

**CAYMAN ISLANDS  
INDEPENDENT MONITORING BOARD  
(CIIMB)**

**for Prisons and Places of Detention**

**“The eyes and ears of our community behind the closed doors of our  
prisons and places of detention”**

**PRELIMINARY REPORT**

**Cayman Border Control Detention Centre**

**August 2022 to December 2022**

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## **PART A-INTRODUCTORY SECTIONS**

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### **A1- Introduction of New Monitoring Programme for CBC Detention Centres**

In August 2022, the CIIMB commenced a new monitoring programme for CBC Detention Centres. This work is informed by a new “Monitoring Framework: Persons Detained under the Cayman Islands Border Control Laws”, developed by the ODG in consultation with key stakeholders.

This interim report provides the outcomes of the CIIMB’s monitoring activities from August to December, 2022.

### **A2- Description of Site Monitored**

The CBC Detention Centre off Fairbanks Road was reopened in October 2018 to accommodate the arrival of 11 Cuban migrants. In 2019 the center was closed again, and a group of migrants was released and relocated to approved accommodations. Officials subsequently conducted repairs and renovations to the facility.

After the arrival of large volumes of migrants during 2021 and 2022, the Detention Centre was opened again. There are also two other sites being used to accommodate the migrants at Gun Bay and Breakers. The Board was informed, however, that these two sites were not used for detention purposes until after December 6th, when the Fairbanks Detention Centre reached capacity. However, this report will refer to the monitoring visits conducted at the Fairbanks site.

## **PART B - EVIDENCE SECTION**

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### **B1- Safety of Detainees**

- The Detention Centre is staffed by three security staff at all times, one of whom is required by CBC to be a Spanish speaker.
- Other than CBC staff, security staff, HSA medical personnel, RCIPS staff and CIIMB Board members, no visitors are permitted entry to the Detention Centre without prior clearance from CBC.
- Detainees have been advised by CBC to report any safety issues involving detainees immediately to security staff, who have been advised to conduct immediate interviews where necessary and report the matter to CBC, or to contact emergency services if appropriate.
- Disaster management and other emergency plans are in place. For example, if there is an approaching hurricane, CBC will move detainees to a prearranged location until the “all clear”, after which they will be returned to the Detention Centre.

### **B2 - Physical health**

- All detainees have access to medical care, including emergency care. A medical doctor from the HSA visits the Centre on a weekly basis. In the event of a medical emergency, a member of security staff will contact emergency services.
- Detainees have access to clean drinking water, which is delivered every Wednesday.
- Meals are prepared for detainees by kitchen staff from either HMP Northward or HMP Fairbanks. Breakfast, lunch and dinner are delivered by prison staff and distributed to detainees by the security staff. If any detainee has special dietary requirements, they will be offered a special meal based on their requirements. There have recently been concerns of food being delivered late (2pm for lunch) and that while awaiting distribution the food containers are left outside for almost 2 hours on one occasion. This was personally observed by the Chair, who has concerns that it may give rise to food hygiene issues.
- All detainees who test positive for COVID19 or any other communicable disease are placed in isolation until they are no longer positive. Prior to 8<sup>th</sup> August, any detainees who needed to be isolated were sent to the Civic Centre in Breakers, which was then known as the isolation centre. The Board is requesting more information from CBC in regards to the current isolation process.

### **B3 - Accommodation**

- The Detention Centre is fully air conditioned. There are a number of doors on the east and west sides of the building that can be opened, for ventilation purposes, should the air conditioning system fail.
- The Detention Centre is not suitably segregated to take into account gender (or to enable issues relating to the potential trafficking or other mistreatment of migrants to be addressed). Men and women are sometimes housed in the same room, despite not being in a relationship with each other, and there is very little privacy. CBC has confirmed that unaccompanied minors are properly segregated in a separate location.
- There are sufficient toilets and showers for the number of detainees currently housed at the Detention Centre. In the female bathroom there are 3 toilets and 3 shower stalls. The male

bathroom also has 3 toilets and 3 shower stalls. There is another unmarked bathroom which is located inside the main sleeping area of the centre which has 4 toilets and 4 showers.

- For sanitation purposes, and to limit the risk of any spread of disease, detainees are provided with toiletries, which are replenished as and when needed. CBC advised the Board that they had engaged a janitorial company to deep clean the Detention Centre, however the service had to be deferred due to outbreaks of chicken pox and COVID-19. Detainees have voiced concerns over the lack of cleaning and sanitation products. CBC confirmed they do order these supplies as required, and that they are aware of delays in delivery and distribution, due to an uptick in requests for such products.
- The Detention Centre has an open floor plan, with bunk beds mainly used for sleeping arrangements. There are no separate rooms to allow for families to reside together, however, the Board is not aware of any families currently being detained.

#### **B4 - General Wellbeing**

- Upon arrival at the Detention Centre, detainees are provided with clothing donated by Cayman Islands Red Cross, churches, members of the public and from time to time CBC provide items of clothing. However, since the increase in numbers, there has become a serious shortage of clothing to accommodate all detainees. CBC are currently appealing for more donations.
- There are washing machines for the detainees to do their own laundry. CBC confirmed that the Detention Centre does not have a clothes dryer. Laundry supplies are provided by CBC and the Board is advised that they are replenished when needed. There have recently been concerns voiced from detainees about a lack of washing detergent, as a result of a delay in delivery of the supplies. CBC management confirmed that there has been a delay in delivery of supplies.
- Detainees may exit and enter the accommodation block at their own free will.
- The Board is concerned that there are no purposeful activities for Detainees to engage in. At the first visit by the Board, it was noted that there was a makeshift volleyball net. However, this has since been destroyed. There is no shade to keep detainees protected from the outside elements. Therefore, most of their time is spent indoors. Whilst indoors there is no television for the detainees to watch, or books for them to read. CBC advised the Board that a flat screen television had been installed, however it was destroyed by the detainees. CBC confirmed that another television has since been purchased and is awaiting installation.
- The detainees do not have any mandatory time for lights to be turned out. CBC has advised the Board that the detainees can choose their own time to wake up or go to sleep, but that they will be called to receive their breakfast between 7am and 8am daily.
- Toiletries are provided to detainees by CBC. CBC has advised that when detainees are in need of further supplies, they may notify a security officer. Detainees have recently complained about the inadequate amount of supplies, including bath soap, and this was a part of the delay in supplies already mentioned.
- The Board has observed that, although there are a number of bathrooms at the Detention Centre, there are no doors that can close or lock to allow detainees to ensure that they may dress in privacy. Detainees may only have privacy in a locked toilet cubicle inside the bathroom.
- CBC has advised the Board that currently detainees do not engage in religious practices with a visiting Minister/Pastor, due to COVID 19 positive cases and other communicable diseases. CBC have advised that due to this risk and risk to the community, none essential visits are not currently

permitted without prior written approval from the Director of CBC. However, a religious organisation would need to write in first to the Director to request this approval. No requests have yet been received in this regard.

- The Board has observed that there are currently no reading or other entertainment materials available to detainees. CBC has confirmed that this is the case, and that when such materials were previously provided they were destroyed.
- There are currently no regular counselling services provided to detainees. However, CBC has confirmed that such services, and other similar support services, may be arranged if requested by individual detainees.
- CBC has advised that special needs of detainees have been met wherever possible, e.g. dietary requirements, medical care, etc. There have been a few verbal complaints from Detainees about the timeliness of receiving dental care. However, there have been no formal written complaints on this matter to date.

#### **B5 - Communication**

- CBC has confirmed that for detainees who do not speak English there is a Spanish speaking security officer on duty at all times. CBC personnel that visit the Detention Centre to process the detainees are also all Spanish speakers. However, there has been four Detainees in the centre during the reporting period who spoke English, but not Spanish. No detainees speak neither English nor Spanish.
- CBC has confirmed that the detainees have been informed of the reasons for their detention verbally in Spanish and also in writing on a standardised custody record.
- The Board observed detainees being able to use a telephone to contact family members on Mondays and Fridays. The duration of such calls was originally five minutes, and has since been reduced to three minutes due to the increase in demand as a result of the increased number of detainees. There is no access to the internet and visitors are not allowed inside the compound of the Detention Centre as confirmed by CBC and this is due to the various outbreaks of Covid-19 and other communicable diseases and potential risk to the community, as previously mentioned.
- Detainees needing to communicate with an attorney can do so as advised by CBC. The detainees will be provided with a list of attorneys and may make contact with the attorney of their choice on their own. CBC advised the Board that the detainees, from time to time, have sought their assistance in arranging for an attorney to meet with them in private.
- Detainees who may wish to make an application for assistance from to CIIMB may do so via the CIIMB Application process. Applications forms in Spanish and English have been provided to the detainees. Once the form is completed it should be placed in a “purple box” located in the security house. The box is checked by a member of CIIMB on a weekly basis. Detainees have been asked to make formal complaints in writing.

#### **B6- Good Order**

- The Board observed that, whilst the Detention Centre was housing around 40 detainees in August, this number has now increased to over 100 and that there are still only 3 security guards. In the view of the Board, this is insufficient to maintain good order in all parts of the facility at all times and CBC were in agreement with this point. However, this is the current situation and the Board is advised that CBC is making progress in their efforts to obtain support from HM Prison Service

regarding the security of the Detention Centre. The Board was also advised that in the event of any form of detainee unrest, the RCIPS would be called to assist.

- CBC confirmed that the private security officers are not trained to identify and/or address issues such as bullying, harassment or any other forms of ill-treatment.

### **B7 - Children**

During the reporting period there are currently no families with children, or unaccompanied children in the Detention Centre

A 16 year old female, who arrived in the Cayman Islands with her 23 year old partner (with whom she has apparently been living since the age of 13), was housed separately from her partner at an undisclosed location. CBC has since arranged successfully for her return to her country of origin.

### **MAIN AREAS FOR DEVELOPMENT NOTED OVER THE MONITORING PERIOD:**

- The current lack of purposeful activity available to detainees. Although there are plans to re-install a television, there are still no books, exercise facility or other provisions made available.
- The delivery of some meals in an untimely manner, with food being left outside for hours before being provided to detainees.
- The lack of segregation between men and women.
- The lack of adequate clothing supplies for detainees and concerns raised by detainees around the delays on delivery of sanitation/hygiene supplies.
- The Security hut is in need of repair. The security staff are exposed to the elements, and are potentially exposed to mosquito-borne illness.

### **QUESTIONS FOR CBC**

#### **Can the CBC Management:**

- Provide an update on measures taken or planned in order to improve the timeliness of food deliveries and to address detainees' concerns to the Board around the availability of hygiene and cleaning/sanitation supplies for detainees at the Centre?
- Advise what changes are planned to address the lack of segregation of men and women and, in the absence of such segregation currently, what other measures are being taken or planned to safeguard the welfare of female detainees.
- Advise what improvements will be made, to address the privacy issues raised in this report, in regards to a current lack of locks on bathrooms.
- Advise of any plans to enhance the nature and scope of purposeful activities made available for the Detainees.
- Advise of any plans for enhancements/repairs to the Security Hut, to safeguard that the welfare of persons charged with the safety and security of the detainees.

## **PART C - WORK OF THE BOARD**

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### **C1 - Board Activities**

A team of four Board Members having completed the training to monitor the detention centre made a total of 15 visits between 8 August and 12 December 2022. During those monitoring visits the number of detainees ranged from 41 to 110 being the latest figures for December, none of whom were under 18 years old in the centre.

### **C2 - Applications from Prisoners**

No written Applications to the CIIMB were received from detainees during this period.

### **C3 - Board Members Involved in Monitoring Activities**

Alberto Campuzano

Courtney Perrin

Dorothy Davis

Michael Bromby

APPENDIX I- MANAGEMENT RESPONSE

MAIN AREAS FOR DEVELOPMENT				
AREA FOR DEVELOPMENT	MANAGEMENT RESPONSE	PROPOSED ACTIONS	DATE	RESPONSIBILITY
1. Can CBC Management provide an update on measures taken or planned in order to improve the timeliness of food deliveries and to address detainees' concerns to the Board around the availability of hygiene and cleaning/sanitation supplies for detainees at the Centre?	<p><b>Dedicated personnel have been given the responsibility for food deliveries to the migrants. Recently, as agreed with HMCIPS, meals were also being supplied by Fairbanks to ease the pressure on HMPS at Northward.</b></p> <p><b>Sanitary supplies are delivered to the locations on a weekly basis by CBC.</b></p>	Already in process	11/5/23	Supervisory CBCO Kurt Powell
2. Can CBC Management advise what changes are planned to address the lack of segregation of men and women and, in the absence of such segregation currently, what other measures are being taken or planned to safeguard the welfare of female detainees.	<p><b>The facility does have some space for segregation to take place (the room by the Doctor's office). Presently, it is unusual for women to travel on their own, they are usually with a partner or with family members. CBC is continuously monitoring the situation to determine if there are concerns about the abuse of female or male migrants. Any female or male migrants that are determined to be at risk will be removed and placed in a more secure location.</b></p>	Continuous Monitoring	11/5/23	DD Garfield Wong and AD Joey Scott
3. Can CBC Management advise what improvements will be made, to address the privacy issues raised in this report, in	<p><b>CBC is diligently working with PWD to make improvements to the facility in order to enhance the privacy of</b></p>	Work in progress	11/5/23	AD Joey Scott

regards to a current lack of locks on bathrooms.	<b>all migrants within the facility.</b>			
<b>4.</b> Can CBC Management advise of any plans to enhance the nature and scope of purposeful activities made available for the Detainees.	<b>The Ministry of BCL, in conjunction with CBC, is in the process of enhancing and expanding the Detention Center to ensure that it is fit for purpose. That enhancement will also include proper spacing for purposeful activities for the detainees.</b>	<b>Project is progressing. Design signed off and procurement of components of the project is underway.</b>	<b>11/5/23</b>	<b>Ministry of BCL and Director Clifford.</b>
<b>5.</b> Can CBC Management advise of any plans for enhancements/repairs to the Security Hut, to safeguard the welfare of persons charged with the safety and security of the detainees.	<b>Please refer to the Management Response in No. 4 above. We are also engaged with HMCIPS on transitioning the overall management of the facility to HMCIPS.</b>	<b>Project is progressing. Design signed off and procurement of components of the project is underway. This specific issue will be addressed during the project.</b>	<b>11/5/23</b>	<b>Ministry of BCL and AD Joey Scott.</b>