

Restorative Justice - A new approach to rehabilitation of prisoners in Trinidad and Tobago

From the start of a prisoner's sentence, consideration must be made about the future of the prisoner and his/her successful transition into society post release.

To rehabilitate must be a core aim of the Prison Service if prisoners are to enter employment, rejoin or start families, and in general be equipped for life after imprisonment.

As such, particular attention must be paid to the provision of inmate rehabilitation initiatives and programmes throughout the criminal justice system. It is clear that rehabilitation services to this end are available in Trinidad and Tobago, based on the provision of educational, cultural, sporting and faith based programs by the Correction Department of the Prison Service.

However, the increasing number of persons in prison include a high percentage who were reconvicted after their release. In 2007, a paper on implications for prison reform in Trinidad and Tobago indicated that there is a recidivism rate of greater than 50%. This statistic can arguably point to the ineffectiveness in the traditional approach of rehabilitation in the Prison Service, or possibly, the inability for some prisoners to be rehabilitated.

In the circumstances, perhaps it is time for a new approach to rehabilitate prisoners and thereby reduce recidivism.

In 1990, non-governmental organizations in consultative status with the United Nations put forth the concept of restorative justice as one such new approach to rehabilitation. Restorative justice is based on the principle of repairing the harm caused by the prisoner by restoring relationships. Great emphasis is placed on direct engagement between the prisoners and their victims, as well as members of the wider society.

Critics may argue that this approach would be unwelcome by victims of crimes who may be forced to relive an incident by having contact with a prisoner. However, where face to face contact is undesirable, restorative justice can include mediators who meet separately with the prisoners and the victims.

The restorative outcome is to encourage prisoners to take responsibility for their actions by means of an apology, community service, or returning stolen goods to name a few examples. In addition, restorative justice can enable prisoners to understand and address the cause of their actions which would assist in their reintegration into society. As well, restorative justice aims to promote the interests of victims who have an opportunity to air their views and observations on a criminal issue.

Given its potential to reduce recidivism and provide healing, it can be beneficial for Trinidad and Tobago to implement national strategies and policies that adopt a more restorative justice approach in the rehabilitation of prisoners.