities for children in conflict with the law, a care centre for older persons, a children's home and the psychiatric, geriatric and substance abuse services facility at Sandilands Rehabilitation Centre (see appendix). It was able to confidentially interview 134 persons deprived of their liberty and, furthermore, had a supervised interaction with girls held in detention. The Working Group received unimpeded access to all the places that it wished to visit and is grateful to the Government for its cooperation.
4. The Working Group extends its gratitude to the numerous other stakeholders in the country who shared their perspectives on arbitrary deprivation of liberty, including representatives of civil society and lawyers, for the information and assistance that they provided.
5. The Working Group shared its preliminary findings with the Government on 8 December 2023. It intends to continue its constructive dialogue with the Government on the issues discussed in the present report.

## **II. Overview of the institutional and legal framework**

### **A. International human rights obligations**

6. The Bahamas is a party to major international human rights instruments, including the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, and the Convention on the Rights of Persons with Disabilities.
7. The State is not a party to the International Convention for the Protection of All Persons from Enforced Disappearance or the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
8. The Bahamas has been reviewed four times as part of the universal periodic review, in 2008, 2013, 2018 and 2023.

## **B. National legal framework**

### **1. Constitutional framework**

9. The Constitution, adopted in 1973, is the supreme law of the Commonwealth of the Bahamas. Chapter III of the Constitution, entitled “Protection of fundamental rights and freedoms of the individual”, enshrines the rights to life, protection from inhuman treatment and protection from arbitrary arrest and detention, in articles 16, 17 and 19, respectively. Article 19 (1) provides that no person is to be deprived of his or her personal liberty save as may be authorized by law.

10. The Constitution guarantees due process rights, including the right to legal assistance at one’s own expense (art. 19 (2)), the right to be afforded a fair hearing within a reasonable time by an independent and impartial court (art. 20 (1)), the right to be presumed innocent until proven or having pled guilty (art. 20 (2) (a)), the right to be afforded adequate time and facilities for the preparation of a defence (art. 20 (2) (c)) and the right to examine witnesses and the right not to testify against oneself (art. 20 (7)). The Constitution also enshrines other fundamental rights and freedoms.

### **2. Criminal Procedure Code Act**

11. The Criminal Procedure Code Act contains a number of provisions to align the arrest and detention system of the Bahamas with its international human rights law obligations. According to the Code, a person arrested without a warrant must be brought before a magistrate without unnecessary delay and within 48 hours.<sup>1</sup> This provision also applies to situations in which the authorities arrest, without a warrant, a person who is not a Bahamian citizen when they have reasonable cause to suspect that he or she has committed an offence under the Immigration Act. Thus, the maximum period of detention without judicial oversight cannot exceed 48 hours.<sup>2</sup>

12. The court may remand the accused in prison for a reasonable time, not exceeding seven consecutive days. During this period, the court may at any time order the accused to be brought before it.<sup>3</sup>

13. When an accused person is brought before a magistrates’ court, whether on summons, pursuant to a warrant or otherwise, this person and any legal practitioner appearing on his or her behalf is entitled to cross-examine witnesses called in support of the prosecution.<sup>4</sup> During the court proceedings, any evidence given is to be interpreted to the accused in a language that he or she understands.<sup>5</sup>

## **III. Good practices and positive developments**

### **A. Ratification of international treaties**

14. The Working Group lauds the commitment shown by the Government to upholding international human rights by ratifying core international human rights treaties and extending, since 2013, a standing invitation to all special procedures of the Human Rights Council. The Working Group recognizes the fact that the Bahamas was among the first countries to ratify the Convention on the Rights of the Child, in February 1991.

15. In May 2018, the Bahamas ratified the Convention against Torture, which is a highly commendable step. The Working Group recalls that regular, independent oversight of all places of deprivation of liberty is an effective safeguard against arbitrary detention and urges the Government to ratify the Optional Protocol to the Convention, to promptly transpose it

<sup>1</sup> Criminal Procedure Code, sect. 18.

<sup>2</sup> This aligns with international standards (see Human Rights Committee, general comment No. 35 (2014), paras. 32 and 33).

<sup>3</sup> Criminal Procedure Code, sect. 122 (2).

<sup>4</sup> Ibid., sect. 119 (2).

<sup>5</sup> Ibid., sect. 104 (3).

into domestic law and to establish an effective and functional national preventive mechanism, in line with the Optional Protocol.

16. The Working Group calls upon the Bahamas to sign and ratify other international instruments safeguarding the right to personal liberty, such as the International Convention for the Protection of All Persons from Enforced Disappearance, which provides for an inter-State communications procedure. It urges the State to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, with a view to affirming the de facto moratorium on executions and abolishing the death penalty.

## **B. Ombudsman Bill and other legislative initiatives**

17. The Working Group commends the Bahamas for tabling the Ombudsman Bill before Parliament in 2023, to establish an Office of the Ombudsman compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a view to, inter alia, promoting and protecting the fundamental rights and freedoms of persons and international human rights law. It also commends the Bahamas on the passing of the Bill by the House of Assembly in January 2024. The Office of the Ombudsman will be equipped to receive, investigate and resolve complaints, mediate conflicts, conduct monitoring activities and promote education. The Working Group encourages the swift enactment of the Bill to ensure that the Office of the Ombudsman promptly commences its functions as an independent national human rights institution, with provisions in place to safeguard its financial independence.

18. The Working Group commends the passing of the Mental Health Act and recognizes numerous legislative and regulatory initiatives, including the Immigration, Naturalization and Asylum Bill, the Parole Bill and the draft Immigration (Detention Centres) Regulations 2023. The Working Group urges the authorities to make further efforts to enact these texts.

## **C. Parliamentary Human Rights Committee**

19. The Working Group welcomes the establishment in 2023 of the Parliamentary Human Rights Committee, the first of its kind in the Bahamas and the third such committee to be established in the Caribbean Community. The Committee is mandated to assess and evaluate all matters relating to the protection and realization of human rights in the Bahamas, determine the extent to which the protection and realization of human rights complies with regional and international obligations, report to Parliament every three months with a view to guiding the legislative process and hold public hearings on human rights-related issues. The Committee will be made up of five Members of the House of Assembly and three Senators.

20. The Working Group notes the work of the National Reporting Cooperation Mechanism to draft a master framework for scheduling, preparing and submitting reports in accordance with the reporting obligations of the Bahamas.

## **IV. Main findings concerning the right to personal liberty**

21. In determining whether the information provided, including from persons interviewed during the visit, raised issues regarding the arbitrary deprivation of liberty, the Working Group referred to the five categories of arbitrary deprivation of liberty outlined in paragraph 8 of its methods of work.<sup>6</sup>

---

<sup>6</sup> [A/HRC/36/38](#).

## A. Detention in the context of criminal justice

### 1. Presentation of an arrest warrant

22. The right to be presented with an arrest warrant, excluding in exceptional cases, such as those in which the arrest is made in flagrante delicto, is procedurally inherent in the right to liberty and security of person and the prohibition of arbitrary deprivation of liberty under articles 3 and 9, respectively, of the Universal Declaration of Human Rights, article 9 of the International Covenant on Civil and Political Rights and principles 2, 4 and 10 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. Under section 31 (2) (a) of the Police Force Act 2009, a police officer may arrest, without a warrant, a person whom he or she reasonably suspects of having committed an offence. Even broader powers are conferred under section 104 of the Penal Code. The Working Group observes that section 104 is open to abuse by the police. The notion of flagrante delicto, where a person is caught in the act, is also interpreted quite broadly. As a result, the majority of the detainees interviewed by the Working Group had not been presented with any warrant at the time of their arrest. The Working Group considers that such expansive exceptions to the arrest warrant requirement are not consistent with human rights law. It thus recommends ensuring that warrants are obtained in advance to avoid undermining judicial control of detention.

23. The Working Group was alerted to a widespread practice of conducting arrests on the basis of outdated or expired warrants, followed by release after 24 or 48 hours. Such detentions, lasting for between 24 and 48 hours, have severe repercussions, including loss of work through absence. The Working Group received information about the police practice of detaining individuals, including those wearing electronic ankle monitors, during certain festive periods. The Working Group invites the authorities to provide safeguards against both those practices and their consequences.

### 2. Presentation before a judicial authority and alleged police violence

24. In accordance with sections 18 and 19 of the Criminal Procedure Code Act, the competent authorities are mandated to bring arrested individuals before a magistrate within 48 hours of their arrest so that they can be apprised of the charges filed against them. Law enforcement authorities can seek an extension of this time frame, for an additional 72 hours (previously 48 hours), by making an ex parte application to a magistrate.

25. In practice, however, the Working Group observed that detainees are often kept in police custody for significantly longer periods – seven days or more – without any notification of the charges against them or judicial oversight. In the view of the Working Group, such prolonged periods do not satisfy the requirement of bringing a detainee “promptly” before a judge following arrest. It recalls that, according to article 9 (3) of the Covenant, anyone arrested or detained on a criminal charge is to be brought promptly before a judge. As the Human Rights Committee has stated, 48 hours is ordinarily sufficient to satisfy the requirement of bringing a detainee “promptly” before a judge following his or her arrest, and any longer delay must remain absolutely exceptional and be justified under the circumstances.<sup>7</sup>

26. The Working Group received information about police violence inflicted upon detainees, including beatings and ill-treatment to extract confessions, with a plastic bag placed over the head being a frequent example. While judges who receive complaints of ill-treatment are obliged to consider whether a confession was obtained under duress, and if so to declare it inadmissible as evidence, it is imperative for the authorities to respond to allegations of misconduct, ensuring that independent investigations are promptly conducted.

27. Although the Evidence Act stipulates that no evidence may be given of any admission made under duress<sup>8</sup> and that the burden of proof rests upon the prosecution to prove that the confession was not obtained by oppression,<sup>9</sup> the Act does not oblige a court to ensure there

<sup>7</sup> Human Rights Committee, general comment No. 35 (2014), paras. 32 and 33.

<sup>8</sup> Evidence Act, sect. 17.

<sup>9</sup> Ibid., sect. 20 (2) (b).

is corroborating evidence once an accused has confessed. The Working Group was also informed that interviews of suspects at the Criminal Investigation Department were recorded on video. It received information that, in many instances, those recordings were not made readily available when allegations of a coerced confession arose.

28. The Working Group recalls that, under article 14 (3) (g) of the Covenant, the burden is on the Government to prove that a confession has been freely given when there are prima facie allegations of coerced confession. It invites the authorities to ensure that the risk of involuntary or unreliable confessions is recognized in the legal system, highlighting the need for corroborating evidence to establish guilt beyond a reasonable doubt and ensure a fair and just verdict. The Working Group recalls that a State should guarantee a clear and accessible system of mechanisms and procedures through which allegations, indications and evidence of ill-treatment can be confidentially communicated.

29. The Working Group recalls that the safeguards that States are required to put in place to prevent occurrences of torture and ill-treatment have a crucial role to play in minimizing and even preventing instances of arbitrary detention.<sup>10</sup> In this context, it urges the authorities to adhere to the Principles on Effective Interviewing for Investigations and Information-Gathering, which provide concrete guidance on conducting effective questioning as part of the investigation or intelligence-gathering process with a view to gathering accurate and reliable information rather than a confession.<sup>11</sup>

### 3. Pretrial detention

30. The Working Group recalls that, according to article 9 (3) of the Covenant, detention should be exceptional rather than the general rule, and anyone detained on a criminal charge has the right to be tried within a reasonable time or be released. The Group is satisfied that bail is granted in numerous cases, thus upholding the principle of presumption of innocence. It welcomes the 2020 amendments to the Bail Act that enlarged the scope of magistrates' powers to grant bail, which had previously been restricted to specific offences.

31. However, the Working Group was informed of cases in which suspects had been detained pending trial because their families had been unable to pay bail. In this regard, the Working Group recalls that article 9 (3) of the Covenant provides that it is not to be the general rule that persons awaiting trial are detained, but release may be subject to guarantees to appear for trial and at any other stage of the judicial proceedings. It follows that liberty is recognized as a principle and detention as an exception, in the interests of justice.<sup>12</sup> In the view of the Working Group, excessively strict bail conditions prevent pretrial detention from being properly constituted in accordance with article 9 (3) of the Covenant. The Working Group is convinced that inequality must be avoided in the pursuit of justice and that bail decisions must transcend financial status.

32. Another concerning observation was that some suspects are held on remand together with convicted persons, sometimes in the maximum-security wing, violating the presumption of innocence, in breach of article 14 (2) of the Covenant. As the Working Group has previously stated, this separation is a necessary requirement to avoid, *inter alia*, pretrial detention amounting to a form of advance punishment.<sup>13</sup> In this regard, the Working Group wishes to emphasize that the presumption of innocence is one of the fundamental principles of a fair trial and is thus non-derogable.<sup>14</sup>

33. In addition to sharing cells with convicted prisoners, suspects are subject to similar prison conditions as them, such as with regard to yard time, which in many instances is severely restricted. Such conditions are not conducive to the preparation of a defence and are thus contrary to article 14 (3) (b) of the Covenant. Article 10 of the Covenant and rule 112 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) require the separation of pretrial detainees and convicted persons and that

<sup>10</sup> See Human Rights Council resolution 31/31.

<sup>11</sup> A/HRC/51/29, para. 53.

<sup>12</sup> A/HRC/19/57, para. 54.

<sup>13</sup> E/CN.4/2005/6, para. 79.

<sup>14</sup> Human Rights Committee, general comment No. 32 (2007), para. 6.



pretrial detainees be treated in a manner respectful of their non-convicted status. The Working Group calls upon the authorities to ensure that these requirements are upheld in practice.

#### **4. Alternatives to detention**

34. The Working Group welcomes the use of electronic ankle monitors, which reflect the authorities' efforts to uphold the principle of the presumption of innocence. However, the Working Group also received consistent testimony regarding the malfunctioning of these monitors. In one instance, an individual had been arrested for a bail violation despite having made a telephone call to the relevant private service provider to complain about the malfunction. Moreover, the Working Group observed that the automated machines used at police stations to verify compliance with bail conditions do not provide the person concerned with any written confirmation.

35. The recent introduction of an online bail application process for detainees is a progressive step towards streamlining and expediting this process. However, the Working Group found significant issues with its practical implementation, noting serious technical malfunctions. The online form does not contain all criteria relevant to bail and is also subject to processing delays. In one instance, a detainee who had applied from prison in January 2023 had received a response seven months later.

36. The Government is encouraged to improve the technical functioning of the bail system and to examine a range of alternatives to pretrial detention. The Working Group was informed of the pending draft Parole Bill, which would apparently provide for automatic release pending trial for everyone charged with an offence punishable by less than two years of imprisonment, and urges the Government to expedite the enactment of the text.

#### **5. Right to counsel and access to a lawyer**

37. Article 19 of the Constitution provides that any person who is arrested or detained is "permitted, at his own expense, to retain and instruct without delay a legal representative of his own choice and to hold private communication with him". The Working Group interviewed numerous detainees who had not been provided with any legal representation during the initial stages of proceedings because they had not had adequate financial means. As a result, individuals who lack the socioeconomic resources to secure private legal representation face an increased likelihood of arbitrary detention. In one instance, the Working Group came across an individual serving a life sentence who had not had a lawyer at any stage of criminal proceedings.

38. Moreover, the Working Group met numerous detainees who had not been informed of their right to counsel at the outset of their detention, at the police station, and had subsequently been unable to have access to counsel as their case progressed, including at trial before the magistrates' court. In this regard, the Working Group recalls that all persons deprived of their liberty have the right to legal assistance by counsel of their choice at any time during their detention, including immediately after their apprehension, and that such access must be provided without delay.<sup>15</sup>

39. Those convicted by the magistrates' court, and thus without access to pro bono counsel, were unaware of their right to appeal and unable to exercise it within the seven-day time frame. In the view of the Working Group, this constitutes a breach of article 14 (5) of the Covenant, as it effectively prevents prospective appellants from exercising the right to appeal.

40. The Working Group was also informed that, while legally represented suspects have a right to consult their lawyer prior to a police interrogation, their right to have a lawyer present throughout such an interview is frequently denied. The Working Group considers that suspects have the right to have their lawyer physically present during initial police

<sup>15</sup> United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court, principle 9 and guideline 8; and Human Rights Committee, general comment No. 35 (2014), para. 35.

interrogations and throughout the subsequent pretrial proceedings and that the physical presence of a lawyer is essential to ensuring effective and practical legal assistance. In this regard, the Working Group recalls the view of the Human Rights Committee that legal assistance should be available at all stages of criminal proceedings to ensure compliance with article 14 (3) (d) of the Covenant.<sup>16</sup>

41. Although legal representation before the magistrates' courts is provided on an ad hoc basis by the legal aid clinic attached to the Eugene Dupuch Law School Legal Aid Clinic and through pro bono assistance from members of the Bar Association, much broader access to State-funded lawyers is needed. During trials before the Supreme Court, only pursuant to the filing of a voluntary bill of indictment does the Court appoint a lawyer to represent the defendant free of charge, from the Office of the Public Defender or the Crown Brief System. The Office of the Public Defender is struggling with an overwhelming caseload and is underresourced, with only six attorneys available at the time of the visit. The Working Group calls upon the authorities to improve access to legal assistance by significantly strengthening the Office of the Public Defender.

42. The Working Group recalls that the guarantee of legal assistance in criminal proceedings is expressly addressed in article 14 (3) (d) of the Covenant, which includes the right to be assigned legal counsel. Furthermore, according to principle 9 and guideline 8 of the United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court, persons deprived of their liberty have the right to legal assistance by counsel of their choice, at any time during their detention, including immediately after the moment of apprehension. Assistance by legal counsel during proceedings should be provided at no cost to detained persons without adequate means. In this regard, the Working Group recalls general comment No. 32 (2007) of the Human Rights Committee, which states that the guarantee of legal assistance in criminal proceedings includes the right to have legal assistance without payment if the defendant does not have sufficient means to pay for it.<sup>17</sup> The Working Group urges the Government to ensure that defence rights are adequately upheld.

## 6. Conditions of detention

43. Poor detention conditions were observed in some parts of the Department of Correctional Services, the country's criminal justice detention facility. While parts of the facility were undergoing refurbishment, and the Working Group was informed that there were plans to open a new facility, overcrowding in the maximum-security wing is currently a serious issue. During its visit, the Working Group observed that detainees in the maximum-security wing lacked adequate bedding, sleeping on the floor or on very thin mattresses in very close quarters, with up to five men in a small cell. Moreover, slop buckets were used and stored in the overcrowded cells. Running water and adequate sanitation, including appropriate lighting, are urgently needed. The Working Group received information that some detainees suffered vision loss from being detained in darkness.

44. The Working Group is extremely concerned that, while it was shown medical facilities, it was informed about detainees' lack of access to medical care, including specialist care. The Working Group also interviewed detainees who had had drug use disorders upon admission and had not received any treatment. The Working Group refers to its study on arbitrary detention relating to drug policies,<sup>18</sup> noting the importance of a treatment plan drawn up by health professionals and the availability of harm reduction services. The Working Group recalls rule 24 of the Nelson Mandela Rules, concerning the provision to detainees of the same standards of health care that are available in the community.

45. The Working Group received consistent testimony about limited yard time, of 10 to 20 minutes twice a week, but even that was not always observed. It is paramount that time in the fresh air be provided to all detainees on a daily basis, as required by rule 23 of the Nelson Mandela Rules. Every prisoner who is not employed in outdoor work should have at least

<sup>16</sup> *Borisenko v. Hungary* (CCPR/C/76/D/852/1999), para. 7.5.

<sup>17</sup> Human Rights Committee, general comment No. 32 (2007), para. 10.

<sup>18</sup> A/HRC/47/40.

one hour of suitable exercise in the open air daily, weather permitting. The Working Group concludes that conditions of detention do not meet international standards. Moreover, the Working Group observed that detainees' ability prepare for hearings is limited by the lack of lighting, materials for writing and access to reference literature on criminal proceedings. Holding detainees in such conditions may adversely affect their ability to participate effectively in proceedings and to present an effective defence and appeal, in violation of article 14 (3) (b) of the Covenant.

46. The Working Group is deeply concerned that inmates have not been allowed in-person family visits since the outbreak of the coronavirus disease (COVID-19) pandemic. The Working Group was informed that inmates could contact their families by telephone, but their ability to do so was dependent on their families putting money on their telephone account. Moreover, many telephones in the maximum-security wing did not function. In the remand section, the Working Group received information that detainees did not have access to telephones and had to request prison officers to communicate messages to their families or lawyers. Consistent testimony indicated that such requests were often not heeded, thus hindering the ability of detainees to contact their families and seek legal representation. Such restrictions run counter to principle 19 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and rules 43 and 58 of the Nelson Mandela Rules. The Working Group requests the authorities to urgently reinstate in-person family visits. The Working Group finds that the absence of any conjugal visits in the correctional facility affects family situations and jeopardizes the return to society of persons deprived of liberty. Furthermore, the Working Group expresses concern about the practice of separating newborn babies from detained women.

47. The Working Group was informed that two women detainees were placed in solitary confinement as a disciplinary measure for two weeks at the beginning of 2023. The Government should ensure that solitary confinement measures comply with the Covenant and the Nelson Mandela Rules. The Working Group also refers to the standards set out in its deliberation No. 12 on women deprived of their liberty.

48. While the Working Group received information about the Correctional Services Review Board, most inmates with whom it spoke were unaware of any complaint mechanism. The Working Group received testimony from one inmate who had complained about an assault by a prison guard, although the complaint had not had any effect.

49. The Working Group was informed about the absence in the prison of an independent complaint mechanism, such as a confidential hotline, as well as of an independent monitoring body to periodically monitor conditions of detention. In this regard, the Working Group recalls that regular oversight of detention facilities prevents and reduces arbitrary deprivation of liberty. It urges the authorities to establish, as a matter of priority, an effective complaint mechanism that is properly resourced and well coordinated. It is also essential that complaints can be made confidentially.

## **7. Undue delay**

50. The number of detainees awaiting trial in the correctional facility is considerable. The Working Group met numerous detainees awaiting trial after having been denied bail. In one such case, a detainee had been in custody for over a year, and his trial was not due to be held until January 2025. Another individual had been in pretrial detention for 14 months and was still awaiting his trial date. The Working Group met some convicted detainees awaiting review of their cases following an appeal who either did not have a set trial date or had had their appeal hearing scheduled for as late as 2028.

51. Everyone charged with a criminal offence has the right to be promptly brought before a judge and to be tried without undue delay. Detained persons are entitled to stand trial within a reasonable time or to be released, under article 14 (3) (c) of the Covenant. The Working Group recommends that government agencies work jointly to establish effective case management procedures and publish court schedules that allow for more frequent hearings.

## 8. Child and juvenile justice

52. Section 109 of the Child Protection Act sets the minimum age of criminal responsibility at 10 years. Although no child under the age of 12 years should be admitted to a juvenile correctional centre or a place of detention, according to section 136 of the Act, the Working Group shares the concern expressed by the Committee on the Rights of the Child that the age of criminal responsibility is too low and should be raised, consistent with international standards.<sup>19</sup>

53. While the Child Protection Act (sect. 112) provides that, where a child is apprehended, the police should as soon as practicable contact the parent or guardian and cause the child to be detained in a juvenile correction centre until brought before a court, in practice, parents often have to drive from one police station to another to establish a child's whereabouts.

54. The Working Group was informed that there is no mechanism for legal aid or State assistance for legal representation for children. Section 132 of the Child Protection Act makes provision for a child to be presented to the court by an attorney other than the Minor's Advocate, but that section applies specifically to private counsel engaged and paid for by the family. If the child and/or the child's family cannot afford legal counsel, there is no means by which the child can have access to legal assistance.

55. Under section 105 and the fourth schedule of the Child Protection Act, the Office of the Minor's Advocate is the only statutory body empowered to appear before a juvenile court or magistrates' court. The Working Group has learned with concern that this agency has not been established.

56. The Working Group recalls that article 40 of the Convention on the Rights of the Child stipulates that children have the right to legal assistance. Principle 11 of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems specifies that legal aid for children should be prioritized, in the best interests of the child, and should be accessible, effective and responsive to the specific legal needs of children. The Working Group thus calls upon the authorities to urgently ensure that children are provided with effective legal assistance at all stages of the proceedings,<sup>20</sup> including by establishing and ensuring the effective functioning of the Office of the Minor's Advocate.

57. The Working Group visited the Simpson Penn Centre for Boys and Willie Mae Pratt Centre for Girls, where children aged 12 to 18 years in conflict with the law are sent as an alternative to prison. While the material conditions in those facilities are satisfactory and the children in them are able to continue their education, the Working Group finds it regrettable that some juveniles are confined to juvenile detention centres for minor infractions and offences related to their status as minors, for example "uncontrollable behaviour".

58. It is of particular concern that children detained in the correctional facility (as opposed to a juvenile centre) do not have access to regular education. Family visits are allowed in the juvenile centres but not in the correctional facility, where there have been no visits since the outbreak of the COVID-19 pandemic. Moreover, the Working Group has learned that, in both the juvenile centre for girls and the correctional facilities, the administration imposes sanctions, such as deprivation of telephone calls, for disciplinary offences. It is in the child's best interests to maintain regular contact with his or her family.

59. The Working Group recalls that, under article 37 of the Convention on the Rights of the Child, the detention of a child must be a measure of last resort. In cases in which the detention of children is unavoidable, the authorities should ensure that it is carried out in compliance with international standards, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

<sup>19</sup> [CRC/C/15/Add.253](#), para. 60 (a).

<sup>20</sup> *Ibid.*, para. 60 (e).

## B. Detention in the context of migration

60. The Bahamas maintains a policy of detention and repatriation of irregular migrants. The Immigration Act 1967 governs immigration offences, breach of which can result in custodial sentences. In accordance with international standards, including those contained in the Working Group's revised deliberation No. 5 on deprivation of liberty of migrants, the irregular entry and stay of migrants in a country should not be treated as a criminal offence, and the criminalization of irregular migration will therefore always exceed the legitimate interests of States in protecting their territories and regulating irregular migration flows.<sup>21</sup>

61. The Carmichael Road Detention Centre is the dedicated facility for processing and detaining migrants who are undocumented or have committed immigration offences, such as illegal landing or overstaying a permit. During its visit to the centre, the Working Group spoke with individuals from five different countries.

62. The Working Group observed that the intake process had been computerized. The creation of a new medical block is commendable, and nurses enquire daily with detainees as to whether they require medical assistance. The Working Group received information that migrants whose permits had expired and had family ties or other links to the Bahamas had the possibility of regularizing their immigration status by renewing their permit, and this was confirmed by testimony. The Working Group encourages this practice. Furthermore, noting the lack of written regulations governing the operation of the detention centre, which has been in operation for over 20 years, the Working Group welcomes the draft Immigration (Detention Centres) Regulations 2023.

63. The authorities informed the Working Group that, within 48 hours of arrest, detainees undergo a vulnerability assessment carried out by the Refugee Assessment Unit to identify any asylum claims or trafficking concerns. Once these are ruled out, the detainee is brought before a court within 48 hours and is given the option of paying a fine or serving a custodial sentence. Upon payment of the fine or completion of the sentence, the detainee is deported. The Working Group received testimony that money had been stolen during arrest by the authorities, thus preventing some individuals from paying fines and resulting in custodial sentences for immigration-related offences.

64. The Working Group encourages the practice of the speedy presentation of detainees before a judge, within 48 hours of arrest, and notes the establishment of the Detention Centre Working Group, which includes representatives of the Office of the Attorney General, the Ministry of Foreign Affairs and the Department of Immigration. While the weekly meeting of the Detention Centre Working Group has improved interdepartmental communication and technical cooperation and has reduced the time taken to bring migrants before a judge, the Working Group remains very concerned about the extent to which matters of asylum or refoulement are properly addressed. The Working Group urges the Government to swiftly enact the Immigration and Asylum Bill.

65. The Working Group spoke with numerous detainees at the Carmichael Road Detention Centre who had experienced barriers in access to legal representation. It received information about the lack of access to interpreters upon arrival, and detainees seemed to be largely unaware of their rights, including the right to legal assistance (even if they needed to pay for such assistance themselves), to consular assistance and to seek asylum. They were largely uncertain about the process and procedures. Detainees were granted very limited time in which to contact family members, with only two to five minutes for a telephone call. While migrants are entitled to a writ of habeas corpus, in practice, they are effectively denied such access through lack of access to counsel and lack of procedural knowledge.

66. Under section 9 of the Immigration Act, immigration and police officers are authorized to exercise their power of arrest when they have reasonable cause to suspect that a person other than a Bahamian citizen has committed an offence under the Immigration Act and to arrest that person immediately and without a warrant. At the detention centre, the Working Group met several undocumented migrants of Haitian descent who were facing deportation, some of whom had been arrested during raids. The Working Group received

<sup>21</sup> A/HRC/39/45, annex.

information about the challenges faced by persons of Haitian descent in obtaining documents to acquire Bahamian citizenship. This increases their risk of detention, deportation and statelessness.

67. The Working Group interviewed several individuals of Haitian descent who were facing deportation for overstaying, having been stopped on the street and arrested. The Working Group is concerned about the use of profiling and other potentially discriminatory practices in migration control activities, on the basis of how certain ethnic groups or nationalities are targeted for enforcement actions, which increases their vulnerability to detention.

68. The right to seek asylum is recognized in article 14 (1) of the Universal Declaration of Human Rights. In addition, as the Working Group recognized in its revised deliberation No. 5 on deprivation of liberty of migrants, the right to personal liberty extends to all persons, including migrants and asylum-seekers, at all times, irrespective of their citizenship, nationality or migratory status (para. 7). All detained migrants must have access to legal representation and interpreters.

## **C. Detention in the context of psychosocial disability and social care**

### **1. Persons with psychosocial disabilities**

69. The Mental Health Act 1969 provides the current legal framework for both voluntary and involuntary admission to the psychiatric ward of the Sandilands Rehabilitation Centre, the main facility for persons with psychosocial disabilities.

70. While patients with acute conditions normally spend a short time in the psychiatric facility at the Centre, some chronic patients have been there for over 30 years. The Working Group was concerned that the current shortage of community-based services for patients with chronic conditions may cause individuals who could be medically discharged to remain at the Centre indefinitely. The Working Group recognizes the Government's efforts to enhance community-based care and to shift the focus from tertiary to primary health-care settings, as reflected in the recent Mental Health Bill 2022, and calls upon the Government to promptly enact that bill.

71. Before the COVID-19 pandemic, persons who committed criminal acts but were not competent to undergo criminal proceedings due to psychosocial disabilities were mostly placed in a closed facility at the Sandilands Rehabilitation Centre for persons with psychosocial disabilities. Since 2020, they have been placed in two psychiatric wards at the Department of Correctional Services. Detainees who develop psychiatric conditions during their stay in prison are also moved to these wards. At the time of the visit, about 70 persons were held in one of those two wards. The Working Group is concerned about the deplorable conditions of detention in those wards, which are not compatible with the mental health of inmates.

72. The Working Group also visited the facility at the Sandilands Rehabilitation Centre that contains the forensic department and held two inmates on remand at the time of the visit. While conditions are basic, the facility is clean, and an outdoor exercise yard is available and utilized. The Working Group considers this facility to be much more suitable for suspects and convicted persons with psychosocial disabilities, in line with the views expressed by medical professionals.

### **2. Care for older persons**

73. The Sandilands Rehabilitation Centre also houses the Government Medical Residential Nursing Care and Rehabilitation Facility, which provides full-time, in-patient health care for older citizens who cannot be cared for at home. The Working Group visited this hospital, as well as the Demetrius Senior Citizens Care Centre, to ascertain whether persons in those facilities were kept there of their free will, and was satisfied that they were.

74. Most of the patients at the hospital had come to the facility during the latter stages of their lives to receive palliative care. The Working Group observed good facilities and

standards of living for these individuals, which is commendable. The Working Group learned that admission to the Demetrius Senior Citizens Care Centre is voluntary. If an application for admission is submitted by a caregiver, the consent of the older person is essential, and residents can be discharged at their own request. The Working Group concludes that both facilities visited are not places of deprivation of liberty and commends the adoption of the voluntary admission approach.

### **3. Children under State care**

75. The Child Protection Act 2007 sets out the legal framework for the protection of children's rights. Part VI of the Act requires the State to provide special care and protection for children removed temporarily or more permanently from their families, on the basis of the best interests of the child. The Working Group was informed that the authorities make every effort to resettle children with family members or to make alternative arrangements. There are also facilities available for children who cannot be resettled, and the Working Group visited one such facility at the Elizabeth Estates Children's Home.

76. The Working Group noted that some residents with developmental disabilities remained in the facility after reaching the age of 18, owing to the lack of assisted living arrangements in the community. It observed the work of staff tasked with working with children in need of care and commends their efforts in maintaining family bonds and deinstitutionalizing children, where possible. To support these efforts, the Working Group urges the Government to establish assisted living arrangements and community-based services across the country.

## **V. Conclusions**

77. **The Working Group commends the Government for its willingness to submit itself to scrutiny through the visit and considers that the findings in the present report will support the Government in addressing situations of arbitrary deprivation of liberty.**

78. **Positive changes are being made across the Bahamas in relation to deprivation of liberty, including the ratification of core international human rights treaties and the extension, since 2013, of a standing invitation to all special procedures of the Human Rights Council, the passing by the House of Assembly of the Ombudsman Bill, to establish the Office of the Ombudsman, the introduction of various other legislative and regulatory initiatives, including the Immigration and Asylum Bill, the Parole Bill, the Mental Health Act and the draft Immigration (Detention Centres) Regulations 2023, the establishment of the Parliamentary Human Rights Committee, the work of the National Reporting Cooperation Mechanism and the voluntary admission to State care institutions of persons in need of assisted living.**

79. **However, challenges in the criminal justice system place defendants at risk of arbitrary detention. These challenges include the following:**

(a) **The breaches of procedural guarantees identified by the Working Group include a high percentage of arrests performed without a warrant, as well as arrests based on outdated or expired warrants. The Working Group was notified of the police practice of detaining individuals, including those wearing electronic ankle monitors, for 24 to 48 hours during certain festive periods. Such practices run contrary to articles 3 and 9 of the Universal Declaration of Human Rights and article 9 of the Covenant;**

(b) **The time period for presenting those deprived of liberty before a judicial authority often surpasses the 48-hour limit. This violates the right to be brought promptly before a judge under article 9 (3) of the Covenant. It also has an adverse impact on the right of those deprived of liberty to bring proceedings before a court so that it may decide without delay on the lawfulness of detention, in accordance with article 9 (4) of the Covenant;**

(c) **The Working Group received information about the police violence allegedly inflicted upon detainees, including beatings and severe mistreatment to**

extract confessions, which undermines the right not to be compelled to confess guilt under article 14 (3) (g) of the Covenant. Recordings of interviews of suspects are not made readily available when allegations of a coerced confession arise;

(d) Although the use of bail is prevalent, some individuals are held in pretrial detention for being unable to pay bail, contrary to article 9 (3) of the Covenant;

(e) The shortcomings of the technical functioning of the bail system are manifest in, *inter alia*, the malfunctioning of electronic ankle monitors and of the online bail application system;

(f) The right to legal assistance is severely limited, and individuals who cannot afford a lawyer are left without legal assistance at the initial stages of proceedings, some individuals are not informed of their right to counsel at the outset of their detention or of their right to appeal, and lawyers are not permitted to be present during questioning. This impedes the right of detainees to prepare a defence and to have legal assistance, as embodied in article 14 (3) (b) and (d), as well as the right to appeal under article 14 (5) of the Covenant;

(g) Conditions of detention in the Department of Correctional Services do not meet international standards, and pretrial detainees are often held together with sentenced prisoners in similar conditions, contrary to articles 10 (2) (a) and 14 (2) and (3) (b) of the Covenant;

(h) Inmates at the Department of Correctional Services have not been allowed in-person family visits since the outbreak of the COVID-19 pandemic, and the Working Group remains concerned about the practice of separating newborn babies from their mothers in detention;

(i) There is a notable absence of an independent complaint mechanism, such as a confidential hotline, at the Department of Correctional Services, as well as of an independent monitoring body to periodically monitor the conditions of detention;

(j) Criminal proceedings are regularly subject to delays, contrary to articles 9 (3) and 14 (3) (c) of the Covenant;

(k) The minimum age of criminal responsibility, which is currently set at 10 years under the Child Protection Act, is too low and should be raised, in line with international standards;

(l) There is no mechanism to provide State legal aid for children in conflict with the law, and the Office of the Minor's Advocate has not been established, which undermines the right to legal assistance as provided for under article 40 of the Convention on the Rights of the Child and article 14 (3) (d) of the Covenant;

(m) Children detained in the Department of Correctional Services, unlike those detained in juvenile centres, do not have access to regular education and in-person family visits, contrary to relevant international standards, including those stipulated in article 14 (4) of the Covenant and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

80. Challenges regarding detention in the context of migration include:

(a) Barriers in access to legal representation, interpretation and information about the right to legal assistance and consular assistance and to seek asylum. The Working Group encourages the practice of bringing migrants before a judge within 48 hours of arrest but remains concerned about the extent to which matters of asylum or refoulement are properly addressed;

(b) The Working Group is concerned about the profiling of persons of Haitian descent and other potentially discriminatory practices in migration control activities.

81. In relation to detention in the context of psychosocial disability and social care, the Working Group notes the following shortcomings:

(a) The lack of community-based services for persons with psychosocial disabilities results in a considerable number of individuals having to remain in the



Sandilands Rehabilitation Centre psychiatric ward for prolonged periods of time. The Working Group commends the efforts made to enhance community-based care, as reflected in the Mental Health Bill 2022;

(b) Conditions of detention for persons with psychosocial disabilities at two psychiatric wards at the Department of Correctional Services do not meet international standards and are not compatible with inmates' mental health;

(c) Some residents with developmental disabilities remain institutionalized after reaching the age of 18 owing to the lack of assisted living arrangements in the community.

## VI. Recommendations

82. The Working Group recommends that the Government take the following measures to build upon its positive initiatives to address arbitrary deprivation of liberty:

(a) Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which provides for an inter-State communications procedure, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, with a view to affirming the de facto moratorium on executions and abolishing death penalty. Ratify the Optional Protocol to the Convention against Torture, promptly transpose it into domestic law and establish an effective and functional national preventive mechanism, in line with the Optional Protocol;

(b) Ensure the swift enactment of the Ombudsman Bill and that the Office of the Ombudsman promptly commences its functions as an independent national human rights institution, compliant with the Paris Principles, with provisions in place to safeguard its financial independence;

(c) Ensure the swift enactment of other legislative initiatives, including the Immigration and Asylum Bill and the Parole Bill;

(d) Support the Parliamentary Human Rights Committee in the effective discharge of its functions.

83. The Working Group recommends that the Government take the following measures in relation to the criminal justice system:

(a) Ensure that arrests are mostly carried out with valid warrants, that the police practice of detaining individuals for 24 to 48 hours during certain festive periods is ceased and that detention without a warrant is carried out only in exceptional circumstances;

(b) Ensure that detainees are brought before a judge within 48 hours of arrest and that any longer delay remains exceptional and is justified in the circumstances;

(c) Eliminate the possibility of forced confessions by implementing the Principles on Effective Interviewing for Investigations and Information-Gathering to assist the work of law enforcement agencies, allowing access to legal representation during questioning, eliminating the central role of confessions in the investigative process and effectively investigating all allegations of forced confessions and the use of excessive force;

(d) Ensure that all interrogation rooms across the country have closed-circuit television cameras and the equipment necessary to ensure the video and audio recording of interrogations. Recordings should be kept throughout all stages of legal proceedings and made available, at no cost, to defendants and their counsel;

(e) Ensure that the bail guarantees are proportionate to the financial status of the accused;

(f) Ensure that shortcomings in the technical functioning of the bail system, such as the malfunctioning of electronic ankle monitors and of the online bail application system, are addressed;

(g) Ensure that all individuals deprived of their liberty have the right to effective legal assistance by counsel of their choice at any time during their detention, including immediately after apprehension and during interviews, and promptly inform them of that right;

(h) Guarantee access to State legal assistance at all stages of proceedings by significantly strengthening the Office of the Public Defender and establishing and ensuring the effective functioning of the Office of the Minor's Advocate;

(i) Address poor detention conditions in the Department of Correctional Services to ensure that conditions comply with the standards set out in the Nelson Mandela Rules;

(j) Urgently reinstate in-person family visits at the Department of Correctional Services, cease the practice of separating newborn babies from detained women and initiate conjugal visits;

(k) Establish an independent and accessible complaint mechanism, such as a confidential hotline, as well as an independent oversight mechanism with jurisdiction over all places of deprivation of liberty, including those in a criminal justice setting, with regular, unimpeded and confidential access to all such facilities and persons deprived of their liberty;

(l) Ensure that the non-convicted status of pretrial detainees and their right to be presumed innocent are respected, including by separating them from convicted persons;

(m) Ensure that individuals are afforded a trial within a reasonable time and that pretrial detention is used for the shortest period of time and is reviewed periodically;

(n) Raise the minimum age of criminal responsibility to 14 years and ensure that children detained in the Department of Correctional Services are provided with educational activities and the opportunity for family visits, in compliance with international standards, including the Beijing Rules.

84. The Working Group recommends that the Government take the following measures in relation to deprivation of liberty in the context of migration:

(a) Ensure that all individuals deprived of their liberty at the Carmichael Road Detention Centre are afforded, at the outset of their detention, prompt access to interpreters and are informed of applicable procedures and of their rights, including the rights to legal assistance, to consular assistance and to seek asylum;

(b) Guarantee access to legal assistance for individuals unable to cover legal fees;

(c) Ensure that detainees are afforded regular opportunities to contact their families and, in relation to telephone calls, that the duration of such calls is adequate;

(d) Urgently cease the practice of profiling persons of Haitian descent and other potentially discriminatory practices in migration control activities.

85. The Working Group recommends that the Government take the following measures in relation to detention in the context of psychosocial disability and social care:

(a) Support the expansion of assisted living arrangements and community-based services across the Bahamas;

(b) **Ensure conditions of detention in criminal settings for persons with psychosocial disabilities that are compliant with relevant international standards by, inter alia, placing them in the forensic department at the Sandilands Rehabilitation Centre.**

## Appendix

### Detention facilities visited

The Working Group visited 10 places of deprivation of liberty:

- The Bahamas Department of Correctional Services;
  - Carmichael Road Detention Centre for migrants;
  - Sandilands Rehabilitation Centre, including Psychiatric Hospital, Geriatric Hospital, National drug treatment facility and Forensic Unit;
  - Criminal Investigation Department;
  - Central police station;
  - North-eastern police station;
  - Simpson Penn Centre for Boys;
  - Willie Mae Pratt Centre for Girls;
  - Elizabeth Estate Children's Home;
  - Demetrius Senior Citizens Care Center.
-