[VERBATIM REPORT]

MEETING OF THE S/C ON JUSTICE, LAW & HUMAN RIGHTS

ANNUAL REPORT

Fiji Corrections Service 2018-2019 and 2019-2020 Annual Reports

INSTITUTION: Fiji Corrections Service (FCS)

VENUE: Big Committee Room (East Wing)

DATE: Wednesday, 26th April, 2023

VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS HELD AT THE BIG COMMITTEE ROOM (EAST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON WEDNESDAY, 26TH APRIL, 2023, AT 3.17 P.M.

Interviewee/Submittee: Fiji Corrections Service

In Attendance:

1. Mrs. Salote Panapasa - Commissioner

Mr. Waisale Soqonakalou
Ms. Helen Koi
Mr. Tomasi Kubunavanua
Director Rehabilitation
Senior Accounts Officer
Senior Accounts Officer

5. Mr. Aisea Vucago - Legal Officer

MR. CHAIRMAN.- Honourable Members, members of the media and the public, the Secretariat, dear viewers, ladies and gentlemen; a very good afternoon to you all and it is a pleasure to welcome everyone, especially the viewers who are watching this session.

I am privileged to Chair this first submission meeting of the Standing Committee on Justice, Law and Human Rights which has been aired live on Parliament Channel through the Walesi platform and livestreamed through Parliament's *Facebook* page.

At the outset, for information purposes, pursuant to the Standing Orders of Parliament, specifically Standing Order 111, all Committee meetings are to be open to the public, therefore, this meeting is open to the public and the media and will also be aired live, as I had earlier mentioned.

However, for any sensitive information concerning the submission that cannot be disclosed in public, this can be provided to the Committee either in private or in writing, but do note that this will only be allowed in few specific circumstances which include:

- National security matters;
- Third party confidential information;
- Personal or human resource matters; and
- Meetings whereby the Committee deliberates on all issues before it and develop its recommendations and reports.

I wish to remind honourable Members and our invited submittees that all comments and questions to be asked are to be addressed through the Chair. Also be mindful that only invited submittees will be allowed to ask questions or give comments to the Committee.

This is a Parliamentary meeting and all information gathered is covered under the Parliamentary Powers and Privileges Act and the Standing Orders of Parliament. But, please, note that the Committee does not condone liable or slender or any allegations against individuals who are not present today to defend themselves.

In terms of other protocols of this Committee meeting, please, be advised that whilst the meeting is in progress, movement within the meeting room will be restricted. There should be minimal usage of mobile phones whereby answering of phone should be done outside this room and all mobile phones to be on silent mode.

I would now like to introduce the Members of the Committee.

[Introduction of Committee Members]

With us this afternoon honourable Members, we have the representatives of the Fiji Corrections Service (FCS), who have been requested to provide a submission on the Fiji Corrections Service Annual Reports for the periods 2018-2019 and 2019-2020.

I now take this time to invite our guests to introduce themselves before we proceed with the submission. Please, note that if there are questions by members of the Committee, we will wait after they have all given their submission, then we will ask questions.

Members of the Fiji Corrections Service, you have the floor.

MRS. S. PANAPASA.- Mr. Chairman and honourable Members of the Standing Committee on Justice, Law and Human Rights, first of all, before I introduce my team, I acknowledge and thank you for allowing us to this forum to clarify on our 2018-2019 and 2019-2020 Annual Report which shows your interest in our effort and the work that we are doing.

[Introduction of Fiji Corrections Service Officials]

Mr. Speaker, Sir, and honourable Members, the responses to your questions are as follows:

Fiji Corrections Service Annual Report 2018-2019

Question No. 1

The Committee seeks clarification on whether the Early Release Schemes also applies to an inmate who has been convicted and given a sentence that is less than a year?

Early Release Schemes applies to all convicted inmates except for life termers. For those inmates convicted for less than a year, are classified as short termers and rehabilitation programmes are provided for them to undergo before they apply for early release.

Question No. 2

The Committee seeks clarification on whether there is a reporting mechanism in place for inmates to the FCS, in relation to those convicted inmates under an early release scheme such as community work?

The FCS conducts the monitoring visits on a fortnightly and monthly basis to all inmates who have been released for community work. Workplaces are also visited whereas home visits are conducted at their respective residents. Reports and daily assessments are conducted by the community work supervisors.

Question No. 3

In relation to the Community Outreach Programme and the Community Work Programme under the Early Release schemes; it was noted that there is only mention of "Church" as one of the target groups for the Community Outreach Programme and thus, clarification is sought on whether other religious/faith-based institutions are involved in these programmes?

Indeed, the 'Church' is one of the target groups for the Community Outreach Programmes whereby other religious and faith-based institutions are also considered when inmates apply for early release. We have inmates who have been sent to their respective place of worship such as temples and mosques. The symposium for the Muslim league is also scheduled for the 2023/2024 financial year.

Question No. 4

The Committee seeks clarification on whether the FCS has allowed opportunities for former convicted inmates to meet with current convicted inmates, as a means of creating an environment of encouragement and rehabilitation?

The FCS have allowed opportunities for ex-offenders in certain capacity like spiritual testimonial programmes, mentoring and rehabilitation programme providers to the current convicted inmates. The FCS organised activities like the Yellow Ribbon Walk and Employments Expo whereby successful ex-offenders have the opportunity to share journey in life stories to inmates selected to attend these two programmes.

Question No. 5

The Committee seeks clarification on whether the ratio of psychologists to inmates in the FCS, is insufficient?

It is not sufficient given the ratio of 1:360 inmates, however, as I speak, we are continuously engaging qualified psychologists and counsellors. We are also happy to mention that we currently have uniformed staff and programme providers who have undergone training in counselling that also assist the psychologists during their daily assessments.

Question No. 6

In relation to the 'Short Term Release' programme, it was noted that in the reported period (2018-2019), there was a small number of inmates released on this programme as compared to the total number of incarcerated persons in Corrections Centres throughout Fiji. Therefore, the Committee seeks comment on this.

The short-term release is within the discretion of the Commissioner for those who are within the 12 months' sentence to be discharged. Short term release includes release for weekends and any period not exceeding 14 days. The submission depends also on the application received from the individual inmate and the support from the family and the community.

For short term release, inmates are released to attend the course of instruction, release into the care and supervision of traditional chiefs of the prisoner into his or her village and community, or any other arrangement permitting short term release which may assist in the rehabilitation of prisoners or facilitate the prisoner's return into his or her village and community.

Ouestion No. 7

The Committee seeks clarification on whether inmates are allowed access information and communication technologies, such as computers and the internet, to assist them during classes and studies?

Inmates have minimum access to information and communication technologies during classes and studies as their lessons are specifically programmed and supervised. They are also permitted access to internet under supervision when they use *skype* as a means to communicate with their families and legal proceedings.

Question No. 8

The Committee seeks clarification on how revenue is collected from cane cutting programmes, that is, whether the farm owners give the standard rates of payment as they would an ordinary cane cutter, to the FCS? Additionally, clarification is sought on how the funds collected from the cane cutting are utilised?

The FCS in terms of the cane cutting and revenue collected from cane cutting programmes, farm owners give the standard rates of payment as they would do to an ordinary cane cutter. Accounts Officers in the West and North are responsible for the fund collection, receipting and depositing into the Prisoners Trust Account where funds are distributed to the inmates involved in the respective farm that is harvested.

A ratio of 40:60 is calculated whereby 60 percent is receipted under the inmates' names and released during their discharge. The 40 percent is allocated for the purchasing of PPE items, farming tools, rations and bedding materials during the sugarcane cutting season.

Question No. 9

The Committee seeks clarification on whether there were or are any considerations given to the health and wellness of inmates when the FCS provides such things as meals, for example whether dietician and or nutritionist informed preparations are done, considering the efforts put into combating Non-Communicable Diseases in Fiji?

Routine medical examination is conducted during the Induction Programme upon admission of all inmates. A monthly health audit is also conducted to all inmates by our Senior Medical Officers (SMO) with registered nurses being on standby for any emergency. Dietary scale as per the Commissioners Order No. 08 on Prisoners Diet prescribing the food rations issued to inmates daily. The Dietary scale covers the balanced food groups while inmates with medical issues are allowed special dietary meals recommended by the SMOs.

Question No. 10

In relation to the Prisoners Cash Trust Fund Account, the Committee seeks clarification on the following:

(a) How does FCS determine the 60 percent and 40 percent disbursement formula it uses (reference to Note 6 of the Notes of the Financial Statements)?

The FCS currently has a Standard Operating Procedure (SOP) of all prisoners trust funds of which the 40:60 ratio is only applied to two Prisoners Trust Accounts and, that is, the Sugarcane Funds and the Art Gallery Funds. These are the only two Accounts in the Trust that require the incurring of expenditure to generate sales. All other prisoners trust funds are released as received upon discharge.

(b) What is the 40 percent deducted from the prisoners' earnings was actually used for, please provide specific details of the expenditure (if any)?

Sugarcane cutting for the purchase of their daily personal protection gear/equipment (PPE), special long sleeve uniforms and bucket hats, working tools, bedding material for the Tavua and Rakiraki temporary centres and ration during the cane cutting season.

For the Art Gallery, 40 percent is for the purchasing of their paints, canvasses and other equipment for drawing and materials for packaging of paintings during Art sales and exhibitions.

(c) Who manages this trust account and how is this account managed?

This account is managed and maintained by FCS. Funds are only drawn from the account during an inmate's discharge whereby a submission is done by the Officer-in-Charge to the Commissioner where the inmate is detained requesting approval for payment detailing the period of his labour.

Original receipt and timesheets are requested from the Supervisor and Officer-in-Charge and checked with the FMIS for any payments processed for this bearer. If not, then a payment is processed upon the approval of the Commissioner and released to the inmate. If original receipt is misplaced, a Statutory Declaration is made for the inmate before releasing the funds. At month end, a list of beneficiaries is sent to Ministry of Finance monthly with the bank reconciliation accounts.

(d) Whether the power to deprive wages vested in the responsible Corrections Officer is an unfitted authority or does it follow the rules prescribed in the laws and regulatory instruments governing FCS, which include the Commissioner's Order? The Committee believes that in relation to such Trust Accounts, there needs to be full disclosure on its maintenance.

The FCS is currently governed by the Commissioner's Order 2011, No. 014 - the Types of Prisoners Labour, of which 2.5 and 2.6 states that prisoners are selected by the Central Allocation and Classification Board by their skills or qualification and placed where their skills can be utilised. On 2.7, it states that prisoners who work may receive additional remuneration as performance of each prisoner is recorded in their personal file.

Question No. 11

In relation to the matters identified and emphasized by the Auditor-General for the 2018-2019 Audited Financial Statements, the Committee seeks clarification on the rectification measures put in place by the FCS to address the issues highlighted and ensure that adverse consequences are prevented in future reporting?

The FCS Finance personnel and the OAG Audit Team continue to work hand in hand in addressing the issues with both teams' understanding the processes and improvements put in place to avoid adjustments. Staff turnover and the knowledge drained were the main drawbacks, however, with the change on personnel, we were able to address issues accordingly.

Some changes that FCS has also strengthened and implemented are:

- The monitoring of personal files (PF) for each inmate, ensuring all records and movements with respect to referrals are recorded.
- Maintaining of receipts for all money received from inmates, which is recorded and maintained in their PF files.
- Strengthening of internal audits conducted by the FCS Compliance Unit and during the annual Commissioner's inspections as stated in the FCS Annual Corporate Plan targets.
- Monthly reconciliations and updates to Management.

- Continuous monitoring in Human Resources and Finance Unit by Management.
- Continuous reminders to all Command members during the Commanders Conference and Commissioner's Parade on a monthly basis.

Fiji Corrections Service Annual Report 2019-2020

Question No. 1

The Committee seeks clarification on the plans in place by the FCS in meeting the demand for burial space, given that the mortality rate for Fiji's populace is something that cannot be controlled?

Honourable Members, the current plan for meeting the burial demands in public cemeteries is the extension of the new burial grounds at the undeveloped area in the Suva Cemetery and developing additional land at the Nasinu Cemetery behind the private crematorium.

The current developed land in Nasinu Cemetery can accommodate graves for the next four to five years. However, the additional available land is yet to be developed and can be utilized for another 10 to 15 years and can accommodate more than 10,000 burial plots. The review of the Burial Act allows the re-opening of existing graves twice exceeding a span of 14 years respectively, and that is one burial plot can accommodate three corpses within 28 years.

There is a future proposal on having an affordable crematorium to be constructed at the Nasinu Cemetery funded by the Government. An additional option is to encourage families to bury their loved ones at their respective villages.

Question No. 2

The Committee seeks clarification on the process for selecting sugarcane farms, which the FCS chooses to provide the manpower (inmates) to be engaged in?

Interested cane farmers apply in writing to the FSC Sector Office, requesting for harvesting assistance. These applications are vetted by the FSC Sector Office and recommended to the Commissioner of Corrections for the assistance.

Consideration for selection is focused on the location of the farm and the accessibility to water, shelter and proper sanitation. The Deputy Commissioner and respective Divisional Supervisors will conduct field assessment and inspection with the FSC representative to confirm the status of the farm.

Question No. 3

The Committee seeks clarification on how the rehabilitation programme structure and curriculum were/are developed, for example, 43 programmes conducted by the FCS during the 2019-2020 period? Additionally, the Committee seeks clarification on the process for selecting the inmates for a particular rehabilitation programme?

Due to the different levels of educational background, that is, limited and no formal education, different levels of basic numeracy and literacy of the inmates, the curriculum and programme structure are tailor-made to suit the respective target group. Selection of inmates to attend certain programmes is conducted during the week one admission process.

That week one process includes the interview assessment of the inmate, home visit to collate more information and background of the inmate, and the conduct of the Institution Sentence Planning Board (ISPB) meeting comprising of the Corrections Centre Second in Command who presides the meeting, the inmate, the inmate's parents or guardian, spiritual mentor and the Corrections Centre's psychologist or counsellor. The process will help determine the root cause of the crime committed which will match the relevant programme to address the prisoner's offending behaviour.

Question No. 4

The Committee seeks clarification on the other measures and plans in place in the FCS to address contrabands entering the Corrections Centres, given that there is a significant number of contrabands entering Corrections Centres, despite the introduction of Cell Senses Machines and other means currently utilised by the FCS?

The most challenging part of our work is the increase in the accessibility of contrabands into our Corrections Centres. Majority of these contrabands are hidden through inmates' body cavities where our current walk-through-machines and body scanners cannot detect. An x-ray body scanning machine is currently recommended to be purchased to address the current situation. The installation of the x-ray body scanning machine will also help the eradication of collusion amongst serving Officers.

Question No. 5

The Committee seeks clarification on the types of work that convicted inmates engage in when released for the community work?

The types of work that convicted inmates are engaged in when released for community work are mostly general clean-up of the surroundings, general repair and maintenance of the buildings, spiritual mentoring sessions with the mentor and village obligations, such as, cleaning of cemeteries and works required by the village headman. The work that the inmate will do should not benefit anyone personally.

Question No. 6

In terms of the Yellow Ribbon Project Employment Expo, clarification is sought on how often this Programme is carried out?

The Yellow Ribbon Employment Expo is carried out annually.

Question No. 7

The Committee seeks comments on the limited number of applications for the Poverty Alleviation Programme that were received and approved for the period 2019-2020?

The submission for the Poverty Alleviation Programme (PAP) is dependant upon the applications received from the individual inmate and the support from the family and community. There was also a COVID-19 movement restriction for the whole nation which affected the conduct of feasibility studies and home visits. The same restrictions also affected the conduct of rehabilitation programmes, which is one of the main criteria for PAP beneficiaries.

Question No. 8

The Committee seeks clarification on whether Trading and Manufacturing Small Business Units (TMA SBUs) are also set up in Corrections Centres in other Divisions?

No, the Trading and Manufacturing Small Business Units are only set up in the Southern and Central Divisions.

Question No. 9

The Committee seeks clarification on how the FCS monitors compliance of the International Instruments and Laws that it is said to be bound by, specifically in relation to how inmates are treated?

The FCS complies with the Bangkok Rules, Mandela Rules and the United Nations Minimum Standard Rules for the Treatment of Offenders. The FCS monitors these compliance through the review of all our SOPs and policies, having external audits and monthly monitoring and updating of Annual Corporate Plan achievements by individual Divisions and Corrections Centres. The provision of a nursery in the women's Corrections Centre to accommodate inmates' children who are below the age of six years is in compliance with the Bangkok Rules.

Question No. 10

In terms of injuries to the convicted inmates, clarification is sought on the measures in place to provide the appropriate response to any injuries suffered by inmates whilst in prison, so as to prevent serious injuries or death.

The FCS has recruited two qualified medical officers, 11 registered nurses and 15 medical orderlies. The First Aid, Medical and Advance Medical Orderly courses are taught at the training academy. The approved engineering designs and plans are all OHS compliant, fireproof and buildings are constructed to be user friendly.

All Divisions are currently allocated an ambulance vehicle, operating directly under the Divisional Supervisor and their Senior Medical Officer. The medical staff are also assigned a standby roster including weekends, 24/7, to daily monitor and standby for any emergency situation. Each medical staff is given an official mobile phone to be easily contacted when required.

Question No. 11

The Committee seeks clarification on the number of convicted inmates that were released and entitled to be and were paid from the Prisoners Cash Trust Fund Account?

In the financial year 2019-2020, 138 inmates were released with funds from the Prisoners Trust Account with a total amount of \$130,395.16.

Additional Queries Related to both Annual Reports

Question No. 1

The Committee also noted that in both the Annual Reports (2018-2019 and 2019-2020), there is little to no information on juvenile inmates and, therefore, requests for information specific to the work of the FCS regarding juvenile inmates, including statistics regarding the same.

There is indeed little to no information on juvenile inmates as the Ministry of Women, Children and Poverty Alleviation, including Social Welfare, is responsible for the juvenile.

MR. CHAIRMAN.- Thank you very much, Madam Commissioner, for the clarification through the questions that were sent from this Committee. I will now hand the floor to honourable Members who may wish to ask further questions. Honourable Members, the floor is yours.

HON. F.S. KOYA.- Thank you, Mr. Chairman, and thank you, Commissioner, for the response to all of our questions. I just have a couple of things and if we could just go back to the first question that was relative to Early Release Schemes to an inmate who has been convicted and given a sentence that is less than a year. The explanation given is that, for those inmates who are convicted for less than a year, they are classified as short-termers and rehabilitation programmes are provided for them to undergo before they apply for early release.

Now, from our perspective, a prisoner is a prisoner whether it is short-term or a lifer or long term. Is there a difference between rehabilitation for a short-termer? The reason is because it does not quite clarify. All you were saying was short-termers and rehabilitation programmes are provided for them, or is it the same rehabilitation programme that is given to all prisoners?

MRS. S. PANAPASA.- *Vinaka vakalevu*, Sir. In response to your clarification whether we have a different rehabilitation programme for short-termers and those with long term sentences, we have a rehabilitation framework whereby for the first three months, all prisoners have to go through a disciplinary phase programme, basic counselling and also go through basic food drill, just to instill discipline.

After three months, then they have to go through a Personality Enhancement Programme whereby within that period, the Corrections Officers conduct home visits and collate information on the background of prisoners, to allow us to understand the root cause of their committing the crime. Within this Personality Enhancement Programme, we conduct treatment programmes to address their offending behavior.

Mostly, the short-termers are allowed to go through the Disciplinary and Personality Enhancement Programmes. Long-termers - more than one year sentence, often go through the next phase of the programme which is the Upskilling Programme. The short-termers will only go through the first two phases of our rehabilitation programmes.

Both Personality Enhancement Programme and Disciplinary Programme are the same, but the only difference is that short-termers will not take part in any Upskilling Programme because of the duration of their time in Corrections Centres.

HON. F.S. KOYA.- Mr. Chairman, if I may, thank you. I think that that is quite intensive with respect to even when you go out and find out about the prisoner. One of the reasons for the question, Commissioner, really was that perhaps, some prisoners maybe habitual offenders but petty crime so the symptoms is always small. They go in for three months and they come out, they go in for four months they come out, they go in for six months they come out, they are habitual offenders. I do not know, but you are in a better position to tell us.

That was why the question about - is it the same programme and do they go through a fairly intensive programme? But I think you have answered it in saying that it is quite intensive and if you are actually doing a question-and-answer programme with respect to the prisoner himself or herself. Just quickly, in terms of rehabilitation and early release schemes, when we talk about this, there is complete gender equality with respect to rehabilitation programme, am I correct?

MRS. S. PANAPASA.- Yes, Sir.

HON. F.S. KOYA.- Thank you.

MRS. S. PANAPASA.- Honourable Member, Sir, in addition to your question on habitual prisoners, we term them as recidivists - those who have been in and out of Corrections Centres. However, we also have a special programme for those who have been in and out of the Corrections Centres as habitual offenders.

- MR. CHAIRMAN.- *Vinaka*, Madam Commissioner. Honourable Members, do you have any questions.
- HON. I.S. VANAWALU.- Mr. Chairman, through you, thank you Commissioners. In regarding to the appropriations for 2018-2019 financial year, the clarification is sought on the following:
 - 1. Changes to the estimate of SEG 1 the Established Staff. What are the circumstances behind the change?

It should be noted that it seems that this change and movement in the fund was not necessary, given that the initial estimate proven by the actual expenditure was sufficient for the year's expenditure, and thus may suggest that the change questions the credibility and efficiency of the budget process for FCS in respect to SEG 1? That is my first question, and I have another two.

MS. H. KOI.- Mr. Chairman, can you repeat your question honourable Member on SEG 1, please?

(Honourable Member repeated his question).

MS. H. KOI.- Mr. Chairman and honourable Members, for our SEG 1 — Personal Emoluments, this is made up of our personal emoluments, our FNPF, our extra duty allowances and relieving votes. Usually, we have officers who have retired during the financial year, we have reengagements to meet the manpower in the Corrections Services and extra duty allowances are mandatory that we have to give as incentive for each officer.

The extra duty allowances are calculated on 12.5 percent of the officer's gross and 20 percent for his/her lodging. Lodging is also a mandatory allowance that is given to officers who do not live within the premises but live outside of the Corrections vicinity. So, we have to give that allowance to also assist the officer travelling, who is on call 24/7.

We also have relieving votes which is for our project officers who are engaged during project work, and they are only engaged during the duration of that project. So, this fluctuates, depending on the people on the ground and the engagements that we do within the financial year.

- HON. L.S. QEREQERETABUA.- Thank you, Mr. Chairman. May I ask the Commissioner a question with regards to the welfare of officers. We have discussed that in the two Annual Reports, and you have said that there is an insufficient number of counsellors available. What I am concerned about is the welfare of the officers themselves in relation to the violence that we have seen recently, officers or alleged incidences of violence, officers against detainees or prisoners. Perhaps, you let me know what the welfare of officers' system is like within the Service? How much is offered to the officers themselves in terms of looking after their mental health?
- MRS. S. PANAPASA.- Thank you, Mr. Chairman, and thank you, honourable Member. In as far as our officers' welfare is concerned, we also utilise our psychologists and counsellors on the ground to spend time with those involved in cases alleged to happen in all Corrections Centres.

We also have the presence of our Corrections Chaplain, who is engaging with representatives of all religious denominations around the country. They have already conducted their evangelistic programme and he also attends to families on monthly basis, particularly for those who have their names being popped up to our headquarters. So, those are some of the areas that we are working on now to assist in the welfare of our officers.

- HON. L.S. QEREQERETABUA.- Maybe, just one final follow up question on that, Commissioner. In terms of when there is domestic violence reported in Corrections quarters, do you go to the police?
- MRS. S. PANAPASA.- In fact, domestic violence is normally referred to our Corrections Chaplain. They must be first attended to by their respective Officers-in-Charge who are their supervisors in that Division. Also, the counsellors and psychologists, but normally those cases are not reported to police unless the victim requests us to do so.
- HON. L.S. QEREQERETABUA.- In that case, the No Drop Policy on domestic violence does not include Corrections?
 - MRS. S. PANAPASA.- We have a No Drop Policy on domestic violence ...
 - HON. L.S. QEREQERETABUA.- ... Within?
 - MRS. S. PANAPASA.- Within, yes, honourable Member.
- HON. L.S. QEREQERETABUA.- So how does the police then not be involved if it goes through the Chaplain first?
- MR. A. VUCAGO.- Thank you, honourable Member. Mr. Chairman, we all understand that prison is a very hostile environment. In recent months, you must have heard the not so good report against Corrections Officers.

There are many factors that lead to violence, being aware that the Corrections environment is a hostile environment, but that does not take away the fact that violence should not be condoned. We do not condone violence. I am not a psychologist but from what we observe, as an effect to such hostile environment, officers also tend to take that frustration out on their families and as a result, unfortunately, the women and children get the end of that frustration. But it does not mean that we do not care, we do.

Reports are made to the Officer-in-Charge. We follow our hierarchical structure – Officer-in-Charge, then we have someone above the Officer-in-Charge and the last person to be notified. In fact, the first person to be notified is usually the Commissioner, but we use our personnel at technical level to deal with those matters. We do our very best to try and diffuse the situation when there is domestic violence or when there is violation in Corrections Centres.

However, we use other mechanisms to try to resolve any sort of violence that we come across in any of those environments – at home or in the Corrections facility. We use the services of our counsellors, our psychologists, our Chaplain, but if we are not able to resolve any of those violence, we will usually give them the option to report it to the police.

We do not condone supressing this from the police, we give them the opportunity to do so, but when we talk about families, at the end of the day, it is the families who are going to suffer if

they are taken to the police. So, that is what we enlighten them on - the consequences of what will happen if they do to that extent, but we give them the opportunity and we also inform them on what will happen if they go down that road.

That goes for prisoners as well. We are very open with prisoners, if they do wish to report matters to the police, we give them the opportunity. We do not supress or condone violence, and we have taken measures to ensure that violence is not condoned in these two environments. *Vinaka*, Mr. Chairman.

HON. M.D. BULITAVU.- *Vinaka va'levu*. Through you, honourable Mr. Chairman, *vinaka va'levu*, Madam Acting Commissioner and the Team. Thank you very much for your presentation and also the responses from the clarifications that were sought from the Committee - very detailed, very comprehensive, so thank you very much. My question is just outside of what was given in terms of the Poverty Alleviation Programme - what are some of the successes that you have seen from those who have been assisted?

MR. W. SOQONAKALOU.- Mr. Chairman and honourable Members of the Standing Committee, through our poverty alleviation handouts, we have a few success stories. One farmer in Bua, who managed to transform from subsistence farming to commercial farming and another farmer in Tailevu. So, we have managed to get success stories, but our main aim is the transition from starting small, for example, from subsistence means to commercial means. So far, we have had success stories with our poverty alleviation handouts. *Vinaka*.

MR. CHAIRMAN.- Madam Commissioner, I just have one question in regards to the response on Question No. 8 in the 2018-2019 Annual Report. It basically relates to Trading and Manufacturing Small Business Units.

In your response, it says that they are only set up in the Southern and Central Divisions. Is there a specific reason why it is not being set up in the Northern Division? The reason is because I would like to inform you, the Officials of the FCS that we have got some very skilful people too in the North.

MRS. S. PANAPASA.- Thank you, Mr. Chairman. We have our classification and allocation system of prisoners who are admitted in our receiving Centres. We have major receiving Centres in Labasa, we have one in Lautoka and, of course, the Suva Corrections Centre. Then we have our Classification Allocation Board where they place these prisoners to classified prisons in line with their sentences, the nature of the offences that they have committed, their age, et cetera.

For the Northern and Western Divisions, they normally accommodate prisoners for less than 18 months. I had mentioned our Rehabilitation Framework where we normally provide upskilling programmes for those who are staying longer in the Corrections Centres. So, that is why we have classified prisons in Naboro - the Southern Division whereby all these small business units are placed in Naboro to suit the prisoners who are accommodated therein.

HON. F.S. KOYA.- I have a couple of questions, Madam Commissioner. Just on that one, if you have a prisoner that was interested in a small business, could that prisoner make a request to say, "please, admit me to Naboro because I want to be part of that particular small business upskilling programme." Would they be able to request?

MR. W. SOQONAKALOU.- Yes, Sir. They will first go through the Allocation Board and the nature of request will be determined on their known skills - what they possess, so that we can tap

on those skills so that it does not blend with the criminal element within. So, our major target in our small business upskilling programme is we identify the known skills that they possess.

For the long termers, it will depend on the time they stay inside the prison and the upskilling that they will go through. But for those that requested, we can assist if they fall within the sentence range and determined skills that they possess.

HON. F.S. KOYA.- Thank you for that. I just have some clarifications on Question No. 8 regarding the Prisoners' Trust Account -the 40:60 percent. We need to get a handle on it and to understand it. I mean, the determination as you have spelt out, Commissioner is that, that is on the basis of the Commissioner's Orders that currently exist on that basis of 40:60 percent.

I have been privy to some of the stuff that you have got in your art gallery that the prisoners have put up and they could fetch some very sailable money for their artwork, and they are quite talented. In that case, let us say, for example, if someone had smart work that sold for \$1,000, that means he has instantly lost \$400. Is that the case or is that looked at on a case-by-case basis sometimes? Because these pieces of artwork, they are quite valuable, and I have seen them and some of them have sold for good sizeable amount of cash. Is there a different formula used in that particular case for the art gallery?

The 60:40 percent, I understand that 40 percent is used towards purchasing material, et cetera. I know there may not be many but for someone who has worked hard and produced a piece of art that is going to be worth a lot of money, is there some other mechanism that is used?

- MR. W. SOQONAKALOU.- Mr. Chairman, the only issue for paintings is that it is based on the 60:40 percent -60 percent is banked in the Prisoner's Trust Account and also 40 percent back to the Government. That is applicable for all the art sales.
- HON. F.S. KOYA.- Mr. Chairman, one other query; I know there was a very short answer to the last question that we had posed with respect to juveniles. You have explained to us that it does not fall within the purview of this particular Report. Is the operational part of the juvenile centres controlled by you?
- MRS. S. PANAPASA.- Mr. Chairman, for the juvenile centre, the responsible ministry is the Ministry of Women, Children and Poverty Alleviation.
 - HON. F.S. KOYA.- So, you have nothing to do with it?
 - MRS. S. PANAPASA.- No, Sir.
- MR. A. VUCAGO.- Just to clarify on that, we have a Corrections Act and it states that a person convicted by the courts which we cannot admit are 18 years and above. Sir, 18 years and less which are, of course, juveniles should be referred to the juvenile centre. But time and again, we would be issued with orders from courts to hold in our custody juveniles for reasons like, they have been escaping from the juvenile centre quite often.

We receive them but we have confined them in a separate isolated parts of the Centre so that they are not, in any way, allowed to mingle around with the adult convicts or adult prisoners. That is one thing that we are very particular with and after the period of their stay with us, they should be send back to the juvenile centre.

There are reasons for that. We would not want to contain the young minds, being the reason why we isolate them. That is also the reason why it is appropriate for them to be held in the remand centre amongst other inmates of the same age.

- HON. F.S. KOYA.- You can understand why we were questioning because we wanted to know how they are rehabilitated, et cetera. It is not for our report so we will have to address this somewhere else. Thank you for that, I appreciate it.
- HON. L.S. QEREQERETABUA.- I was wondering if I could ask a follow-on question from honourable Koya. When you are talking about the juveniles coming under the Ministry of Women and Children, do you share data with that Ministry so that if someone has committed an offence at 16 years or 17 years old, and all of a sudden they appear on your roll, do you have that kind of connection at all where you can spot someone who has been through the juvenile system and is now in the correction system? Do you have that happening at all?
- MRS. S. PANAPASA.- Mr. Chairman, actually we do not share data with any Ministry in relation to juveniles.
- HON. I.S. VANAWALU.- Through you, Mr. Chairman, thank you very much Commissioner and the Team. This is just a general question. I will refer back to a report by the honourable AG when he went to Levuka last week where he mentioned that he was surprised to look at your pay package. Was there any review for the last couple of years a Job Evaluation Exercise (JEE) or whatever?
- MRS. S. PANAPASA.- Mr. Chairman, the payout for the last exercise on the JEE for FCS was 20 years ago, way back in 2003. That was the year I remembered that we had the JEE for the FCS.
- HON. I.S. VANAWALU.- Moving forward, Mr. Chairman, are there any strategic planning to cater for your needs?
- MRS. S. PANAPASA.- A consultation is with the current Maxumise Consultants. We have submitted our Cabinet Paper and consultation is now in progress with Maxumise Consultants.
- HON. F.S. KOYA.- In the absence of a JEE, what would you have used or done to keep yourself aligned generally in terms of wage arises, et cetera? What was being done in the absence of a JEE, as you have said?
- MRS. S. PANAPASA.- In the absence of a JEE, we had looked at the performance of officers in line with their positions and responsibilities that they are playing. We promoted officers to the level they were supposed to be in. In addition to that, we had been working within our funds and we had also created our welfare fund to assist officers during their rainy days. Those are some of the areas that we had worked on to assist officers.
- HON. F.S. KOYA.- So, performance would have meant that you get a pay rise like meeting KPIs, et cetera, with other people. So, if you have performed, you do get a pay rise, is that correct?
- So, when we say there was no Job Evaluation Exercise (JEE), you are not stuck in terms of 20 years ago, what the wages were, actually you are still in line with what has happened in and around Fiji, so fairly well aligned in terms of your performance, is that correct?

We just need to get a handle on how it actually works. Are you saying that, for example, if a prison officer was earning \$12,000 a year 20 years ago, he is still earning \$12,000 or is it somehow aligned to what it is today, like you said that performance-based, et cetera, would have taken you up or promotion, et cetera? The job description that you hand out in terms of trying to get your budget where you say that this particular job description attracts this particular wages, that is what you get in terms of your budget? So, there has been a pay rise or there has not been one completely? That is the point.

MS. H. KOI.- Thank you, Mr. Chairman and honourable Members, yes. We have been promoting staff within the salary grade. We are still on the old salary grade, not the new bandwidth, so they have scales or steps within the grades where we promote them within that scale. We have been fortunate to have savings because we have staff who have retired during the year, and we have staff who have also resigned so savings from those usually accommodate majority of our staff within those promotions. There are usually promotions within the salary grade according to steps.

HON. M.D. BULITAVU.- Well, just to assist on that, given the last term as part of this Committee when the FCS Team came then, they had assured the Committee then that their consultants were working with their proposal to be given to the line Minister, so that was the work that was previously done. So, it has been continuing and we thank the current Acting Commissioner and Team for continuing that.

I think that is overdue, given that the other Disciplinary Forces - the Fiji Police Force and the Republic of Fiji Military Forces had a Job Evaluation Exercise (JEE) which was also part of investigation for one of our previous Committees by former retired police officers who felt that they did not receive their percentage. That was resolved or some even retired but some cheques were sent elsewhere but those were the other complicated cases.

Again, that could be lessons learnt for FCS in terms of a JEE that needs to be paid out. Probably, it should be on a lump sum rather than on pro-rata basis because at times, people retire and some people die early and there could be people transferred here and there. There could be some kind of discrepancies but, again, this is ongoing, and I thank the current team that are working on it.

- HON. L.S. QEREQERETABUA.- One more question from me, Mr. Chairman. In terms of the classification of prisoners when they enter the service, are new prisoners mixed with those that have longer sentences or do you keep them apart from the more serious offenders?
- MRS. S. PANAPASA.- Mr. Chairman and honourable Members, as to the classification of prisoners, as I have said, we will look at the nature of the offence committed, the sentence, length of sentence, their age, et cetera. New prisoners on admission are normally allocated a separate accommodation away from those who have been serving for long in the Corrections Centre. Those who have been in and out of the prison will be placed to the classified centres in Naboro, depending on the length of sentences, as I have said, just to avoid contamination of young and new offenders coming into the Corrections Centres the receiving Centres.
- HON. L.S. QEREQERETABUA.- Thank you, Ma'am. Do you have enough space? What are you like, resource-wise and space?
- MRS. S. PANAPASA.- As I speak, Mr. Chairman, our percentage of overcrowding is 4.88 percent, so that is our current overcrowding rate 4.88 percent. Today's total capacity is 2,300 whereas our approved capacity is 2,193. We have a 107 over above our capacity Fiji-wide. This is

mostly from the three big receiving Centres - Labasa, Lautoka and Suva, but the rest of the Corrections Centres are within their capacity rate.

- HON. F.S. KOYA.- Does that include remand prisoners?
- MRS. S. PANAPASA.- Yes, Sir. This also includes the remand unconvicted prisoners.
- HON. F.S. KOYA.- So, there would be some movement in and out within that 100 also.
- MR. CHAIRMAN.- Madam Commissioner, just a follow up question to honourable Qerequeretabua on the classification of prisoners, can you elaborate on the how many classification of prisoners are there in the FCS system? I understand while we were reading, we came across one star class. How many classifications are there in the FCS?
- MR. T. KUBUNAVANUA.- Mr. Chairman, there are three classification of prisoners the young offenders which we accommodate them at Nasinu Corrections Centre, then we have the star class and the ordinary class of prisoners.

The star class are the habitual offenders and also classification for the remand and women's class. The ordinary are the short termers and below short termers.

- HON. M.D. BULITAVU.- Through you, Mr. Chairman, just another question probably on the Care Network working with the community, the Church and Provincial Councils. How are we engaging and has it been assisting us reduce recidivism?
- MR. W. SOQONAKALOU.- Mr. Chairman, our Care Network Engagement is targeting the Provincial Councils and the Churches mostly because majority of our offenders are *iTaukei* offenders. So, far we have engaged eight Provinces and for this year, we are targeting Bua, Macuata and the Ba Provinces, and also our faith-based organisations. This is based on the numbers in the prison and so far, we are doing well on that. The Care Network Committees are coming to prison for the Reintegration Programme. They are assisting us in the Solesolevaki Programme to enhance their sustainability in the community.

Our faith-based organisations are providing spiritual mentoring programme and in the long term, it will assist us to bring down the recidivism rate, especially for our *iTaukei* offenders. Majority of our offenders do not stay in the villages, they are the second generation migrating from their villages to the main centres, so the formation of the Care Network will assist us in returning these offenders back to their roots. As of now, we are doing well with the formation of the Care Network Engagement. Thank you, Sir.

HON. F.S. KOYA.- It is good to hear from you with respect to the Poverty Alleviation Programme that you have. From the numbers that we saw earlier on, we looked at 2016-2017, 2017-2018, 2018-2019 and if we go over to 2018-2019, you had about 78 applications and 30 were approved. With respect to these particular programmes, once you approve the 30, is there a follow-up programme, after receiving their grants, et cetera, to say, "Alright, how well you have done?" It would be similar to the MSMEs with respect to the Ministry of Trade that goes up and says, "Alright, let us follow up and find out whether it has actually been successful or not", or are they left to their own ways once they get their grant?

MR. W. SOQONAKALOU.- Mr. Chairman, for our Poverty Alleviation Programme, we do not hand out cash, we only give farm items, items for canteen business, et cetera. Before they collect their items, they have to sign the Memorandum of Agreement.

We are doing follow-ups on how they are surviving in the community or the viability of the programme. Before we hand out, we have to do the feasibility study to let us know on the viability of the programme. For example, if an offender is willing to start a grass cutting business, we look into the community - who are the likely customers that will allow us to forecast the viability of his business, but we are doing feasibility study. Also, during our checks, we are checking their farm items. After the lapse of two years for the wear and tear period, then they can justify that it has been damaged. But within those two years during the wear and tear period, we will be doing our follow-up monitoring checks with the recipients.

- MR. CHAIRMAN.- Madam Commissioner and Team just one question from my end with regards to Question No. 1 of the 2019-2020 Annual Report, which you have clearly answered and clarified. What is the cost of private graves reopening and reserve respectfully? Is there a standard price for each of this, or they differ?
- MRS. S. PANAPASA.- Thank you, Mr. Chairman. We have a standard cost for a private grave which is \$36.50 and to reopen a grave is \$21.95 and all the costs are the same.
- MR. CHAIRMAN.- The reason I was asking this because in this reported year, you managed to collect \$57,487. So, I was just wondering whether the prices are different or there is a standard price. But thank you very much for your clarification, Madam Commissioner, there is a difference.
- HON. F.S. KOYA.- Mr. Chairman, just on that issue in terms of grave sites, I think in recent years, prisoners really turned a lot of things around in terms of beautifying that place and clean it up and finding more space. With respect to opening up graves, regardless of whichever religious faith whether it is Christian, Muslim, Hindu, Buddhism or whatever it is, there are those sensitivities around reusing of grave sites. Does that become a real obstacle to you with respect to that?

The reason why we ask is if there is going to be debate in Parliament, then we can say, "Well, may be more money is needed to find more space with respect to that." I do understand that there may be religious difficulties with putting more than one person, even though within your rules, you say after certain number of years you can actually do that. I hope you understand what I am trying to get at.

- MR. W. SOQONAKALOU.- Mr. Chairman, in regards to the question raised by the honourable Member, we can reopen a grave after 14 years but it will depend on the relatives' consent. While reopening the grave, we are not allowed to touch the corpse that is already laid in the grave, but we have to obtain the consent from the relatives that they approve to reopen another grave. Also, the Ministry of Health for their clearance in regard to the corpses already laid in the grave.
- MR. A. VUCAGO.- Just to complement the response, for your information, honourable Members, the Corrections Service is the manager of all the Government graveyards in Fiji. In fact, all the cemeteries in Fiji come under the responsibility of the Ministry of Health. They are responsible for all these Government graveyards or Government cemeteries. We just look after them, we manage them, we do the burial, and that is all we do. But the extension whatever it is that we want to do on any Government cemetery, we will have to get the approval from the Ministry of Health, including exhumation of bodies. If there is an exhumation, we need to get the consent from the Ministry of Health. They are responsible for the entire Government cemeteries around Fiji.

MR. CHAIRMAN.- Honourable Members, are there any other questions?

HON. F.S. KOYA.- Yes, Mr. Chairman, I have one question. For those who are very long term prisoners - life without parole and they are there for many, many years, I know within the system we have early release or being able to go out to the families, et cetera, do they form any part of some of these programmes in terms of being able to go out to a village setting or a family death or whatever it is at the end of the day? Are they actually allowed out to do this? Is there a particular provision for them?

MRS. S. PANAPASA.- Mr. Chairman, prisoners with long sentences normally have non-parole period attached to their sentence. Unless they have served their non-parole period, then they can be allowed to attend to any engagement or activity in their community. We can allow, unless they have served their non-parole period.

MR. A. VUCAGO.- Mr. Chairman, just a supplementary response. We have been talking about the classification of prisoners. We have a Classification Board in all the Corrections Centres. What the Classification Board does is when they sit to assess an inmate who has been admitted to a prison, they collect all the information about the inmate - his education, his background, his upbringing, his friends or peer friends and all the personal information about this inmate. Then from that information, they then establish the root cause of the offending behaviour. Once they establish that, they will then refer them to the psychologist and counsellors to create a tailormade rehabilitation programme that will treat the offending behavior of that particular inmate. Part of the assessment is that they will also determine what classification this inmate should be categorised under.

Now, for those inmates who are usually given the opportunity to go out, for example, to attend a wedding of a brother or a sister or to the funeral of mum or dad, they would be given consideration based on the security rating. Usually, we do not allow people who are very aggressive or violent, who have no sense of responsibility, to go out because we would expect them, of course, to behave in such a manner when they go out. We do not encourage that but what we do first is try to address that offending behaviour of that person so that he could be relegated to a certain degree or category where he could be classified as a low security rating inmate, to be allowed to go out in opportunities as you have mentioned, honourable Member.

That is how the Classification Board operates. It has a huge responsibility in terms of assessing inmates. We just do not allow inmates to go in and attend any occasion whatsoever the way we like, but there are programmes that we put prisoners through to ensure that when we let them go out, they do not re-offend or cause any behaviour that would reflect on the way we conduct our rehabilitation programmes.

HON. F.S. KOYA.- The classification is not permanent, right?

MR. A. VUCAGO.- It is.

HON. F.S. KOYA.- So, if you are classified as really high risk right at the outset when you actually enter prison, that classification stays with you?

MR. A. VUCAGO.- Until they are put through rehabilitation programmes where their offending behaviour could, at least, be addressed. In fact, when all anew prisoners come in, they are usually rated as high security rated inmates. Why? The reason being that the mindset and everything is still back at home and there is a possibility they could run away, so we regard them as high security rated inmates. Until we put them through rehabilitation programmes to address their offending

behaviour, then we could reclassify their security rating. Until that happens, they will still be regarded as high security rated inmates.

- HON. L.S. QEREQERETABUA.- Mr. Chairman, the Mercy Commission and long serving prisoners, are there targeted programmes for long serving prisoners in the anticipation that they could qualify down the line for the Mercy Commission looking into their case?
- MR. A. VUCAGO.- Mr. Chairman, part of the requirements from the Mercy Commission is whether a particular prisoner has gone through the relevant rehabilitation programmes that would allow him to be considered by the Mercy Commission. So, the rehabilitation programmes that they need to go through is the expressed requirement from the Mercy Commission that they must go through, before they are considered for any pardon under the Mercy Commission and pardon by the President, of course.
- MRS. S. PANAPASA.- Mr. Chairman, just in addition to that, all prisoners go through the same rehabilitation programme, particularly, in the treatment of their offending behaviour. Those rehabilitation programmes attended by prisoners must be included and is one of the criteria of the prisoners' release on pardon, as long as they have attended the treatment programmes on rehabilitation programmes.
- HON. M.D. BULITAVU.- Mr. Chairman, just my last question to the Acting Commissioner and the Team, throughout your presentation, you have made only one request and that is for an x-ray machine, in terms of contrabands. Having gone through your presentation this afternoon, what is the most challenging part in terms of not only them getting these items, they could be planning other things that could be done outside of the prison walls, but also the safety and you have highlighted here, that they are even kept in body cavities? What are some of the experiences that you have gone through, or you have seen that made you come up with this proposal to eradicate contrabands that are put in body cavities?
- MRS. S. PANAPASA.- Mr. Chairman, just to add more on the clarification by the honourable Member, there are only three means of accessing contraband items into Corrections Centres. The first is through over the fence; secondly, through the officers colluding; and thirdly is the most challenging one which is the insertion of contraband items through body cavity.

We believe that x-ray machines will definitely identify the items in their body. For example, in Malaysia, they use camera chair in their admission centres. Every newly admitted prisoner sits down on the chair and in another room, there is a screen whereby they can see and identify whether they have the item in their body cavity. Two signs that that can give whether the entry to the body cavity is crooked or is watery. That shows them the indication that they have the items concealed in their body.

We believe that the x-ray machine is suitable for Fiji instead of using camera chair because of human rights clauses. Even when they pass, we use body scanners, hand-held body scanner, we install a few walk-through doors but it is not working, and we have spent so much money on this. We believe that an x-ray machine is suitable to identify those hidden concealed items.

HON. F.S. KOYA.- Mr. Chairman, one last question from me. With respect to access to those who might want to appeal, et cetera, and access to legal services, I know there is Legal Aid, is there a different procedure if you are doing all of that, if you want to get access to legal services or is it just normal standard for everyone because I know it is quite an intensive thing to do if you are going to go and appeal - whether you are appealing to the Court of Appeal or the Supreme Court?

Some do it on their own, and for those who do that, what kind of access to legal materials do they actually have in the prison itself?

MRS. S. PANAPASA.- Mr. Chairman, during our admission procedure, we have our standard admission procedures in receiving centres whereby all inmates are advised of their rights to appeal. They are also given the time of appeal. For the materials, I would invite our Legal Officer to explain more on that.

MR. A. VUCAGO.- Mr. Chairman, more often, inmates want to represent themselves in court and we do our utmost best to provide them with the materials they need to assist in their defence. But the process that we follow is, we call them out from their respective accommodation and give them a table and a chair, most probably in the reception area. We have a space called the reception area with an open space, with a chair, a desk or a table with writing utensils and all the books they require. If they need books and legal materials, we provide them that to assist.

However, what we do not allow is for them taking all these materials into their accommodation to write their submission and all their defense in their own accommodation because we have found that at the end of the day, they will tear out the pages and start using it as *suki* and as mosquito coil. So, that is what we have discouraged.

We entice them to come down and write their submission in the office under the supervision of whoever is there – the duty officer in most occasions to supervise them while they do their submission. We assist them in any way we can about their defense.

We have also advised the officer in charge, those who are responsible for the Corrections Centres, if inmates raise complaints, whatever they want to submit as their complaints, let them do that and do not suppress their complaints because by suppressing it, they are creating more problems. So, that is what we encourage them to do. We do not stop or suppress any form of complaints from inmates whatsoever because they have been reminded that by doing so, they are complicating the situation more.

MR. CHAIRMAN.- Madam Commissioner and Officials of the Fiji Corrections Service, on behalf of the honourable Members of the Standing Committee, I want to thank you for availing yourselves this afternoon. *Vinaka vakalevu*, Madam Commissioner and Team, for answering our questions. Please, take note that for further issues and questions that we might have, we will send them via a letter.

On that note, since you are here, I would like to inform you in person and give you a heads up that the Committee, by way of a formal letter, would like to make a tour of your facilities. We have seen in the Report that lots of projects are going on, so we might want to come by and have a look at your facilities.

On that note, once again, *vinaka vakalevu*. Honourable Members, thank you very much. That concludes our meeting for today.

The Meeting adjourned at 4.51 p.m.