

STATEMENT BY
HONOURABLE DR. HORACE CHANG, MP
MINISTER OF NATIONAL SECURITY
ON
CIRCUMSTANCES SURROUNDING THE DEATH OF INMATE
NOEL CHMABERS
16th June 2020

INTRODUCTION

1. Mr. Speaker, I have the responsibility to deliver to this Honourable House, a statement on the unfortunate circumstances that resulted in the death of Mr. Noel Chambers, an inmate at the Tower Street Adult Correctional Centre (TSACC).

2. Mr. Speaker, I take this opportunity to express my heartfelt condolences on behalf of the Government of Jamaica to the family of Mr. Chambers. I am mindful that the public manner in which his death was announced may cause additional grief and sorrow for his family. It is not my intention to cause further pain, but to provide the family and the entire Jamaica with some answers, while ensuring that no other Jamaican endures what Mr. Chambers endured.

3. The truth is, Mr. Speaker, there is no excuse for what happened to Mr. Chambers. It is unacceptable for any Jamaican national to be denied his constitutional rights, even while incarcerated.

4. Mr. Speaker, it is important to note that a comprehensive audit into the circumstances surrounding the death of Mr. Chambers has been commissioned. This audit is expected to not only reveal the circumstances specific to his death but also to thoroughly examine the procedures

involved in the treatment of inmates who are deemed unfit to plead. In the interim, I wish to outline the details of preliminary findings from the special investigation undertaken by the Department of Correctional Services.

5. Mr. Speaker, it goes without saying that we **CANNOT**, and **MUST NOT** accept the death of Mr. Chambers as merely the consequence of a flawed system.

SUMMARY OF DETAILS PERTAINING TO MR. NOEL CHAMBERS

6. Mr. Speaker, Mr. Noel Chambers was incarcerated in February 1980 on a charge of murder and was remanded by the courts to Tower Street at the Governor General's Pleasure.
7. The DCS reported that in October 1986 Mr. Chambers made an application to petition the Governor General for reprieve. In order for him to be released from Custody, he had to be returned to Court, prior to his application being sent to the Governor General for a decision.
8. In December 2000, the family of Mr. Chambers requested that he be released on parole. Given that he was being held at the GG's Pleasure, he was not eligible for parole. The lawyers have advised me that parole and reprieve can only be granted to persons convicted and sentenced. The fact that Mr. Chambers was neither convicted nor sentenced nullified this option.

SEARCH FOR RELATIVES

9. In 2004 the DCS in collaboration with the Independent Jamaican Council for Human Rights (IJCHR) embarked on a one (1) year project that involved assigning a special team to search for relatives of unfit to plead inmates and return them to the Courts. Mr. Chambers was included in this project.
10. A search for the relatives of Mr. Chambers was undertaken by the DCS, with no success.

FITNESS TO PLEAD

11. Mr. Speaker, it should be noted that on several previous occasions, Mr. Chambers was deemed fit to plead. Following a psychiatric assessment in 2016 he once again certified as being fit to plead, which resulted in him being included on a listing to the Courts in 2017.

MEDICAL RECORDS

12. Mr. Speaker, in August 2019, it was reported that Mr. Chambers stopped eating and presented confused, whereupon he was diagnosed with dementia, having undergone medical examinations including a CT brain scan. Between August and December 2019, he was visited and treated on some six (6) separate occasions by Medical Officers. Additionally, it should be noted that during this period he was referred, admitted and discharged from the KPH.
13. Mr. Speaker, unfortunately these series of events culminated in the death of Mr. Chambers. He was found unresponsiveness in the hospital dorm at Tower Street, in January of 2020. The post mortem revealed that he died from natural causes, due to acute pyelonephritis (acute kidney infection).

THE WAY FORWARD

14. Mr. Speaker, this administration has been increasing the year on year budgetary allocation towards the DCS. This includes process of organizational, structural and infrastructural review. The review, reform and transformation process commenced in financial year 2018/2019 and is being led by the current Commissioner of Corrections Lt. Col Rowe.
15. Mr. Speaker in FY 18/19, the capital allocation was \$168 million compared with \$287 million in FY19/20, and \$393 in FY 20/21.
16. Mr. Speaker, this honourable House should be reminded that Tower Street Adult was built in the late 18th century as a slave holding area. It became a correctional facility in 1838. To further compound the situation, there is no purpose built area for the mentally challenged, and one of the main buildings housing mentally challenged inmates was burnt to the ground on June 7, 2017.
17. Mr. Speaker, the need to construct of a modern correctional facility has been a matter of concern for this government, which is why the Ministry of National Security is currently reviewing proposals for the design of a modern purpose built facility.
18. Mr. Speaker, Jamaica's penal system is suffering from decades of abject neglect. That of course, is no excuse for allowing any person to languish within a correctional facility. We will examine, make adjustments as necessary. This administration is committed to doing what is required to ensure that justice is served while safeguarding the rights, dignity, and general sense of humanity of Jamaicans within correctional facilities.

ACTION PLAN

19. Mr. Speaker, a plan of action has been elaborated in collaboration with the Ministries of Health and Wellness and Justice. In the immediate term, the DCS has identified persons who have been in their custody for over 30 years and are being held at the Court's Pleasure or GG's Pleasure of the. Following internal psychiatric assessment and the determination as low risk violence producers, these individuals have been identified in a letter to the Chief Justice seeking the Court's consideration of granting clemency.

20. Simultaneously, consultations are on-going with the Jamaica Psychiatric Association to acquire the professional competence of five (5) Psychiatrists to facilitate the timely assessment of all persons identified as having mental health conditions.

21. The building of a forensic psychiatric facility is the ideal long term solution. The Ministry of National Security will be engaging the Ministry of Health and Wellness in an attempt to ensure the mental health needs of these persons while fulfilling our responsibility to national security.

22. Mr. Speaker, as Minister of National Security I commit to work with my colleague Ministers of Health and Justice to effectively implement this plan of action relating to how we treat with mentally challenged inmates, particularly those unfit to plead. I would like to remind Jamaica that the DCS exists not justice to meet out punishment to clients of the organizations but to provide rehabilitation, even from the point of heightened self-interest, so as to ensure that these persons are successfully reintegrated into society.