

28, November 2008

The Honourable Tommy Turnquest
Minister of National Security
Ministry of National Security
Churchill Building
Nassau, The Bahamas

Dear Minister Turnquest,

We, the Members of the National Advisory Council on Crime, appointed by you on the 3 December 2007, to advise you on the development of an action-oriented strategy to tackle crime in our country, are pleased to present herewith the Report of the Council, entitled "Strategies for addressing the Nation's Crime Problem."

We are honoured and privileged to be given this opportunity to offer our service to you, the government, and the Bahamian people, at this critical period in our nation's history. Crime is a cancer that is eating away at the moral fibre of our nation, destroying many lives, putting our citizens in fear, and threatening the Bahamian way of life. We are therefore privileged that, in some small way, we are able to contribute to the national dialogue on crime.

The Council represents a broad section of Bahamian society, and in our deliberations, Council Members called on their extensive professional and vocational training and expertise. Notwithstanding, each member approached his/her task with honour, pride and dignity, and with the deepest passion and conviction that would come from a true patriot only.

We began our deliberations over nine months ago, armed with anecdotal information that crime and violence was on the increase in our society. Last year there were 79 homicides, the highest number to date. At the time of this writing, 72 homicides have been committed. We agree with the Government that crime is at an unacceptably high level.

Our enquiry afforded us the opportunity to be briefed by senior government officials, including the Commissioner of Police, Superintendent of Prison, Directors of Public Prosecutions and Social Services. We also heard from the Leader of Opposition, Rt. Honourable Perry G. Christie and former Deputy Prime Minister and Minister of National Security, Honourable Cynthia Pratt. Safe Bahamas, College of The Bahamas, Youth groups and other non-government organizations also participated. We also went to Grand Bahama and held meetings with local government officials, law enforcement officials, and community groups.

We want to thank all those persons who participated in our discussions and cooperated with our work. Without exception, their enthusiasm and commitment was unquestionable as it was invaluable.

We should like to thank Permanent Secretary, Ms A. Missouri Sherman-Peter, Executive Coordinator, Mrs. Anita Bernard, Undersecretary, Mr. Peter Deveaux Isaacs, Deputy Permanent Secretary, Mrs. Blanche Deveaux, Assistant Director of Education, Mrs. Heloise Stuart Newbold, and the Crime Secretariat staff at the Ministry of National Security for their guidance and support in producing this document.

Sincerely,



Bishop Simeon Hall
Chairman



Ms Arlene Nash-Ferguson
Deputy Chairperson



Rev Dr Ivan F. Butler



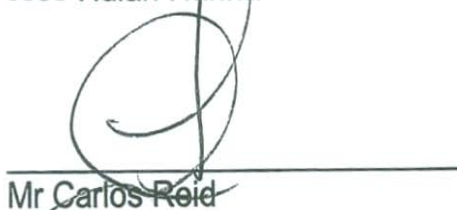
Mr. Frank Comito



ACP Hulan Hanna



Ms Anastarcia Huyler



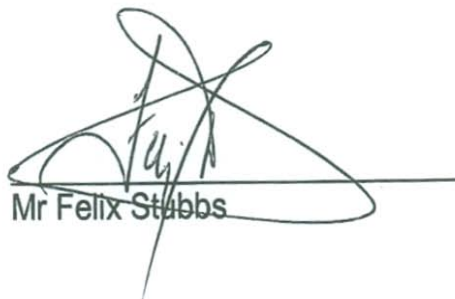
Mr Carlos Reid



Mr. Vicente Roberts



Mrs. Maria Scott



Mr Felix Stubbs

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Chairman's Message

My brothers and sisters, our nation today is one that is hurting. So too, are some of our sister nations in the region. And so, as nation and region hurt, the age-old question that returns to haunt and mock some of us is, "Is there no balm in Gilead?"

While there is obviously no quick-fix solution to assuage this nation's myriad of ills, we are certain that, with God's love and saving grace, and concomitantly, with a national commitment for each Bahamian to respect the established laws of The Bahamas, we can find a way out of what might seem to be no way.

We know also that the problems we face did not just materialize. There were times in our lives when we omitted to do things that we should have done. And certainly, there were those times when we deliberately did what we ought not to have done. As a result, today, our beloved nation has awakened to reap a harvest of shame, degradation and regret.

As some would have us believe the problems we face are grounded in a political and economic order that is culturally obligated and consumer driven by the United States of America. Some support for this thesis can be found in the brazen cry that our youth should get rich quick, or die trying. Unfortunately, even some segments of the church have institutionalized the doctrine of materialism as a way of life.

Some other commentary places our problem in a society that is awash in guns, drugs, illegal gambling and a myriad of other schemes, scams and con-games. As the argument goes, it is this climate that encourages way-ward youth to go even further astray.

We could go on and on with a litany of probable causes for the crime problems we currently face. However, the fact remains that we are not alone in the challenges we face. As CARICOM Secretary General Edwin Carrington puts it,
"...Virtually every Member State and Associate Member of the Community is being afflicted by this scourge, i.e. crime and violence."

The Secretary General continues that,
"While it is obvious that the Heads clearly understood the context of their need to meet, it's not as crystal clear from the heavy bias towards crime fighting measures, such as beefing up police and military security, that the underlying social issues are being tackled with equal alacrity."

Quite evidently, the social roots of deviance, crime and rebellion is precisely where the most purposeful action must be focused. Indeed, there is a clear recognition of the importance of this matter by none other than our Prime Minister, the Rt. Hon. Hubert A. Ingraham who recently noted that;

"The fight against crime requires that we identify

priorities and develop multi-sectoral strategic responses. It will take us well beyond the business of law enforcement into the care issues of our social development. It will require us to reformulate our social policies to deal with public awareness, educational deficiencies, skills training, unemployment and poverty.”

True as this statement might be, it will mean practically nothing if it is not matched by requisite capacity. Capacity building that requires human, technical and financial resources.

The absence of a national vision in specific areas of community life continues to constitute a clear and present impediment to our social progress. In other words, the ageless inability or unwillingness by our political leaders to agree on a national vision of what we want to become as a nation, contributes significantly to the confusion of building a positive and progressive Bahamas.

Previous Crime Commissions reported that the unwillingness and inability of Government Ministries and other social agencies, (including the church), to work in tandem with each other, sends the message of the brokenness in an already disintegrated society.

This call to the nation will be little more than a sound in the echoing winds if the words are not matched by deeds. It also follows that even when it is agreed that there is blame enough for everyone, at the end of the day, there must still be an answer in the real world as to what is to be done.

More pointedly, when those of us who say we lead, voice our agreement on the answer to the question of “what is to be done”, and do not meet our moral obligation to show up, ready for work then it is all mere posturing. In such a setting, the problems persist.

We believe that there is always room for improvement and all who would be a part of the solution are today called upon, to be honest with themselves, to “put their buckets down” where we are and acquit ourselves. All of us who truly lead at whatever level in this society must do our best. By so doing, we will allow truth to enter and assist as we re-commit to nation-building.

Ultimately then, the work that has to be done in turning this nation of ours around must be done by all of us. The burden is on leadership. Leaders at all levels must come to “public service” with a resolve to make a qualitative difference rather than to make money. This work can and should be done by each of us on behalf of all of us. This is what nation-building should be about in times like these.

Members were amazed, in some instances shocked that the information gathered had been part of previous national reports. While it is clear that in some instances several suggestions from previous reports were implemented, in the main, we seem to be blowing bubbles when it comes to seriously addressing crime and its causes.

In light of the government's precious response members of this Advisory Council are obliged to eagerly await the ministry's response.

These recommendations are seminal. They cannot and should not be considered exhaustive; but they certainly represent the careful consideration of a group of persons, who, not only took pleasure in carrying out an assignment, but who themselves share each day in seeking to make our Bahamas a better, safer place.

May God bless all of us, and may God bless our Bahamas.

Bishop Simeon Hall
Chairman, National Advisory Council on Crime
28, November 2008

Executive Summary

The Ministry of National Security convened a National Assembly on Crime from 15-16 September 2007. The Assembly brought together stakeholders from the public and private sectors to discuss the problem of crime, and to build on a national consensus on the way forward. One of the key recommendations of the Assembly was the establishment of a National Crime Council. The Minister of National Security, Hon. O.A.T (Tommy) Turnquest appointed the National Advisory Council on Crime on 3rd December 2007. Bishop Simeon Hall was appointed Chairman, and Mrs. Arlene Nash-Ferguson was selected Deputy Chair. Other members included Rev Dr Ivan Butler, Mr Frank Comito, ACP Hulan Hanna, Ms Anastarcia Huyler, Dr Michael Neville, Mr Carlos Reid, Mr Vicente Roberts, Mrs. Maria Scott and Mr Felix Stubbs. The Council was tasked with the following:

- sustain the public dialogue country-wide on strategies for a more peaceful and stable Bahamas;
- provide input for national policies and programmes, particularly in the area of crime prevention and criminal justice;
- work together with Government and stakeholders to bring forward new and practical proposals and approaches for halting and reversing current crime trends in The Bahamas;
- help to develop a national strategy to tackle crime.

The Council held its first meeting on 12th December 2008, and met almost every week for nine months until the 25th September 2008. During this period the Council heard from scores of presenters, from various professions and backgrounds, including law enforcement, legal affairs, social services, politics, education, academia, youth and civil society. The Council also held meetings in Grand Bahama.

The Council agreed with the Government that crime was at an unacceptably high level, but that it had been at a high level for some time. The problem did not occur overnight and the solution will not come quickly. The solution rests with all Bahamians becoming outraged by the problem, and doing their part, individually and collectively, to rid our communities of it.

The Council felt strongly that the law enforcement agencies ought to be put in adequate resources to do the job they are mandated to do. It expressed serious concern about the criminal justice system, the slowness in moving cases through the system, the constant adjournments, the manipulation of the courts by legal practitioners, poor staffing levels at the Attorney General's Office, uncompetitive salaries and poor working conditions for prosecutors and judicial officers. The remedying of these systemic problems in the criminal justice system must be given the greatest priority, but care must be taken to avoid the temptation that law enforcement is the panacea to our crime problem. To arrest more and more people, and place them before a justice system that is simply not working, will increase the backlog in the courts and could cause further deterioration to the tenuous relationship between the public and the police.

Indeed, the response to the crime problem goes far beyond improvements to law enforcement and the criminal justice system. It must be multi-dimensional, comprehensive and holistic. The central view is that Bahamians are not being properly prepared to be good citizens. The socialization process is failing, and all the institutions that have a hand in facilitating this process should take note and adjust their strategies accordingly.

The Council recognized the pivotal role the family plays in the socialization process, but also recognized that many parents are not prepared for the great responsibility of parenthood. The situation is compounded by the weakening and changing state of the family structure, with the extended family not providing the support net as it did in the past.

The Council opined that the traditional value system that binds us as a people is under threat; Christian values are not being instilled in our young people and many parents and adults in leadership positions are not leading by example.

The Council supported the view that attention needs to be focused on strengthening neighbourhoods and local communities. Supervised spaces to facilitate wholesome and positive activities must be developed or expanded, particularly in respect of young people. This should be a priority.

The Council was concerned about the growing number of victims of crime, and thought that more attention needed to be paid to their circumstances, including their safety, security and restitution. The Council also thought that a Parole System needed to be implemented to assist ex-inmates in re-entering society.

The Council's position in respect of the death penalty, a hot-button item in our national dialogue on crime, is that as long as the law is on the books, it should be enforced. This position has nothing to do with the private and personal views of Members, as to whether or not they believed in the death penalty. In spite of this, Dr Michael Neville adamantly in opposition to the death penalty and his fundamental disagreement with the concept of "zero tolerance," particularly regarding minor crimes, prevented him from signing the Report. Dr Neville explains his position in a dissenting report at Section 7, called "Prosecuting the Peace."

In preparing this Report, the Council reviewed the reports and recommendations of crime commissions and councils that preceded it, including, the National Task Force on Drug Abuse in the Bahamas (1984), the National Task Force on Education (1994), The Consultative Commission on National Youth Development Report (1994), The National Commission on Crime (1998), The National Assembly on Crime (2007), The National Youth Forum on Crime (2008). The idea was not re-invent the wheel, but to tease out the recommendations from previous reports, isolate the ones in common, and put forward these as recommendations that require urgent consideration by the Government. The recommendations included in this Report are by no means exhaustive, and for all intents and purposes, the document remains a living one, as is the problem we are trying to combat.

What differentiates this report from others is the key recommendation contained in Section 1, Part 3 that calls for the establishment of a permanent Inspectorate/Secretariat to facilitate a sustained approach to comprehensively addressing the crime problem and to ensure accountability and benchmarking.

The substantive report is divided into seven sections: Future Role of the NACC, Crime and Criminal Justice, Crime and Law Enforcement, Crime and Prison and Rehabilitation, Crime and Socialization issues and Crime and Victims. The section on socialization issues is broken down into four sub sections: Youth and Education, Family Life, Domestic Violence and Neighbourhood / Community. Sections 6 and 7 contain reports done by Council Members Ms Maria Scott, whose son was murdered, and the aforementioned report by Dr Michael Neville.

Each Section of the report contains a statement of objectives, a brief critical evaluation or rationale, recommendations, a list of suggested actions (strategies), and the level of priority assigned to the recommendations. The three levels of priorities are Short Term, 0-3 months, Medium Term, 4-12 months, and Long Term, 12+ months.

The Council came away from the presentations and discussions with a clear and distinct impression that the Bahamian people felt a sense of urgency and foreboding, and wanted more action and less talk. It agreed that the time to act was now.

Part II

Summary of Recommendations

NO.	RECOMMENDATIONS
Sec.1. 1.1.3	FUTURE ROLE OF NACC: Establish a permanent mechanism in the form of an Inspectorate/Secretariat for Crime in order to continue the work begun by the current, as well as by previous National Commissions/Councils on Crime.
Sec.2 2.1.3	CRIME AND CRIMINAL JUSTICE Shorten the time between arrest and trial.
2.2.3	Establish a DNA laboratory for the Police
2.3.3	Expand Police Internal Investigation process to include representation by a member of the public.
2.4.3	Establish a system of Retention Bonuses/Scarcity allowances to attract and retain the services of competent Attorneys to the Attorney General's Office.
2.5.3	On an incremental basis, establish community courts to address minor offences.
2.6.3	Urgently implement procedures to immediately notify witnesses, victims and families of victims when an individual is released on bail.
2.7.3	Expand the programme to recognize exceptional service of Public Service Officers in the Attorney General's Office and the Police Force.
2.8.3	Review and modernize the Statute Laws of The Bahamas especially with respect to modernizing penalties.
2.9.3	Pilot a programme to electronically monitor individuals released on bail for major offences.

NO.	RECOMMENDATIONS
Sec. 3.	CRIME AND LAW ENFORCEMENT
3.1.3	Enforce underage drinking laws for all public locations and public functions.
3.2.3	Consider the expunging of criminal records for first-time minor offences, including drug use.
3.3.3	<p>Enforce the laws for seemingly minor offences, e.g.</p> <ul style="list-style-type: none"> ▪ Road traffic violations; ▪ Obscene Language ▪ Environmental violations ▪ Illegal roadside and home vendors; ▪ Roadside garages; ▪ Numbers Houses; ▪ Illegal solicitation; ▪ Litter, graffiti, loitering, etc
3.4.3	Strengthen the capacity of private citizens and small businesses to protect them against criminal exploitation.
3.5.3	Strengthen the capacity of the Royal Bahamas Police Force and other law enforcement agencies of Government to combat crime throughout The Bahamas
3.6.3	Expand Police “hot-spot” patrolling in urban, public and tourist areas, at public functions, and during week-end and holiday periods.
3.7.3	Encourage and assist citizens to establish voluntary crime watch programmes, such as the “Citizens on Patrol” Programme, that are successful in making their communities safe.
3.8.3	Carry out Capital Punishment as it is on the law books.

NO.	RECOMMENDATIONS
Sec.4	CRIME AND PRISON AND REHABILITATION
4.1.3	<p>Implement a Parole Board System.</p> <p>Provide support for established safety-net programmes for ex-offenders whose families reject them upon discharge and who are unable to find accommodation otherwise.</p>
4.2.3	Expand the educational, vocational and entrepreneurial projects and programmes currently being taught at the Prison, inclusive of the training of personnel.
4.3.3.	Broaden public awareness of the Prison Discharge Certificate.
4.4.3	Establish an Adopt-an-Inmate programme at Her Majesty's Prisons.
4.5.3	Establish court facilities at Her Majesty's Prisons for further remand purposes to obviate the need for busing inmates to court through busy streets.
Sec.5.	SOCIALIZATION ISSUES
	Youth and Education
5.1.3.	Strengthen and/or develop Community Centres and National After-School Programmes to be operated at the community level.
5.2.3	Implement a national instrument to provide focus and direction to youth related programmes.
5.3.3	Strengthen Rehabilitative Services for all special populations: youth, disabled, substance abusers and persons diagnosed mental illnesses by the use of multi-disciplinary support teams.
5.4.3	Promote positive lifestyles and culture for young people.
5.5.3	Ensure the wider dissemination of information on youth organizations, programmes and services.
5.6.3	Strengthen the national educational curriculum to instill a greater sense of national pride and self esteem in young people.
5.7.3	Establish a gang intervention and prevention programme.
5.8.3	Discourage the use of firearms; develop a strategy to rid our communities of illegal

	firearms
5.9.3	Significantly raise the standards and performance of our education system and out nation's students

(ii)	Family Life
5.10.3	Support and/or expand existing parental training and programme.
5.11.3.	Strengthen and make mandatory the Family Life Studies Programme in all schools.
5.12.3	Enact legislation to hold parents accountable legally and financially for the destructive actions of minors.
5.13.3.	Support and strengthen family life through community recreational activities/programmes.
5.14.3	Improve and enforce child maintenance requirements and appropriate parental / guardian access.
5.15.3	Develop a National Programme on Human Sexuality.
(iii)	Domestic Violence
5.16.3	Government should repeal both the existing Domestic Act and the Children's and Young Persons Administration of Justice Act and enact both the new Domestic Violence Protection Orders Act and the Child Protection Act.
(iv)	Neighborhood/Community
5.17.3	Government to undertake to divide New Providence into Zones of Compassion that parallel the Police Divisions.

Part III

Section 1

1.0 Future Role of the National Advisory Council on Crime

1.1.1 Objective: To improve the coordination, monitoring and evaluation of national anti-crime efforts.

1.1.2 Critical Evaluation

The Council found that the recommendations contained in the reports of previous councils and commissions are, for the most part, consistent with its findings. There is no doubt that some of the recommendations have been implemented already. However, such efforts have been fragmented between government, non-governmental organizations, and civic and community groups, most notably the church, schools and business houses. There has been very little coordination of these works, which has led to duplication, unrealized economies of scale, inefficiency and a lack of a systematic process of evaluation to determine what truly works. There is no need to re-invent the wheel. What is required now is a distillation of these recommendations into an action-oriented strategy to tackle crime. It is now necessary to respond to the need for a managed and coordinated approach to the monitoring, evaluation, research, policy formulation and the conduct of public education campaigns, and the implementation of programmes and initiatives for the reduction and prevention of crime.

1.1.3 Recommendation

Establish a permanent mechanism in the form of an Inspectorate/Secretariat for crime to continue the work done by the current Council and previous councils and commissions on crime.

1.1.4 Suggested Action

- Appoint the Crime Inspectorate/Secretariat to be headed by an Inspector General and comprised of the following:
Senior Researcher
Researcher
Education Officer
Public Relations Officer

1.1.5 Level of Priority – Short Term

Section 2

2.0 Crime and Criminal Justice

2.1.1. Objective: To reduce the backlog of cases.

2.1.2 Critical Evaluation

Several presenters spoke about the challenges of the criminal justice system: inadequate staffing levels and retention at the Attorney General's Office, lack of proper court and administrative facilities, relatively low salaries paid to judges and magistrates, archaic system which requires all matters be fully adjudicated, need for enhance training of judges, need to modernized laws, witness intimidation and threat. These challenges contribute to the inefficiency of the criminal justice system with cases taking far too long to be tried, sometimes resulting in persons charged for violent crimes including murder, being placed on bail. The system appears to be overwhelmed by the number of cases being presented.

2.1.3 Recommendation

Shorten the time between arrest and trial.

2.1.4 Suggested Action

- Increase funding to the Attorney General's Office and Ministry of Justice to recruit additional prosecution, judges, magistrates and court personnel.
- Build a new Court facility, complete with judges' chambers, court rooms, separate holding facilities for jurors, witnesses, prisoners etc.

2.1.5 Level of Priority - Short Term to Long Term

2.2.1 Objective: To expedite the processing of evidentiary material to assist the police and the Attorney General's Office in the prosecution of criminal cases.

2.2.2 Critical Evaluation

The trend in criminal prosecutions continues to be shaped by the marshalling of scientific evidence, notably forensic and DNA. In an environment where witnesses might be reluctant to testify, the evidentiary value of DNA material is critical. Presently the police send samples to laboratories outside the country for DNA analysis. Lab results are needed to proceed in cases before

the courts. This slows down the process and contributes to the growing backlog of cases.

2.2.3 Recommendation

Establish a DNA Laboratory for the Police Force.

2.2.4. Suggested Action

- Government should construct a DNA lab as a matter of priority

2.2.5. Level of Priority – Medium to Long Term.

2.3.1 Objective: To improve transparency and accountability in the investigation of complaints against police corruption, brutality and impropriety.

2.3.2 Critical Evaluation

Complaints against the police have increased in recent years - averaging over 300 in the last eight years, and a number of police officers have been brought before the courts on criminal charges. Yet the public complain about the lack of transparency and accountability, particularly in police brutality cases, and there is little confidence in the system that puts the investigation of police in the hands of the police.

2.3.3 Recommendation

Expand police internal investigation process to include representation by members of the public.

2.3.4 Suggested Action

- Enact the Police Service Act, 2007 which provides for the establishment of a Police Civilian Review Board.

2.3.5 Level of Priority – Short to medium term.

2.4.1. Objective: To ensure that the Attorney General's Office is adequately and competently staffed in order to speed up the processing of serious crime cases before the courts.

2.4.2. Critical Evaluation

The Attorney General's Office has experienced difficulty over the years in retaining staff, mostly because of the variance in salaries compared to the private sector and other conditions of service. Bahamian attorneys commonly opt for private sector employment, and those who begin in the Attorney General's Office soon transfer to the private sector. The Attorney General's Office needs trained and competent staff, which will be committed to public service, and the government needs to ensure that the career is attractive enough to keep them there.

2.4.3. Recommendation

Establish a system of Retention Bonuses/Scarcity Allowances to attract and retain the services of competent attorneys to the Attorney General's Office.

2.4.4. Suggested Action

- Government should move to hire additional lawyers to properly staff the Attorney General's Office, and increase their pay or provide allowances and benefits to retain them in service.

2.4.5. Level of Priority – Short term

2.5.1 Objective: To reduce the time between charge and trial by expanding the Court services.

2.5.2. Critical Evaluation

Presenters lamented the inordinate delays in the Court System. Matters take a long time to get to court and the system is further fraught with delays and adjournments. Minor matters could possibly be dealt with by Lay Magistrates, thus liberating Magistrates and Justices to deal with serious crimes. Traffic matters and environmental infractions, for example, are prime areas for lay magistrates and other duly appointed persons to adjudicate.

The system must get a handle on the enforcement and prosecution of minor crime.

2.5.3. Recommendation:

On an incremental basis, establish community courts to address minor offences.

2.5.4. Suggested Action:

- Consideration can be given to initially using retired Family Island Administrators, seasoned attorneys, retired senior police officers, who would have had experience in the court system and later to training Justices of the Peace, or lay persons to expand court services.

2.5.5 Level of Priority – Short to Medium Term

2.6.1 Objective: To ensure witnesses and persons connected to serious criminal cases are aware when persons charged with those crimes are released on bail.

2.6.2 Critical Evaluation:

A trend has evolved whereby potential witnesses for serious crimes are being targeted, intimidated and/or killed by alleged perpetrators of crimes. It is suggested that witnesses are afraid to come forward because of fear that, because the Court system is slow, persons charged with crimes have a strong probability of being released on bail. The State must do all it can to protect witnesses. There is a need to institute protective measures for the safety of victims, witnesses and families of crime.

2.6.3. Recommendation:

Implement procedures to immediately notify witnesses, victims and families of victims when an individual is released on bail.

2.6.4. Suggested Action:

- The Attorney General's Office is to implement this recommendation in collaboration with the Police.

2.6.5. Level of Priority -Short Term.

2.7.1 Objective: To recognize and acknowledge the dedicated and committed officers in the Attorney General's Office and Law Enforcement.

2.7.2. Critical Evaluation

Dedicated public officers in general should be recognized for their work. In an environment of increasing crime, however, law enforcement officers, who put their lives on the line everyday to keep us safe and secure, should be recognized specially. Likewise prosecutors in the Attorney General Office, whose effort and diligence is critical in the fight against crime, should be recognized for their dedicated work. The State can never adequately compensate these officers for their courage and devotion to duty, but public

recognition goes a long way in letting those officers know how thankful and grateful the State and the Bahamian people are for their services.

2.7.3. Recommendation

Expand the programme to recognize exceptional service of Public Service Officers in the Attorney General's Office and the Police Force

2.7.4. Suggested Action

- If not already in place, this programme should be incorporated in the "Annual Public Services Week and Recognition of Retirees programme" that was established some eight years ago.

2.7.5. Level of Priority – Short Term

2.8.1 Objective: To minimize the current manipulation and abuse of the legal system by lawyers. To increase penalties as further deterrent of crime.

2.8.2 Critical Evaluation

Presenters spoke about the problem of delays in the criminal justice system. Some of that delay rests with the Attorney General's Office in not properly preparing cases for prosecution. But, it is generally agreed that some members of the legal profession are equally the blame. If not already in progress, Government should appoint a special task force to review and update the law Books.

2.8.3 Recommendation

Review and modernize the law, especially with respect to modernizing penalties regarding the conduct of lawyers who abuse the legal system and add to the delay in court prosecutions.

2.8.4 Suggested Action

- Government should appoint a special task force to review and update the law.

2.8.5 Level of priority - Medium to Long Term

2.9.1 Objective: To enhance security measures for witnesses, victims and families of victims of crime while the offender is on bail.

2.9.2. Critical Evaluation

There has been considerable discussion about the introduction of the electronic monitoring system, as a means of monitoring persons on bail, and reducing prison overcrowdedness. The system involves GPS technology and a small anklet device that is strapped to the subject. The anklet emits a signal when the subject moves outside of a prescribed area. The signal is picked up by the Police who can respond by vectoring their resources to that particular area. As a crime fighting tool, the system works best in turning up a suspect when a crime is committed in an area where the signal is emitted. The effectiveness of the system can be assessed with the introduction of a pilot programme.

2.9.3 Recommendation

Develop a pilot programme to electronically monitor individuals released on bail for major reasons.

2.9.4 Suggested Action

- Government should review legislation and amend, if necessary, to facilitate the introduction of electronic monitoring.
- Police and Court Officials should consult with successful implementers of this programme to ensure best practices in the use of the system

2.9.5 Level of Priority – Short to Medium Term

2.10.1 Objective: To provide for non custodial sentencing, and to assist first time offenders in getting back on their feet.

2.10.2 Critical Evaluation

Presenters indicated that many people incarcerated at Her Majesty's Prisons would not have been incarcerated in other countries. The Bahamas' high rate of incarceration is considered by some to be a contributor to crime, instead of a deterrent. Persons are presently in Prison for hawking, loitering and vagrancy. In addition, first time offenders who would have reformed their ways, have a difficulty in getting back on their feet, due to the stigma attached to criminal records, and the reluctance of business persons to hire them. Other sentencing options should be available to a judge that would recognize the need for second chances for first time offenders of relatively minor offences. These options would allow the offender to stay with their families

and continue to get their support in his/her rehabilitation, and also contribute to the welfare of the household.

2.10.3 Recommendation

Consider alternative sentencing for first-time offenders of non-indictable offences

2.10.4 Suggested Action

- Introduce and expand non-custodial alternative sentencing, including community service and suspended sentencing

2.10.5 Level of Priority - Short to Medium Term

Section 3

3.0 Crime and Law Enforcement

3.1.1 Objective: To assist in reducing drug and alcohol related crimes among young people

3.1.2 Critical Evaluation

The abuse of drugs and alcohol is a matter of concern for health care practitioners as well as law enforcement officials. These substances have the potential of interfering with clear-thinking and impeding sound judgment. Alcohol is suspected in fatalities in several traffic accidents and domestic-related homicides. Concerted effort must be taken to enforce driving under the influence of alcohol. Strict vigilance must be paid at the point of sale, both at the retail and club levels. Use of technology such as the breathalyzer ought to be introduced, and a loss of points system on driver's licenses, which could eventually lead to a suspension or revocation of a driver's license, ought to be considered. Government's drug policy that deals with the interdiction of drugs and the treatment of victims needs to be continued and expanded.

3.1.3 Recommendation

Enforce underage drinking laws for all public locations and public functions, and at points of sale.

Conduct periodic checks of all video and DVD stores to determine what is being sold to minors

Introduce breathalyzers and loss of points system on driver's licenses.

3.1.4 Suggested Action

- Immediately hold town meetings and use all media avenues to inform the public of the Government's initiatives and within three months to enforce the penalties, and if need be, increase the penalties that could result in a revocation of the business licence for breach of the law.

3.1.5 Level of priority - Short Term

3.2.1 Objective: To provide opportunities for first time offenders of minor crimes to redeem themselves, and start off again afresh.

3.2.2 Critical Evaluation

Far too many of our youth wind up as hardened criminals because they were not given a chance to redeem themselves after committing a first minor crime. They end up going to prison where chances are they would be exposed to experienced criminals. Additionally, once drug possession with intent to supply is on an individual's record, he/she will never be able to travel to the United States of America again, which has implications for travelling anywhere in the world. Government should revisit the law of expungement in the context of providing a second chance for persons to redeem themselves.

3.2.3 Recommendation

Consider the expungement of criminal records for first time minor offences, including drug use.

3.2.4 Suggested Action

- Introduce a graduated system of punishment for 1st time minor offences:
 - Warning issued for 1st offence
 - Reprimand issued for 2nd offence
 - Full force of the law for 3rd offence
- Amend the laws related to expungement of records.

3.2.5 Level of Priority – Short Term

3.3.1 Objective: To enhance respect for all laws in The Bahamas.

3.3.2 Critical Evaluation

The rule of law is a fundamental precept of our democracy. Citizens generally know when they are in violation of the law, and they should have an expectation to be properly reprimanded in accordance with the law. Unfortunately the lack of enforcement of minor laws in the past has contributed to a culture of lawlessness and a general disrespect for the law. Minor offences are still offences and thus must be enforced consistently. It is imperative that the consequences for delinquent and law breaking activities and behaviour, however minor, are swift and just. To restore confidence in the system, the police need to enforce the law without fear or favour.

3.3.3 Recommendation

Enforce all laws, including seemingly minor offences, such as: road traffic violations, motor cyclists without helmets, obscene language, environmental violations, illegal roadside and home vendors, roadside garages, numbers houses, illegal solicitation, litter, graffiti, loitering, etc.

3.3.4 Suggested Action

- The Police should intensify the enforcement of all laws, include minor crimes.
- Increase the fines for these infractions
- Impose alternative sentencing in the form of community service.

3.3.5 Level of priority - Short Term

3.4.1 Objective: To promote personal and property security

3.4.2 Critical Evaluation

Private Citizens, especially single mothers and small businesses are most vulnerable to burglaries and other criminal activities, because they lack the financial resources to install requisite surveillance equipment in/around their premises. Government should encourage citizens to be aware of their security vulnerabilities and take action to minimize them.

3.4.3 Recommendation

Strengthen the capacity of private citizens and small businesses to protect themselves against criminal exploitation

3.4.4 Suggested Action

- Give consideration to the reduction/elimination of the customs duties on the import of the security surveillance equipment.

3.4.5 Level of Priority – Short Term

3.5.1 Objective: To ensure that the Royal Bahamas Police Force and the Royal Bahamas Defence Force are in adequate resources to effectively fight crime.

3.5.2 Critical Evaluation

The Police Force is the lead agency in fighting crime. Its mandate is to enforce all laws, arrest and charge violators, protect citizens and uphold the peace. The Defence Force has a similar mandate on the seas, chief of which is the enforcement of maritime law and the protection of our territorial integrity. The Defence Force is charged with keeping out drugs, firearms and migrant traffickers, and also illegal poachers. These two agencies are labour intensive and expensive to operate. They require a steady injection of capital for resources and equipment. To keep pace with the criminal operating in The Bahamas today, the Government must ensure that these agencies have the requisite numbers in their ranks and resources at their disposal.

3.5.3 Recommendation

Strengthen the capacity of the Royal Bahamas Police Force, the Royal Bahamas Defence Force and other law enforcement agencies to combat crime.

3.5.4 Suggested Action

- Allocate funds to the Police Force, Defence Force, and other law enforcement agencies for the recruitment of additional personnel and needed modern training equipment and facilities

3.5.5 Level of priority – Short to Medium Term

3.6.1 Objective: To ensure the safety and protection of residents and visitors in public areas and in areas frequented by tourists.

3.6.2. Critical Evaluation

Crime statistics show that crime predominates in certain urban and commercial areas. Police resources are deployed in these areas in an effort

to suppress crime. Tourist areas require special attention, reflective of the importance of these visitors to our economy. Security is a brand we advertise to our visitors, and they expect a reasonable degree of security when they come to our country. It is imperative that the Government ensure that the law enforcement agencies are equipped to discharge this function.

3.6.3 Recommendation

Expand “hot spot” patrolling in urban, public and tourist areas, at public functions, and during week end holiday periods.

Provide security surveillance in key public areas frequented by visitors and residents.

3.6.4 Suggested Action

- Allocate adequate funds (if not already done so) to strengthen the capacity of the Police Force in terms of increased personnel, equipment and other resources.
- Implement a municipal closed circuit monitoring system (CCTV) at key road intersections and public areas, particularly in Nassau at Bay Street and its environs.

3.6.5 Level of priority – Short to Medium Term

3.7.1 Objective: To get residents involved in the safety and security of their neighbourhoods and local communities.

3.7.2 Critical Evaluation

The establishment of “neighbourhood crime watch associations” galvanizes local communities in the fight against crime. It causes residents to take ownership of the safety and security of their communities. d. These types of volunteer organizations receive training in observation and conflict resolution and are not operated by the Police, but by the people in the local communities. In places where these organizations are established and functioning properly crime is minimize. They tend to have positive results because the citizens have a vested interest in their communities.

3.7.3 Recommendation

Encourage and assist citizens to establish voluntary crime watch programmes, such as the “Citizens on Patrol Programme” that is successful in making their communities safe.

3.7.4 Suggested Action

Minimal government funding and training should be made available upon application and based on certain prescribed criteria

3.7.5 Level of Priority - Medium Term

3.8.1 Objective: To be seen to be carrying out the law regarding the death penalty.
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3.8.2 Critical Evaluation

Clearly there are strong proponents on either side of the death penalty issue. This was reflected in some of the discussions at the Council. While understanding the human emotions involved, some Council Members, expressed their opposition to the death penalty, on moral, religious and professional grounds. One member indicated that there is no evidence that the death penalty is an effective deterrent on others; the presence of the death penalty complicates our judicial system, since cases take much longer because so much is at stake and it is increasingly difficult to get a jury to agree to the required 12-0 and, the cost of appeals to the Privy Council is astronomical. Notwithstanding, the Council’s concern was that capital punishment is still the law in The Bahamas, but the sentence of death has not been carried out since 2000, much to the chagrin of a highly vocal segment of Bahamian society who are convinced that the Government does not wish to carry out the death penalty in accordance with the law. This agitation continues in spite of explanations from the State in respect of the Privy Council’s ruling that mandatory death sentences were unconstitutional. Many believe that as long as the law is on the books it should be carried out. Otherwise it should be removed.

3.8.3 Recommendation

Carry out capital punishment as it is on the law books.

3.8.4 Suggested Action

- Enforce the law regarding capital punishment

3.8.5 Level of priority - Short Term

Section 4

4.0 Crime and Prison and Rehabilitation

4.1.1 Objective: To implement a Parole Board System and to assist ex-offenders in re-entering society.

4.1.2 Critical Evaluation

A substantial portion of the Prison Reform Commission Report focused on reducing recidivism by expanding the range of remedial academic, vocational and skills training programmes, and improving the social and life skills of inmates. This involves the shifting of the ethos of the prison from a solely punitive institution to a correctional one. The **Pre-release (Offenders) Programme** provides a support mechanism for inmates to help them prepare for re-entry into society. The Government must now invest in a proper Parole Board System to manage this programme and to track inmates who are granted conditional release.

4.1.3 Recommendation

Implement a Parole Board System

Provide support for established safety-net programmes for ex-offenders whose families reject them upon discharge and who are unable to find accommodation otherwise.

4.1.4 Suggested Action

- Adopt legislation that reflects a focus on rehabilitation and reform, as well as punishment.
- Change the name of Her Majesty's Prisons to that of Department of Corrections.
- Provide financial and other support to established successful programmes such as "Teen Challenge" and "Prison Fellowship" to enable expansion of their services.
- Broaden public awareness of the Report Card System for discharged prisoners.

4.1.5 Level of priority – Short/Medium / Long Term

4.2.1 Objective: To provide inmates with educational, vocational, and life skills.

4.2.2 Critical Evaluation

Reports are that a high percentage of inmates at Her Majesty's Prisons present themselves with poor academic, vocational and social skills. A huge percentage can not read or write. This does not speak well of our educational system. The Prison has a unique opportunity to re-shape the mindset of inmates. The Prison must focus on reducing recidivism by preparing offenders for employment post- incarceration.

4.2.3 Recommendation

Expand the educational, vocational and entrepreneurial projects and programmes currently being taught at the Prison, inclusive of the training of personnel.

4.2.4 Suggested Action

- Private sector and Government to create manufacturing outlets for the sale of products in the Prison.
- Establish a bank for victims' fund.
- Certification to be offered upon successful completion.

4.2.5 Level of priority – Short to Medium Term

4.3.1 Objective: To improve ex-inmates chances of becoming gainfully employed

4.3.2 Critical Evaluation

The substantial investment in skills training and rehabilitation in the prison would be for naught if ex-inmates could not find employment, and were unable to employ themselves upon release. Chances are that such an inmate would soon return to criminal pursuits and possibly end up in prison again. As part of the application process, employers normally require a police record, even for entry-level jobs. Faced with the choice of hiring a person with a criminal record and one without, the employer would normally hire the latter. Employers have said, however, that if they had more information as to whether the inmate had responded positively to rehabilitative efforts while in prison, they would be more willing to give them a second chance. The introduction of the Prison Discharge Certificate is a novel and innovative concept, which should be given broad exposure by the Government. The

Certificate shows what the inmate did while in Prison, their conduct and behaviour, what programmes they benefited from and their work ethic. Prospective employers can now look at both the Police Certificate, which is a static document that predated incarceration and the Prison Certificate that demonstrated the progress of the ex-inmate.

4.3.3 Recommendation

Broaden public awareness of the Prison Discharge Certificate for discharged persons.

4.3.4 Suggested Action

- Employ the print and electronic media to disseminate relevant information on the Prison Discharge Certificate.

4.3.5 Level of priority – Short Term

4.4.1 Objective: To encourage institutions to assist in re-inserting inmates back into local communities.
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4.4.2 Critical Evaluation

There is generally no support system in place to help inmates re adjust to society. This re-adjustment process can be extremely difficult for an inmate, particularly one who has been in jail for a long period of time. The inmate is oftentimes cut off from his family, with no money, no food and no accommodation. The people who will readily accept the ex-inmate are likely to be the people who got him in jail in the first place. Inmates require assistance upon reinsertion into communities, or else they are likely to revert to their former associations and practices. The strategy should be to encourage families and the local community organizations to assist in the re-integration of ex-inmates.

4.4.3 Recommendation

Establish an Adopt-an-Inmate programme at Her Majesty's Prisons.

4.4.4 Suggested Action

- Church, faith-based groups and well established institutions /organizations should be encouraged to take ownership of the Adopt-

an-Inmate programme, using their own resources, and accessing government funds where appropriate.

4.4.5 Level of priority – Short Term

4.5.1 Objective: To avoid the danger and cost of transporting inmates through the communities.

4.5.2 Critical Evaluation

Presently inmates who are required to attend court are transported by bus to downtown Nassau. This conveyance is done at great speed and accompanied by loud police sirens through narrow and busy streets, endangering the motoring and pedestrian public, and presenting a frightening distraction for visitors. It is fortunate that no serious accidents have occurred as a result of this transport of inmates. The Council is aware that discussions have been held with the view of constructing a satellite magistrate's court at or near to Her Majesty's Prisons. It is believed that ground was broken and construction begun at a site near the Sandiland's Rehabilitation Centre. The Government should give this matter priority, and also take advantage of new technology that facilitates inmate appearance before Magistrates by way of video conferencing.

4.5.3 Recommendation

Establish court facilities at or near Her Majesty's Prisons to obviate the need to transport bus loads of inmates through the streets of New Providence.

4.5.4 Suggested Action

- Government to construct a facility.
- Government should examine the feasibility of introducing video court

4.5.5 Level of priority – Short / Medium/Long Term

Section 5

Socialization Issues

5.0 Youth and Education

5.1.1 Objective: To develop positive, healthy and safe spaces for young people to meet and socialize

5.1.2. Critical Evaluation

Youth members emphasized the fact that there are few safety nets and /or supervised places that offer wholesome after school activities to keep young persons busy and off the streets. In addition, one of the key concerns emerging from the Youth Forum on Crime was the lack of healthy and wholesome recreational and entertainment facilities for young people. Council members agreed with the sentiment that outside the movies and the occasional concert, there is very little for young people to do but engage in the club scene. Through its tax incentive policy, Government should encourage and make it easier for entrepreneurs to pursue family-oriented and youth-related business ventures.

5.1.3 Recommendation

Strengthen and /or develop community centres and encourage National After-School Programmes to be operated at the community level.

5.1.4 Suggested Action

- Ministry of Youth, Sports and Culture in collaboration with churches and civil society should develop and oversee activities that encourage self-expression, character building, cultural development and national pride. Qualified community leaders and peer counselors should be encouraged/co-opted to work in and/or manage the centres.
- Provide incentives for entrepreneurs to engage in family-oriented and youth-related business ventures.
- Mandate the Ministry to bring structured and supervised programmes in music, fine arts, craft making etc, to neighbourhood parks and schools.
- Encourage private sector to support, host and fund local activities in neighbourhoods and provide incentives for companies that do so.

5.1.5 Level of Priority – Medium / Long Term

5.2.1 Objective: To coordinate and maintain oversight of youth programmes throughout the country.

5.2.2 Critical Evaluation

There are many groups and organizations that provide programmes for young people throughout the country; unfortunately, there is little knowledge of what is being offered or the level of success of these programmes. There is need to establish a national framework for the purpose of monitoring and evaluating youth development work that would ensure the better coordination of youth policy development programmes and service delivery across agencies and integration of these into effective, efficient and economic instruments of Government policy.

5.2.3 Recommendation

Implement a national instrument to provide focus and direction to youth-related programmes.

5.2.4 Suggested Action

- The Ministry of Youth in collaboration with an Inter-ministerial Coordinating Unit should review, finalize and seek Government's approval of the draft National Youth Policy and Youth Service Programme.

5.2.5 Level of Priority – Short term.

5.3.1 Objective: To provide intervention for young people sent to rehabilitative institutions.

5.3.2. Critical Evaluation

There have been several incidences in the recent past that give cause for concern for the state of the nation's rehabilitative institutions. Cases involving breakouts, fire and damage to property suggest that serious government intervention is necessary to ensure the effective rehabilitation of young persons in these institutions.

5.3.3 Recommendation

Strengthen Rehabilitative Services for all special populations: youth, disabled, substance abusers and diagnosed mental illnesses by the use of multi-disciplinary support teams.

5.3.4 Suggested Action

- Provide adequate funding to attract trained personnel in these areas, to ensure that the residents are rehabilitated.

5.3.5 Level of Priority – Medium Term

5.4.1 Objective: Provide opportunities for young people to showcase their successful achievements, talents and skills.

5.4.2 Critical Evaluation

It was noted that oftentimes we hear and read stories of young people who display negative and disruptive behaviours; unfortunately the many positive young people and their achievements are rarely recognized. There is need to recognize and highlight the positive contributions of young people and to provide them with opportunities for displaying their talents in the areas of academics, sports, community service and extra-curricular activities.

5.4.3 Recommendation

Promote positive lifestyles and culture for young people by creating opportunities and spaces for young people to showcase their talent and skills.

5.4.4 Suggested Action

- Encourage the Government’s Radio and Television stations to focus more on programmes – music, sports, art, etc. that are youth-related.
- Provide funding for the Ministry of Youth to produce a national Youth newsletter.
- Secure support from NGOs, the business community and churches.
- Encourage the media, both print and electronic, to accentuate the achievements of young people.

5.4.5 Level of Priority – Short Term

5.5.1 Objective: Provide opportunities for promoting the organizations, programmes and project achievements of young people.

5.5.2 Critical Evaluation

There currently exist many providers of valuable services and programmes both governmental and non-governmental, but they are largely unknown to the Public because of limited or non-existent public information on them. Government should establish and broadly publicize a register of youth programmes and youth achievements: a national youth news letter for print and broadcast media. (See 5.4.3).

5.5.3 Recommendation

Ensure the wider dissemination of information on youth organizations, programmes and services.

5.5.4 Suggested Action

- Ministry of Youth, Sports and Culture, along with representatives from civil society, to utilize print and electronic media to disseminate listings of youth organizations, other youth support services and public information.

5.5.5 Level of Priority – Short Term

5.6.1 Objective: To assist in inculcating a positive Bahamian identity

5.6.2. Critical Evaluation

It appears that many young people do not have an awareness of and appreciation for Bahamian culture and national identity. There is urgent need to address this and engender a sense of cultural education in young people. Further, we must ensure that young people are able to read, write and compute, since evidence has shown that these skills are critical in the development of character and confidence, which young people committing crimes tend to lack.

5.6.3 Recommendation

Strengthen the national curriculum to instill a greater sense of national pride and self esteem in young people.

5.6.4 Suggested Action

- If not already in place, Ministry of Education should be mandated to include in the curriculum, courses on national identity, Bahamian History and the mechanics of English Language.
- Government should also provide incentives for Bahamian writers to produce Bahamian history and storybooks and to encourage reading in the schools

5.6.5 Level of Priority – Long Term

5.7.1 Objective: To discourage the stigma of associating young people with negative gang affiliation.

5.7.2 Critical Evaluation

Maslow's Hierarchy of Needs identifies 'a need to belong' as a necessity of life. Many of our young people appear not to have the nuclear family ties or positive mentors needed to become properly socialized; as a result they gravitate toward street gangs. To combat this negative trend there is need to

discourage the identification of young people with street gangs and to establish programmes to change the mindset of existing gangs – from destructive to constructive. Further, Government is encouraged to provide funding and to mobilize resources for those successful existing programmes that provide mentoring and positive group affiliation.

5.7.3 Recommendation

Establish gang intervention and prevention programme.

5.7.4 Suggested Action

- Develop and give broad circulation to an effective gang intervention programme.
- Associate the term “gang” with positive attributes such as “gang for plumbing”, “gang against violence” or “gang for country” etc
- Sustain public relations and public education campaign reminding people of benefits and value of belonging to a positive “gang.”

5.7.5 Level of Priority – Short/Medium Term

5.8.1 Objective: To discourage the possession and use of firearms.

5.8.2 Critical Evaluation

The Bahamas averages annually almost fifty (50) homicides and over 500 armed robberies committed with the use of firearm. Firearms are the weapon of choice in most serious crimes. The Bahamas does not manufacture nor produce firearms. Yet there appears to be a firearms proliferation of firearms on our streets. Clearly illegal firearms are being smuggled into the country at great peril to our local communities. The penalties for persons trafficking in firearms need to be instituted and enforced. In addition, penalties for unlicensed Firearm Possession need to be increased.

5.8.3 Recommendations

Discourage the use of firearms.

Develop a sustain strategy to rid our communities of illegal firearms.

Increase the penalties for persons trafficking in firearms.

Increase the penalties for unlicensed Firearm Possession.

5.8.4 Suggested Action

Establish graduated penalties: - minimum amount:

- Possession – 2 years
- If produces or exhibited – 5 years
- Use of firearm – 10 years
- Trafficking of firearm – 10-15 years

5.8.5 Level of Priority – Short Term

5.9.1 Objective: To significantly improve the knowledge, skills and behaviours of young people through a world-class education system.

5.9.2. Critical Evaluation

The quality of a nation's education system is clearly tied to the productivity of the nation, the problem-solving capacity and socialization of its citizens, and the value systems it embraces and condones. The current state of public education in the nation is a reflection of broader values which its leaders and citizenry place on education. Greater importance and higher expectations must be placed on ensuring that the performance of all students reflects the highest ideals and standards which we as a nation aspire to and indeed achieve.

5.9.3 Recommendation

Significantly raise the standards and performance of our education system and our nation's students.

5.9.4 Suggested Action:

- Conduct an independent review of the nation's education system aimed at recommending strategies for significantly strengthening education achievement and better meeting the social, physical and academic developmental needs of youth and our nation.

5.9.5 Level of Priority - Long Term

FAMILY LIFE

5.10.1 Objective: To provide parental training for young people.

5.10.2 Critical Evaluation

It is generally agreed that the family is the core unit in society. The family, parents in particular, is responsible for imparting core moral and ethical values to children to enable them to become useful and productive citizens and to realize their full potential. The Bahamian family is undergoing some transition. Divorce rates are high; Single parents raising the bulk of families; the extended family structure is not as involved. Parents, in particular, young teenagers, who may not have benefited themselves from proper parenting, require training and assistance in developing proper parenting skills. The State should make a concerted effort to provide resources for young parents

5.10.3 Recommendation

Support and/or expand existing parental training and programme

5.10.4 Suggested Action

- Provide incentives for persons most in need and mandate by law that parents of any juvenile registered in the system or brought before the courts attend parenting/counseling classes.
- Make available resources to help in proper parenting

5.10.5 Level of Priority – Medium Term

5.11.1 Objective: To provide Family Life Education to all students in schools.

5.11.2 Critical Evaluation

While the Family Life Studies Programme is offered in all Government schools, it is not always included in the curriculum of Private High Schools.

5.11.3 Recommendation

Strengthen and make mandatory the Family Life Studies Programme in **all** schools.

5.11.4 Suggested Action

- Ensure that the Family Life Studies Programme is taught in all schools, government and private, by qualified and **certified/trained** personnel who would command the respect of both students and community.

5.11.5 Level of Priority – Medium /Long Term

5.12.1 Objective: To ensure the parental responsibility and control of their minor children.

5.12.2 Critical Evaluation

While minor children and very young persons are brought before the courts for minor criminal infractions, no punitive correctional action is taken in instances where public properties are defaced and/or destroyed e.g. School properties, graffiti on public buildings, etc.

5.12.3 Recommendation

Enact legislation to hold parents accountable legally and financially for the destructive actions of minors.

5.12.4 Suggested Action

- Implement a programme of community service for deviant youth and mandate parents to reimburse or replace properties proven to have been destroyed by their minor children.

5.12.5 Level of Priority – Medium Term

5.13.1 Objective: To provide and oversee safe recreational facilities in all communities.

5.13.2 Critical Evaluation

It is commonly said that “the family that plays together, stays together.” However, many communities lack the resources to enjoy leisure time together and would require Government’s/Corporate Sector’s assistance in this regard. Strong families mean strong communities. Government should take the lead in promoting strong and stable family life and marriages, through its policies, pronouncements and spending.

5.13.3 Recommendation

Support and strengthen family life through community recreational activities/programmes.

5.13.4 Suggested Action

- Government should invest in the provision of community centres that would offer structured recreational and sports programmes and competitions for the family as well as for individuals. The Government

could give consideration to matching the fundraising efforts of communities in order to make this a reality.

5.13.5 Level of Priority – Short/ Medium Term

5.14.1 Objective: To mandate and enforce a more realistic child maintenance system.

5.14.2 Critical Evaluation

Psychologists noted that Parental/Guardian involvement in the lives of children increases the resiliency of the children.

The present child maintenance payment orders are unrealistic yet oftentimes not paid. Further, lack of access to children causes disruption in the lives of minor children. There is need to enforced the payment of maintenance orders and to revisit the access rights of parents.

5.14.3 Recommendation

Improve and enforce child maintenance requirements and appropriate parental / guardian access.

5.14.4 Suggested Action

- Increase family mediation at court.

5.14.5 Level of Priority – Medium Term

5.15.1 Objective: To develop and implement an holistic programme on Human Sexuality education.

5.15.2 Critical Evaluation

At the core of our social problems is the fact that the majority of children born in The Bahamas are born outside the marriage covenant. Indisputably, children in the main are better reared in a two-parent family. This is not an indictment on single family households. It simply suggests that the ideal family arrangement is a married couple with, if possible, children benefitting from both parents.

5.15.3 Recommendation

Develop a national programme on Human Sexuality.

5.15.4 Suggested Action

- Invite the Christian Community to develop a National Programme on Human Sexuality for persons under 18 years. The programme in the first instance should promote abstinence as a principle for unmarried persons with others participating in secondary virginity and the offering of contraceptives as last resorts.

5.15.5 Level of Priority – Short / Medium Term

Domestic Violence

5.16.1 Objective: To curb the incidences of domestic violence and child abuse.

5.16.2 Critical Evaluation

Presenters painted a disturbing trend in domestic violence and child abuse. In 2007, there were 134 reported cases of rape. One source indicated that The Bahamas has one of the highest per capita rape rates in the world. Up to October 2008, there were 103 cases of rape. Unnatural sexual offences are also a problem, (193 up to October 2008). The mandatory reporting laws on acts of child abuse, and laws pertaining to victims of crime or abuse, inter alia are not enforced. The passage of the new Domestic Violence and Child Abuse Bills will facilitate enforcement.

5.16.3 Recommendation

Government should repeal both the existing Domestic Act and the Children's and Young Persons Administration of Justice Act and enact both the new Domestic Violence Protection Orders Act and the Child Protection Act.

5.16.4 Suggested Action

- Fine tune or develop appropriate regulations for implementing the Act once passed into law. Public awareness campaign should be launched to educate the public on the implementation of these laws.

5.16.5 Level of Priority – Medium to Long Term

Neighbourhood/Community

5.17.1 Objective: To facilitate closer working relationships throughout communities.

5.17.2 Critical Evaluation

On several occasions, Council members lamented the conditions of our local communities, the fact that in many instances there is no sense of community at all in many areas. The high number of liquor stores, bars and web shops are not conducive to community building. The Council took up the theme “Taking back our neighbourhoods,” as a mantra for community activism, encouraging the local leaders, churches, schools, local business houses and civic organizations to take the lead in promoting and fostering the building of safe, secure and thriving communities. Presenters opined that the zoning concept will enable the strengthening of communities and the building of community pride through fostering closer working relationships between Churches, Schools, the Police, Public libraries, Community Centres and residents within each zone.

5.17.3 Recommendation

Government should undertake to divide New Providence into Zones of Compassion that parallel the Police Divisions.

5.17.4 Suggested Action

- The logistics for determining zones could be developed and implemented by The Ministry of Social Development in collaboration with the proposed Inter-ministerial Committee.

5.17.5 Level of Priority – Short Term

5.18.1 Objective: To utilize the proposed zones to facilitate neighbourhood community centres and comradery.

5.18.2 Critical Evaluation

There is a need to coordinate community-strengthening activities. The zones of compassion mechanism can be used to draw upon the resources of Churches, NGOs, Junkanoo groups and other civic organizations to strengthen youth-related activities, support programmes etc.

5.18.3 Recommendation

Expand and develop community centres and properly planned parks that take into consideration the needs of the disabled within each of the Zones of Compassion, and to include Family Islands.

5.18.4 Suggested Action

- Implementation should be through the collaborative efforts of the Ministries of Labour and Social Development and Youth, Sports & Culture.

5.18.5 Level of Priority – Medium to Long Term

Section 6

6.0 Crime and Victims: “A Victim’s Viewpoint”

6.1.1 A victims Viewpoint: by Ms. Maria Scott (Council Member)

Every week I attended the Crime Council meetings, arguing points that left me drained. Many issues that I felt strongly about were left unaired as the council’s mission was a group effort and our main concern was the country at large. As a family member of a victim of crime, I am aware of all that victims and family of victims endure and therefore felt it necessary to give my view from that perspective.

Losing a loving child, devoted father and brother, faithful nephew, cousin and friend is not a good feeling, but that feeling is compounded when that child dies an horrific death. And, the pain is much more compounded when that loved one’s death seemingly could have been avoided if all the law enforcement agencies had done all that was required of them to ensure that that individual was properly protected.

I have summarized those areas that, in my view, require immediate attention and consideration for change:

1. Serious consideration needs to be given to improving the witness protection program. In the case of my son, his life was threatened several years prior to his death. No real efforts were made to protect his life or the lives of his family, even though there was written proof that our lives were threatened. When the suspects involved were discharged from prison, he was never officially informed. I think that the system should be such that, knowing that his life was in danger, someone from the police department or prosecutor’s office should have made some effort to inform him, so that at the very least,

he would have been afforded the opportunity to try and protect himself. This was never done. Upon reflection, I will live the rest of my life wondering if the outcome would've been different had someone from one of these entities done or said something. Would it have made a difference if he was made aware and had looked over his shoulder a little more often?

Then, as life goes on without that loved one, the family is left in fear wondering if the job was finished or if they will strike again. You are left feeling very vulnerable, alone and helpless. You are afraid to leave your home and when returning, do so in fear, wondering if and when you may become the next victim. The pain, grief, loneliness, sorrows, and fears that people experience are indescribable. For these reasons, more focus needs to be given to the laws and ways that could help prevent these murders. They die or are maimed innocently and needlessly, all in their quest for seeking justice.

2. Another area that needs consideration is the sensitivity and compassion given to the victim's family members after such a terrible experience. No one from the law enforcement agencies offered an apology or an explanation for what happened. Except for the police officers conducting their investigation and my son's personal friends and acquaintances on the police force, no one visited, sent flowers or even telephoned. One little act of compassion and understanding goes a long way in coping. The feeling that my son died needlessly and no one cared still haunts me today.
3. Defending the murdered victim's name and honour is also an area that needs to be looked at. During this time, the rumor mill runs and that individual's name is sometimes associated wrongly with other activities. It is imperative that that person is completely exonerated from any association with illegal activity. Had it not been for my appearances on several television and radio programs, no one would've known that my son was killed because he stood for what was right and just, and not for some illegal activity. The murdered victim's name should not be smeared and is entitled to have his name cleared from being associated with anything illegal.
4. A Wall of Remembrance should be established as a form of honouring those brave heroes who lose their lives doing what is right for their country. Any individual who dies in the line of duty or service to their country should be remembered in this way.
5. A special court should be established to handle murder trials only. The delay in bringing these cases to trial is far too long. In the case of my son, the murder case that he was a witness to lasted seven years. This is much too long. Justice must be swift and decisive.
6. In addition to changes being made to the judicial system regarding the delay in bringing these cases to trial, serious consideration should be made to the

Bail Act. Under no circumstances should murder suspects be allowed bail especially for more than one offense.

7. The matter of some form of compensation to the victim's family should also be considered. When an officer or a witness is killed in the line of duty, some financial assistance should be given. In my case, and I am sure in most, my family had to endure a great financial hardship as a result of losing my son. He was a hard working individual who contributed greatly to the welfare of his child and siblings. And while I am not suggesting that anyone is responsible for my financial well being, I strongly feel that some assistance should have been provided if only for the burial expenses. No one assisted with any of the arrangements or even enquired. Again, a feeling that your loved one made such a great sacrifice and no one cared enough to ensure that he was even afforded a proper burial. Again, not even a wreath or arrangement of flowers to suggest that you were even thought of at that time.
8. Assistance should be provided for the victim's families in the form of protection. Officers should be periodically assigned to ensure that the family is safe or at least feel safe. Ensure that their homes are secured in the form of alarms or burglar bars.
9. Counseling should be mandatory for officers who are witnesses to murders, and should also be provided for the family members of murdered victims.
10. Lawyers should be scrutinized more to ensure that, when representing known criminals, that their fees are paid by monies gained through lawful means. The suspects should have to prove how their monies were gotten, especially when there is the belief that the person is involved in illegal activities.
11. Defense Lawyers should also be held accountable for providing their clients with the names and addresses of the prosecution witnesses.
12. All law enforcement agencies should be fully equipped with all resources required to properly function. Emphasis should be placed on sufficient equipment and training.
13. Churches in communities, especially crime ridden ones, should be encouraged to work closely with individuals in their respective communities. Special attention should be given to those individuals needing jobs, mentoring young men and women and leading them to the Lord. As many of our young people are living day to day with a feeling of hopelessness; volunteers can be sought out to reach out to these individuals. Many simply need someone to guide them in the right direction.
14. Ex-offenders in our society are also living hopeless lives. Churches and corporate citizens should be sought to assist these individuals. Many of our criminals are repeat offenders and sometimes due in part to their mind-set that they have been rejected by society.

15. Wholesome recreational and entertainment activities can also be established, perhaps through Churches, for not only the young men and women in the communities but senior citizens as well.
16. Education for our youth should also be a priority in assisting in building productive lives. Parenting classes should be mandatory for young mothers. Young men should be made to visit the prison to see firsthand what life is like behind bars. Schools should identify at-risk youth and these individuals should be given special attention, either in the form of mentoring or separated from the main school population for classes.
17. Teachers should be given all the assistance required, especially when dealing with disruptive students, and parents should be held accountable for actions of their minor children.
 - Road blocks should be conducted on a more regular basis. Groups of young men congregated together should be monitored more closely. Dark tints should not be allowed on cars as this tends to obscure the view of police officers or the general public at large. Being able to see the occupants of these cars, would also assist in identifying individuals that may be involved in criminal activity, or lessen the fear of other road users when these cars either approach them or simply drive by.

Mr. Minister, the mere fact that our crime rate has continued to increase is the blatant attitudes of the criminals who kill without remorse. These corrupt and senseless mentalities are now filtering down to our young students. Children have been killed for cell phones, shades and for just winking or talking to another person's girl.

- How many bullets does it take to kill a man or woman?
- How many stab wounds does it take to end a person's life?
- Why do you have to mutilate and then burn a person's body?

These murderers are showing how little they think of our judicial system, our government, the police and our country. They know that they will be out after eighteen months to continue to harass the public. Is this the message we want to give out to the country and the world at large?

I beg you to think of the innocent victims and the families they have left behind. Think of my daughter Monet who to this day is still having nightmares and pain from witnessing her brother being assassinated in her presence and probably thinking they're coming back to get her. Think of the young girl who was paralyzed after witnessing her mother being brutally murdered in her presence. Think of the Browns, the Symonette, the Dormeus, the Lightbourns, the Gaitors and all of us who share the same common bond of losing our loved ones for senseless reasons. Stiff penalties and swift justice should be the call of the day. It's time to stop all of the talk and start the action. Our country deserves better.

Section 7

7.0 An Alternative View : “Prosecuting the Peace,” by Dr Michael Neville (Council Member)

The National Advisory Council on Crime was formed just over one year ago, with the difficult mandate of advising the country on strategies to cope with the escalating and frightening levels of criminal activity in The Bahamas. The problem is not new; there have been numerous commissions, reports and recommendations already submitted and, in fact, the same problems have troubled societies as long back as our history stretches. The solutions offered are traditionally based on religious teachings and powerful emotional reactions, both of which influence our attitudes and sometimes tolerance of crime. There have been cycles of crime throughout history and it is difficult to be sure if this has been because of these influences or in spite of them.

It is with this in mind that we should welcome the arrival of improved scientific research that will gradually enable us to add evidence-based knowledge to our decision-making process.

The present level of crime in The Bahamas is causing so much anger and fear as to cause a ‘war zone’ mentality across society; there is a clear “them and us” demarcation with an increasing clamour to fight violence with violence, (hanging, and flogging, increasing sentences and even lowering the standards of imprisonment).

There are many difficulties with this scenario, not least of which is that there may be no winner, as with many wars, especially more recent ones, there comes a time when discussing peace is a necessity.

Peace does not mean surrender or giving up; it is the acceptance that war brings an enormous cost in human life and suffering and economic hardship on the societies involved. In The Bahamas there have already been far too many lives lost to death or despair.

It is my contention that The Bahamas needs to prosecute the peace. This begins by removing all acts of violence by the State from the statute books and exchanging them for the near certainty of prosecution before the courts. The reliance on punishment as a deterrent without adequate tools of prosecution creates an unworkable illusion. The discussion of the death penalty itself releases enormous emotions, but if we examine the statistical data, there is no evidence that the death penalty acts as a deterrent to others. The reality is that most murderers are fueled by rage, despair, drugs and alcohol and little thought is given to the consequences. It is, of course, accepted that those who suffer execution cannot re-offend, but it requires a blind faith in the judicial system to believe that mistakes can never be made. The next component of any punishment is rehabilitation and clearly there is

no rehabilitation in execution, rather, it serves as a model to society that violence is a solution to our problems. That leaves revenge and each society must decide how to deal with complex emotion. It is normal to be angry and want revenge at the loss of a loved one, but society must consider more than raw emotion. The removal of the death penalty, in my opinion, will serve to speed up the judicial process; it will remove the need for a unanimous verdict by the jury as without the penalty of death a two thirds majority can obtain a conviction; it will reduce some of the emotions in the trial and the abolition of the death penalty will enormously reduce the number of cases taken to the Privy Council, which will then reduce the work load of the Attorney General's Office, and save the Bahamian taxpayer astronomical sums of money.

The Bahamas is a Christian society and whilst there are a number of denunciations of murder in the Old Testament which call for the death penalty, I am unable to find any where, in the life of Christ that calls for violence and death as solutions to problems. My simple understanding is that in the example of Christ's life we are asked to use compassion and forgiveness. I am therefore not prepared to sign a recommendation that the death penalty be carried out as this would be against any evidence of effectiveness and against my religious and moral beliefs.

The second phase in the peace process is to increase efforts to get more people "on the same side". At present too many persons feel excluded from the mainstream economy and are tempted into the alternate economy which provides income and a sense of belonging. It is essential that we begin to restore faith in our systems, there is an enormous sense of anger throughout society, especially in our youth and many people no longer believe that they will be helped by society. There are in place many governmental and non governmental systems in that are crucial in dealing with crime that no longer has the credibility to make a difference.

I strongly support the Crime Council's recommendation that a permanent Inspectorate/Secretariat be established. This would be research-driven and enable a clear picture of what strategies are being used to combat crime, what works and what does not. The first task of this group should be to track the time interval from arrest to the completion of the trial. This would then provide a measurable indicator of how the criminal justice system is working. The present years and years of delays are unconstitutional and are leading to secondary problems with the necessity to allow bail. It is this climate of justice delayed that makes me also strongly disagree with the Council's desire to enforce all minor infringements of the law. I believe that this will further increase the difficulties in getting offenders before the courts, and will further alienate the public from the police force. It is essential that the system be fixed before this concept of policing can be examined.

There are many good recommendations in this and other crime commission reports; the problem is not the lack of advice but accountability in the organizations that should carry out these mandates. Crime crosses all societal boundaries and most governmental ministries have a role to play in its prevention, as do churches and all other non-governmental agencies.

As crime increases, resources become strained and overloaded and the need to work cohesively towards a common goal becomes more and more important. There are many societal issues to be addressed, none of which can provide a panacea for our ills, but, in my opinion, it is not a time for panic and punishments, but a time for hard work, accountability and human compassion.

Michael Neville. 4th Dec 2008.

ANNEX A

National Advisory Crime Council Members

NAME	STATUS
Bishop Simeon Hall	Chairman, Sr. Pastor, New Covenant Baptist
Mrs. Arlene Nash-Ferguson	Deputy Chair, Director, Educulture Bahamas
Rev. Dr. Ivan Butler Jr.	Sr. Pastor, Kemp Road Ministries
Mr. Frank Comito	Executive Vice President, Bahamas Hotel Association
Mr. Hulan A. Hanna	Asst. Commissioner Police (Ag)
Miss Anastarcia Huyler	President, COB Student Union
Dr. Michael Neville	Psychiatrist, Sandiland's Rehabilitation Centre
Mr. Carlos Reid	Director, Operation Redemption
Mr. Vicente Roberts	Director Campus Life, COB
Ms. Maria Scott	Atlantis Hotel
Mr. Felix Stubbs	General Manager. IBM
Mrs. Anita Bernard	Executive Director (Permanent Secretary, Ministry of Works)
Ministry of National Security Support Team	
Mr. Peter Deveaux-Isaacs	Under Secretary
Mrs. Blanche Deveaux	Deputy Permanent Secretary
Mrs. Heloise Stuart-Newbold	Assistant Director of Education

ANNEX B

Guest Presenters and Interviewed Persons (In order of presentations)

NAME	ASSOCIATION
Hon. Tommy Turnquest, Minister of National Security	Ministry of National Security
Mrs. A. Missouri Sherman Peter, Permanent Secretary	Ministry of National Security
Mr. Marlon Johnson	Safe Bahamas
Mr. Reginald Ferguson	Commissioner of Police (Actg)
Mr. Christopher Smith	Senior Master, C. C. Sweeting High School
Dr. Elliston Rahming	Superintendent, H M Prisons
Mr. Bernard Turner	Director of Prosecutions
Mr. Utah Taylor	Controversial TV
Mr. Gerard Darville	Controversial TV
Mr. Felix Bethel	Professor, COB
Hon. Perry Christie Hon. Cynthia Pratt Hon. Fred Mitchell Hon. Melanie Griffin	Delegation of the Opposition Progressive Liberal Party (PLP)
Ms. Melanie Zonicle Dr. Sandra Dean-Patterson	Department of Social Services
Mrs. Carla Stuart Pastor Dale Moss	Victims of Crime Victims of Crime
Mrs. Ida Turnquest	President, Bahamas Union of Teachers
Mr. Michael Pintard	Voice for gangs Leaders: Gundogs, Hotboys, Rebellions and Zoepound
Grand Bahama	Police officers, civil servants and community leaders
ASP E. Cartwright	Asst. Commissioner of Police
Mr. Basil Rahming	Chief Superintendent, RBPF
Mr. Alexander Williams	Sr. Administrator – Freeport
Mr. Harvey Roberts	Administrator – Freeport
Mr. Gregory Moss	President, Chamber of Commerce
Bishop Sobig Kemp	President, Christian Council
Father Harry Bain	Anglican Diocese
Mr. Bradley Ambrister	Administrator, East End
Rev. Lawrence Laing	Chief Counsellor, East End
Joseph Thomas	Counsellor, East End
Mr Rufus Johnson	Administrator, West End
Rev. Lindy Russell	Chief Counsellor, West End

NAME	ASSOCIATION
Ms Marjorie Darville	Chief Counsellor, West End
Mr Terrance Roberts	Ministry of Tourism
Geritzen Outten	Ministry of Tourism
Mrs. Colebrooke	Licensing Board
Ms Anita Doherty	Chief Counsellor – Freeport
Mr Cecil Thompson	Deputy Director of Education
Mr Hezekiah Dean	District Superintendent – MOE
Mr Moon McPhee	Sports/Education MOE
Mr Wayne Smith	Pres. BAA Association
Mr. Norris Bain	BAA Association
Mr Joe Darville	Human Rights Activist
Rev. Paul Mullings	Mt. Calvary Baptist
Mr John Swain	Chairman Police Liaison
Merynth Ferguson	Exec. Director Chamber Commerce
Father Reggie Demeritte	Haitian Community, St Vincent de Paul
Mr Kenneth Romer	Principal St. George's High
Mr Keith Barr	Vice Principal St. George's High
Mr Benjamin Stubbs	Jack Hayward High
Pastor Lockhart	Calvary Temple
Mr James Edgecombe	St. John's Jubilee Youth Programme
Students	St. George's High School
Students	Jack Hayward High School
Students	Bishop Michael Eldon High School
Ms Myrna Gaitor	Victim of Crime
Pastor Anthony Grant	

