

**Disturbances at Melrose Eastern High
Security Prison (EHSP) on 17 July 2025**

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1. **Introduction**

1.1 Melrose Eastern High Security Prison

Melrose Eastern High Security Prison (ESHP) was inaugurated in March 2014 and has been in operation since. It has a capacity to hold between 800 to 1,000 detainees. The prison contains 13 units where detainees reside: Alamanda, Hibiscus, Trochetia, Kestrel, Paille en Queue, Ebony, Ravinale, Talipot, Marigold, Geriatric unit, Transit unit (for outdoor workers), the SPU (Special Protection Unit) and a medical unit.

Melrose ESHP is a high security prison, it is equipped with over 500 cameras, high wall fencing and high security management systems.

Most of the detainees in Melrose serve long-term sentences, however some of them are also serving short sentences.

The kitchen block consists of the kitchen, a bakery unit, a pastry unit and a slaughterhouse, where detainees are assigned for work.

In addition to kitchen work, detainees may also be assigned to the following types of work within the prison grounds itself: metalwork, plumbing, electric, gardening, cleaning or nursery. There are additionally two (2) workshops gathering units for shoemaking, laundry, carpentry, basketry and tailoring jobs. Detainees may also attend courses to obtain academic qualifications such as A levels.

The prison grounds are home to three (3) places of worship: a Mosque, a Tamil Temple and a Church.

There are currently 949 detainees ESHP, 50 of whom including foreign detainees are on remand. The NHRC has been made to understand that several transfers of detainees will be made/ are being made towards Petit Verger Prison and Beau Bassin Prison.

2. **Fact-Finding-Inquiry**

2.1 Following disturbances which occurred at the Eastern High Security Prison (EHSP) on the 17 July 2025, the National Preventive Mechanisms Division (NPMD) of the National Human Rights Commission (Commission) received a complaint from the

relative of a detainee to the effect that the latter had been subjected to brutality by prison officers and necessitated urgent medical attention. The NPMD immediately initiated an investigation. In the course of its investigation, the NPMD secured material CCTV footage of the disturbances and gathered statements from both detainees and prison officers. It submitted a preliminary report to the Commission on the 28 July 2025. The Commission would like to thank both Mrs Ahmed Deputy Chairperson of the NPMD for conducting a thorough investigation.

- 2.2 On the basis of the NPMD report and further to numerous complaints received from the relatives of detainees, the Commission in virtue of its powers under Sections 6 to 9 of the Protection of Human Rights Act set up a fact-finding inquiry on the disturbances which occurred at Melrose ESHP on the 17 July 2025.
- 2.3 Ten witnesses were heard by the inquiry including the Commissioner of Prisons, one acting Deputy Commissioner of Prisons having responsibility of Melrose, one Assistant Commissioner of Prisons, one superintendent of Prisons who was acting Officer-in-charge, two Lead Prison Officers, the Principal Prison Welfare Officer, the Principal Prison Health Service Officer, the Prison Doctor who was on duty that day and two police officers from the *Groupe d'Intervention de la Police Mauricienne* (GIPM) and the Special Mobile Force respectively.
- 2.4 In addition, the Commission visited Melrose ESHP where it heard oral evidence from three detainees and also reviewed 25 complaints registered at the Commission from the detainees' relatives.
- 2.5 All the witnesses gave oral evidence in the course of formal hearings. Their names are not disclosed so as not to cause them prejudice in the event they are called upon to give evidence before other fora.
- 2.6 The Commission would like to place on record that the Commissioner of Prisons has facilitated the work of the fact-finding inquiry by giving access to all relevant information. The Commission would also like to thank Mrs Risha Hullman Barrister for assisting the fact-finding Inquiry.

3. Key Areas

- 3.1 This is the Report of the fact-finding inquiry. It addresses three key areas:
 - (i) The root causes of the disturbances;
 - (ii) The effectiveness of the response to the disturbances;

- (iii) Preventing similar future disturbances: How to defuse a ticking prison bomb?

4. Background

- 4.1 On 17 July 2025, at about 0800 hours detainee T was observed loitering outside his assigned unit without justification, thereby committing a prison default. When apprehended, he refused to comply with the prison officer's instructions to proceed to the Segregation and Protection Unit (SPU). At this stage Detainee T faced adjudication for indiscipline. Instead of complying with the orders he was being given, he ran towards his Unit, the Ebony Unit, climbed over the fencing to access his unit and continued to defy the prison officers.
- 4.2 What happened next was crucial: the Officer -in -Charge of Melrose ESHP and one Lead Prison Officer L, joined some 4-6 officers who were already present at the locus, they then proceeded to the association shed of the Unit (area where all the prisoners assigned to the Unit normally gather during the day) and the officer-in-charge tried to reason with detainee T for him to submit himself to be placed in the SPU as he was under report for indiscipline.
- 4.3 According to the Officer-in charge, it was at that moment that he saw a piece of ribbon cloth which was lit next to Detainee L who was sitting on a concrete bench in the association shed. On seeing the Officer-in -charge, Detainee L tried to put out the fire from the ribbon. Detainee L was cautioned on the spot and the officer ordered that he be searched. Instead of complying, Detainee L stood up on the concrete bench and tried to conceal a small black pouch. The officer-in -charge snatched the black pouch from his hand. Two mini mobile phones were according to the officer secured from the black pouch. On securing the mobile phones, some 125 detainees surrounded him and his officers. They "were threatened with a weapon commonly known as *pique démon*". In the face of the threat to their physical safety, they had no choice but to beat retreat and leave. The Commission having viewed the relevant part of the CCTV footage does not see that there were as many as 125 detainees present at the spot at that moment. It was noted however that there were about 20 detainees who tried to interfere with the orders of the officer-in -charge. It was also not apparent from the CCTV footage that a "*pique démon*" weapon was used against the officer-in -charge and his officers. There are also no official records of the two mobile phones having been secured. As a fact no form of physical violence was used, but the officer-in -charge had to back down in view of the number of detainees moving towards him in an aggressive manner. He immediately left the association shed fearing for his safety.
- 4.4. Following this incident in Ebony Unit, the Officer -in-charge promptly contacted the Ag DCP responsible of Melrose EHSP and requested for the intervention of the

Correctional Emergency Response Team (CERT). He then contacted the Commissioner of Prisons and informed him that he was "anticipating resistance and opposition from the detainees inside the block who would oppose the search". He was told that CERT is on its way as a back-up to conduct the search. However, he requested the additional presence of the SMF as he was anticipating a "big problem". Accordingly, the Commissioner of Prisons contacted the Commissioner of Police. A specialised team from the GIPM, comprising of one Inspector of police, three police sergeants and seven police constables, together with a section of the Special Mobile Force (SMF) comprising of one Inspector of police, two police sergeants and twelve police constables were deployed by the Commissioner of Police to provide tactical support to the prisons' CERT.

- 4.5 The Commissioner was adamant that the presence of the combined forces was to provide support for a search to be conducted. He was not anticipating the use of force. Before the fact-finding-Inquiry, he stated that he was surprised that the briefing was conducted by the Officer-in Charge alone. He had designated the acting DCP to attend Melrose ESHF and was expecting the latter and the ACP who had resumed duty on that morning to take over command. The Commission deplores the fact that the two senior officers had effectively distanced themselves from the operations. Instead, the briefing was led by the Officer-in-charge. He alone, informed the combined forces that he faced a rebellion by detainees. The officers of the combined forces were also informed that the threat level was moderate and support was sought for the ensuing crackdown operation, which would be led by prison officers.
- 4.6 From the viewing of the CCTV footage, the Commission has seen no evidence to suggest that two hours after the initial incident, there was any reasonable cause to anticipate any resistance or rebellion. The forceful entry of the combined forces and the prison officers took the detainees by surprise. Most were intimidated and tried to seek refuge. They were all placed in a fall-in situation against the wall. Those who were non-compliant and showed resistance were dealt severe blows with tonfa weapons. In some instances, they were kicked and stamped upon whilst in a supine position. In some units Kestrel for instance, the detainees were asked to strip naked and made to lie on the floor, face down.
- 4.7 The Commission will have more to say when dealing with the unjustified use of force below. It is observed from the CCTV footage that a few detainees amongst whom detainee T and detainee R were identified to be dealt with severely for past misconduct and lack of respect towards prison officers. When confronted with these allegations the Officer-in-charge conceded that there were previous grievances against them and that these detainees have been misbehaving for a long time towards prison officers and that a zero-tolerance policy should apply.

5. Root Causes of the Disturbances and Escalation

- 5.1 The incident's genesis was the initial "prison default" committed by Detainee T, who was found loitering without justification and subsequently refused to comply with a lawful order to proceed to the SPU. While the *Reform Institutions Act 1988*¹ provides a clear legal framework for addressing such individual breaches of discipline, the response chosen by the prison authorities was a critical factor in the subsequent escalation.
- 5.2 Instead of isolating and addressing detainee T's default through established disciplinary channels, the decision was made to conduct a full-scale search of all the units in Melrose EHSP.
- 5.3 This collective measure, applied in response to what was arguably an isolated incident was a disproportionate and escalatory step. A collective search, particularly if perceived as a form of collective punishment or an arbitrary exercise of authority, can significantly undermine these fundamental principles of proportionality. Such an action is likely to foster a sense of injustice and resentment among the detainee population, transforming a minor disciplinary issue into a collective grievance. The subsequent "aggressive manner" and resistance from the detainees were a direct and foreseeable consequence of this perceived affront, indicating a collective expression of opposition rather than isolated acts of defiance. The initial prison officers' withdrawal after being "overpowered" further highlighted the intensity of this collective resistance and presented a crucial, albeit missed, opportunity for strategic re-evaluation.

6. The Effectiveness of the Response to the Disturbances

- 6.1 While the *Reform Institutions Act 1988* empowers prison officers to use force as is strictly necessary in specific circumstances, this power is not absolute and must always be exercised as a measure of last resort, strictly adhering to principles of necessity and proportionality, as guided by international human rights standards.
- 6.2 The moment the initial officers withdrew from the Ebony Unit was a pivotal juncture. A proper and professional situational evaluation at this point would have entailed:
 - (i) Objective Risk and Threat Assessment: An immediate and impartial assessment of whether the detainees' resistance constituted a credible and imminent threat to life, serious injury, or an escape risk. The fact that the officers were able to withdraw albeit hastily suggests that a full-scale, uncontrollable riot was not in

¹ Section 37 Reform Institutions Act

progress, and the situation was contained within the unit. The real evidence shows that prior to the intervention of the multi-agency forces prisoners had gone back to their normal routine;

- (ii) Establishment of Clear Command and Control: The immediate establishment of a unified command structure to manage the evolving incident, prioritising communication and negotiation over immediate re-entry with force. The fact that the ultimate decision was left solely to the discretion of the Officer in Charge highlights the precarity of the situation and the fact that the officer was acting under pressure;
 - (iii) Strategic Planning for De-escalation: The development of a comprehensive plan to prioritize dialogue, mediation, and non-coercive measures to resolve the standoff, rather than an immediate and forceful re-entry. The lack of an established protocol underpins weak link in the decision-making process;
 - (iv) Postponement of Search and Re-evaluation of Procedure: The search could have been temporarily postponed, allowing the administration to re-evaluate the necessity and methodology of the search.
- 6.3 The decision to bypass these critical steps and immediately call for the assistance of CERT officers, GIPM and SMF, demonstrates a significant procedural failure. This approach indicates a predisposition towards a forceful resolution, neglecting the fundamental principles of de-escalation and procedural justice that are paramount in correctional settings.
- 6.4 The Commission notes with concern the absence of procedures for authorisation before the use of force is resorted to. The ultimate decision to brief the specialised forces was left to the absolute discretion of the officer -in -charge, there were no concerted consultations with his superiors as to the use of force notwithstanding the fact that two senior officers including one DCP were present within the compounds of Melrose ESHP. There is also no evidence to suggest that the two senior officers had expressed any interest to be part of the decision-making process prior to launching the operations. The Commission also deplores the fact that the Ag DCP failed to keep the Commissioner of Prisons briefed at all times, especially when the use of force was being resorted to. This illustrates the absence of established procedures to deal and manage crisis situations. Moreover, the Commission would like to assume that the unjustified force was not intended as a means to retaliate following the indiscipline of the detainees in Ebony Unit, which eventually led to the hasty retreat of the officers from the Unit.

7. Unjustified Use of Force

- 7.1 The Reform Institutions Act 1988 (“the Act”) provides a clear legal framework for addressing breaches of discipline, as follows:

Section 12: Use of force

“(1) No officer shall use force against a detainee except such force as is reasonably necessary;

- (a) in self- defence;*
- (b) in the defence of another person;*
- (c) to prevent a detainee from escaping;*
- (d) to compel obedience to an order which the detainee wilfully refuses to obey; or*
- (e) to maintain discipline in the institution.*

(2) Any officer may, where he has reasonable cause to believe that he cannot otherwise deal with the situation, use any weapon or firearm which has been issued to him against a detainee who is

- (a) escaping or attempting to escape from an institution or from lawful custody and refuses, when called upon to return;*
- (b) engaged with others in riotous behaviour in an institution and refuses to desist when called upon; or*
- (c) endangering the life of, or is likely to inflict serious injury on, any person.”*

- 7.2 While the Act empowers officers to use such force as may be reasonably necessary, this power is not absolute and must be exercised as a measure of last resort, adhering to principles of necessity and proportionality. The use of force if strictly necessary cannot therefore be above and beyond what is necessary to control a confrontational situation. It must be aimed at preventing harm to protect staff, detainees or the public from an imminent danger. None of these conditions were satisfied on the 17 July 2025. Some detainees did show resistance but the large majority were fully compliant with the orders given to them during the operations.

- 7.3 Prior to returning to Ebony Unit, and this time with the support of the combined forces, the officer-in-charge and his two other superiors, the ACP who was already in the compound and the acting DCP, should have availed themselves of the opportunity to re-evaluate the situation and consider employing de-escalation strategies. Instead, the officer-in-charge opted for a forceful re-entry.

- 7.4 The Commission is in presence of evidence showing the use of excessive force both by prison officers and agents of the specialised forces. The approach generally adopted within most units was to single out two to three “ring leaders” (as per the term used by several prison officers) then the identified detainee would be dragged

from his fall in position against a wall, was dealt with severe blows using batons, kicks and was stamped upon, at times repeatedly. There was no sign of provocation as is borne out from the CCTV footage except in one case when a detainee took the tonfa weapon of an officer and ran away. The excessive use of force to retrieve the tonfa was also unjustified.

- 7.5 The Commission is in presence of evidence that detainees in Paille-en-queue, Kestrel and Alamanda were requested to strip naked - which they did. In one instance in Ebony Unit, Detainee T who had defied prison rules and had left a patch of hair on his head unshaven was made to shave the unshaven patch of hair on the spot. In kestrel unit where all detainees were requested to strip naked and lie face down on the floor each detainee received blows with tonfas whilst they were in that position.
- 7.6 The use of physical force against the "ring leaders" was not minimum force and was therefore unjustified. The principle of proportionality, a cornerstone of both administrative law and human rights jurisprudence, mandates that any force used must be strictly necessary and commensurate with the actual threat presented. The deployment of a multi-agency force comprising prison officers alongside highly specialised tactical units (CERT, GIPM, and SMF) against unarmed detainees, whose most aggressive act was to "resist and behave in an aggressive manner," represents a grossly disproportionate and excessive response. In this context reference is made to the following well established authorities on the disproportionate use of force by law enforcement officers:
- In the United Kingdom, the case of *R (Ahmad) v Governor of HM Prison Frankland* [2006] EWHC 1346 (Admin) reiterated that while prison authorities possess a wide margin of discretion, any use of force must be demonstrably necessary and proportionate to the circumstances;
 - The European Court of Human Rights, in cases such as *Bouyid v. Belgium* (Application no. 23380/09, Grand Chamber, 2015), has consistently held that even a minor application of physical force that is not "strictly necessary" can constitute a violation of Article 3 of the European Convention on Human Rights (prohibition of inhuman or degrading treatment). In *Bouyid*, the Court found a violation when police officers slapped a man at a police station, emphasising the State's positive obligation to provide a compelling justification for any use of physical force;
 - In the United States, the Supreme Court's ruling in *Whitley v. Albers* (475 U.S. 312, 1986) established that in the context of prison disturbances, the use of force must be evaluated based on whether it was applied in a "good faith effort to maintain or restore discipline" rather than "maliciously and sadistically for the very purpose of causing harm." While this standard acknowledges the

exigencies of prison control, it does not, by extension, justify the initial deployment of excessive force when less violent alternatives are available;

- The *Kalkan v. Denmark* (Application no. 51781/22, 2025) judgment further reinforces the State's positive obligations under Article 2 (right to life) and, by extension, Article 3 (right against torture, inhuman or degrading treatment), to protect detainees from foreseeable harm, including harm inflicted by its own agents. The judgment underscores the need for robust training and clear policies to ensure that any use of force is a last resort and strictly necessary;
- The State must ensure that a person is detained in conditions which are compatible with respect for his human dignity, that the manner and method of the execution of the measure do not subject him to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention and that, given the practical demands of imprisonment, his health and well-being are adequately secured (*Kudła v. Poland* [GC], §§ 93-94, ECHR 2000-XI).

7.7 The presence and deployment of the combined forces, typically reserved for high-risk, life-threatening scenarios, against a contained disturbance, signifies a punitive rather than a restorative approach to maintaining order. Such an overwhelming display of force inevitably inflicts a degree of suffering and humiliation that far exceeds the unavoidable level inherent in detention, potentially constituting inhuman or degrading treatment.

8. Medical care & False Affidavit

- 8.1 It is the responsibility of the State to ensure that detainees receive requisite medical assistance to safeguard their health and well-being. Mandela Rule 27, a universal standard human rights principle which is observed by the prison authorities, provides that Detainees should enjoy the same standards of health care available in the community, without discrimination on the grounds of their legal status.
- 8.2 Following the disturbances of the 17th July, the NHRC received several complaints from detainees' relatives alleging *inter-alia* that serious injuries had allegedly been inflicted upon the detainees. In the light of these complaints the fact-finding inquiry called for the records of medical care procured to detainees and in addition heard the testimony of the prison doctor on duty on that day. Fourteen detainees were seen by the doctor on the 17th July. They complained mostly of pain over the body and he accordingly prescribed pain killers. The fact-finding inquiry also heard the Principal Nursing Officer who stated that he had examined some forty detainees and noted the

presence of minor abrasions or ecchymoses on a few of them. He did not record the medical assistance procured nor was there a report to support his evidence.

- 8.3 It was known to the fact-finding inquiry that detainee R, had sworn an affidavit stating that he was severely assaulted and as a result sustained a fracture of the right hand, a dislocated knee and a fracture to the lower back causing severe pain and restricting his mobility. The Commission confirms that nothing could be further from the truth in so far as the injuries sustained by detainee R are concerned. He was examined as an in-patient at Jawaharlal Nehru Hospital and the absence of fracture was confirmed by the x-ray specialist. The only observation of the doctor was a ganglion cyst about 1 cm diameter over the dorsal of the left wrist.

9. Strip Searches

- 9.1 According to standard procedures, a detainee may be ordered to strip naked where there are reasonable grounds to suspect that the detainee is concealing illicit items or weapons on his body. Strip Searches must be proportionate and necessary and conducted in a private setting by trained staff and above all with respect for the detainee's dignity. Normally the search is recorded, justified in writing and subject to later review if required. Section 7 of our own Constitution makes it an absolute right to the individual not to be subjected to any degrading punishment.
- 9.2 The case of *Yankov v Bulgaria* (Application no. 39084/97, 2003) is highly relevant, as the European Court of Human Rights has consistently held that any form of physical intrusion, including strip searches, must be conducted with the utmost respect for human dignity and privacy. Where such a search is conducted in an open area, visible to others, strips it of this essential dignity and transforms a necessary security measure into a punitive and degrading act.
- 9.3 The principles laid out in *Yankov* are further reinforced by other significant judgments. In *R (Ahmad) v Governor of HM Prison Frankland* [2006] EWHC 1346 (Admin), the court reiterated that while prison authorities have a wide margin of discretion, any use of force or intrusive measures must be demonstrably necessary and proportionate to the circumstances.
- 9.4 The Commission notes with significant concern the blanket strip-searching of all detainees without exception. This procedural measure, undertaken collectively and in a public area, was not based on reasonable suspicion that each detainee posed a specific threat or was in possession of a prohibited item. Instead, it appears to have been applied as a uniform, punitive action. This approach is in direct violation of the principles of proportionality and necessity, which mandate that such intrusive measures must be strictly justified on a case-by-case basis.

9.5 All detainees were asked to strip naked and made to lie on the floor face downwards. Those who would resist would be beaten up with tonfa batons or verbally abused. Such behaviour was intended to arouse in them feelings of fear and inferiority capable of humiliating and debasing them.

9.6 In light of the incident at Eastern High Security Prison, the Commission considers that the conducting of strip searches on detainees in an open space was not warranted. Such behaviour on the part of the prison authorities amount to a degrading treatment.

10. Status of Prison Officers: Corruption and Delayed Promotion

10.1 During the hearings several witnesses including one detainee, informed the Commission of the operations of smuggling networks within the prison compounds, that import illicit drugs, mobile phones and cigarettes with the complicity of corrupt prison officers. The Commissioner of Prisons confirmed that under his supervision, a case was recently detected with the help of informants involving a prison officer whereby the latter had pelted cigarettes from the Prison Tower to a location inside the prison compounds. The matter has been reported to the police.

10.2 The Commission was also told that drugs are creatively introduced inside Melrose ESHP through A4 paper commonly referred to as "*chimik*" due to the chemical concoction which is coated on A4 paper. The cost of that small piece of paper turn would vary between Rs 100 – 300 inside the prisons. According to the Officer-in-charge, a 3G mobile can cost up to Rs 100,000, whilst a 5G mobile phone can cost up to Rs 150,000. It is understood that a successful sale to a detainee would happen with the inside complicity of a corrupt officer facilitating the payment using online applications on his own device.

10.3 The substantial amount of money involved has encouraged the growth of a sub-culture of corrupt officers who weaponize their authority for their personal gains and the interests of criminal networks inside the prisons. Whilst corruption involve a minority of prison officers such misfeasance can undermine the implementation of prison rules, encourage indifference to such practices and create an unstable and unsafe environment within Melrose ESHP.

10.4 The above criticisms are meant to be constructive, and the Commission endorses the views expressed by the Honourable Prime Minister who stated in the National Assembly during the PNQ of the 22nd July that "we must not detract from the fact that the vast majority of prison officers have remained steadfastly loyal to the prison services and have continued to show a remarkable degree of professionalism in the discharge of their functions".

10.5 The quality of the of the prison system ultimately depends on the quality of the performance of prison officers. It requires a good *rapprochement* between management and staff on the one hand and staff and detainees on the other. Admittedly, the work of the prison officer can be risky and dangerous and officers need to be motivated and their status raised if a qualitative performance is required of them. They must be given better prospects for promotions and the situation whereby the Commission was informed that an officer had to wait for 13 years in an acting position before being confirmed, is considered unacceptable to say the least.

10.6 In order to cope efficiently with the kind of disturbances faced by the prison authorities on the 17 July, officers need to be properly trained in crisis management and issued with updated protocols and guidelines on all aspects of their day- to -day responsibility.

11. Future Measures: Defusing a Ticking Prison Time Bomb

11.1 The Commission is of the view that the disturbances presented several clear opportunities for the prison administration to employ alternative, less coercive means to restore order and discipline, consistent with legal obligations and best practice:

- **Dialogue and negotiation**

Following the withdrawal of officers, the administration should have deployed a designated negotiation team. This approach facilitates communication and seeks a peaceful resolution;

- **Targeted individual accountability**

Rather than resorting to a collective blanket use of force, the administration could have used the intervening period to identify the specific individuals who engaged in aggressive behaviour. This would have allowed for a more proportional and targeted response;

- **Deployment of specialist de-escalation teams**

The Commission recommends that in the event of a crisis or conflict situations the prison authorities should deploy a team specialised in crisis de-escalation techniques to ensure better management of the crisis situation and privilege a proportional response rather than a tactical assault force.

- **Postponement of Search and Re-evaluation of Procedure**

The search that apparently triggered the incident could have been temporarily postponed. This would have allowed the administration to re-evaluate the necessity and methodology of the procedure, potentially preventing further conflict.

12. Recommendations

12.1 The Commission recommends that the following measures be implemented to deal in a more effective and efficient manner with disturbances similar to the one which occurred on the 17 July 2025:

- **Enhanced de-escalation training**
Mandatory and regular training for all prison staff in conflict resolution, communication, and de-escalation techniques to equip them with the skills to manage challenging situations without resorting to force;
- **Ongoing training for prison officers**
This is required in order to ensure the strict adherence to the principles of necessity, proportionality, and "last resort," in line with the *Reform Institutions Act 1988* and international human rights standards. Furthermore, there should be a renewed focus on procedural justice within the prison system to ensure all actions, including searches and disciplinary measures, are seen as fair, transparent, and respectful of detainees' rights. This approach will help the Eastern High Security Prison move toward a more effective, humane, and legally compliant method of maintaining order and discipline. During the Adjudication process of detainees under report, where a detainee has pleaded not guilty, latter should be provided with written reasons why they are found guilty;
- **Clearer use of force guidelines**
A review and clarification of the use of force policy, ensuring strict adherence to the principles of necessity, proportionality, and last resort, in line with the *Reform Institutions Act 1988* and the Nelson Mandela Rules. A protocol should be put in place to assess any situation of potential danger, violence and to de-escalate same. A chain of command should be established so that one officer alone cannot assess the situation and call for national back up without a proper system of checks and balances in place;
- **Standing orders**
All prison staff should be provided with an updated copy of the different Standing Orders – not just high-ranking officers, but all officers – and explained the content of same. Training of prison officers should be provided over the Mandela Rules;
- **Reconstitution of Boards**
The following Boards should be reconstituted at the earliest: the Parole Board, Visitors Board, the Commission of Prerogative of Mercy and the Committee for Discharged Persons;

- **Specialised Medical staff**
The doctors and nursing staff assigned to the Melrose ESHP should get specialised training on the care of detainees;
- **Increase the number of psychologists**
At present only 2 psychologists are assigned to over 2,800 detainees. This number is barely adequate. Psychological support should be available to Prison staff also;
- **Remission for drug offenders**
Consider the implementation of a structured system of remission from sentence for drug offenders. This measure would serve as a positive incentive for demonstrable good conduct and active participation in rehabilitation programmes. By offering a tangible reward for positive behaviour, this would not only incentivise reform but also align with the broader objective of reducing recidivism;
- **Creation of a Criminal Justice Committee**
Such a committee may be constituted of representatives of the judiciary, the office of the Director of Public Prosecutions, Commissioner of Police, the Commissioner of Prisons, National Human Rights Commission and the Law Reform Commission. This Committee would be tasked with the vital role of keeping a scrutiny on the sustainability of the prison system and monitor *inter alia* overcrowding and rehabilitation within prisons. The committee would also have the important task of reviewing cases on remand, monitoring the success of rehabilitation programmes and contributing to better sentencing policies.

This report is dated 1st September 2025


Satyajit Boolell, SC
Chairperson

I have read the above report and am in agreement with its contents.


Melany Nagen
Deputy Chairperson