



**GOVERNMENT OF BERMUDA
PAROLE BOARD
PATI Information Statement**

Name of Public Authority: The Parole Board

Introduction:

The Public Access to Information 201-0 (PATI) legislation was designed to make central Government, and the larger public sector, more open and accountable by giving the public the legally enforceable right to request and access information subject to limited and prescribed exemptions. Each public authority is required to produce an information statement that gives the public an overview of the types of information accessible through the public authority.

This information statement provides information on the functions and services of the Parole Board and the classes of records held.

Section A: Structure, Organization and Legislation [s5(1)a]

The Parole Board is a creature of statute as its genesis flows from The Parole Board Act 2001 (The Act). Section four (4) of the Act informs of the Constituents comprising the Board:

The Board shall consist of—

1. (a) a Chairman;
2. (b) one member who shall be a person registered to practice in Bermuda as a psychological practitioner under the Psychological Practitioners Act 2018;
3. (c) one member who shall be a barrister and attorney;
4. (d) one member who shall be a person with knowledge or experience of the supervision or after care of discharged prisoners; and
5. (e) three other members, one of whom shall be a person with such technical knowledge or expertise as in the opinion of the Minister will benefit the Board in its deliberations.

Legislation:

The Parole Board Act 2001 governs the establishment of the Parole Board, the following other pieces of legislation informs of the far reaching impact of the duties of the Parole Board:

- i) The Criminal Code Amendment (No 2 Act 2014)
- ii) Prison Rules 1980 - BR 46 /1980
- iii) Prisons Amendment Act 2013 / 2013 : 14
- iv) The Prisons Act, 1979
- v) The Rehabilitation of Offenders Act 1977
- vi) The Senior Training School Act, 1951
- vii) The Young Offenders Act, 1950

Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

The Board was created by the Parole Board Act, 2001 and is mandated to handle all matters and connected matters, related to the parole of prisoners from Her Majesty's prisons.

The Act mandates that the Board consists of at least five members who must include a psychologist, a lawyer and a person experienced in the management of discharged persons. Decisions on discretionary matters before the Board are decided through consensus and when necessary by way of a majority of board members.

The Board operates under the provision of the related aforementioned legislation.

The Board is required to operate both co-operatively and collaboratively with other public agencies such as: The Department of Corrections, the Bermuda Police Service, the Judiciary, the Department of Court Services, the Judiciary, the Department of Court Services, the Department of Financial Assistance, child and Family Services, Mental Health Services and the Ministry of Health.

The Board meets on average three times per month, interviewing respective inmates, and facilitating reviews for parolees.

Reporting framework: reports periodically tabled in the House of Assembly (Parliament).

Section B: 2) Obligations under PATI Act [s5(1)b]

To provide an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
- **To do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
 - **Fees** for requests for information
 - Management and maintenance of **records**
 - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- To **designate one of its officers** to be the person to whom requests are directed [s62]

Section C: Services and Programmes [s5(1)c]

Services:

In regard to services, as a statutory Board with the aforementioned functions, we provide services to the community by considering the public interest in each decision as well as servicing the individual offender who is seeking reintegration back into the community after receiving or continuing to receive the recommended services.

There is no cost for these services, other than the modest remuneration that the Board receives for performing its duties.

The Parole Board indicates to all offenders seeking to come before the Board for the consideration of Parole the indispensable conditions of parole and what will be expected from them should their application be successful.

Programmes:

The Board does not offer any direct programmes and services to the public though we do consider the public interest in all our decisions.

Section D: Records and documents held [s5(1)d]

These records consist of: court orders, copies of criminal records, evaluations from The Department of Court Services, the prisons and mental health professionals.

Section E: Administration (all public access) manuals [s5(1)e]

Administrative manuals and/or guidelines are ones that have been produced by governmental administrators and officers that outline common terms which inform the work of the Parole Board. One such illustration is a Parole License which outline the general conditions as well as specific conditions and terms that a parolee must abide.

Section F: Decision-making documents [s5(1)f]

Decision- making document include the following:

- i) **Parole License** – general and special conditions attached to the granting of a Parole License
- ii) **Amended Parole License** – issued when there has been an amendment to aforementioned original general and special conditions.
- iii) **Natural Justice Order** – these are issued in the event of a breach of the said parole license. This report emanates from the Department of Court Services (DOCS) and is sent to the Parole Board for the Boards consideration of the details contained therein which outline the nature of the breach and the specific violation(s) of the respective parole license.
- iv) **Unlawful at Large Order** – this is a natural justice notice issued by the Department of Court Services and conveyed to the Parole Board requesting that respective parolee be arrested by the Bermuda Police Service for a breach of parole conditions.
- v) **Revocation Order / Recall to Her Majesty’s Prison** – this order formally mandates the recall of the prospective parolee to prison to complete the Parole License.
- vi) **166 Documents** – are assessments of the Department of Court Services’ case workers report as to the suitability of parole - as per the assigned set of conditions - of the respective parole applicant.
- vii) **Her Majesty’s Prisons Social Worker’s Assessment / Her Majesty’s Prisons Psychological Assessment** provided by the prison psychologist.

Section G: The Information Officer [s5(1)g]

Information Officer:

Permanent Secretary
Marva O’Brien
Email: mjobrien@gov.bm
Office: 292-9145

Address:

Ministry of Justice
4th Floor Global House, 43 Church Street
Hamilton HM 12

Chair of the Parole Board:

Mr. Derrick Burgess, JP, MP

Section H: Any Other Information [s5(1)h]

As of January 2025, the members of the Parole Board are as follows:

Chair: Mr. Derrick Burgess, JP, MP
Deputy Chair: Mr. Vaughan Caines
Mr. Roderick Burchall
Dr. Cherita Rayner
Dr. Ernest Peets
Mr. Scott Simmons
Ms. Tori Burgess

Section I: Any Other Information [s5(1)i]

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: 28th March 2025

Locations of Information Statement:

Confirm copies of Information Statement are available at the following sites:

- Parole Board - Global House 43 Church Street, Hamilton HM 12
- Westgate Correctional Facility
- Co-Ed Facility
- Farm Facility
- The Bermuda National Library
- Bermuda Archives
- Office of the Information Commissioner
- Available electronically online at www.gov.bm

A notice in the Gazette indicating the places where the information statement is available for the public has been published.

Sign and Date:

28th March 2025