

“IDENTITY LIMBO”: AN EXPLORATION INTO
THE LIVED REMAND EXPERIENCE IN
TRINIDAD AND TOBAGO.

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ABSTRACT

Remand continues to pose challenges in Trinidad and Tobago (Wallace, 2020), drawing attention from both the Government and citizens of the nation. However, despite its significance, remand remains a relatively understudied area of study within the field of criminology, particularly within the Caribbean context and more specifically in Trinidad and Tobago.

This thesis aims to contribute to the literature by exploring the lived experiences of remandees in Trinidad and Tobago. It will also incorporate the perspectives of decision-makers on remand, providing valuable insights to further contextualise the data obtained from those directly involved. By doing so, the study seeks to shed light on the intricate dynamics of the remand system in Trinidad and Tobago and contribute to a deeper understanding of its complexities, and by extension the criminal justice system.

Specifically, this research aims to investigate how individuals experiencing remand perceive and navigate the process, both from their own perspective and from the viewpoint of those involved in its administration. Through an in-depth examination of these experiences and viewpoints, the study seeks to provide valuable insights into the remand system and its impact on individuals within the Trinidadian and Tobagonian context.

Utilizing a qualitative, phenomenological methodology, this thesis focuses on the perspectives and first-hand encounters of individuals held in remand. It aims to examine their personal interpretations and day-to-day realities within the remand system. This method enables

a thorough investigation into the intricate details and challenges embedded in their experiences, offering valuable insights into the remand system in Trinidad and Tobago. By prioritizing the narratives of remandees, the research seeks to reveal perceptions and implications of their encounters, thereby enriching our understanding of the remand processes, the system and its effects on individuals.

Throughout the data analysis process, the researcher utilized three primary strategies to systematically examine and interpret the collected information. Initially, an initial coding framework was established using NVIVO analysis software, categorizing data based on emerging issues from the literature review findings and research questions. The second strategy involved a detailed line-by-line analysis of interviews with various groups, organizing thematic patterns and codes into a tabular format to refine and identify gaps in the data. Lastly, the researcher delved deeper into how these themes conceptualize remand experiences in Trinidad and Tobago by scrutinizing lived experiences and constructing a comprehensive remand model, integrating insights from the initial coding framework and line-by-line analysis. This strategy aimed to provide a more nuanced understanding of remand experiences within the specific context of Trinidad and Tobago, contributing to an understanding of the topic. These broad three primary strategies allowed for a thematic analysis of this study.

From the narratives, the study identifies that remandees experience what can be termed "identity limbo." This is a complex state where remandees find themselves caught between their past experiences and identities, their present circumstances, and their envisioned future, all while in a state of legal suspension. The study highlights that the dehumanization and depersonalization experienced by remandees strip away their previous identities, contributing to this identity limbo. In response to this identity limbo, remandees adopt or reinforce various identities to cope

with the uncertainties they face while on remand. These ‘coping identities’ include roles such as "Christian," "intellectual," "non-criminal/innocent," "MVP football player," "father," "family man," "mature wise man," along with practical professions like "electrician" or "mason, “..

The study concludes by highlighting the implications for policy, practice, and future research concerning remand within the criminological field. The study underscores the importance of ongoing dialogue, collaboration, and action to bring about meaningful improvements in remand practices and policies, ultimately contributing to a more just and humane criminal justice system.

CHAPTER ONE: INTRODUCTION

1.1 BACKGROUND: REMAND IN TRINIDAD AND TOBAGO AS A FOCUS OF PUBLIC CONCERN

Remand remains an unsolved, harmful problem across various jurisdictions. Its use continues to create and identify several issues such as overcrowding in prisons, prisons not being designed to cope with the demands of the remand of suspects in custody, poor conditions within such prisons, and the poor treatment of those remanded, who are technically regarded as innocent at the time of remand (Orjiakor et al., 2017). The inefficiencies of remand continue to be so prominent that remand has been identified, according to Freeman and Seymour (2010), “as one of the most taxing and unstable prison experiences” (p. 138). Furthermore, Goldson and Jamieson (2002) describe custodial remand as “ineffective (at best) and iatrogenic (at worst)” (p. 69). Despite this, remand remains a significant component of many criminal justice systems across the world.

Before going further, it is necessary to establish what is meant by “remand” as a concept. Obtaining a single comprehensive definition of remand might be difficult, considering the wide range of jurisdictions that utilize some form of pre-trial detention. However, in general terms, and concerning common-law jurisdictions particularly, remand can be said to be the process whereby an individual is awaiting trial or the outcome of some other hearing (Penal Reform International, 2013). During this process, persons can be remanded in custody or remanded on bail. For purpose of this study, when remand is used, it refers solely to remand in custody. The United Nations Office on Drugs and Crime’s report on Custodial and Non-Custodial Measures (United Nations, 2006) also refers to remand as being

a form of pre-trial detention. As such, this understanding of what remand is will be used in this paper, along with the use of the phrase ‘pre-trial detention’ interchangeably, except when otherwise indicated.

According to Penal Reform International (2013), remand itself is not a punishment, but rather a measure within the criminal justice to safeguard the procedure of the court and to ensure that justice is capable of being effectively administered. This is because it is, at least by intent, used to prevent those suspected of crime from fleeing or from otherwise failing to appear before a court to answer the charges against them. Although its exact definition may be disputed, remand is commonly recognized as a facility, or a measure implemented to hold persons until either bail is ordered by the court or until their trial has been completed and a verdict returned. However, even at that point, it should be noted that individuals may continue to be remanded after being found guilty, but before being sentenced by a court (Spencer, 2016). This leads to the obvious conclusion that the definition of ‘remand’ does not always simply refer to ‘pre-trial detention’ as noted above, but instead can refer to detention of those awaiting sentence as well. This poses additional problems for the question of when and how far remand might be used legitimately; it might be suggested that indefinite remand awaiting the passing of a sentence by a court creates a risk whereby the law prevents judges from imposing the maximum sentence required.

People on remand may or may not have been found guilty, but it is important to note that none of them have received a custodial sentence. From a pre-trial perspective, legally, one is presumed innocent until proven guilty. However, many individuals for a myriad of reasons have spent lengthy times on remand, potentially creating a problem in the justice system

(Wallace et al., 2020). The Open Justice Initiative (2011) conveys that pre-trial detention is inherently problematic for three main reasons: the violation of the principle of remand as a short-term last resort to maintain a presumption of innocence until proven guilty, the longstanding impact on the suspect's social and economic status after acquittal, and the economic burden on the state contributing to overcrowding and inefficient operations of the prisons.

The use of remand globally has increased considerably over the years, evidenced by the growth in the numbers of those reported as being remanded (Coyle, 2016). With this increase, more issues have emerged in the media. Depending on the sector within society, a proposed solution to the problems faced may differ. For instance, policymakers believe that effective policy and management might be a solution. By contrast, the judiciary may call for changes in legislation, and prisoners may adopt a discourse in demand of better conditions. Whatever the argument, it is clear that remand potentially remains an unsolved, harmful problem across the world, as the numbers of those remanded in custody remain high.

In many countries, the remand population accounts for the largest proportion of the prison population (Coyle, 2016). For example, in some regions such as Central Africa, remand accounts for sixty per cent (60%) of the imprisoned population. Western Africa shows similar figures at fifty-six per cent (56%) of prisoners being on remand, whilst Southern Asia stands at 55%. The numbers are also high in the Caribbean, South America, Central America and Western Asia where remand populations are between forty per cent (40%) to fifty per cent (50%) (Coyle, 2016). Orjiakor et al., (2017) on the other hand indicate that remanded

prisoners make up as high as seventy per cent (70%) – ninety per cent (90%) of prisoners, in African, Latin American and South Asian regions.

Looking specifically at Trinidad and Tobago, Walmsley similarly revealed that pre-trial detainees account for approximately sixty per cent (60%) of the country's prison population (Walmsley, 2016). In this country, the remand system is an acute problem (Wallace, 2020); it is not possible to exaggerate the difficulties which are caused by the remand system in the state. These arise because of the conditions in which prisoners are kept on remand and the length of time that individuals might find themselves on remand before trial. An example of the type of difficulties caused by remand in Trinidad and Tobago is trial delays. This trickles into other difficulties which ought to be examined in greater depth within the criminal justice system, such as the delivery of justice, conviction rates, etc. Because of trial delays and a generally slow administration of criminal justice in Trinidad and Tobago, many individuals are forced to remain in custody for more than one year, some for up to ten years (Wallace, 2020). Though they have a distinct status, people on remand are barely seen as different from convicted persons when it comes to incarceration (Wallace, 2020). They are generally seen as prisoners or prison inmates; perceived to be dangerous, deserving incarceration and considered people who should be isolated from society, serving terms/punishment for their wrongs. For an individual who is entitled to a presumption of innocence, to be held without trial for a period as long as a decade is a fundamental violation of an individual's right to liberty. This is a critical yet overlooked issue in Trinidad and Tobago, solely from the perspective of the state's compliance with expected standards and respect for individual rights.

According to Wallace (2020), being held on remand in Trinidad and Tobago involves more than just considering the duration of detention or the time preceding trial. It encompasses feelings of uncertainty, hopelessness, despair, frustration, and a lack of trust in the criminal justice system. Wallace (2020) further stated that from the perspective of sustainable development, it is counterproductive to have a significant portion of potentially innocent individuals incarcerated in a non-productive capacity for extended periods. Furthermore, prolonged remand impacts various aspects of society, including medical, social, economic, and familial dimensions.

Wallace's assertion regarding the extensive repercussions of remand underscores the importance of comprehending its diverse effects on individuals, communities, and the broader criminal justice system. This lends credence to the significance of the current study. He argues that the conditions and circumstances surrounding remand in the country should be analysed through a perspective that integrates rights-based, socio-legal, and sustainable development considerations, especially for small states. However, despite the concern surrounding remand, there appears to be a scarcity of empirical evidence specifically addressing the topic in the available literature.

According to Wallace (2020), remand persists as a pressing concern for several reasons. Firstly, prolonged periods of remand represent a violation of human rights and yield adverse socio-economic repercussions for inmates, endangering their future job prospects, housing stability, and impacting their families. Secondly, extended remand compromises individual freedoms and the efficiency of the justice system. Thirdly, the awareness of being legally innocent yet detained instils fear and mistrust in justice and public safety mechanisms,

undermining their legitimacy. Fourthly, pre-trial detainees often endure inadequate resources and substandard conditions compared to convicted prisoners, heightening their vulnerability. Finally, the practice of cohabitating detainees facing diverse charges facilitates the dissemination of criminal knowledge and behaviours, potentially perpetuating cycles of crime. However, despite the awareness of these concerns *inter alia*, the absence of necessary empirical data makes it challenging to implement essential appropriate adjustments to the remand system. To address this gap, this study aims to provide empirical evidence by exploring the lived experiences of remandees in Trinidad and Tobago.

1.2 STATEMENT OF THE PROBLEM

The current literature on remand and remandees is noticeably sparse, fostering the perception that both the concept of remand and those detained under it are often marginalized and poorly understood within the field of criminology (Emelí, 2023; Kavur, 2021). Moreover, the distinct characteristics of remand imprisonment have received minimal attention in the areas of imprisonment and penal theories, as well as in critical criminology literature (Morgenstern, 2013; Emelí, 2023; Kavur, 2021). While existing empirical research predominantly focuses on descriptive analyses and numerical trends regarding remand populations, there remains a glaring dearth of scholarly exploration into the lived experiences of remand in the Caribbean, more specifically Trinidad and Tobago. This dearth of scholarly attention has resulted in a significant gap in our understanding of remand within this region. This gap underscores the pressing need for more detailed investigations that go beyond surface-level statistics and delve into the complexities of remand processes and experiences. Hence, additional research is imperative to fill this void to rectify this oversight and provide a

more comprehensive understanding of remand dynamics within the broader context of criminal justice systems.

In the landscape of Trinidad and Tobago's criminal justice system, the issue of overcrowded remand facilities remains a persistent challenge, amplifying concerns both politically and publicly. The prevalence of pre-trial detention exacerbates this problem, demanding attention and systemic reforms to alleviate the strain on resources and address the heightened public apprehension surrounding this issue (Wallace, 2020). The overcrowding in remand facilities not only can pose logistical challenges but also raises serious human rights concerns, highlighting the imperative for comprehensive reforms and community engagement to ensure a fair and just judicial process for all involved.

Remand remains a persistent concern in the Trinidad and Tobago criminal justice system, despite numerous calls for reform from various stakeholders and remanded suspects themselves. These calls underscore the belief that the issues surrounding remand go deeper than superficial problems that can be swiftly resolved. The gravity of these issues is evident in the significant and ongoing societal ramifications they generate in Trinidad and Tobago. For instance, the Joint Select Committee on Human Rights, Diversity, and Equality in the country has identified that prolonged periods in remand custody led to severe psychological and physical repercussions for inmates, including heightened levels of frustration, depression, and anxiety due to the inadequate conditions within remand facilities (Joint Select Committee Report, 2017).

The persistence of these challenges highlights the urgent need for comprehensive reforms within the remand system to mitigate the adverse effects on individuals and society at

large. Efforts to address these issues must encompass a holistic approach that addresses not only the physical infrastructure of remand facilities but also the broader systemic issues that contribute to the perpetuation of these problems. It is often argued that collaborative endeavours between governmental agencies, civil society organizations, and other stakeholders are essential to effecting meaningful change in areas such as remand and restoring faith in the criminal justice system. However, there has not been any formal empirical study of remand in Trinidad and Tobago to investigate the experiences of remand in Trinidad and Tobago.

Many pre-trial detainees in Trinidad and Tobago are forced to spend weeks, months, or even years in custody before their cases can receive final judgment from the court (Ramdeen, 2012). Added to this, the delay creates an overwhelming backlog of cases in the courts creating bottlenecks within the system. Therefore, it could be argued that the remand system is not beneficial to the administration of justice in Trinidad and Tobago.

Some problems associated with remand have been generally noted by the public, as seen in media reports. For example, *The Trinidad and Tobago Guardian* newspaper, on Wednesday 2nd March 2016, called remand a “time bomb” for those awaiting an outcome in their case. According to the report:

“Waiting for any length of time to get your charges heard, be it three days, three months or three years, is psychological murder. If you are poor, if you are innocent and you are waiting longer than that, then we are looking at eventual mayhem in T&T. We are now looking at 'twine,' which has become a lot longer than

time. Prisoners without charges of assault with deadly weapons or murder, have to be dealt with more expeditiously and humanely. Where are the security ankle bracelets that were supposed to be a good idea? Where is the parallel training of parole officers to keep a strict eye on people wearing the bracelets who are awaiting trial but who are deemed safe enough to be sent home?"

As the newspaper noted, it is inconceivable that all individuals on remand are incapable of being dealt with by some other means, such as by tagging with ankle bracelets and the extension of parole through the training of probation officers who presumably would be in charge of those on probation and those on bail. The description given of detainees on remand suffering ‘psychological murder’, and the link the newspaper made between this tension among the inmates in prison and the dangerous conditions this creates for prison officers, are indications that the length of time which remand can take in Trinidad and Tobago is a serious public concern (Joseph, 2016).

Similarly, there has been public concern in respect of the conditions faced by those remanded. On Tuesday, November 14th, 2020, in the *Trinidad and Tobago Guardian* newspaper, another headline read:

“Family wants answers as remand prisoner dies suddenly.”

“Murder accused Michael George, 29, of Indian Walk, Moruga, was remanded into prison custody on October 23 after he appeared in court charged with the murder of Aaron Goorachan. According to prison officials, George was found unresponsive in

his cell around 6 am on Sunday at the Extended Remand Facility at the Golden Grove Prison, Arouca. He was pronounced dead by the prison's doctor Dr Vinod Mahabir. Prison officials said George was mentally unstable and had been refusing meals for some time," (Guardian Newspaper, 2020)

The media excerpt set out above indicates that there is some concern with how remand is used in Trinidad and Tobago. It should, however, be noted that this is a specific example and appears to relate more to the conditions which are faced by prisoners on remand, rather than to the length of time that individuals spend on remand before trial. These are two separate issues. Nevertheless, it is also the case that the length of time for which prisoners are kept on remand does have the potential to impact conditions in turn, as overcrowding becomes more of an issue, and resources are ever more stretched by increasing numbers of detainees inhabiting the system (Safranoff, 2020).

Stories like the newspaper report above therefore indicate some of the possible problematic conditions for remand prisoners caused by its growing population, which in turn results from the slow processing of criminal cases (Wallace, 2020). Stories like these, focus on the persistent issues of remand and the state's inability to resolve them. To compound this, there is very limited research done within Trinidad and Tobago to clearly identify and articulate the issues and use empirical evidence to carefully address them.

Criminal trial procedures are quite slow-paced in Trinidad and Tobago, and because of this pre-trial remand poses a difficulty with the very administration of justice. The difficulty posed is that the prisoner may not even face imprisonment following the completion of their

trial and upon sentencing. This is because so much time would have already been served by that individual on remand. A substantial body of literature highlights the issue of prolonged pre-trial detention and the associated legal delays that afflict the remand system in Trinidad and Tobago. A number of social commentaries found in local news items identified delays in the adjudication process, such as case backlog and inefficient court procedures, which significantly extended the duration of pre-trial detention, leading to a situation where individuals were held in custody for extended periods before their cases were heard. For instance, an article by Achong et al. (2016) raises concerns about the experience of judges and the length of time it takes for criminal trials to be completed. It suggests that inefficiencies in case management, coupled with unprepared prosecutors and defense lawyers, contribute to significant delays in the adjudication process, prolonging the duration of pre-trial detention for individuals awaiting trial. This excerpt reflects broader criticisms within the legal community regarding the sluggish pace of justice administration and the need for improvements in case management practices to address the challenges faced by the remand system.

The implications of prolonged pre-trial detention are generally known, both from a legal and human rights perspective (Wallace, 2020). The fundamental right to a fair and expeditious trial, as enshrined in international human rights instruments, is compromised when detainees are subjected to extended periods of uncertainty and confinement. These findings underscore the urgent need for systemic reforms aimed at streamlining legal procedures and reducing the backlog that contributes to these delays.

These lengthy remand stays, create further social problems, because the prison experience of an individual on remand (rather than one who has been sentenced for an

offence) deprives the individual of any of the reintegration into society effects which a sentence of imprisonment might provide. These include educational facilities, training, and counselling, which might be able to help reduce rates of return to remand. These are simply not extended to remand prisoners, who are after all considered ‘innocent’ by law, and so cannot be presumed to need such rehabilitation. Upon their release from prison back into society, therefore, after spending a long time incarcerated, it is likely that these individuals may have not been provided with any real assistance by the state which might help remandees settle upon release back into society, resulting in further wasting of one’s life.

However, it should be noted, time spent on remand is not a problem solely confined to Trinidad and Tobago. For example, a study conducted in Scandinavian countries (Smith, 2017) demonstrates that some will be convicted at the trial stage but will not get a custodial sentence due to the time on the pre-trial detention being longer than the maximum time for the offence. This is a problem because it means that the defendant is punished more than the sentence that the law sought to impose upon them, creating injustice.

Petersen (2019) reports that in many circumstances, the defendant in custody may not get sentenced to imprisonment following a guilty verdict, not because of time spent on remand, but because the court may not justify the sentence substantively on the facts of the case. In all the scenarios, it therefore appears that the time spent in pre-trial detention will have a considerable effect on the individual. According to Edkins and Dervan (2018), these effects may include loss of accommodation (as in their place of abode outside of prison), community and family ties, employment, and deterioration in mental and physical health.

In terms of conditions faced by inmates on remand, Duff (2012) asserts that the facilities' deplorable conditions are due to congestion in the remand cells. The Trinidad and Tobago *Guardian Newspaper* investigated the remand system in the country in 2020. An article published in the paper indicated that:

"Remandees in Trinidad and Tobago are living in deplorable conditions due to congestion. There are more than 100 remandees housed in a room designed to hold 50 people." (Guardian Newspaper, 2020).

Additionally, an interview conducted by the same paper indicated that the remanded inmates demanded help from the government to rescue them from the near-certain contraction of diseases that they may experience while they are in custody. One of the interviewees asked:

"Why are we not being considered by the government? We are suffering in this place." (Guardian Newspaper, 2020);

The prison superintendent was asked about the condition of remand prisons. He noted that:

"The number of remand inmates is rising daily, however, there is no room to accommodate others." (Guardian Newspaper, 2020).

There is, therefore, a significant concern regarding overcrowding in the prison population in Trinidad and Tobago. Given that the system is already apparently at its absolute

capacity, with no room for other inmates, it is submitted that the prison system is already at a point of great crisis. Moreover, the remand crisis extends to the prison facilities across the island, evidenced by severe overcrowding, as noted by Khan (2013). This dire situation shows no signs of abating, exacerbating the challenges faced by the justice system. One of the foremost challenges plaguing the remand system in Trinidad and Tobago is the persistent issue of overcrowding within detention facilities. The literature consistently highlights this problem as a systemic and pervasive issue that has far-reaching consequences. Smith (2020) conducted an empirical study, examining the overcrowding in remand facilities across the nation. The findings revealed a concerning pattern of facilities operating well beyond their intended capacity, raising serious questions about the adequacy of the physical infrastructure to accommodate the detained population.

The consequences of overcrowding can be linked to substandard living conditions within remand facilities. The strain on resources, coupled with the influx of detainees, has led to compromised hygiene standards, limited access to healthcare, and an overall deterioration in the quality of life for those held in custody. The conditions within these facilities not only fail to meet international human rights standards but also contribute to an environment that hinders rehabilitation and exacerbates tensions among detainees.

An obvious consequence of overcrowding is that those remanded are forced to live in deplorable conditions and unhygienic environments. The fact that this problem has reached the attention of the *Guardian Newspaper* is an indication of growing levels of public concern at this unfolding crisis and suggests that urgent action is required.

A social commentary in the Trinidad Express newspaper published on November 20th, 2020 entitled: “*Pressure on prisons*”, noted,

“This is an ongoing travesty in our democracy, where persons are charged and left to languish in jail, in harsh, sometimes inhumane conditions, particularly now with this Covid-19 environment, without getting an opportunity to be heard and defend themselves in court.”

The writer noted that remand continues to be an “ongoing travesty” which signals the remand system continues to be a current unresolved issue in Trinidad and Tobago. It also highlights another issue, access to justice.

Access to justice is a fundamental principle that underpins the rule of law, which remains elusive for certain groups within the criminal justice system, perpetuating systemic injustice (Brookman et al., 2001). The inability of these individuals to access proper legal representation perpetuates a cycle of systemic injustice. One such unequal access that emerges is disparities in securing legal representation. The right to legal representation is a cornerstone of a fair and just legal system, an issue investigated by Brookman et al. (2001) among two groups of remanded suspects and young persons in the criminal justice system. Brookman identified issues of reconciliation between practice and rights enshrined in policy amongst remanded suspects. Despite global research, Trinidad and Tobago lacks comprehensive studies on these issues (i.e., legal representation and access to justice), exacerbating challenges amidst overcrowded remand facilities within the criminal justice system of Trinidad and Tobago. This, even as remand facilities continues to be overcrowded. The implications of this issue are profound, as the inability to secure effective legal representation

not only compromises the rights of the accused, but also undermines the overall fairness and efficacy of the justice system.

Fairness and justice within the Trinidad and Tobago criminal justice system is overshadowed by the human rights abuses that are often highlighted in social commentary. Within the remand system of Trinidad and Tobago, there is a disturbing undercurrent of human rights violations and a consequential deterioration of detainee well-being. A number of human rights studies like those conducted by the U.S Department of State have reported a comprehensive examination of the conditions within remand facilities, revealing instances of abuse, neglect, and a general disregard for the basic human rights of detainees (Trinidad and Tobago - United States Department of State, 2020). This study documented cases of overcrowded cells, unsanitary conditions, and inadequate access to healthcare, all of which contribute to an environment that infringes upon the dignity and well-being of those held in custody.

Building on this foundation, a number of policy studies explored the broader implications of human rights violations within the remand system (Brookman et al, 2001; Trinidad and Tobago - United States Department of State, 2020; Khan, 2013) emphasizing the need for adherence to international human rights standards and highlighting the disconnect between the conditions in remand facilities and the principles enshrined in the Universal Declaration of Human Rights. The prevalence of such violations not only tarnishes the reputation of the justice system, but also raises ethical concerns about the treatment of individuals within the remand system.

The remand system in Trinidad and Tobago is beset with a myriad of challenges that necessitate urgent attention and reform. The aforementioned scholarly literature collectively underscores the pressing issues of overcrowding, prolonged pre-trial detention, inadequate legal representation and human rights violations. In each of these issues there is a heavy concentration on prisoners on remand, with little focus on the prison officers who also work in these conditions.

In Trinidad and Tobago, prison officers have daily and direct contact with individuals on remand and are responsible for the detainees' daily routine, classification, custody, security measures, protection of prisoners, guests, and other visitors, programme activities, and access to the external world. Additionally, they are involved in the rehabilitation and education of the detainees. Nagy (2016) asserts that the prison officers have absolute power over the prisoner, and they are therefore also important individuals in the remand system who can help ensure that the rights of detainees on remand are respected. These prison officers therefore have an important duty of care, ensuring that detainees are treated with dignity and respect.

Continuous interaction between prison officers and detainees emphasizes the significant influence daily interactions can have on the experiences of remand suspects and officers alike. The quality of prison remand officers' working environment and how they treat and interact with each other in turn affects how they treat remand inmates. Trained and valued prison officers apply their skills in treating prisoners and pre-trial individuals in their place of work.

There has been significant public as well as political concern surrounding the remand situation in Trinidad and Tobago. This concern typically focuses on either the inadequacy of relevant criminal justice legislation and policy or the inadequacy of human rights protection

(Seetahal, 2001; Spence, 2019). Despite the various problems related to the remand system, there has been limited research done on remand in Trinidad and Tobago. As such, the present study aims to remedy this. Nevertheless, the literature review will highlight the few studies which have been carried out on remand, specifically in Trinidad and Tobago.

The multifaceted nature of these challenges demands attention. Addressing the root causes of these issues requires research which provides a well-informed foundation for making decisions. Ultimately, this study serves as a call to action, urging stakeholders in Trinidad and Tobago to employ a collaborative and evidence-based approach to understanding the remand system. By doing so, the nation can move toward a justice system that aligns with international standards, respects the rights and dignity of individuals, and contributes to the overall well-being of society.

Moreover, there continues to be relatively little academic work done on remand policy within the country's criminal justice system, particularly compared to academic interest in sentence disposals, for example. It is, therefore, fair to say that research is desperately needed within this area for policymakers to understand its development holistically, and offer appropriate, guided solutions. The current study fills the research gap, by exploring the remand system within Trinidad and Tobago, and the problems it creates, through the experiences of inmates and other key players involved.

1.3 RESEARCH RATIONALE

The dearth of scholarly exploration into the lived experiences associated with remand highlights a critical gap in our understanding of the criminal justice system within Trinidad and Tobago. This study aims to fill the gap in existing research by conducting an in-depth

examination of the experiences of individuals involved in pre-trial detention and the complexities of remand processes. The research seeks to provide valuable insights for the field of criminology and to influence policy and practices related to remand in Trinidad and Tobago. The rationale of this study lies in its potential to enhance our understanding of the multifaceted nature of remand and its implications for individuals and society. While empirical studies have offered valuable insights into the demographic composition and trends of remand populations, they often overlook the underlying dynamics and socio-legal implications of remand. By delving into the real-life experiences of both remandees and those involved in the remand process, researchers can reveal the structural inequalities and systemic biases, if any, that influence their experiences. This deeper understanding is essential for policymakers, practitioners, and scholars alike to promote the development of targeted interventions that address the root causes of pre-trial detention conditions and promote fairness and equity within the criminal justice system.

This investigation will add to the existing body of literature on remand by reporting on the lived experiences of those in the system; primarily of remand suspects, and secondarily of prison officers. Insights about these experiences will be contextualized, illuminated and positioned further by exploring the intentions and perceptions of decision makers in the system (policymakers and legal players). It is intended that this insight will inform or influence decision makers, both policymakers and those dealing with pre-trial detention. This investigation may ultimately assist in the redesigning of the criminal justice system's policies and develop a better remand structure that will protect human rights and liberty in Trinidad and Tobago.

A notable aspect of this study is its examination of the perspective of the decision maker: aiming to contextualize and enrich the understanding of the experiences of remandees delving into the perspectives of decision makers within the criminal justice system offers valuable insights into the factors influencing decisions related to remand, such as bail determinations or pretrial detention. By situating the experiences of remandees within the broader decision-making framework, this study seeks to uncover nuanced insights that contribute to a more comprehensive understanding of the remand system. This approach not only enriches our understanding of the challenges faced by remandees but also offers opportunities for systemic improvements.

Ultimately, this study can provide an understanding of the challenges experienced within Trinidad and Tobago in relation to the remand system, allowing stakeholders to develop tailored and sustainable solutions to address these policy and practice problems at their core. By incorporating evidence-based practices, any changes that may come about are more likely to withstand changes in leadership and societal shifts, ensuring their longevity and continued effectiveness.

1.4 MAIN OBJECTIVE OF THE RESEARCH

Given the scope of the study, the primary aim was to explore the characteristics of the remand experience in Trinidad and Tobago. The research sought to comprehend how individuals undergoing remand perceive and navigate their circumstances. To achieve this, the study methodically examined the first-hand accounts and lived experiences of remand prisoners who have endured extended periods of incarceration in Trinidad and Tobago.

Additionally, perspectives from other stakeholders, including prison officers, legal professionals, and government officials, were also be examined in an attempt to contextualise these lived experiences. By reviewing these narratives and exploring the potential repercussions of prolonged detention, the study aims to illuminate the multifaceted impact of remand within the criminal justice system.

1.4.1 Specific Objectives

Based on the aim of the investigation, the specific research objectives were:

1. To examine and document the experiences of remanded suspects in Trinidad and Tobago, focusing on their confinement conditions, interactions with staff and inmates, and overall physical and mental health.
2. To analyze how the experiences of remanded suspects are shaped by the actions and decisions of key criminal justice stakeholders, including prison officers, judges, prosecutors, defense attorneys, and policymakers in Trinidad and Tobago.
3. To explore the broader implications of the findings, identifying areas for reform to improve the treatment of remanded suspects and the effectiveness of Trinidad and Tobago's remand system.

1.5 RESEARCH QUESTIONS

Based on the specific objectives of the research, the following research questions were formulated.

- a) How do remanded suspects in Trinidad and Tobago perceive their experiences during detention?
- b) How do the perspectives of prison officers, who are immediate decision-makers, provide context to the experiences of individuals in remand?
- c) How do the perceptions and decisions of decision-makers in the Trinidad and Tobago criminal justice system shape and contextualize the experiences of remanded suspects and prison officers?
- d) What potential policy and practice implications arise from the experiences and perspectives gathered from remanded suspects, prison officers, and criminal justice decision-makers in Trinidad and Tobago?

1.6 SIGNIFICANCE OF THE STUDY

The research questions outlined above stem from the recognition of the significant impact that remand can have on individuals, as well as the broader criminal justice system. Central to this study is the aim to amplify the voices and narratives of individuals subjected to, and working within, remand. Understanding these lived experiences and the conceptual underpinnings of remand is of crucial significance for elucidating, enhancing and strengthening the role of remand within the criminal justice system.

By investigating the experiences of remanded suspects and, by extension, other stakeholders who are involved in the remand process (such as prison officers, lawyers, and judicial officers), this research endeavours to explore and contextualise the lived experiences within the Trinidad and Tobago criminal justice system. Moreover, by considering the perspectives

of remandees and examining how these perceptions and decisions shape their experiences and the functioning of the prison system, the study aims to provide valuable insights into the complexities of remand in Trinidad and Tobago and by extension, the criminal justice system in Trinidad and Tobago.

The results of this study will be of great benefit to the following:

The Criminal Justice System in Trinidad and Tobago – As one of the initial independent empirical qualitative studies investigating the lived experiences of remandees in Trinidad and Tobago, it is anticipated that the findings will offer a distinctive body of information that can contribute to the development and improvement of the criminal justice system in Trinidad and Tobago. Furthermore, it may serve as a catalyst for increased attention to remand issues across the Caribbean region. The data given will provide the criminal justice system in Trinidad and Tobago with important information on the lived experiences of individuals within the country's remand institutions. The results will provide valuable data so that effective policy and practice strategies can be developed to help improve the experience of remanded prisoners across the country by enhancing the conditions of remanded prisons. Furthermore, the data collected will help the criminal justice system to initiate collaborations among different stakeholders to help fast-track court processes to reduce the time suspects spend on remand.

Remand and Prison Officials – The results of this study will not only aid remand and prison officials in evaluating the conditions within remand prisons but will also assist in critically examining their relationships with suspects on remand. By shedding light on the lived experiences of individuals awaiting trial, the study will provide valuable insights into

how to improve their treatment and well-being. Additionally, the findings will inform remand and prison officials about effective strategies for handling and relating to suspects on remand, thereby promoting the fundamental principle of presumption of innocence until proven guilty. Given that remandees are often an understudied group in Trinidad and Tobago, this research will fill an important gap in understanding and addressing the needs of this vulnerable population.

Research Community- The findings of this study offer valuable contributions and knowledge to the existing international literature, particularly in shedding light on the Trinidad and Tobago remand system. This perspective has been largely absent from broader discussions on remand and prison studies, creating a gap in understanding. Additionally, the study may enrich the Caribbean perspective, which has been relatively limited in the wider discourse. By exploring the lived experiences within the Trinidad and Tobago remand system, the research provides insights into the complexities and intricacies of this particular context. These insights can enhance our understanding of the challenges faced by individuals within the system and inform future research, policy-making, and interventions aimed at addressing systemic issues and improving conditions on remand. Overall, the study fills a crucial gap in the literature and contributes to a more comprehensive understanding of remand practices in the Caribbean region.

1.7 STRUCTURE OF THIS THESIS

This first chapter has introduced remand in Trinidad and Tobago and highlights some of the issues to be discussed, along with background information regarding the relevant policy and operational framework, research rationale, research objectives, and research questions.

Chapter Two reviews the academic literature focused on remand. Here, themes emerging from the literature concerning the remand system are explored. Additionally, the existing literature on remand in Trinidad and Tobago is discussed.

Chapter Three provides an overview of the methodology employed in this study, detailing the research design and data collection methods utilized. In Chapter Four, the findings derived from the study are presented, offering insights into the research questions posed. Chapter Five delves into a thorough discussion of these findings, analyzing their implications and significance within the broader context. Finally, Chapter Six consolidates the conclusions drawn from the study, along with any potential recommendations stemming from the research findings.

CHAPTER TWO: LITERATURE REVIEW

2.1 INTRODUCTION

This section of the study provides an introduction to the concept of remand, offering an overview of existing literature, studies, and journal articles related to this topic. The goal is to gain a comprehensive understanding of remand, including the identification of emerging codes and themes in remand literature, as well as an exploration of lived experiences within the remand system. Additionally, this section aims to examine what is currently known about remand specifically in the context of Trinidad and Tobago.

Methodologically, this literature review was conducted by undertaking a review of literature on prison law and remand in Trinidad and Tobago, in the Caribbean-Commonwealth region more generally, and around the world. This began with an electronic search of such literature on the university's library catalogue and through internet searches of relevant databases such as Sage Journals, EBSCOHost, Researchgate, and JSTOR.

2.2 REMAND OVERVIEW

Remand systems can be categorized in two ways. According to Williams (2016), remand can be both an identifiable state (not convicted) and a physical space (imprisonment). As a state, Casale and Plotnikoff (1990) defined a remand prisoner as a prisoner not yet convicted or sentenced to a term of imprisonment. However, the individual is held in custody (physical imprisonment) pending the determination of guilt or innocence or awaiting his or her sentence after conviction. Both the identifiable and physical state remand systems are

important in the criminal justice system since they serve a specific purpose. Hence, there is a need to investigate the identifiable and physical state and find out its effects on remand inmates.

There are notable popular areas of study, including remand conditions and the impact of remand. There are also understudied areas, such as policy frameworks and lived experiences. However, there have been investigations into the state and various aspects of remand which give us a glimpse at the lives of those living on remand. There has also been considerable socio-political commentary on the impact of legislative and policy changes on the remand system. For instance, Wiseman (2014) commented on the use of policy in electronic monitoring which was introduced in the United States to examine how that would impact pre-trial detention, while Redpath (2015) concluded that the impact of the policy position "tough on crime" was an increased number of detainees on remand in Africa.

Remand is seen as a necessary measure for the criminal justice system (Bargent, 2017). Despite the limited focus on this topic in existing literature, the implied necessity of remand is apparent through the scarcity of arguments advocating for its removal. This underscores the pivotal role of remand in the criminal justice system. Therefore, gathering empirical evidence becomes crucial, as it provides meaningful insights into the functioning and significance of remand within the criminal justice context.

Abbott et al. (2018) reported that remand systems vary from country to country, with each country slowly developing and identifying the practices which lead to the best outcomes in their remand system and overall criminal justice system. To this extent, the literature and

statistics are cross-national (Walmsley, 2014 and 2016). There have also been comparative works using these secondary statistics, like Moustakas (1994) positing that one of the best examples of this data is the World Pre-Trial/Remand Imprisonment List by the World Prison Brief. Kavur (2021) notes that there is no systematic year to year figures readily accountable on remand statistics particularly for young people on remand. Cross-national studies also signal to us that there are different stories to be told, and that different countries' perspectives may aid in the development of remand systems globally, as they can help to develop some sort of internationally accepted best practice. In this manner, Trinidad and Tobago's study is critical in adding its unique view, but also in contributing to the Caribbean's understanding and literature as a region.

The vast majority of accumulated empirical knowledge that exists on remand, although limited, appears to be concentrated in Australia (Sarre, King and Bamford, 2006; Sarre, 2016); South Africa (Redpath, 2014 and Sekhonyane, 2005); Canada (Weinrath, 2009; Jones, Buicerius and Haggerty, 2019); the United States (Eisenstein, 1977; Nesbitt, 2008; Daskai, 2009), and the United Kingdom (Stevens, 2009; Silvestri, 2013). In examining the overall landscape of remand, these accounts largely constitute the current global view. The literature drastically narrows when exploring the Caribbean experiences and more so, is almost silent when considering Trinidad and Tobago. Without the Caribbean perspective, the global view, understanding and landscape of remand literature is incomplete and limited, representing a significant gap within the literature.

There is also evidence of other comparative analyses within the literature that are based on legal research and not centered solely on statistics. These analyses examine different

laws and regulations to compare remand across different jurisdictions. For instance, Nesbitt (2008), through comparative analysis, looked at how Australia and the United States managed terrorists and preventative detention. The study concluded that American strategies and policies towards pre-trial detention are far more intrusive of individual liberties while Australians are more protective of its procedures and safeguards from abuse. This study can be influential as it provided some comparative insight into improving the American pre-trial system for terrorists.

In analysing the literature, it is easy to form a perception that pre-trial detention is encapsulated within the literature that focuses on incarceration or prison and its environment (Collins, 1992; Walmsley, 2016; Bargent, 2017). Perhaps this may be so because one of the most well-known physical forms of remand is imprisonment (Walmsley, 2016). This may suggest that the study of remand in its own right is warranted. In this respect at least, this current study is quite significant. It must be stated at this point, that although remand is widely known through its use of prisons, imprisonment is not the only form of remand. There are also detention houses, centres and home arrest mechanisms. However, while undertaking the literature review, it was observed that remand imprisonment is the focus within the literature. A thorough and comprehensive body of research that delves into the non-legal, socio-economic, historical, and structural factors, as well as the distinct nature of remand imprisonment, has been notably limited in discussions within imprisonment and penal theories, as well as in critical criminology literature.

2.3 KEY CONCEPTS OF REMAND LITERATURE

2.3.1 Supporting Justice

The first concept found in the literature on remand is that of the role it plays in supporting justice. The detailed historical development of remand systems has not been charted anywhere in the literature. However, it has been identified that since its existence, remand is considered vital to the criminal justice system. Schnake (2014) and Schneotich (2008) both concluded that the abolition of custodial remand is not warranted because remand plays a significant role in supporting and, even maintaining, justice within the system. . Recent research by Stevens and Radcliffe (2022) reinforces this notion, emphasizing that remand ensures the accused's presence at trial, which is a fundamental aspect of maintaining justice in a fair legal process.

Melvina et al., (2018) stated that in most jurisdictions remand is imposed on individuals to ensure their appearance at trial, ensure public safety, and ensure justice is maintained within the broader criminal justice system. It is observed in the literature that justice is one of the most prominent concepts that appear in connection with different jurisdictions. Akuamoah (2012) highlighted that justice for all is fundamental to the formulation of policies and the understanding of remand. The author argued that justice is conceptualized as giving remanded prisoners their just due.

In the broader literature, it is established that justice is pivotal in ensuring the rule of law is achieved (Johnson, 2001). According to Tomlinson (2021), justice in the remand context is crucial not only for the accused but also for the public's perception of the legal system's integrity. In the criminal justice system, literature establishes justice as a core value

and objective, which is therefore also extended to remand (Lahti, 2017). The literature seems to consistently align the concept of justice to the role of the remand system as highlighted thus far. Although there is limited literature that evaluates the effectiveness of remand, there appears to be a tacit understanding that remand is working as part of the big picture, to ensure justice within the criminal justice system. It is this understanding that sees remand systems as necessary within the criminal justice system (Transform Justice, 2018).

Moore (1997) defines criminal justice as either a system or a process. As a system, it refers to the structured agencies and procedures established by the state to govern and oversee crime and its entities. As a process, Newman (1978) showed that it refers to the procedure for arrest, charging, the trial of a suspect, and confinement of an offender. It also refers to the remanding of an accused. In this manner, it highlights that criminal justice systems across the world generally have three fundamental objectives: they are investigative, adjudicative, and correctional (Daly and Saree, 2016). Primarily, these objectives work collectively to maintain law and order through the execution of penal operations, which reinforce the acceptable norms of society and, most importantly, ensure that justice is achieved.

Bowles and Cohen (2008) asserted that the remand system is also concerned with the second and third of these objectives because, by being a part of the criminal justice system, an individual is remanded to ensure public safety, their safety, and to assure their appearance at their court hearings and trial. It is expected that these actions will ensure that justice is achieved (Brookman, 2001; King et al., 2006). This is questionable, however, as the role of remand may not in itself be the goal of justice but rather is the vehicle used towards justice. In other words, it is arguable that remand is not an end in itself but a means to an end. With such

an important role, there is a lack of empirical data within the literature to support that remand on its own achieves justice, or even partially supports justice. Despite this, in the literature, there seems to exist an unspoken assumption that remand systems are expected to ensure justice is achieved.

Remand systems should serve justice to every remandee in each country. However, Brookman's (2001); Brookman and Pierpoint's (2003) and Bennett's (1939) studies on legal and human rights in the justice system, indicate that the criminal justice system may sometimes be identified as unjust as their policies are not always reconciled when put into practice, creating distance between policy and practice when specifically speaking about access to justice and remand. This shows that although the criminal justice system is being identified as unjust, there also exists an assumption that it is just.

The assumption of justice is further questioned by scholars working within legal and human rights frameworks, who argue that the remand system is unjust. Bennett (1939) showed that for a system to be targeted as unjust, there must be an assumption that it is supposed to represent justice. For decades, this argument of an unjust system has consistently existed in the literature across jurisdictions and among the different types of prisons (i.e., males and females, minors and adults). For instance, in the United States, Kinsella (1938) and Bennett (1939) argued that the use of remand is unjust, discriminatory, unequal, and unsanitary. It also violates the rights of the untried prisoner. In more contemporary times, Redpath (2014), while exploring South Africa's prisons, claimed that remand is unjust and unsustainable. Support for this perspective is echoed in recent analyses by Parker and Lynch (2020), who highlight systemic inequalities in remand practices across various jurisdictions, noting that these

disparities often lead to unjust outcomes. A study conducted by May et al. (2014) and Turner and Connor (2019) both found that as reported by both offenders and criminal justice practitioners, jails and correctional boot camps are perceived and encountered as notably more punitive compared to prison settings which can be argued as also being unjust.

This study therefore investigates Trinidad and Tobago's remand and justice system and the experience of the remandees but also seeks to examine a gap in the literature in this area, which is that there is presently very little empirical data or secondary research in this area on which reform proposals can be made in line with the research question set out above. This may increase the extent to which the system serves human rights and justice.

2.3.2 Control

The theme of remand systems being a control tool has gained increasing attention in contemporary literature. While the concept of control is often discussed as a broader goal within the criminal justice system, recent scholarship is shedding light on its specific relevance in the context of remand. Although remand is traditionally associated with the pursuit of justice (Bennett, 1939; Brookman, 2001; King et al., 2006), a growing body of literature suggests that remand unintentionally serves as a mechanism for exerting control within the criminal justice system, challenging the conventional view that its sole purpose is to detain individuals until their trial.

The literature indicates that remand is strategically employed as a control measure, and more often in a political sense. Weinrath's (2009) study provides valuable insights, offering perspectives from Canadian inmates regarding policy implementations by the then Government who instated a "two-for-one policy". This policy allowed individuals credited

time for their period on remand and was identified as a factor causing trial delays. Lawyers sought "extra credit" for their clients, resulting in a surge of individuals being placed on remand. In response to these dynamics and to regain control over the legal processes, new legislation was introduced, reducing the two-for-one policy to a one-to-one ratio (Weinrath, 2009).

The issue of control extends to being cited as a contributing factor to the well-publicized problem of overcrowding within remand systems. Redpath's (2015) analysis of remand practices in Africa underscores the impact of the "tough on crime" policy stance, correlating it with a notable increase in the number of individuals held in remand. This policy-driven surge in remandees not only reflects a broader philosophy but also exemplifies how control measures, when implemented without due consideration, can have unintended consequences, such as overcrowding.

In essence, the evolving literature on remand systems is bringing to the forefront the significant role of control. It highlights how remand, beyond its primary association with justice, is intricately linked to broader strategies of control within the criminal justice system. Kavur (2016) states that their examination of remand data concerning youth on remand, as presented in their thesis, illustrates the transformation of remand detention into a spatial mechanism for crime control. The findings of this study also indicate that youth remand detention functions as an initial deterrent and control measure for security in Turkey. In an earlier study, Stewart (2004) argued that custodial remands are considered a means of preventing subsequent offenses (a form of crime control). The study assumed an earlier study, Packer's (1969) 'crime control' and 'due process' models are prominent as framework models in the criminal justice system. The crime control model prioritizes maximizing detection and

conviction rates, aiming for swift and efficient decision-making akin to an "assembly-line conveyor belt" in criminal justice processing. The crime control model serves as a deterrent against further offending.

The insights gleaned from the Canadian and African contexts underscore the need for thoughtful policy considerations to avoid unintended repercussions, such as trial delays and overcrowding, in the pursuit of effective control mechanisms within remand systems.

Redpath (2015) and the Justice Committee (n.d.), in *The Role of Adult Custodial Remand in the Criminal Justice System*, claimed that overcrowding on remand resulted from two reasons. Firstly, the obvious increase in the number of individuals being arrested meant that, when the policy was adopted, it led to more persons entering the system. Secondly, and as a consequence of this, the policy did not address the length of time persons remained on remand, therefore, creating a backlog of cases and as such, the number of persons on remand increased. The article concludes by asserting that, under the prevailing policy framework, the system becomes unsustainable due to the ever-growing number of prisoners within an already overcrowded environment. This underscores the urgent need for a re-evaluation of policies to ensure their long-term viability and effectiveness, emphasizing a balanced approach that considers both the immediate need for control, and the potential downstream consequences on the remand system's functionality. This indirectly calls for a more evidenced-based approach to enable proper re-evaluation and policy framework as it pertains to remand in that city.

In an earlier account, Fagan (1996) emphasized that the policy of preventive detention had been employed as a tool for social control. Additionally, Fagan (1996) raised a critical inquiry about the predictability of dangerous behaviour. His ultimate conclusion was that the

expenses linked to preventive detention have been considerable, particularly for the accused, leading to the assertion that the system of preventative detention (another name for remand) seems unjustified.

The exploration of remand as a method of control, particularly in the context of Trinidad and Tobago, has been conspicuously absent from existing literature. Nevertheless, numerous articles discussing remand in various jurisdictions indirectly touch upon this notion as they delineate explanations for the escalating numbers within the remand system. A noteworthy concern raised by the present study pertains to the remand system in Trinidad and Tobago, highlighting how the pervasive 'tough on crime' approach coupled with prolonged delays can potentially result in arbitrary punishment. This occurs when individuals are arrested by the police, leading to extended periods of detention on remand.

To address this knowledge gap, there is a pressing need for empirical research that delves into the dynamics of control concerning remand practices within the criminal justice system. The current research project aims to bridge this informational void, specifically focusing on the criminal justice system in Trinidad and Tobago. This study endeavours to provide a more nuanced understanding of how control operates within the remand system, shedding light on its implications and potential ramifications in the Trinidadian and Tobagonian context.

2.3.3 Overcrowding

A prominent theme surfacing in contemporary literature revolves around the immediate and pragmatic concern regarding overcrowding within remand facilities. Frankel's seminal work in 1997 underscored that overcrowding is a pervasive and critical issue in remand systems globally, significantly influencing justice, the presumption of innocence,

human rights, and the political disposition toward remand. . (Coyle, 2021; Doyle & Thomson, 2020; Kawashima & Ito, 2019). The adverse effects of overcrowding extend beyond mere logistical challenges; they have implications for the core tenets of justice and human rights. (Smith & Hanson, 2022).

The literature suggests that overcrowding, although acknowledged as a pervasive issue, does not inherently provoke political will for systemic reform. This inertia seems to persist unless overcrowding is linked to negative publicity or can be incontrovertibly tied to a demonstrated threat to public health or security (Turner & Day, 2023). It is conceivable that governments, aiming to utilize protracted and unpleasant remand experiences as a deterrent for criminal activity, might indirectly pursue overcrowding and subpar conditions within remand facilities. (Kawashima & Ito, 2019).

This intricate challenge requires a thorough examination, recognizing its effects on the larger criminal justice system and understanding the possible motivations guiding governments' reactions to overcrowding. The current discourse calls for a comprehensive examination of the intricate interplay between overcrowding, political will, and the pursuit of effective reforms within remand systems. (Coyle, 2021; Smith & Hanson, 2022).

Bamford et al. (2006) explored an Australian remand population, proposing that particular factors impact remand systems and their population size. These factors include (1) the number of individuals who come into contact with the justice system, (2) changes in bail policy or practices, (3) changes in remandees' characteristics and, (4) the fluidity of the court system or delays. Further, in their report, Bamford et al. (2016) found that the majority of the numbers in Australia are associated with the first aforementioned factor. The first factor is

attributed to policy formation and delivery, by which Bamford et al., (2016) appeared to confirm that policy has a direct influence and impact on the remand system.

Similarly, King et al. (2005) proposed that the remand system has been impacted by factors that are separate from the general prison. These factors include changes in the volume of persons appearing before the courts because of changes in crime rates, apprehensions, or charging practices. Also, changes in bail practices and policies affect the probability of bail being granted or denied. Moreover, changes in defendant characteristics make custodial remand more likely and, court delays affect the average period spent on remand. Of these factors, King et al. (2005) noted that research on remand patterns has primarily been focused on the first factor.

Australia has been one of those forward-thinking jurisdictions that attempted to provide evidence-based reasoning for the increase of numbers in the remand system. While studies have shown that overcrowding is an emerging issue in remand facilities, there is an information gap on the consequences of such for remandees, their families, and other stakeholders, such as taxpayers or the society at large. The current study fills this information gap and investigates remand experiences in the respective facilities.

Qin's study in 2016 revealed the highly politicized nature of the remand system, shedding light not only on its impact on the concepts of control within the system, but also on issues like overcrowding. The existing body of literature, although limited, contains commentaries and arguments that rely on exceedingly restricted evidence regarding the influence of policy changes or political decisions on remand practices. MacBath's perspective

in 2010 posits that legislation and policy, in theory, represent the consensus of a society and its institutions. This implies that politics play a significant role in shaping the operational aspects of the remand system.

Alexander et al.'s research in 1958 demonstrated that legislative bodies craft Bail Acts, delineating the purpose of remand, its operational framework, and guidelines for its utilization within the remand system of a country. In this context, the legal framework is intricately tied to political decisions and societal consensus.

Bowles and Cohen (2008) highlighted the strategic role of the government in representing the interests of the electorate, encompassing society at large. As such, the formulation of policies addressing the criminal justice system, including remand practices, is a responsibility of the government. Consequently, it can be argued that Parliament's response to remand should be significantly influenced by societal factors, including the input of pressure groups such as human rights activists, ex-prisoners, and the judiciary.

Edger's insights in 2004 added another layer to this understanding, suggesting that remand may be responsive to socio-political pressure. Over the years, government organizations may have undergone numerous changes to accommodate the concerns raised by these pressure groups. However, the consequence of this responsiveness is that decisions might have been made hastily, without a comprehensive empirical investigation to effectively address underlying concerns.

In essence, the interplay between politics and the remand system is evident, with legislative bodies, government institutions, and societal pressures collectively influencing the policies and practices within the system. The need for a more balanced and evidence-based

approach is emphasized, ensuring that decisions regarding remand practices are well-informed and effectively address the multifaceted issues at hand.

Himsell (1986) argued that the American 1984 Bail Reform Act affected the rise in numbers on remand as it gave authority to judicial officers to detain a defendant if officers determined their likelihood to commit a crime on release was high. His analysis of preventive detention concluded that this measure is too sweeping and has led to a high number of erroneous detentions within the system. With closer investigation, however, such a decision to not release because of the likelihood of committing a crime tells us that remand was a form of crime control, and therefore is being used to address the social issue of crime.

Notably, there has been an overall increase in evidence-based studies on the criminal justice system (Chambliss et al., 2011; Kennedy, 2014). This has impacted the pre-trial system, as there are some assumptions and presumptions that can be drawn from this wider increase in literature on a wider issue. From this growing body of work, conclusions can be drawn regarding the overall advancement of the system and its implications for specific components within it. Therefore, it can be argued that there is an overall advancement in the general procedures and process within the criminal justice system which intrinsically would impact the remand system.

However, growth in number on remand, in identifying remand as an individual system, specific attention is now needed to allow for proper evaluation of that system and issues surrounding overcrowding in this particular system. The distinctive characteristics of remand imprisonment have received scant attention within imprisonment and penal theories,

as well as in critical criminology literature. However, recent developments in the justice system pertaining to remand imprisonment over the past few decades underscore the imperative to incorporate it more prominently into penal theories. It also requires a heightened focus and targeted remand research to increase the evidence base, as outlined by Bechtel et al. (2011). They saw a need to further look at effective pre-trial programs as there was a shift in evidence-based practices within the criminal justice system. They concluded that this shift would inevitably impact pre-trial detention and any related operation or issues such as overcrowdings, and also stated that policy would provide a basis for monitoring and evaluating, among other instruments that would significantly improve the pre-trial system and its issues such as overcrowding (Bechtel et al., 2011).

2.3.4 *Innocence*

A notable theme emerging in the literature pertaining to the remand system revolves around the foundational principle of "innocent until proven guilty." This concept underscores the fundamental notion that individuals within the remand system should be presumed innocent until their guilt is substantiated through due legal processes. It represents a cornerstone principle in criminal justice, emphasizing the protection of individuals' rights and dignity during the pre-trial phase. The recognition of this principle within the discourse on remand contributes to discussions about fair and just legal procedures and the safeguarding of individuals' rights throughout the criminal justice process. Many authors focused on this concept, identifying it as fundamental to issues concerning remand. Dobbie et al. (2018) demonstrated how the violation of the presumption of innocence principle poses many challenges to remand systems globally and has given momentum to the growing body of

literature on remand. In essence, remand is not and should not be punishment. The presumption of innocence signals authorities to restrict the use of remand.

Stevens (2009) highlights the significance of the phrase "presumption of innocence" within the decisions of the European Court of Human Rights concerning remand. Rooted in the principle of presumption of innocence, many courts globally, when adjudicating bail applications, assert that individuals accused of a crime should await their trial while in liberty. However, there are instances where the pursuit of justice takes precedence over this presumption, leading to the detention of the accused in remand until the trial.

It is crucial to recognize that, despite being detained, individuals on remand retain the legal presumption of innocence. This underscores a fundamental aspect of the legal framework, emphasizing that the act of detention itself should not be interpreted as a pre-determination of guilt. The delicate balance between ensuring justice and upholding the presumption of innocence is a critical consideration in legal systems across the world, and Stevens' exploration sheds light on the complexities inherent in these decisions, particularly within the context of remand.

However, Elgar (2009) questions whether innocence is meant to restrict the use of remand. In this case, other forms or alternatives to incarceration should be used with suspects, these include restitution, probation, rehabilitation services, and community services. Of course, these alternatives only exist with respect to prisoners sentenced to imprisonment, but the use of these techniques amongst such prisoners would reduce pressures on the prison population in general, which would then improve conditions for remanded prisoners.

Moreover, better training and more resources being dedicated to alternatives than remand such as effective monitoring of individuals on remand through electronic tagging, and monitoring by parole officers might be able to help this even further by reducing the number of remanded prisoners.

Stevens (2009) contends that despite the presumption of innocence, there has been a noticeable increase in the use of remand in Europe, a trend similarly observed in various parts of the world, including Trinidad and Tobago (Walmsley, 2014). This upward trajectory in remand utilization contradicts the notion that the presumption of innocence is intended to curtail the extensive use of remand.

Contrarily, Steyn (2000) posits that the presumption of innocence is the very rationale behind the bail system, which typically grants the accused their liberty until the trial. Within the context of South Africa's bail system, Steyn emphasizes that affording liberty to the accused aligns with the humane principles of the criminal justice system. In this perspective, the presumption of innocence becomes intricately linked to the safeguarding of human rights within the remand system.

Hafetz (2002) contributes to this discourse by stating that "Excess pre-trial detention remains one of the most severe human rights problems in Latin America" (p. 1). This underscores a fundamental benchmark for remand—that it should be a measure of last resort. Even when utilized, it should be for a limited duration, highlighting the importance of respecting individuals' rights and avoiding prolonged detention without due process.

Fundamentally, these viewpoints collectively emphasize the complex interaction between the presumption of innocence and the utilization of remand across diverse

jurisdictions. The tension between preserving human rights, particularly in the context of pre-trial detention, and the practicalities of the justice system is a central theme in this discourse. As we navigate these complexities, the overarching principle remains that the presumption of innocence should guide decisions regarding the use and duration of remand, ensuring a fair criminal justice system.

In contrast, Daly and Sarre (2016) framed the concept of remand as a 'melting pot' where various human rights violations often converge. Likewise, Freeman (2009) contended that the erosion of an individual's human rights is not confined to pre-trial detention alone but is rather a pervasive issue embedded within the entire criminal justice system. Thus, the experience of pre-trial detention is just one element within the broader scheme of systemic challenges.

To illustrate this, Marty (2008) advanced the argument that detention at police stations contributes to the corrosion of human rights. Here, accused offenders are often treated as if they are already guilty, negating the fundamental presumption of innocence. In this scenario, the individual in question becomes inherently vulnerable, transitioning into a victim of the very system designed to uphold justice. Marty's perspective highlights the systemic issues permeating different stages of the criminal justice process, emphasizing how the presumption of innocence is compromised even before formal legal proceedings, rendering the accused susceptible to rights violations. This narrative underscores the need for a comprehensive examination of both the remand system and the broader criminal justice system to ensure the protection of individual rights, and preservation of the presumption of innocence throughout the legal process.

2.3.5 Human Rights in Criminal Justice

Another well-established concept within the international remand literature delves into the intersection of the criminal justice system and individual human rights. that Holmes and MacInnes' (2003) research illustrates how human rights concerns have a substantial impact on an individual's remand experience, particularly impinging upon their entitlement to be presumed innocent until proven guilty. Brookman et al. (2001) further illustrate numerous inconsistencies between the Human Rights Act in the UK and the practical realities of the remand experience.

One glaring inconsistency, as highlighted by Brookman et al. (2001), is the challenge of accessing legal representation while on remand. The difficulty in securing legal assistance during this phase not only hampers the efficiency of the legal proceedings, but also has implications for the overall duration and outcome of the case. The inadequacies in ensuring access to legal counsel underscore a systemic flaw within the remand process, impacting the individual's right to a fair and just legal experience as mandated by human rights principles.

In essence, the examination of human rights in the context of remand extends beyond a theoretical framework. Holmes and MacInnes' insights and Brookman et al.'s findings emphasize the tangible impact of human rights issues on the lived experiences of individuals within the remand system. Addressing these inconsistencies is crucial for aligning remand practices with the principles enshrined in human rights legislation, ensuring an equitable criminal justice system.

Appleman (2012) evaluated the American pre-trial system by looking at the interconnection between pre-trial detention and punishment on one hand and the application

of the Sixth Amendment on the other. In this research, it was contended that the law tends to detain accused persons in poor conditions. Ironically, this occurs although such persons are assumed to be innocent until proven to be guilty. Moreover, the absence of a viable criminal procedure system impedes the application of the law. Therefore, the author concluded that the present system of pre-trial detention is horrifying as accused persons are remanded in even more dire situations than convicted offenders. Significantly, the prevailing punitive conditions during incarceration tend to deny those who have been remanded their Sixth Amendment rights. Apart from the poor conditions of incarceration, the detained persons may be subjected to unfair procedures for granting bail, denial of guilt, or revocation of bail.

2.3.6 Administrative System

Bookman (2010) noted that the remand process has an administrative dimension that implements policies, rules, and regulations. She highlighted that when the Human Rights Act of 1998 was introduced in the UK, authorities were told to “review their procedures concerning the Act”, and at the very initial stage the Prison Service was labelled “vulnerable” (p.195). Although there is much less focus on concepts related to remand’s administrative processes in the literature, the administrative system is crucial to the operation of the justice system in a country. There must be some kind of administration in place to ensure compliance with policy. Remand is not simply a legal category; it is a process.

Although there is not much literature addressing how administration systems influence daily practice, there are commentaries and sporadic mentions of Bail Act legislation in different jurisdictions that outline the ways someone is placed on remand. These ways can

also be seen as a process; a decision-making process. For instance, in Trinidad and Tobago, under the Bail Act 1994 Chapter 14:20 Section 5, remand in custody is referred to as “a state of being committed into custody while awaiting trial and/or sentencing.”

However, it is under the common law case of *Re Robinson* (1854) 23 LJ QB 286, that the conditions of remand are outlined. Remand occurs when a person is charged, but certain considerations prevent him from being released on bail. The major considerations on bail under common law are (1) the nature of the accusation; (2) the nature of the evidence in support of the accusation; (3) the severity of the punishment that conviction will entail; and (4) whether the sureties are independent or indemnified by the accused person. The overall consideration governing whether bail should be granted is whether the accused will appear at his trial (*Re Robinson* (1854) 23 LJ QB 286). The Trinidad and Tobago Bail Act also takes into consideration public safety and protection to reduce the likelihood that the accused would tamper with witnesses or that the public might harm the accused.

Similarly, other countries rely on the courts to decide and consider several factors before placing someone into remand. The operations of the court in the matter can be regarded as the remand process. This, however, is not the only process that can be identified in the literature. As stated, there is also the process of access to justice, the process of a remand regime, daily activities, and even a process of ensuring court appearances. There appears to be a deficit of empirical data in the literature on any of these areas. Therefore, few have detailed examples of the daily activities of persons on remand, and even fewer articles mention what the remand structure and procedures are to ensure court appearances. They simply

acknowledge that these are features of the system. Therefore, it is necessary to investigate the remand framework within the administration of justice.

2.4 EMERGING THEMES FROM THE LITERATURE

Several important thematic areas emerged from the literature on remand systems. These thematic issues include the remand process and structure, the overuse of remand, remand conditions, the treatment of remand prisoners, and the remand regime. Despite the abundance of literature addressing these issues, empirical evidence pertaining to the lived experiences of individuals on remand appears relatively scarce. While these aforementioned issues are frequently discussed, they collectively offer insights into the multifaceted nature of the remand experience, contributing valuable pieces to the puzzle of understanding an individual's encounter with remand.

2.4.1 Treatment of Remand Prisoners

A primary concern under scrutiny is the treatment of individuals on remand, a subject thoroughly examined by Kennedy et al. (2014). Their research illustrated the global impact of implementing the UN Standard Minimum Rules for the Treatment of Prisoners, with significant changes observed in Africa, Europe, the United States, and the United Kingdom. Subsequent transformations occurred with the introduction of the European Convention on Human Rights and the Human Rights Act 1998 in the United Kingdom.

In a specific regional context, Redpath's (2015) study in South Africa delved into the consequences of the excessive and inappropriate use of remand. The surge in remand populations led to overcrowding issues, impacting the treatment and conditions of detainees.

Redpath provocatively suggested that the system itself may not be inherently unjust; rather, it is the processes and administration that result in unjust and unfair outcomes, particularly evident in the treatment of remandees. This perspective challenges traditional notions of systemic injustice, emphasizing the nuanced role of operational procedures.

Contrary to Redpath's view, Kiselbach (1989) argued that the actual practice within the system, not the treatment of prisoners, engenders injustice. He contended that remand prisoners being treated similarly to convicted prisoners is inherently flawed, eroding the presumption of innocence and rendering the system unjust. Appleman's exploration in 2012 focused on the American remand system, highlighting the abuse suffered by detainees due to resource deficiencies in jails and inadequate training of guards. This underscores how daily operations, and the practical realities of remand contribute to the unjust nature of the system.

Despite these valuable insights, the bulk of literature on the treatment of remandees predominantly hinges on human rights and socio-political perspectives, leaving a notable gap in empirical data. (Brown, 2017; Carter, 2023) Consequently, there remains an imperative need for comprehensive investigations into the treatment of remand inmates, especially within Trinidad and Tobago's context, where facilities have been identified as less than favourable (Wallace, 2020). Such empirical studies are crucial for developing a more nuanced understanding of the challenges and injustices within remand systems and for fostering improvements to ensure the humane and fair treatment of individuals in custody.

2.4.2 Remand Conditions

The second significant issue revolves around the conditions experienced by individuals in remand, a topic that gained prominence following the implementation of the UN Standard

Minimum Rules for the Treatment of Prisoners and the incorporation of the European Convention on Human Rights (ECHR) into English law, exemplified by the English Human Rights Act 1998. Initially, the literature addressed conditions affecting all prisoners, including those in remand. However, recent times have witnessed a notable increase in commentary and development specifically focusing on remand conditions. This shift may be attributed to the global surge in remand populations, leading to overcrowded remand prisons with limited resources.

The literature on remand conditions, however, faces a gap in empirical evidence beyond data on remand population size and numbers. There is a notable deficiency in empirical assessments specifically evaluating the conditions experienced by individuals in remand facilities. While qualitative studies on remand conditions have emerged, quantitative reports are comparatively scarce. Brockett's seminal work in 1971 asserted that remand conditions are deplorable on a global scale. Hagan and Foster (2012) further emphasized that remand conditions remain chaotic and substandard, particularly within the American justice system.

In Trinidad and Tobago, Wallace's (2020) exploration of facilities adds a valuable perspective, highlighting the unfavourable conditions identified in the region. This regional context underscores the global nature of the challenges faced in remand systems and emphasizes the need for localized interventions to address specific issues.

The poor quality of remand conditions is a reality that would impact significantly on the lived experience of remandees. Dobbie et al. (2016) focused on the individual's experience and the consequences of being remanded, referring to these impacts as costs. Marty (2014) outlines various ways the remand system impacts the individual by highlighting the social

costs of removing the individual from their family and the labelling of the accused by society because they have been in jail. Another cost is that of health on remand. There has been a noteworthy increase in this area in the literature in England. For instance, Bamford et al. (1999) argued that time on remand has psychological effects on individuals and Elgar (2009) agreed. Her study concludes that many detainees are placed in very stressful situations with limited to no family support, leading to psychological effects.

Holman (2006) narrowed the scope a bit in his exploration of mental health and young people on remand. He concluded that remand harms young people's mental health, physical well-being, education, and employment. The author revealed that a third of incarcerated youth on remand were diagnosed with depression. Later, Csete (2010) concluded that health challenges are more severe for remandees than convicted prisoners for several reasons, including governments investing less in health services for pre-trial detention.

In broader discussions on incarceration, it is commonly observed that prison facilities are frequently described as deplorable, reflecting society's perception of prisoners as inferior or less valuable. This observation underscores the societal stigma attached to individuals who are incarcerated, which often results in neglect or disregard for their well-being and living conditions. The idea that prisons are unpleasant environments is deeply ingrained in societal attitudes towards offenders, leading to a lack of attention towards improving prison conditions and ensuring humane treatment for those who are incarcerated. Vasiljevic and Viki (2013), proposed a model illustrating the dehumanization process experienced by offenders, resulting in their exclusion from the moral sphere and hindering their chances of rehabilitation. Their model suggests that once offenders are dehumanized and removed from the moral community,

their mistreatment is perceived as justified by society. It can then be perceived that this justified attitude can play a significant role in the deteriorating conditions that persist and the treatment of prisoners while on remand. Though the literature has not clearly explored this in the context of remand. Nonetheless, it appears to be established in the literature that dehumanization leads to negative treatment and no human like referral. The earlier works of Bandura (1990) found that dehumanization plays a role in moral disengagement, enabling individuals to rationalize negative actions towards specific targets like the incarcerated. Deska et al. (2020) went a bit further to examine if dehumanization and negative behaviour changed any at all over time spent in prison. The results consistently showed that the remaining duration of prisoners' sentences affects how much individuals attribute human-like mental abilities to them which means that the longer they stayed, the more they were dehumanized.

In the initial days of pre-trial detention, there is a heightened risk of experiencing inhumane treatment (*Pre-trial Detention Addressing Risk Factors to Prevent Torture and Ill-treatment*, 2015). The likelihood of such mistreatment is exacerbated by overcrowding, which, in turn, reduces access to essential services for individuals held in pre-trial remand. Consequently, an argument can be made that those individuals who should benefit from the presumption of innocence may endure more challenging conditions compared to convicted prisoners serving their sentences.

Regrettably, many countries have had missed opportunities to implement the requisite measures to guarantee that individuals in pre-trial detention can avail themselves of fundamental health services and healthcare. Consequently, health-related challenges persist within the pre-trial remand population (Rich et al, 2014). Failure to address these issues

emphasizes the need for concerted efforts and research to ensure the well-being and rights of individuals presumed innocent during the crucial period of pre-trial detention.

2.4.3 Impact of Sentencing Time

Remand outcomes have significant implications for the sentencing of defendants or detainees, as highlighted by Myers (2017). This impact is particularly evident in quantitative studies, which have extensively examined how pre-trial incarceration affects the sentencing outcomes of individuals. For instance, research by Doherty and East (1985), followed by Dobbie et al. (2016), has demonstrated that individuals held on remand are more likely to enter a guilty plea and have a higher probability of being convicted. Even in cases where defendants plead not guilty, there remains a risk of imprisonment if they are found guilty at trial (Doherty and East, 1985). These findings underscore the influence of remand status on legal proceedings and sentencing decisions, highlighting the need for further investigation into its impact on the criminal justice system.

Williams (2003) also concluded that when subjected to pre-trial detention, defendants were more likely to be sentenced to incarceration and receive longer sentences. These studies contradict earlier studies such as Eisenstein and Jacob (1977), who argued that remand has no impact at all on experience after conviction. Oleson (2014) commented that a substantial body of research reports that legal factors are the chief determinant for judges when deciding whether an offender will be convicted or not. The researcher also focuses on the re-integration of persons who have been imprisoned, into society after release. Ultimately, Oleson (2014) does agree that custody affects an individual's experience both while in custody and

afterwards within society. Moreover, there have been studies looking at how the refusal of bail and being remanded into custody negatively impacted or resulted in someone being sentenced (Ziesel, 1979).

For instance, Ziesel's (1979) review of the criminal justice system in America found that,

“The American bail system has been under serious criticism on a variety of grounds. It has been charged with three specific failures, all of which discriminate against the indigent defendant who cannot make bail: (1) it keeps in jail defendants who would have returned to court if they had been released, some of whom are not even convicted; (2) that it releases defendants who should not have been released; (3) that the very fact of pre-trial detention increases the likelihood that defendants will be convicted and, if convicted, will receive a custody sentence.” (p.1)

The impact of sentencing is also detrimental to younger age groups on remand. According to Freeman and Seymour (2010), the uncertainty of release for young people between the ages of sixteen to twenty-one is detrimental to their mental health. In this case, as a result of these policies, the remand inmates are at risk of being subjected to lengthy periods of incarceration in a given country. They further indicated that remand policies in the United States and the United Kingdom have fallen short in addressing this issue. The majority of systems have led to adverse impacts on detainees in custody facilities. In evaluating this viewpoint of Freeman and Seymour (2010), remand conditions are not a direct result of the

remand system but the inability of policymakers to draft and implement appropriate guidelines to ensure standard conditions are good.

Being held in remand custody can lead to a myriad of detrimental effects (Rabinowitz, 2021). Studies have shown that individuals awaiting trial often find their imprisonment particularly distressing (Crewe et al., 2022). Throughout their time in custody, remand prisoners endure the typical hardships associated with incarceration (Sykes, 1958; Crewe, 2011), which encompass the loss of personal autonomy, relationships, employment opportunities, and stable housing (Anderson et al., 2021; Wakefield and Andersen, 2020). These consequences can also extend to their children and close relatives, impacting the broader social fabric (Smith, 2014).

Within the criminal justice system, remand could be seen as the introduction to imprisonment. Many that encounter remand experience a transition from freedom to confinement, which is stark and emotionally challenging for the individual (Pelvis, 2017). This immediate, quick and drastic change impacts the psychological strain and stress experienced by remandees, magnifying the difficulties they encounter during their pre-trial detention period. Consequently, it is imperative to comprehend the multifaceted impacts of remand on individuals in order to develop effective policies and interventions to mitigate its adverse effects.

2.4.4 Coping Strategies for Prisoners

The negotiation of challenges involves employing a range of thoughts and behaviours known as coping mechanisms (Khan, 2023). As coping is frequently understood as an

emotional mediator, variations exist in individuals' coping strategies and capabilities (Folkman and Lazarus, 1991). Liebling (1999) posits that a prisoner's level of coping ability becomes a distinguishing factor within the prison environment, influencing their experience in confinement. Notably, the majority of the literature researched on coping behaviours within the prison setting has predominantly concentrated on convicted prisoners. This focus calls attention to the necessity for a more comprehensive exploration of coping dynamics, recognizing the diverse challenges faced by individuals in various custodial contexts beyond the typical convicted prisoner demographic.

A notable observation is that prisoners employ various coping techniques, such as reflecting on past experiences, engaging in prison programs, and increasing their involvement in religious activities (Khan, 2023). Considering that remandees in Trinidad and Tobago are legally detained in a manner similar to convicted prisoners, i.e. prison incarceration, it becomes intriguing to explore whether Liebling's (1999) theory on coping strategies applies to these remandees as well in a future study. Investigating the coping mechanisms of remandees can provide valuable insights into how individuals in pre-trial detention navigate the challenges of the prison environment, and whether their coping strategies align with those identified among convicted prisoners.

Patrick and Tom's (2022) research conducted on convicted prisoners in Uganda provided significant evidence of a notable and impactful positive relationship between depression and coping mechanisms among inmates in Ugandan prisons. Their study found that higher levels of depression were associated with the adoption of more coping mechanisms by prisoners. In other words, as the severity of depression increased, so did the variety and

frequency of coping strategies employed by the inmates. This correlation underscores the intricate interplay between mental health challenges and adaptive strategies within prison environments. Furthermore, the investigation substantiates a compelling argument for the significant relationship among stress, depression, and coping mechanisms in this demographic. Finally, the study recognizes that there are instances where depression may manifest independently of stress due to genetic predispositions and early life experiences unique to each individual.

Furthermore, Zamble and Porporino (1988) demonstrated that cognitive evaluations like identity, boredom, future expectations, and depression among sentenced prisoners within the prison environment are related to background variables or anticipated variables like sentence duration or present offence. Since remandees are held for lengthy indefinite periods, cognitive evaluations like identity, boredom and future expectations may very well be linked to the remand experience. From the investigation into the remandees' lived experiences, this study may be able to establish whether these are issues associated with remandees.

2.4.5 Identity of Incarcerated Persons

The traditional view of "the self" depicted it as an independent actor seeking fundamental subjectivity (Khan, 2023). However, evolving academic perspectives now conceptualize the self as a dynamic entity. Burke (1991, p.837) defines identity as a "set of self-meanings," suggesting that individuals engaged in constructing, mending, and fortifying their self-identity are in a constant process of reflecting on these self-meanings. Central to this concept of self-identity is the presentation of oneself to oneself and the ability to develop and adhere to a coherent image of one's identity, as noted by DeNora (1999). This involves

reflecting on past events from social, economic, and cultural perspectives for self-discovery or reinvention. There is also evidence within the literature regarding the significance of self-identity in the process of desistance. Maruna (2001) highlighted that in order for ex-offenders to cease engaging in criminal behaviour they must establish a coherent, pro-social identity for themselves, visualizing themselves as acceptable by society. According to Maruna and Farrall (2004) in their study on desistance theory, there are indeed many factors that contribute to a person's reinvention post-incarceration, including structural, socio-economic factors, and personal agency.

Foucault's (1988, p.16) concept of "technologies of the self" refers to how individuals construct their identities by attempting to comprehend, manage, share, and acquire information about themselves. In this context, self-reflection, or the capacity to draw lessons from life events, can act as a mobilizing force for the process of identity reconstruction. Within criminological inquiries on desistance, the notion of "identity reconstruction" has gained prominence due to Foucault's theory. Criminologists, such as Farrall and Calverley (2006), highlight the importance of a reconfigured identity and the creation of a new conception of a desirable future self in the desistance process.

For years the notion of identity, the role it plays, and its reconfiguration has been a focal point in criminology, particularly in studies focused on deterrence, reformation and rehabilitation. There have been fewer studies that actually delve into the concept of identity while incarcerated and adapting to prison life, and even fewer when looking at remand or those who are legally innocent, waiting for an unknown, indefinite period behind bars. The research becomes even more sparse when looking at experiences in the Caribbean like Trinidad and Tobago.

Throughout the literature criminologists have argued that one of the outcomes of imprisonment is the process of desistance. This process entails the reconstruction of the prisoner's identity by them creating new refined versions of their future self. For instance, according to Giordano et al. (2002), there are four distinct types of cognitive changes involved in the process of desistance: (1) receptiveness to change; (2) encountering (potential) catalysts for change; (3) alteration in self-perception; and (4) modification in perception of deviant behaviour. Behind prison walls, identities undergo transformations shaped by encounters, mediated by social interactions, and influenced by introspection of the past (Khan, 2023), leading to what is known as identity reconstruction. McAdams and McLean (2013, p.233) define identity reconstruction as the recreation of biographical events and an individual's future, combined with "some degree of unity, purpose, and meaning." Individual narratives, influenced by social connections and unique circumstances, help produce distinctive stories (Thomas et al., 2021). The creation, reinterpretation, and transformation of meaningful stories progressively give rise to a reconstructed self (McLean, Pasupathi and Pals, 2007). In the context of punishment, identity reconstruction becomes a problem-solving tool to transform adverse circumstances into opportunities for personal growth, jail adaptation, and a smooth transition back into society.

Abrams (2024) adds a perspective to this body of research, focusing on desistance among males who were sentenced as juvenile lifers in California. Her phenomenological study, based on longitudinal qualitative interviews with 10 formerly incarcerated male "youth lifers" in California, the study identifies three phases of the desistance journey. On average the participants spent about 27.5 years in prison, the study examined the pathways to behavioural and identity transformation under extreme conditions. Abrams identifies three key phases in

their desistance journey: Life in Prison as a Barrier to Desistance; The Will to Change ; Policy Changes and the Process of Parole. At each of these stages the Abrams highlighted that there is some sort of the interplay between the individual agency and structural factors in fostering desistance, even in harsh prison conditions. Abrams' findings extend desistance theory by demonstrating how individuals engage in deep introspection and identity reconstruction within a long term sentence, that is, long incarceration periods. Through this study Abrams managed to challenge the blindly assumed simplistic views of life-sentenced inmates as irredeemable and unchangeable thereby having the same continued identities. Instead Abrams advocated that change both internal and external does occur through the three aforementioned stages. To assist this kind of change Abrams highlights that policies and practices should be implemented to recognize and harness the capacity for growth and transformation.

Within the literature, the association of identity and incarceration is widely explored in the context of juvenile offenders and life-course studies. Many of these studies conclude that juvenile offenders often do not reoffend after release as different life events create new identities. According to Sampson and Laub (1993) the event is the bond between society and the juvenile. This bond, according to them, creates a new sense of responsibility and willingness to achieve new goals. Another example is Gottfredson and Hirschi (1990) who argued that life events such as marriage, adult friendships, child rearing and even employment help shape and create new identities for juveniles into adulthood.

More recently, Ben Crewe's research in the United Kingdom looked at the impact of lengthy incarceration sentences on identity of the imprisoned. While Crewe's findings are based on a different context, both geographically and in his focus on sentenced prisoners, the

conclusions from his research can offer insights that may be important for understanding the experiences of remandees, and more so Trinbagonian remandees who have endured prolonged detention.

Crewe explores how prisoners adapt to lengthy sentences by adjusting themselves and their identities as a coping mechanism in anticipation for this long sentence. He argues that the experience of incarceration disrupts personal identity, and a loss of autonomy, which contribute to significant psychological distress (Crewe, 2011). His concept of "tightness" captures how constant surveillance and rigid control within prison environments heighten anxiety and depression (Crewe, 2015). These effects are particularly pronounced in younger individuals, who are more susceptible to identity fragmentation due to their developmental stage and the formative nature of their experiences (Davis, 2017).

Crewe's findings align with broader criminological literature, which signal that there are effects of convicted incarceration on identity. Such disruptions have far-reaching consequences, including difficulties with reintegration post-release and increased risks of recidivism (Haney, 2012; Liebling & Maruna, 2013).

Although Crewe's work focuses on sentenced prisoners in the United Kingdom, its relevance to this study lies in highlighting the psychological and emotional toll of prolonged convicted incarceration, and specifically its effects in relation to identity.

Despite results from literature reviews, these findings are primarily based on outcomes post-release, with limited insights into the experiences of convicted prisoners while incarcerated (Khan, 2023). This gap in research is particularly evident in the remand system,

where there is a dearth of studies exploring specifically how remanded prisoners reconstruct their identities while incarcerated, and how identity serves as a crucial mode of adaptation to prison life for remandees, and even more so in a Trinidadian and Tobagonian context. A gap that this present study aims to fill may provide some valuable insight.

2.4.6 The Consequences Suffered through Being on Remand.

The sixth thematic issue is the consequences suffered as a result of being on remand. Kim et al. (2018) highlighted that the experience of remandees is not limited to the actual time spent in custody, but the effect it has on their lives. Both qualitative and quantitative data have explored this issue. Thus, Pepin (2012) argued that jail time results in job loss, home loss, and disintegration from social relationships, which can, in turn, increase the likelihood of re-offending upon release from pre-trial detention. Similarly, Piquero et al. (2005) report that many pre-trial detainees often re-offend and engage in domestic violence after being held on remand.

Of course, in analysing the literature, the use of the word re-offending when referring to remand may be rather contradictory, as of course whilst one is on remand, one is not yet convicted, so perhaps re-charged may be a more appropriate term. What this may suggest is that the literature on remand is understood through concepts that are very familiar to the criminal justice system. It also suggests that perhaps, this kind of conceptualization may not be accurate in defining remand and therefore, further suggesting that possibly remand is not properly defined and understood in the literature.

Kim et al. (2018) assessed a New York pre-trial population and conducted a ten-year follow-up on them. About sixty per cent of the sample was re-admitted within about three years on average, with non-Hispanic younger black males being more frequently admitted. The results showed that self-reported drug use and prior criminal records were associated with higher re-admission. This led the study to conclude that earlier interventions may be needed to reduce these numbers of re-admission. In contrast, Dobbie (2016) found that pre-trial detention has no detectable effect on future crimes or charges.

2.5 INTERESTING FACTORS ABOUT REMAND CHARACTERISTICS

2.5.1 Racial Difference

Sacks et al. (2015) indicated that the experiences of remand vary among different groups of people. These groups are stratified by age, race, and gender. For example, Kim, Chauhan, and Olive Lu (2018), in an American study, indicated that possibly, the remand experience may be different among varying groups. Their study found that males, non-Hispanic blacks and younger individuals were more frequently re-admitted to remand. In an earlier study, also in America, Albonetti et al. (1989) found that when it comes to bail decisions, blacks are more disadvantaged than whites.

These findings will contribute to the broader discussion on the effects and repercussions of remand on individuals within the system. Specifically, factors such as race, social class, and age will be examined. In addition to racial disparities, other aspects will also be considered. Additionally, besides racial disparities, Sarre (2016) suggested that numerous

legal and non-legal factors significantly influence the makeup of the remand population. These factors will be thoroughly explored to provide an understanding of the dynamics at play within the remand system. For example, Albonetti et al., (1989), found that legal and extra-legal factors influence remand and how it is experienced by different racial groups.

Charmaz (2000) highlighted that racial minorities are charged and remanded in harsher conditions than other racial groups. On another note, Williams (2003) discovered that there is a relationship between pre-trial detention and the decision to incarcerate while controlling various legal and extra-legal factors which are race, age and gender. It should be noted at this point, however, that gender will not be discussed in this paper.

2.5.2 Age Difference

Although not widely explored in the literature, Freeman (2008) studied the difference in remand status based on age, in Ireland. The study noted that young adults are more likely than older adults to be on remand not because of the seriousness of their offence, but due to their non-compliance with a community order, or non-payment of bail. As such, the research makes a case for bail support and supervision, which may benefit young people greatly and influence their experience of the remand system. However, such a distinction also raises the question of whether those who end up on remand for different reasons, as well as at different ages, may experience remand differently because of it.

2.6 LIVED EXPERIENCES

2.6.1 Lived Experiences of the Imprisoned

Within the field of prison research, there is a growing understanding of the need to explore the experience of persons who are in prison through qualitative research. (Abbott et al., 2018). Researchers, including Clemmer (1958), have long demonstrated that a person's experience while imprisoned is critical to understanding the justice system, given that prisons are complex and influential environments that can impact the persons confined within them. In this regard, the experience of imprisonment is shaped by factors including the environment and individuals' social position and relationships within the facility (Listwan, Daigle, Hartman, and Guastafarro, 2014; Hochstetler, Murphy and Simons, 2004).

Crewe (2011) revisits the traditional pains of imprisonment, highlighting the modern intricacies of how these pains contribute to the formation of subcultures within prisons. Recent scholarship, such as that by Jewkes and Gooch (2019), has emphasized the evolving nature of prison environments and the need for a more humane and rehabilitative approach to incarceration.

Sacks et al. (2015) showed how the experiences of imprisonment led to direct penalties and chastisement of legally innocent individuals using stigma and experiencing socio-economic hardship (Hagan and Foster, 2012). Comfort (2008) further elaborates on the broader impact of imprisonment, particularly on families, contributing to the stigmatization and hardship faced by inmates. This resulted in inmates experiencing feelings reminiscent of sentenced prisoners (Condry, 2013). There is evidence that the isolation of imprisonment, coupled with this stigma, has led to a sub-culture being formed. This sub-culture is then internalized and lived by the inmates, which may then develop into rejection as they are seen as separate from 'decent', lawabiding men

(Sykes, 1958).

Schinkel (2014) explores how this sub-culture is internalized and lived by inmates, potentially leading to their rejection by society as they are perceived as distinct from 'decent', law-abiding individuals. This aligns with the findings of Turner and Peacock (2017), who discuss the social and psychological impacts of prison subcultures. Sykes (1958) and Bosworth (2018) emphasize how such internalized identities and sub-cultures can reinforce the separation of inmates from broader societal norms. Furthermore, Barker (2020) and Wakefield and Uggen (2020) highlight the broader socio-economic consequences of incarceration on social stratification and the reintegration challenges that inmates face upon release. Walmsley (2016) demonstrated that imprisonment impacts relationships, more specifically, family relations. Additionally, Morris (1965) contributed to the literature surrounding imprisonment experiences, and explained that the experience is not limited to the confines of the physical structure, but also incorporates an individual's connections both inside and outside of the prison. Sykes (1958) shows that the deprivation of connections and relationships formed within prisons are a part of a concept known as 'pains of imprisonment.' This term, "pains of imprisonment" is said to incorporate the sum of all the difficulties and deprivations that are experienced including loss of liberty, loss of goods and services, loss of autonomy, and deprivation of sexual contact. All of these result from being remanded in custody.

Another important relation while on remand is that between the remandee and prison officer. According to Wooldredge and Steiner (2016), there are variations in how correctional officers exert authority over prisoners that can potentially affect their rightful claims to legitimate power. Their study uncovered notable differences in the utilization of coercive,

reward-based, expert, referent, and positional power among officers, based on factors such as demographics, training, experience, and characteristics of the prisons themselves.

Subsequently, an examination of 5,616 inmates from the same facilities revealed that higher reliance on expert and positional power at the facility level correlated with inmates viewing officers as more impartial, just, and competent. Conversely, increased reliance on coercive power was associated with inmates perceiving officers as less fair, less just, and less competent.

The discussions on deprivation and frustration represent a significant part of the literature on inmates' lived experiences. Wiseman (2014) concludes that all prison structures are not the same. Therefore, there is an assumption that different areas would have different experiences. Thus, a European's experience may differ from an American's, which may differ from an African or, indeed, any other jurisdiction. There may even be internal differences within one territory. Walmsley (2016) noted that most of the information on lived experiences presented in the literature is based mostly in Europe, America, Venezuela and Africa. No account was given specifically by Walmsley of Trinidad and Tobago, nor was any work set out with respect to the Caribbean. This creates a small gap within the literature which this study intends to fill.

Redpath (2014) outlines various aspects of remand regimes, in different territories. In particular, the issues that arise from prison overcrowding in Trinidad and Tobago, Redpath also found them in South Africa. This is a result of the same tough-on-crime approach being adopted politically. This approach resulted in significant increases in prison populations, making conditions very difficult for all prisoners, including those technically deemed innocent whilst on remand. Freeman and Seymour (2010) stated that persons in the United States

generally spend up to 18 hours per day locked up in cells. Limited time is dedicated to structured activities, and where activities are available, most people cannot access them due to their remand status (Freeman and Seymour, 2010). Besides, people on remand may be reluctant to invest their time and efforts because of the unpredictability of their situation.

Freeman and Seymour (2010) expressed that when the policies for custody do not allow detainees to work in prison facilities, most of the persons have nothing else to help them cope with time. Halimi (2017) found that most inmates indicated a willingness to participate or had a desire to learn, yet very few studies in this area consider the impact of educational or employment participation programmes and their availability to prisoners on remand. This is another gap in literature, which will be investigated. It will ascertain whether the lack of available educational facilities for remand prisoners is worse than that of sentenced prisoners in Trinidad and Tobago and if so, whether this impacts the experience of remanded prisoners.

Focusing on remand conditions, Payne-James and Green (2008), noted a situation in London, England where poor lighting and high noise levels were identified as problems which significantly impacted the quality of sleep resulting in an increased risk of conflict and eventually suicide in extreme cases. Resultant stress led to agitation, anger, diminished levels of tolerance, and cognitive capacity.

Through these different studies, we can learn about the life experiences of remand in various territories. There is little that can be gleaned from the available literature as to the inmate perspective of remand experiences across the world. Weinrath (2009) conducted a study which gave an inmate account of the dramatically high remand rates that were occurring

at that period in Canada. The inmates interviewed highlighted that from their experiences, they were ‘left hanging’ in the remand system particularly because of the recent (at that time) policy change (called ‘two for one’). They felt that the policy delayed the trial process and placed people on remand at exponential rates.

In the absence of research in Trinidad and Tobago, the lived experience is left to be described by the 2017 report from the Joint Parliamentary Select Committee, which noted that physical living conditions were deplorable, and the prison is under-maintained. Similarly, in other countries, the best insights tend to come from policymakers’ enquiries or reports rather than academic research. For example, we have seen small fragments in human rights reports commissioned by the United States Department of State, Bureau of Democracy, Human Rights, and Labour, which releases a country report on Human Rights Practices biannually (Crijns et al., 2016). Of course, these types of insights tend not to be based on systematic data collection but solely on expert opinions. These opinions highlight the severity of the situation faced in the remand system in Trinidad and Tobago, and other countries, but do not provide sound analysed data from their investigations. Thus, there is an urgent need for research on the lived experience of remand.

2.6.2 Resettlement

It's important to understand that when individuals are released from remand custody, they face the challenge of resettlement or reintegrating into society. Resettlement and remand are linked by the transition individuals make from custody to community. For those on remand, their experiences during this period can potentially have a significant impact on their ability to successfully reintegrate into society upon release. Therefore, understanding and

addressing the needs of individuals on remand through empirical studies can be seen as crucial for effective resettlement efforts.

Cracknell (2023) points out that there is not a universally agreed-upon definition for resettlement. Nevertheless, there is a recognized understanding of resettlement as a multistage process, as detailed by Maguire and Raynor (2017) and Petersilia J (2003). This process begins before release and emphasizes addressing both practical challenges and mental well-being. It's a critical aspect of the experiences of individuals on remand. Additionally, Taxman (2004) found a similar process in a five-step offender active participant model. Regardless of the version, the central theme is that resettlement is a comprehensive case management process that starts early and progresses through each stage, with each stage building upon the previous one.

Travis (2005) of the Urban Institute defined prisoner re-entry as the inevitable consequence of incarceration. Resettlement holds significant importance as research literature has demonstrated a connection between social circumstances, referred to as structure, and individual decision-making, known as agency. For instance, Maruna's (2001) study sheds light on the influence of internal narratives on individuals categorized as recidivists and desisters, showcasing how they perceive control over their lives. This underscores the critical role of one's mindset in shaping post-release outcomes. Halsey (2007) underscores the significance of focusing on the subjective post-release experience, particularly concerning three pivotal issues: the misconception of deterrence and conflicting risk perceptions, defining 'success' in the post-release setting, and navigating the divide between custodial identities and desired societal roles.

It's worth noting that resettlement research focuses on individuals who have experienced incarceration, including those on remand. Consequently, terms like recidivism and desisters are commonly employed in this context. However, it's important to understand that these terms are not accurate in explaining the remand experience, as individuals on remand have not been convicted of any criminal behaviour.

. The insights gained from resettlement research are immensely valuable for understanding the connection between an individual's circumstances and their agency after release. This understanding is especially relevant to the lived experiences of individuals on remand, as it contributes to understanding the best ways to facilitate successful reintegration into society and allowing them to move forward with their lives post-remand.

Recently, there has been considerable research on resettlement, especially in the United States and Britain, with a particular emphasis on young people and women (Dominey & Gelsthorpe, 2020; Wong et al., 2023). In the Trinidad and Tobago context, Milan (2009) conducted a study on the re-entry of offenders, focusing on available programs upon release. However, empirical evidence specifically addressing resettlement and remand in the Caribbean, particularly in Trinidad and Tobago, remains limited.

2.6.3 Prison Officers' Experience

Within the field of prison research, there is also a body of literature exploring the experience of prison officers. In Trinidad and Tobago, there are no independent remand officers which means any officer, once a part of the prison regime, can work in the remand section. This means that finding literature specifically on remand from the perspective of

prison officers is more difficult than in other countries where specialist remand officers might be easily categorized, located, and interviewed. Not only has this literature explored officers' experiences qualitatively, but it also includes quantitative studies - not only traditional linear methodology, but also to a lesser extent more interactive approaches like action research. A few of these studies and their findings are set out below.

Johnson et al. (2005) noted that prison officers experience higher levels of job-related stress compared to many other professions. Numerous studies conducted globally have shed light on the stressful working conditions within prisons, with a particular focus on the challenges faced by prison officers. These conditions typically encompass various stressors such as high job demands, time constraints, limited autonomy in decision-making, role ambiguity, perceived injustice in procedures, inadequate resources and recognition, insufficient training quality, lack of support, and strained relationships with colleagues (Schaufeli and Peeters, 2000). These stressors can significantly impact the well-being and effectiveness of prison officers in carrying out their duties. This may in turn, impact their interactions with inmates.

When looking at stressors that are specifically linked to the role of a prison officer, studies have highlighted overcrowding, understaffing, and aggression from prisoners (Rutter and Fielding, 1988). Furthermore, data shows that the occurrence of serious attacks on prison staff by inmates has risen in other countries, such as in the United Kingdom (Ministry of Justice [MOJ], 2015) and the United States (Konda et al., 2012). Sykes (1958) suggested that officers' experiences within prison environments impact relationships, especially family relations. This contributes to their imprisonment experience and shows how the experience is

not limited to the confines of the physical structure but incorporates an individual's connections both inside and outside of the prison.

Morris (1965) also agreed that the deprivation of connections and relationships formed within prisons is part of the concept of 'pains of imprisonment'. As noted earlier, the term describes the sum of the emotional and physical deprivations experienced by an individual on remand. Similarly, de Bellotte's recently published work (2020) on work-related stress in Trinidad and Tobago prisons indicated that such stress could lead to several psychological and sociological effects, including poor job performance and a breakdown in prison workers' family and relationships. Additionally, de Bellotte (2020) highlighted the current need for further focused research on prison officers' experience generally within Trinidad and Tobago. Though studies exist on officers' experiences within the prison environment in general, none was found on the remand prison environments specifically.

The role of prison officers within the remand system is complex, involving the maintenance of order, enforcement of laws, and the safeguarding of both inmates and staff. Their responsibilities are backed by legal authority, which must align with established regulations, such as the 1943 Prison Rules of Trinidad and Tobago. Research emphasizes that the effectiveness of prison officers in these roles is closely tied to their training and understanding of the psychological dynamics within the prison environment. For example, studies indicate that officers trained in compassion and psychological principles are more capable of managing inmate behaviour and creating a safer prison environment (Abdel-Salam et al., 2022). Additionally, both staff and inmate perceptions of prison conditions often align, suggesting that the quality of interactions between officers and inmates plays a significant role in shaping the overall prison atmosphere (Molleman & Leeuw, 2011).

Unlike the formal authority of prison officers, power dynamics within the prison are fluid and often decentralized. Inmates frequently attempt to create their own power structures leading to a complex interplay of influences that can challenge the official authority of prison staff (Baidawi et al., 2016). Research shows that inmates may engage in aggressive behaviours to assert dominance and gain respect within the inmate hierarchy, (Loper & Gildea, 2004), which can then impact the authority and power within the prison setting and how one may experience that environment.

The implications of these power dynamics extend beyond the immediate interactions between officers and inmates, affecting the overall safety and psychological well-being of those within the prison system. Studies have shown that the effectiveness of prison administration in addressing inmates' needs for safety and fair treatment is crucial for their psychosocial adjustment (Day et al., 2014). Furthermore, the emotional and psychological toll of incarceration can lead to increased distress among inmates, particularly when they feel powerless or marginalized within the prison hierarchy (Baidawi et al., 2016). The interplay between the formal authority of prison officers and the informal power structures established by inmates highlights the need for a nuanced understanding of prison dynamics, where both authority and influence are continuously negotiated and contested (Rowe, 2015; Arriagada, 2022; Loper & Gildea, 2004). This complex landscape necessitates ongoing research and policy considerations to enhance the safety and rehabilitation of all individuals within the correctional system.

2.6.4 Lengthy stays in prison

A small but growing body of research highlights the profound and multifaceted effects of prolonged incarceration on individuals, families, and communities. Studies emphasize that lengthy prison sentences are associated with psychological distress, including anxiety, depression, and a deterioration of personal identity. These effects often stem from the loss of autonomy and the institutional dehumanization that many inmates face (Haney, 2012; Liebling & Maruna, 2013). The physical hardships of prison life, such as overcrowding and inadequate healthcare, compound these psychological challenges, exacerbating health conditions and contributing to a diminished quality of life (Ahalt et al., 2013). Moreover, scholars argue that lengthy incarceration generates a state of "liminality," where inmates experience profound identity transformations and social disconnection (Mishra et al., 2021). This transformation is particularly challenging for marginalized groups, as the impacts of incarceration on family dynamics and economic stability often perpetuate cycles of disadvantage within communities (Clear, 2007; Wildeman & Western, 2010). The lasting stigma of incarceration further complicates reintegration, making it difficult for former inmates to find employment and rebuild social connections (Pager, 2003). Recent comparative studies, including van Zyl Smit and Appleton (2024), address the issue of life imprisonment without parole, highlighting its detrimental effects on mental health and its inconsistency with rehabilitative goals. Their work aligns with the literature's broader critique of indefinite sentences, noting that the lack of a clear endpoint intensifies feelings of hopelessness and erodes motivation for rehabilitation. This phenomenon is echoed in Haggerty and Bucerius's (2020) analysis, which revisits Sykes's "pains of imprisonment" in the modern context, adding

layers of technological surveillance, erosion of privacy, and overcrowding, all of which contribute to a distinctly punitive prison experience.

The broader implications of these studies suggest that excessive incarceration duration may not effectively reduce recidivism. Findings from the Washington State Institute for Public Policy (WSIPP, 2021) illustrate that while some deterrent effect exists, longer sentences may ultimately increase re-offending by eroding social support systems crucial for reintegration. International perspectives, like those from Orjiakor et al. (2017) on remand prisoners in Nigeria, illustrate the psychological strain of prolonged detention without trial, emphasizing that uncertainty and poor conditions contribute to severe mental health challenges and hinder reintegration.

Despite these adverse effects, some studies recognize that inmates maintain a sense of hope, focusing on personal growth and future aspirations (Villanueva & Gayoles, 2019). Overall, the literature conveys a consensus that addressing the long-term effects of incarceration requires a multifaceted approach. This includes not only criminal justice reform but also robust rehabilitation and reintegration programs, which can mitigate the social and personal impacts of lengthy incarceration on both individuals and society as a whole. The research on lengthy incarceration is essential context for a study of remand in Trinidad and Tobago, where individuals often experience prolonged periods on remand. Studies indicate that extended incarceration can lead to significant psychological, physical, and social challenges, which are likely to be relevant to the experiences of those held on remand. Studies indicate that prolonged confinement can lead to severe psychological distress, including heightened anxiety, depression, and a significant erosion of identity. Crewe's concept of

"depth" in imprisonment highlights how prolonged confinement engenders a profound sense of powerlessness, particularly for young detainees, who are stripped of personal autonomy as they conform to institutional routines (Crewe, 2009). This loss of agency is especially detrimental to adolescents, whose self-concept is still forming. Similarly, Haney (2012) and Liebling & Maruna (2013) found that prolonged periods in confinement often lead to feelings of hopelessness and depersonalization, as the structure of imprisonment imposes an "institutional identity" over the personal one, creating long-term identity disorientation. Remandees, who face an indefinite and uncertain period of detention, often experience similar mental health struggles (Orjiakor et al., 2017). Physical hardships, such as overcrowding and limited access to healthcare—common in prison environments—are also prevalent in remand facilities and contribute to deteriorating physical health among detainees (Ahalt et al., 2013; Edgemon, 2022).

Additionally, prolonged incarceration disrupts family connections, leads to financial instability, and weakens essential social ties, making reintegration challenging (Wildeman & Western, 2010; Clear, 2007). For remandees, extended separation from family and community life can have equally detrimental effects, even if they are eventually acquitted. Studies further show that the stigma associated with incarceration and the reintegration difficulties faced by long-term detainees also apply to remandees (Pager, 2003). Moreover, lengthy confinement without a definitive endpoint raises ethical concerns about indefinite detention, particularly when rehabilitation opportunities are limited or non-existent. These insights underscore that there is an important need to address remandees' needs and improve detention conditions as a critical step toward justice reform, mitigating the adverse impacts of lengthy pre-trial detention.

2.7 PUBLIC AND POLITICAL CONCERNS ABOUT REMAND IN TRINIDAD AND TOBAGO

Public and political concerns about the remand situation in Trinidad and Tobago typically focus on either the inadequacy of relevant criminal justice legislation and policy, or the inadequacy of human rights protection. Each of these concerns is considered in more detail below.

2.7.2 Legislation and Policy

In Trinidad and Tobago, legislation could be argued as having an impact on remand due to its nature. The bail application, or the decision of the court for a given suspect to be remanded in custody under the laws of Trinidad and Tobago is a power governed by statute through the Bail Act 1994. Under this legislation, when the accused is charged with murder, treason, hijacking or piracy, bail is automatically denied. There have, however, been recent amendments to the Bail Act which have complicated the situation somewhat. For example, in January 2014, the then government of Trinidad and Tobago may have exacerbated the overcrowding of prisons due to an increased number of remand prisoners within the country by enacting into law a ‘one strike and you are out’ policy.

This policy emerged following concerns about a rise in repeat offenders. The Bail Amendment Act (2014) therefore denies bail to defendants who have any previous conviction

for a serious or violent offence along with the list of statutory exceptions to bail being granted, when the defendant is charged with the specific offences set out above. The Bail Amendment Act 2014 operates as follows: when such a person is released from prison, if they are then arrested and charged for committing another serious and violent crime, within 10 years following his or her release from prison, they are not eligible for bail for 120 days. In other words, they are immediately sent to remand for 120 days, after which they can apply for bail if their case has not yet started. After 120 days spent on remand, if the prosecution has not started their case, the detained person can apply to a judge for bail.

Further amendments to the Bail Act also give a Magistrate Judge the right to refuse a person bail for 120 days if they are charged with an offence and were in possession of a firearm. Public outcry, especially from the judiciary, objected to the introduction of this law for its ambiguity. In an article in *The Newsday*, a local newspaper, dated May 23rd, 2016, entitled ***‘Bail (Amendment) Act poorly drafted, says Judge’*** it was stated that:

“Justice Carol Gobin gave her interpretation on Friday of Section 5(b) (ii) of the Act, in a judicial interpretation application brought by a police officer who was initially denied bail after he and another colleague were charged with three offences. In her ruling, Gobin held that the phrasing of the clause was a hopeless struggle and the result of an error in drafting and was ‘ambiguous’ in nature.”

The Parliamentary debate which occurred before the passing of the Bail Amendment Act 2014 shows that the decision to adopt this policy was not unanimous. The opposition at the time called the policy a “multi-tiered regime” and claimed that the policy showed no trust

in the legal system or the judiciary and its ability to manage its affairs (Persad, 2014).

However, despite a change in government, to date this Act remains in force. As such, anyone suspected of committing a crime whilst in possession of a firearm is immediately denied bail and remanded for 120 days, along with anyone who has been arrested after having served a sentence for a specified offence in the previous ten years, or where the suspect is suspected of having committed some other offence which constitutes an exception to the general right to apply to the court for bail under s4(1) Bail Act 1994.

These amendments slowly bring another question into focus, which is: Is remand being used as a form of punishment or deterrent to address a particularly troubling social problem? In other countries, similar tough policies usually involve a prison sentence as a ‘no nonsense’ punishment, following conviction. What does this suggest about the way remand is being conceptualized or framed by policymakers in Trinidad and Tobago? It is submitted that it is entirely possible to consider a long period of imprisonment without trial as something of a deterrence to criminal activity. However, the legitimacy of such an objective would completely undermine the principle of the presumption of innocence which ought to be enjoyed by defendants.

What further complicates the remand situation is not just the presence of laws but their absence as well, particularly in relation to the limitations on the use of remand. There are lengthy delays in the criminal justice process in Trinidad and Tobago. Unlike other Caribbean countries, Trinidad and Tobago does not have the Paton Morgan principle or any law embedded in the Constitution that requires speedy trials by forbidding unduly long judicial processes. As a result, persons may quite legally be held on remand for a long time. As of

January 2017, 154 persons have been on remand for more than ten years (Parliament of Trinidad and Tobago, 2017).

Seetahal (2001) has noted that since the 1990s Trinidad and Tobago has emerged as the jurisdiction within the Caribbean region that has produced the highest number of cases that cited delay as their grounds for abuse of process. There is no empirical evidence to directly link legislation and the remand situation in Trinidad and Tobago, and Seetahal (2001) viewed this as a possible reason for the remand situation. There remains a gap within the literature, that is, the linkage between legislation reform or policy or the lack thereof and the growing remand population.

2.7.3 Human Rights

The remand situation within Trinidad and Tobago, like the rest of the world, gives rise to human rights concerns. So much so, that within very recent times the government of Trinidad and Tobago has placed a lot of emphasis on seeking to address the problems of remand conditions. Reports from other countries, such as that of the United States' State Department's Human Rights Report on Trinidad and Tobago 2012 and 2013 (US State Department, 2013) referred to the remand situation in Trinidad and Tobago, and the conditions inside the country's prisons as "harsh" (p.2). These reports highlighted the human rights issues, particularly regarding remand. In summary, remand is overcrowded, with poor conditions for both prisoners and prison workers, and leads to the poor treatment of prisoners.

The current government of Trinidad and Tobago has made a concerted effort to examine the human rights violations on remand through focused observations of the system. They have established a Joint Select Committee with a direct focus on the human rights violations experienced on remand. As an illustration, the Committee documented instances of potent and unpleasant odours, along with damp concrete floors, within the remand facilities. They observed forty remandees crowded into a single large holding cell, resembling animals in captivity. It was explained that these individuals were new arrivals awaiting their bail hearings in court. Moreover, for existing persons on remand, they live in these cramped conditions, each cell accommodated an average of five to nine remandees, with only a thin mat provided as bedding. This description underscores the overcrowded and uncomfortable environment faced by individuals in remand (tpparliament.org, 2018).

Different studies have examined the prison conditions in Trinidad and Tobago between 2002 and 2015. For example, Spence (2019) included a recommendation for the improvement of facilities and the conditions of remand prisons in the country. Spence's report indicated that the poor conditions faced by remand prisoners could have greater consequences for all of society, as the unsanitary conditions faced by such prisoners may result in a breakout of contagious diseases in Trinidad and Tobago. This piece of information alone shows the significance of this study, as it examined the remand system in the country and gives recommendations to stakeholders on areas that need improvement.

After interactions with inmates, the Parliamentary Joint Select Committee further noted the following issues: food was not fit for human consumption; alleged corruption was rife, through having to bribe officers for amenities; the length of time those on remand had

spent in the prison, the effect it had on their mental health; and concerns of the working conditions of the prison officers. It was observed that officers too, endured cramped and hot quarters with below standard shower facilities. The kitchenette's floor and countertops were in disrepair and were generally unsanitary. The findings offer a vivid description of the current state of remand in Trinidad and Tobago from a human rights perspective. In doing so, they highlight the severity and urgency faced by policymakers as they attempt to tackle the issues facing remand in the country.

Importantly, the report of the Committee noted that Trinidad and Tobago has no local charter to ensure it remains aligned with international treaties which it has signed. Therefore, bodies that are meant to ensure human rights observations in institutions like remand centres are non-existent within Trinidad and Tobago. Very often, the burden, therefore, falls solely on the Government of Trinidad and Tobago to ensure compliance with international charters or treaties and implement the necessary changes.

Further evidence of political concern surrounding the current state of human rights for Trinbagonian remand prisoners is the number of times the issue of remand has been debated in the Parliament of Trinidad and Tobago, particularly over the past two governments. Debates in the House of Parliament over the years have seen numerous inquiries and reports being undertaken. The previous government administration in 2014, employed a task force team, headed by Professor Ramesh Deosaran, to address the situation during their tenure. Though findings were submitted, they were not made public. However, the recommendations were published on the Parliament's website. In this document, the remand situation was defined as volatile and requiring urgent attention ([ttparliament.com](http://parliament.com), 2015).

These concerns over human rights in Trinidad and Tobago are concerns also shared globally in respect of remand. Internationally, the issue of remand has received persistent scrutiny from various pressure groups and human rights activists. A Penal Reform Trust report from 2015 on global prison trends, confirmed the overuse of remand as a global issue (Penal Reform Trust, 2015), while the Open Society Foundation (OSF) called remand one of the most overlooked human rights crises of our time (Open Society Foundation, 2014). Indeed, remand continues to be problematic globally as Coyle et al. (2016) confirmed a common feature of remand across the world is their high remand figures. Remand conditions are associated with the widespread poverty of inmates and frequently combined with overstretched and under-resourced justice systems. With all these issues, it is worrying that there are approximately three million persons across the world on remand (Coyle et al., 2016).

Globally, solutions to the remand problem have seen alternative approaches being used to maintain control over suspects before trial. These include house arrest, probation, check-in signing and other methods. The objective of utilizing these alternative methods within the criminal justice system is to help reduce the number of offenders in prison. However, remand remains the most frequently used form of incapacitation and therefore remains a global issue, requiring sustained academic attention. To deal with a global problem, solutions are needed globally. In the case of Trinidad and Tobago, however, a proper assessment of how and why remand is used, and a comparison of policy intentions and lived realities, is urgently required.

Addressing the public concern about remand in Trinidad and Tobago requires focused time and concentrated political will. To appropriately tackle the problem academic attention and empirical data and analysis are necessary, as they would provide a better understanding of

the situation and the development of adequate solutions. Empirical data can be drivers of the agenda for change, but research on remand in Trinidad and Tobago is lacking, and what is available merely presents the current issues in general terms. However, somehow this fact continues to be overlooked.

2.8 LITERATURE REVIEW CONCLUSION

Remand continues to be a significant issue in the criminal justice system, despite the various problems and criticisms it has faced. However, there is a lack of literature advocating for the complete removal of the remand system. Instead, there seems to be a consensus that the system in Trinidad and Tobago requires substantial restructuring, reform, and intervention. For instance, in the wider literature, articles like the one by Daskai (2009) question the effectiveness of the current system and its level of functionality, but they do not explicitly call for the abolition of remand

The study also questioned if places like Guantanamo Bay, an American facility to ‘remand’ terrorists, fits into the broader scheme of justice as its operations erode human rights but does not at any point argue for the elimination of ‘remand’. That appears to be consistent throughout the literature examined thus far, as there have been noted articles that seek to find an alternative to remand as opposed to fully eliminating it. Even in this exploration of an alternative method to achieve the same outcome of remand, custodial remand is still considered to be necessary as a last resort. It may be premature to say that none of these opinions or studies believe remand should be removed since there are arguments for a

reduction in its use in the literature. This seems to lend support to the position that remand promotes justice within the criminal justice system in some form.

While exploring the literature on remand, it was evident that different countries have issues that are specific to their socio-political standings. For instance, in the United Kingdom, numerous studies such as that carried out by Forrester et al. (2014) and by Birmingham (2004), were focused on the mental health, physical health and wellness of remand prisoners; but this was less evident in countries like Canada and Australia. This may signal that there may be a general social concern regarding health systems within the UK over the past years. Conversely, in countries like Canada and Australia, a greater focus was placed on understanding the growth in numbers on remand. Although this indicates varying political interests, the different issues highlighted also strongly suggest that research on remand and the experience of remand requires country-specific investigation.

Currently, the Eastern Caribbean region is missing from any country-specific research analysis. Therefore, this study being based within Trinidad and Tobago would not only contribute to the existing field of remand literature, but also give a perspective to the Eastern Caribbean in a way that has not yet been explored. A notable exception is the cross-national focus on the implications and effects of policies on remand. In this case, there are common issues surrounding the population size of remand, remand conditions, regime, and treatment of its prisoners. Kalmthout (2014), discusses the conditions in which remand prisoners are held and fails to discuss the policy issues which cause such conditions to persist (Kalmthout, 2014). The European Committee for the Prevention of Torture (CPT) has assumed a position

that the conditions in which prisoners are held were unacceptable and were considered as being degrading and inhumane (Kalmthout, 2014).

Given the commonality of these issues, it is important to ensure that the recurrent issues surrounding remand are investigated by empirical research, in each jurisdiction. This will allow a better chance of ensuring appropriate evidence-based policy formulation. At present, this evidence base is missing in respect of the Eastern Caribbean, and particularly in Trinidad and Tobago.

This statement highlights a notable aspect regarding the focus on age in relation to remand, particularly in the context of young people, as noted by Seymour and Butler in their study from 2008. The observation implies that there has been a noticeable emphasis on examining the experiences of young individuals within the remand system across multiple countries. This could indicate a shift in attention towards understanding the specific challenges, issues, and dynamics faced by young people who come into contact with the remand system. It suggests that researchers and policymakers are increasingly recognizing the unique circumstances and needs of young individuals within the criminal justice system, particularly in the context of pre-trial detention. This shift may reflect broader societal concerns about youth justice and the importance of tailored approaches to address the distinct needs of young offenders or those at risk of entering the criminal justice system.

Within the literature on imprisonment generally, there has been a focus on gender. Melvina et al. (2018) also made this observation, explaining gender is the result of the increase in the female prison population as a result of global political changes. Melvina et al.

(2018) also noted that there was a gap as it relates to research in this area in the Caribbean, which their research sought to fill. They found that imprisoned women in the Caribbean face a double challenge of “the threat of losing pieces of their social identity and trying to cope with a penal culture that threatened to reshape how these women viewed themselves” (Melvina et al., 2018 p.1). However, the gender issue will not be discussed in this thesis.

Based on the foregoing review, a conclusion can be drawn that there is a gap in our knowledge base about remand in the Trinidad and Tobago context, and indeed the wider Caribbean, even though pressing policy concerns exist. Moreover, although there is a growing body of literature about remand in the wider world, there remain some clear gaps in our knowledge base, particularly with everyday practices and lived experiences. The literature and policy have flagged up, however, issues about justice, control, the appropriateness of its delivery with regard to human needs and rights, and its impact, that require urgent investigation. This research therefore seeks to examine the lived experiences of remand within Trinidad and Tobago’s criminal justice system, to add to both our understanding of the criminal justice system regionally and our understanding of remand more generally.

Regarding the focus of the study, the main question addressed in this research is:

How is remand experienced and framed in Trinidad and Tobago?

Based on the main objective of the research, the following secondary research questions were formulated:

- a) How do remanded suspects in Trinidad and Tobago perceive their experiences during detention?
- b) How do the perspectives of prison officers, who are immediate decision-makers, provide context to the experiences of individuals in remand?
- c) How do the perceptions and decisions of decision-makers in the Trinidad and Tobago criminal justice system shape and contextualize the experiences of remanded suspects?
- d) What potential policy and practice implications arise from the experiences and perspectives gathered from remanded suspects, prison officers, and criminal justice decision-makers in Trinidad and Tobago?

CHAPTER THREE: METHODOLOGY

3.1 INTRODUCTION

This chapter explores the methodological process employed in this study. It outlines a general discussion regarding prison research, positionality, and the qualitative approach and methods used in the research process. In summary, this study employed a combination of methodological strategies and used NVivo software to sort and analyse the data and explore the lived experiences within the remand system of Trinidad and Tobago. The chapter also looks at the ethical considerations surrounding this study to ensure its integrity is upheld.

3.2 RESEARCH THEORY: WHY QUALITATIVE RESEARCH?

Babbie (1998) describes qualitative research methods as being very valuable in providing rich explanations of compounded, multifaceted events and phenomena. Additionally, qualitative methods provide a platform for a person's experience to be highlighted and understood, allowing the researcher to grasp an interpretation of events and viewpoints that may not usually be expressed (Babbie, 1998).

Sofaer (1999) states that qualitative methods can provide groundwork in the '*development of meaningful amounts*' making the data more manageable and beneficial to the overall conceptual framework or analytic plan of a research. Similarly, Bowling (2002) notes that qualitative methods deliver rich descriptions of phenomena. Furthermore, Bryman (1998) indicated that the qualitative approach adds context to understanding. This may be particularly important when exploring lived experience as each understanding or experience may require further explanations to make complete sense and be understood.

Bryman (1998) also suggested that qualitative approaches can identify patterns and configurations among variables and make distinctions. Thus, qualitative research not only serves to provide descriptions, but also helps in the development of inquiry toward more meaningful explanations which is a useful strategy for this study. It will help answer research questions which can only really be answered qualitatively, rather than quantitatively. For example, answering whether or not the law on remand needs reform and the form this might take is not something that can be accomplished merely by way of quantitative analysis.

3.3 RESEARCH METHOD

According to Melvina et al. (2018), the research method refers to the blueprint for data collection during a research process. A qualitative methodological approach was used to explore the research objectives and research questions that aim to understand the lived experiences of remand in Trinidad and Tobago.

In this case, the main aim of the study was to explore the lived experience of remand. Similarly, this study sought to understand the reality of remand life by providing remandees with an opportunity to describe their time while on remand. Since the emergence of human rights campaigns, civil movements, and socially responsible research, prisoners have been classed by Brookman (2010), at least with respect to those on remand in the UK, as a vulnerable group to which great consideration should be given to as it relates to any risk of harm or hurt.

For a more efficacious data collection, a qualitative approach was chosen for the investigation. This approach encourages people to open up, speak freely, give perspective, and provide previously unknown information and data. Creswell (2018) demonstrated that a

qualitative study provides the platform to question the 'how' and 'why' of the participants, which enables the collection of rich and thick narratives and an in-depth understanding of individuals' lived experiences. Additionally, a qualitative methodological approach allowed the participants to provide a specific, meaningful data set. By doing this, qualitative data takes an individual's experiences and turns them into usable data, vital to this study. To a further extent, this method allows individuals who are marginalized to provide their insights, which have previously been unrecorded.

Additionally, the research can help develop new theories in areas that have previously been neglected. The qualitative research approach was the most appropriate as it allowed for the best in-depth investigation of the research topic and questions, providing a foundation for understanding remand in Trinidad and Tobago. In this case, to achieve a comprehensive contextual understanding of the remand system in Trinidad and Tobago, a qualitative approach was chosen to help in the discovery of new, unknown data. This data is vital for the remand system's review and upgrading, which has been a trend in the criminal justice system within Trinidad and Tobago.

The results achieved through qualitative research are descriptive rather than predictive, which is apt for the purpose of the thesis. In an attempt to answer the research questions mentioned above, this study will use the perspective of remand policymakers to contextualize the remand experiences and remand 'end-users' to explore their first-hand daily experiences.

3.4 RESEARCH DESIGN

Daly and Sarre (2016) explained that the research design constitutes an overall strategy that an investigator chooses to integrate using various investigation components logically and

coherently to ensure a complete investigation of the research objectives. Moustakas (1994) added that research design is the blueprint for measurement, collection, and data analysis. The study adopted a phenomenological research design to investigate Trinidad and Tobago's remand framework through lived experiences.

3.4.1 The Phenomenological Approach

Walters (1995) cited in Byrne (2001) notes that phenomenologists see knowledge as rooted in our everyday world and emanates from people's life experiences. To this extent, they do not advocate for quantified knowledge. The phenomenological approach allows for one's truth to be explored, which results in an ontological assumption. Personal life experiences and knowledge impacts individual views, judgments, and decisions. This is because people tend to have preconceived notions and understandings attached to different social world occurrences. According to Frankl (1997), such pre-convinced notions diminish the human experience and existence. It is common in the modern world to have preconceived notions about prison life, more so remand life, without really knowing what remand life entails.

According to Frankl (1997), the phenomenological approach is executed rigorously and systematically to search for insights, understanding, and meaning in a person's world. This study used a phenomenological approach in an attempt to search for an understanding of remand's lived experiences. In this case, researching lived experiences helped to explore data to provide an accurate understanding of the experience. The phenomenological approach was chosen because it provides an opportunity to explore different understandings and viewpoints. In any phenomenon or event, understandings and meanings are given by individuals to these phenomena. People have perceptions of physical and mental phenomena, and they reflect on

them; thus, phenomenology captures these reflections. This methodology captures the construction process of meanings and interpretations.

Robson (2002) describes phenomenological research as having the ability to focus on the subjective individualistic experiences of the participants and asks what their experiences are like with the aim of understanding their truth. Phenomenology essentially is an approach to understanding, and, as such, will be utilized to explore lived experiences of remand.

As outlined by Creswell and Poth (2018), the general procedural steps in the phenomenological process include:

- I. Determination of the research problem.
- II. The identification and description of a phenomenon of interest to study.
- III. Distinguishing and specifying the broad philosophical assumption of phenomenology.
- IV. Collection of data from the individuals who have experienced the phenomenon by using in-depth and multiple interviews.
- V. Generation of themes from the analysis of significant statements.
- VI. Development of textual and structural descriptions.
- VII. Report writing and presentation of the understanding of the essence of the experience.

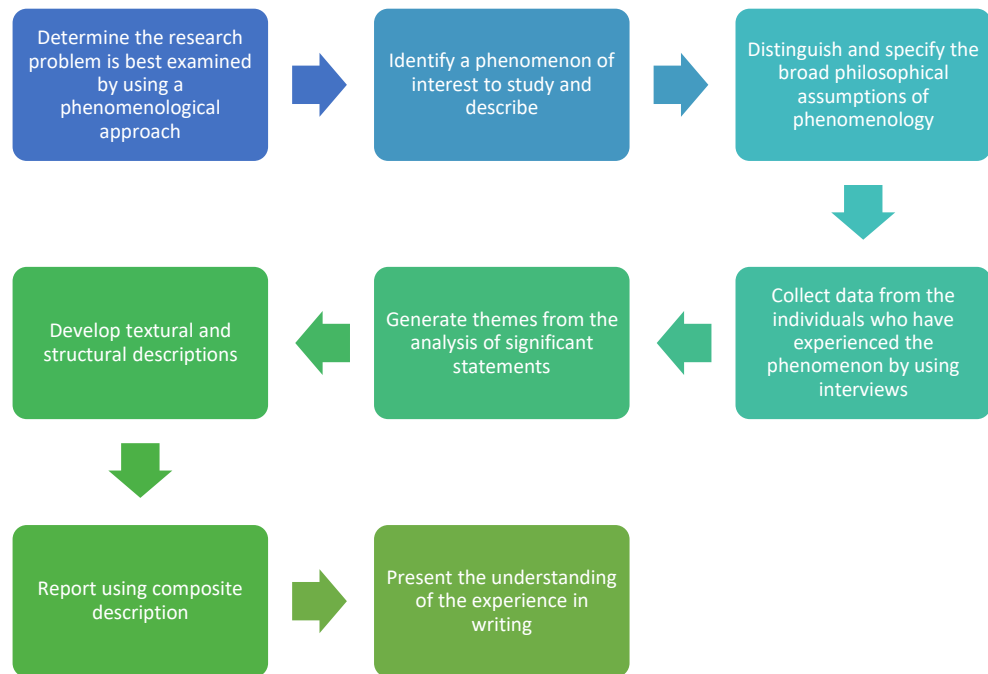


Figure 1 Procedure for conducting phenomenological research; (Creswell, 2018 p.81)

According to Denzin and Lincoln (2003), phenomenology is a research method that qualitative researchers should frequently employ because it enables a deep understanding of lived experiences through systematic investigation. Dowling (2007) further notes that over the years, the phenomenological approach has expanded its range of perspectives, evolving from Husserl's positivism to Merleau-Ponty's post-positivism, Heidegger's interpretive approach, and Gadamer's constructivism. In Heideggerian phenomenology, humans are seen as interpretive beings, continuously engaged in interpreting their world (Dowling, 2007).

Given that this study aims to understand the lived experiences of individuals on remand, an interpretive phenomenological approach grounded in Heidegger's philosophical framework

was selected as an appropriate methodological overarching approach. This approach incorporates a hermeneutic perspective, which emphasizes the interpretation of meaning through manifestations, contrasting with Husserl's descriptive phenomenology (Vale, 2014). This approach encourages the researcher to delve beyond the superficial aspects of daily experiences and to reveal the deeper, implicit meanings inherent in phenomena. In this context, phenomenological meaning is understood as fluid and subject to change, rather than as a static essence. Consequently, valid conclusions can be drawn from each individual's perspective, acknowledging that views and interpretations may evolve over time. This approach allowed for an exploration of the changing meanings associated with lived experiences on remand, facilitating the emergence of new insights and a deeper understanding of remand within its current context.

Phenomenology, with its focus on how people experience and interpret their realities, seeks to uncover the essence of these experiences. Specifically, Heideggerian phenomenology, which emphasizes "being-in-the-world," can provide a profound understanding of how individuals relate to and make sense of their remand experiences within their broader existential contexts (Heidegger, 1962; van Manen, 1990).

Heidegger posits that human beings possess the innate capacity to understand their own existence. He introduces the concept of "Dasein", or "being-there," as a framework for making sense of being in the world, prompting inquiry into the nature of existence and lived experience. Heidegger argues that to engage with these questions, Dasein must have some prior knowledge or understanding, derived from what is already known or experienced, because "Dasein always interprets itself in relation to its existence" (p. 33). Heidegger, 1962)

Thus, individuals are not isolated but are always embedded in the world, continuously interacting with, influenced by, and uncovering the social structures and norms around us. Heidegger encourages researchers to ask the right questions to uncover the hidden meanings within everyday life. In this study, the focus is on the lived experiences of remandees and the significance of those experiences.

Heideggerian phenomenology is distinguished by its emphasis on the interpretive aspects of human existence. While Husserlian phenomenology centres on the structures of consciousness, Heideggerian phenomenology delves into the existential dimensions of experience. This approach is particularly valuable for studying remand experiences as it addresses not only immediate perceptions but also the broader existential and contextual dimensions of individuals' lives (Heidegger, 1962).

Apart from the aforementioned advantages of a phenomenological approach, Byrne (2001) suggested that the phenomenological approach possesses a systematic methodological outline that is compatible with this study. Byrne states:

“As qualitative researchers, phenomenologists must follow an organized approach to answering their research question. First, the researcher must develop the question. Next, he or she must devise a sampling plan to ensure the appropriate subjects are available and willing to answer questions. Information or data can be obtained by observations, interviews, or written descriptions. Data then are analyzed using a process of coding and categorizing the information.” (p.831)

The adoption of this approach strengthens the credibility of this study as it provides a clear definitive path for the methodological procedures employed.

In applying this framework, the researcher acknowledged the need to make informed decisions regarding the development of research questions and the choice of analytical methods. The first step was to ensure that in employing Heidegger's phenomenology there was the required alignment with the study's goal of exploring the lived experiences of remandees. It is essential to recognize that using Heidegger's hermeneutic phenomenology involved more than adhering to philosophical principles; it required integrating relevant philosophical perspectives and strategies to establish a methodological framework that effectively guided and interpreted the research on remand experiences. Complementing this framework, the study utilized thematic analysis.

Thematic analysis is a qualitative research method that provides a structured framework for analyzing data, as highlighted by Braun and Clarke, who emphasize its applicability across various fields of study (Braun & Clarke, 2022). When applied within the philosophical framework of Heidegger's phenomenology, thematic analysis facilitates a profound exploration of lived experiences. This alignment is particularly beneficial for studying the lived experiences of remandees, as it provides deep insights into their personal worlds and the contexts influencing their experiences. Heidegger's phenomenology emphasizes understanding human existence through subjective experiences and the meanings individuals attach to their lives. Thematic analysis supports this approach by systematically uncovering and interpreting the themes that emerge from participants' narratives.

Studies have shown that thematic analysis can effectively capture the nuances of lived experiences, particularly in healthcare and social research contexts. For instance, Nkosi's work illustrates how a phenomenological approach can uncover the rich textures of learning

experiences among marginalized groups, demonstrating the applicability of thematic analysis in exploring profound personal narratives (Nkosi, 2023).

Heidegger's phenomenology focuses on the subjective nature of individuals' interactions with their world, highlighting how their experiences shape and are shaped by their context. Thematic analysis complements this focus by identifying recurrent themes that reflect fundamental aspects of participants' experiences. Through coding qualitative data, researchers can reveal how remandees experience and interpret their existence within specific contexts, uncovering the essence of their lived experiences.

Thematic analysis also aids in contextualizing these experiences by revealing how themes are influenced by socio-environmental conditions. This contextual understanding enriches the interpretation of remandees' interactions with their prison environment and broader social context. Additionally, thematic analysis helps uncover the structure and organization of remandees' experiences, reflecting Heidegger's emphasis on the structure of "Being" and how individuals make sense of their existence. By exploring themes such as isolation, agency, or institutional dynamics, thematic analysis illuminates the underlying structures that shape their lived experiences.

Thematic analysis aligns seamlessly with Heidegger's emphasis on subjective experiences and meanings, addressing the personal and emotional dimensions of remandees' narratives. By respecting their subjective realities, it provides deeper insights into their perceptions and interpretations. This approach enables the researcher to move beyond surface-level observations, uncovering profound meanings embedded within the lived experiences of

remandees. Additionally, thematic analysis facilitates the prioritization and organization of these experiences, resulting in a clear and focused presentation of findings.

However, integrating thematic analysis with Heideggerian phenomenology is not without its challenges. The method's reliance on coding and categorization risks fragmenting participants' narratives, potentially reducing the holistic essence of lived experiences that phenomenological approaches seek to preserve. This inherent tension between the structured nature of thematic analysis and the fluid, interpretative focus of Heideggerian phenomenology can make it challenging to fully capture the depth and richness of participants' experiences. Despite these challenges, the combination of Heideggerian phenomenology and thematic analysis offers significant advantages. This synergy allows for an in-depth exploration of complex phenomena, such as remand experiences, while also providing a rigorous framework for analysis. Reflexivity plays a critical role in mitigating interpretative biases, enabling researchers to maintain a balance between thematic analysis's structured approach and the existential depth central to Heideggerian phenomenology. By addressing these limitations, researchers can enhance the credibility of their studies and ensure that findings remain reflective of participants' lived realities.

Furthermore, thematic analysis offers several benefits within a Heideggerian framework. It reveals nuanced insights into participants' lived realities by identifying and elaborating on key themes. This approach provides rich, descriptive accounts that align with Heidegger's aim of uncovering the essence of experience. Thematic analysis also contextualizes these experiences, highlighting how they are shaped by the interplay between

individuals and their environments. Moreover, its structured coding and theme development process ensures a rigorous interpretation, supporting the goal of uncovering authentic meanings while respecting the subjective and contextual complexities of the data.

The method also facilitates reflexivity, encouraging researchers to critically examine their own perspectives and biases. This reflexivity is consistent with Heidegger's emphasis on the interpretative nature of understanding and the importance of acknowledging the researcher's role in shaping the analysis.

3.5 RESEARCH PHILOSOPHY

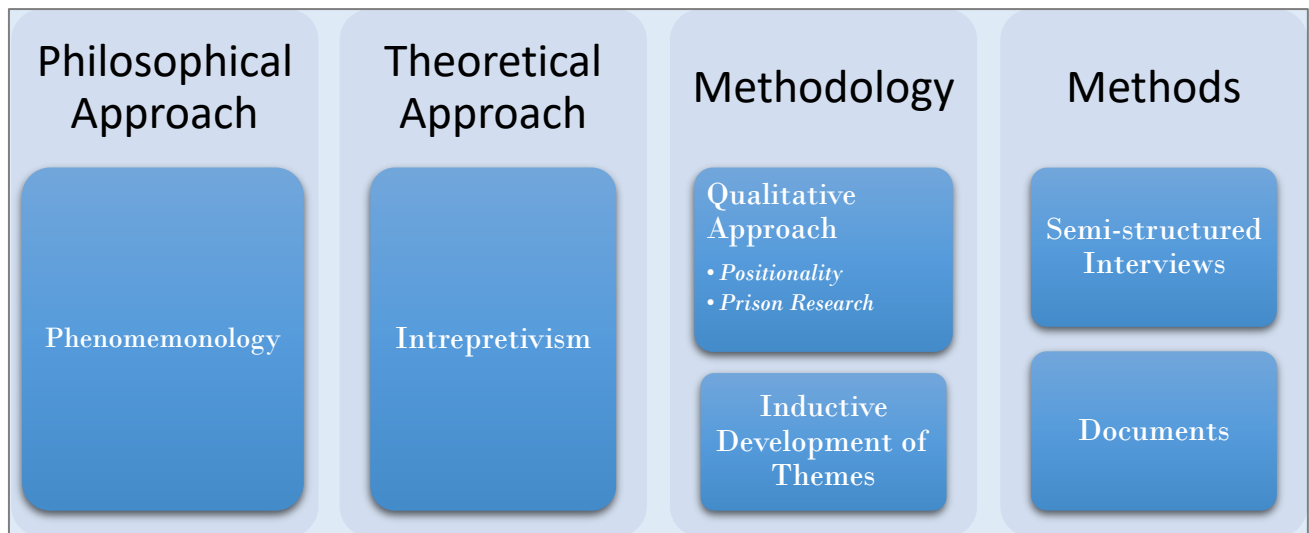
According to Poucher & Tamminen (2020), research philosophy is a set of beliefs that guides the nature of the reality of the study. This study aims to understand the lived experiences of remandees within the remand system in Trinidad and Tobago. This study adopts an interpretive research paradigm to seek new knowledge through a phenomenological perspective of data collection and data analysis. This approach would allow for a fundamental understanding of remand in Trinidad and Tobago.

An interpretive paradigm is based on diverse social contexts and experiences. According to Bogdan and Biklen (1998), this paradigm relies heavily on how different persons socially construct understandings about various aspects of the world, which in this case, are within the remand system in Trinidad and Tobago. Therefore, there are multiple interpretations or understandings of any aspect under investigation. As a result of its nature,

the interpretive approach is developed by grounding its assumptions in the data, as the researcher first has to understand the socially constructed viewpoint to generate findings.

In line with this, the study explored the intentions of the remand system in Trinidad and Tobago and the lived experiences of those involved with its daily operations. The study further explored how different social groups understand, interact, and interpret the remand system in Trinidad and Tobago. The study engaged in face-to-face interviews and examined different pieces of written documentation on remand.

Table 1: Philosophical Underpinning of the research



3.6 VALIDITY AND RELIABILITY OF THE DATA

Reliability and validity concepts are used by the investigators to determine and evaluate the quality of a study. DeBellotte (2020) demonstrates that validity and reliability research techniques indicate how well a certain variable can be measured. The validity of data is about the measure of accuracy, while reliability is about the measure of consistency.

The data collection method in the phenomenological research design adopted in this study ensured the reliability and validity of data in various ways. This was achieved through triangulation, by interviewing participants and reviewing policies that exist on remand. Triangulation ensures credibility and dependability as different perspectives are offered through these strategies. Furthermore, to increase the trustworthiness of the study, the data were transcribed and analysed in the exact words used by the participants.

Sutton (2011) acknowledged prison research to be particularly challenging. In this case, the researcher employed research skills such as articulating and explaining procedures to the participant. It also involved ensuring that the research setting did not make inmates anxious. During the study, there was an overall control of the research environment and a measure of persuasion that was used to get respondents to fulfil the research objectives. Crijsins et al. (2016) showed that this can be challenging as many inmates may have mental health, developmental deficits, and other problems. Additionally, Bagent and Dudley (2017) demonstrated that it can be difficult to reassure and win the trust of the prisoners as well as secure the cooperation of prison staff because they are often unsympathetic to inmates.

To ensure the validity and reliability of the data, the possibility that researchers could interfere with the work and routine of the prison staff was taken into consideration. Sutton (2011) stated that qualitative studies done in prison can interfere with the remand inmates' normal activities. In this case, the investigator put possible measures to mitigate the impact of their activities on the prison's routines. This facilitated the maximum cooperation of staff. Additionally, to ensure the credibility of information acquired from the remand respondents, the researchers frequently visited the prisons to examine subjective experiences in the prison

environment. During this period, the investigator adhered to the rules of the prison and attended all preliminary training through continuous observations of routine.

Data were also collected from the prison officers. However, the prison environment was not very conducive to the investigation. Crawley (2004) postulates that the exploration of prison officers' daily, emotional life at prisons is not widely researched. Therefore, this is a critical area of exploration, as it must be accepted that "prisons are emotional places." Dobbie et al. (2018) found that individual factors such as victimization and greater job demands were more related to stress among prison officers. To ensure the reliability and validity of data, the researcher remained very cognizant of the fact that prison officers, too, may have mental issues and are very sensitive to remand issues. Therefore, the researcher tried to keep a calm and welcoming environment to ensure officers were comfortable. This gave the prison officers enough autonomy and control over the interview.

Data credibility was enhanced through the choice of strategic approach during data collection. The investigation applied a strategic approach to positionality. According to Creswell (2018), researchers tend to "position themselves" in a qualitative study, which means researchers use related materials to interpret the information they gain from a study. Positionality was carefully considered in this study to enhance the creation of a good rapport between the respondents. Hence, appropriate and understandable language was used for all the respondents. Before the investigation commenced, the respondents understood the purpose and intent of the research and their role in the study before each interview. Therefore, they were free to provide the information required to the investigator.

Qin (2016) notes that qualitative data is often viewed as subjective. While thematic analysis provides significant advantages for exploring lived experiences, it has certain limitations. A primary concern is the potential for researcher bias in coding and identifying themes. Since thematic analysis relies heavily on the researcher's interpretation of data, personal biases may influence findings, potentially leading to a misrepresentation of participants' experiences (Mohammed, 2022)..Positionality strategy was used during the research to minimize the risk of subjectivity as well as increase the reliability and validity of the information collected as indicated earlier. Moreover, Abbott et al. (2018 p.9) noted, "When research is undertaken with prisoners, researcher independence is operationalized in a context of permission and facilitation by prison authorities, correctional officers, and prison healthcare providers." In this case, the researcher detailed and explained that there was no affiliation to the governing prison organization, but the investigation was being undertaken by a postgraduate student with general intent and interest in knowing and understanding their experience. This explanation also helped in separating the personal and professional work of the researcher.

The researcher is employed as a Senior Policy Analyst within the Government Sector. In this capacity, the researcher had prior knowledge of how to contact the Government officials and prison administration to submit the information sheets and request participation. The researcher therefore was aware that this position could have some subjective influence. To mitigate this the researcher was quite careful to separate personal interactions from professional ones. To this extent, all correspondence regarding the research came from her university email address and all interviews were conducted outside of the professional

environment. It must also be noted that the participants were not known personally to the researcher. The researcher's position in the interview was not influential in any way.

To further assist in managing the issue of positionality, the researcher also expressed their attitudes to the research project towards the participants. This helped to achieve a higher level of objectivity as the researcher acknowledged their positionality and took steps to minimize its effect. Also, the researcher acknowledged that knowledge is constructed in a social context. Positionality helped the investigator to become more aware of potential biases in understanding the perspective of the participants. The researcher was aware of their personal experience and how they may influence the analysis of the data through the approach. Additionally, the research was mindful that thematic analysis requires the researcher to make subjective decisions about theme selection and organization. These decisions may reflect the researcher's interpretative biases, particularly when exploring existential themes that are deeply nuanced and context-specific. To mitigate this a reflexive approach was deemed appropriate. Thus, the investigator maintained a reflexive approach throughout the research process. The reflexive approach allowed the researcher to empathize with the prisoner, and this encouraged them to open up.

The researcher employed several reflexivity strategies to ensure the authenticity and credibility of the findings. With 27 interviews conducted, the researcher first engaged in reflexive journaling throughout the data collection process. This journaling allowed for the documentation of personal thoughts, feelings, and potential biases that arose during interactions with participants, ensuring that these influences were recognized and could be mitigated during analysis.

During the coding and thematic development stages, the researcher continuously revisited their reflexive notes to critically examine how their background, assumptions, or previous professional experiences might be shaping the identification and interpretation of themes. This process involved asking reflective questions, such as whether certain themes were emerging due to the researcher's perspective rather than the participants' lived experiences. The researcher also engaged in peer debriefing sessions, discussing emerging themes and interpretations with colleagues to gain alternative perspectives and further challenge any unconscious biases.

Additionally, supervisor debriefing was incorporated as a crucial reflexive strategy in the study. Regular meetings were held with the supervisor, during which the ongoing analysis was presented, and any challenges or uncertainties were discussed. The supervisor provided critical feedback and posed probing questions, encouraging consideration of different perspectives and mitigating the risk of over-reliance on preconceptions. This process was invaluable in maintaining the rigor of the study, as it facilitated continuous and critical reflection on the research process, thereby enhancing the validity of the findings.

During the interpretation and writing phases, a deliberate effort was made to openly discuss positionality and the reflexive practices employed. This approach ensured that the conclusions drawn were firmly rooted in the participants' lived experiences, rather than being influenced by the researcher's own biases or assumptions. They transparently acknowledged how their role as an outsider or insider in relation to the participants might have influenced the research process and findings. This reflexive transparency was crucial for ensuring that the study's conclusions were grounded in the participants' experiences, rather than being a projection of the researcher's views.

By maintaining a reflexive stance throughout the study, the researcher was able to provide a more credible account of the remand experiences, ensuring that the voices of the participants were accurately and respectfully represented.

3.7 DATA COLLECTION AND ANALYSIS

3.7.1 Study Participants

Concerning the phenomenological approach, a purposive sampling technique was used to choose the participants for this study to allow the gathering of valid, relevant data. The purposive sampling technique looks for persons who possess specific characteristics determined by the researcher, which are viewed to be necessary to answer the research questions. The ultimate goal of the purposive sampling technique is to concentrate on particular characteristics of a population that are of interest, enabling the researcher to answer his or her research questions. This approach is critical as the study aims to explore different perspectives which permit the analysis of connections between intention and reality from different respondents.

One of the core objectives of this study was to identify various views and experiences of remand, rather than explore the extent to which these views are held within society. Therefore, the researcher chose participants who were knowledgeable on the subject area and therefore were able to give the quality of information required. To this extent, the researcher created a list of persons who are in some way involved with the remand system within Trinidad and Tobago. After careful consideration, the researcher identified who would be the most appropriate individuals to approach for this study. It was assumed that these persons would be able to contribute to the study's aim of understanding the lived experiences of

remand, as their daily interaction with the system would give an appropriate description of the practice and operation of remand.

The sample population was as follows:

Prisoners:

Four participants were held on remand for under one year; Six participants were held on remand for over ten years; four participants were held on remand between five and ten years; and all of the prisoners were aged between 19 and 43 years.

Prison officers:

Two prison officers were in the system for less than one year; three worked in the system for over five years but for less than ten years; Two worked for over ten years. Six of the officers were male, and one was female. All the male prison officers worked at the Golden Grove Prison, Port of Spain, while the female officer worked at the women's prison.

Prison official:

The prison official interviewed had worked in the Prison Service for twenty years and worked at all the prisons in the state.

Policy official:

The policy interviewee was the Chief Secretary of the Tobago House of Assembly, male, and had been in governance since 2009.

Lawyers:

Regarding lawyers, one male lawyer with eight years of practice experience was a subject of the study, along with two female lawyers; one with thirteen years of experience and who was the Head of the Law Association of Tobago, while the other was in service for four years.

Court official:

Finally, one magistrate judge was included in the study, who had twenty-seven years of service as a magistrate.

3.7.2 Official Documents

In any study, different perspectives are needed. One such perspective for this study is the use of official documents. The researcher first engaged in a general search for available official documents regarding remand. Then, the research was sent to Prison Officer 1 at the Prison Administration building to ask what documents guide the prison service of Trinidad and Tobago as well as any other important documents that may be useful to this study.

Table 2 summarizes the methods of data collection and participant details. It was deemed that official written documentation, government officials, court officials, lawyers, and management officials would be best suited to articulate the intentions of remand as each group in some way influences the policies on remand. On the other hand, prison officers and prisoners would be the most suitable candidates to express the reality or practice of the remand system. The presumed sample for the study was forty-six respondents, however, due to COVID-19 mitigation measures, the samples were reduced to twenty-seven interviewees:

Table 2: Breakdown of Participants; Author compilation

Group	Specification
• Judiciary	1 Magistrate Judge (past or present)
• Prison officials	1 person from the Prison Authority (prisons department of prison managers)
• Lawyers	1 President of the Law Association of Trinidad & Tobago (or a representative) 2 Lawyers from the Law Association of Trinidad & Tobago.
• Decision makers	1 Government Official
• Remand prisoners	14 remanded prisoners
• Prison officers	7 prison practitioners (prison officers who have direct interaction with remand/supervise remandees)

3.7.3 Data Access

To obtain written official documents, the researcher contacted the Trinidad and Tobago Parliament Library, which provided guided steps to retrieving parliamentary debates, legislation, and policy. This step was fairly simple as the parliamentary staff was supportive. After having an initial telephone conversation, an email address was provided by the researcher. Within one week, the parliamentary staff supplied a portable document file (pdf) of legislation, reports, and debates on remand. Upon receiving this information, over the following three weeks, the researcher visited the Trinidad and Tobago Parliament's website at <http://www.ttparliament.org/>, where the researcher searched the Hansard, Acts of Parliament and Standing Committees for debates and other relevant documentation concerning the remand system of Trinidad and Tobago.

Added to this, the researcher used Google searches of national library databases to search for any available policies on the remand system. A list of search terms was generated,

based on the research questions, and the researcher systematically searched for the remand policies, legislation and debates within Trinidad and Tobago. These also included international policies and practices that Trinidad and Tobago would have to adhere to through obligation or participation in an international body. Crucial information was then searched in the Parliament's databases. The databases included online repositories of the Trinidad and Tobago Parliament. Various keywords that were used during the search included: "Hansard AND Trinidad and Tobago," "Acts of Parliament AND Trinidad and Tobago," "Act of Parliament OR Standing Committees for debates AND Trinidad and Tobago," and "Remand System OR Policies AND Trinidad and Tobago," "Policies OR Legislation AND Trinidad and Tobago," and "Remand Debates AND Trinidad and Tobago."

A combination of snowballing and purposive sampling techniques was used to access government officials, court officials, and lawyers. Prior to the investigation, the researcher sent a letter of request to the relevant respondents via email. This step was a bit challenging as most of the participants for these sections are high-profile parliamentarians or simply persons with very busy schedules. In addition to a copy of the information sheet, an official online request was sent to the potential participants via email, offering them the opportunity to take part in the study. Follow-up calls to interested participants were made to set a date, time and location for each interview.

To gain access to the prison management officials, prisoners, and prison officers, a letter of request for the investigation, along with the ethical form and a support letter from my supervisors were sent to the Commissioner of Prisons for approval and instruction. After approval of the research by the Commissioner of Prisons, it was noted that the Prison

Superintendent was already in charge of an academic research guide for the study of twenty-seven (27) interviewees at the one remand prisons.

All participants were given an information sheet, which explained the nature of the research, and issues of consent, confidentiality, withdrawal, etc. Involvement was a multi-staged consent procedure, which included verbal assent and written consent before the data collection started. The consent procedure was as follows:

- (1) an information sheet given to the participants;
- (2) where applicable, verbal assent by the participant to their agency gatekeeper was sought to establish an appointment;
- (3) before the interview, the researcher confirmed that the participant received the information sheet, and participants confirmed their willingness to participate once again;
- (4) the researcher issued an ethical form with consent, confidentiality, etc. The contents of the ethical form were repeated verbally to the respondents. It was made clear that the participants could withdraw at any time from the study without penalty (of any sort);
- (5) Completion of a consent form by the respondents. It was made clear to the respondents that the information was only to be used for research purposes.

The practitioners helped in the sampling strategy throughout the investigation. The practitioners guided the process of choosing the prisoners based on the ideal sampling criteria of the research. The process and final determination of participants were done by the

researcher who has experience as a Senior Policy Analyst for the Division of Finance, and the Economy. This position of Policy Analyst also allowed for the development of a good professional relationship with all departments of policy and practice in Trinidad and Tobago. The issue of positionality was examined earlier.

3.7.4 Data Collection Instrument

The instrument used for empirical data collection in this study was a semi-structured interview guide. In light of the separate grouping of participants and the objective of identifying different experiences, it was necessary to create different independent interview guides that would appropriately explore each of the groups. As such, the study had three interview guides, one for lawyers, court officials and the government official, one for prison officers, and one for remanded prisoners. The interview guides were formulated based on the research objectives and research questions. It was ensured that each guide was appropriate, valid and relevant for each group that was investigated. Essentially, the separate interview guides allowed for a deeper investigation into different views that were specific to both policy and the practice of remanding, respectfully.

After the interview guides were drafted, they were sent to the Ethics Panel at the University of Salford for authorization. This step was necessary to ensure that the schedules would not put participants or researchers at risk of harm. As a final step to the preparation of the interview guides, a list of conversation fillers and prompts was created to help to collect as much data as possible from the instruments.

During data collection, a comfortable environment was created for all the interviewees. The researcher was very cognizant of power relations while conducting interviews. There are

many arguments regarding the ideas surrounding power relations in qualitative research and its impact on the retrieval of data throughout the interview. Chen (2011) argued that when an interviewer is in a neutral position, it makes it easier for them to collect more information from the respondent. This is because the interviewer is indebted to the respondent and, therefore, the participant feels a position of power to articulate and define their views and concepts. As interviews progressed, the researcher tried to create a relaxed environment where the respondent was open and free to talk. All interviews were conducted at each respondent's requested location, exempting of course the remandees whose general location are determined and finite. However, a private room was allocated on the private compound to facilitate these interviews.

3.8 DATA PROTECTION

Data protection is a fundamental consideration in any research. Kim et al. (2018) demonstrated that data protection is a right of all participants, and research must comply with any legislation of that particular jurisdiction. It is critical to be clear with the participants regarding any limits to confidentiality. Data protection also involves all non-disclosure policies that guide the security, anonymity, confidentiality and protection of sensitive and personal data collected from the respondents.

In this investigation, personal data was not collected from the respondents. For example, information of a personal nature, such as the surnames of the people to be interviewed were not recorded, neither were their dates of birth, phone numbers, or addresses. Every effort was made to anonymize the data. The respondents were not supposed to give personal data such as place names, their names, names of family members and friends, etc., to

enhance anonymity. This was done at the point of transcription so that no data remained aligned with the corresponding participant.

To ensure confidentiality, audio recordings, interview transcripts, and all data were stored separately on a university password-protected computer and in a locked filing cabinet, both to which only the researcher has access. After three years, the researcher will destroy audio tapes. Three years is maintained as the researcher believes this is a sufficient time within which queries about the study investigation may arise. According to the British Society of Criminology Code of Ethics and the Data Protection Act 2018, in the UK, there is no stipulated time frame to keep anonymized data transcripts. Likewise, care was taken when transferring data by memory stick or CD/DVD, and similar provisions exist in Trinidad and Tobago under the Data Protection Act 2011. As such, the researcher would keep the data well protected and stored under password-protected property.

All the data were encrypted to guarantee high security. A specific software helped with this, and all memory sticks were also password protected. All computers that encompass personal data have firewall protection and anti-virus software that is kept up to date to prevent unauthorized access to personal data from hackers or viruses.

3.9 ETHICAL CONSIDERATIONS

The goal of any research should be to advance knowledge in its respective field of study through value-free, responsible investigations. Ethical considerations uphold the integrity of this study and even its impact on the world of research. In this investigation, various respondents were in a custodial facility, and the data may involve some kind of risk or harm. Therefore, a risk-free model would help with decision-making, data collection and

analysis. Consequently, the research followed the ethical requirements of Salford University, which indicates that research carried out in these settings is risk-minimal and benefit-maximized while ensuring both the participants and the researcher are respected, safe, and comfortable.

The investigator would remain in contact with the prisons, provide the appropriate feedback and encourage continued research. Reiter (2014) showed that prisons resist scrutiny at two different stages. He stated that firstly, prisons are structurally and bureaucratically closed off from research, and secondly, outlined a mixed-method, collaborative approach to prison research where he discussed its ethical and emotional challenges. In this way, barriers can be overcome once methodological creativity is applied.

For transparency and comprehension of the research, the researcher complied with the British Society of Criminology Code of Ethics for Researchers in the Field of Criminology as required by the University. A final copy of this thesis will be deposited in the University of Salford's Open Access Repository (USIR) and the Prisons Administration of Trinidad and Tobago. As identified earlier, it is expected this would build a trusting relationship between the academic research world and the remand institution.

3.9.1 Confidentiality and Anonymity

Researchers should strive to protect the rights of those they study, their interests, sensitivities, and privacy. All participants were informed of the level of confidentiality between the interviewer and them. All efforts to anonymize the data will be made. Participants, prisoners especially, will be forewarned. However, any information about criminal activity or involvement would have to be reported to the authorities.

3.9.2 Informed Consent and Voluntary Participation

To ensure no burden is placed on any of the participants, their participation would be voluntary, and this would be ensured by the signing of a consent form by all the contributors. Since only one institution was accessed to collect data, and to ensure that no onerous burden was placed on the institution, the researcher worked along with Prison Service officials to develop an appropriate timeline to conduct the interviews while adhering to all rules and regulations of the institution. In conducting the interview, the researcher ensured no misleading information was conveyed to any participant, and that all boundaries concerning their legal positioning and incarceration were maintained.

3.10 POTENTIAL RISK OF HARM TO PARTICIPANTS AND THE RESEARCHER

Assessments of risk involve considerations of the potential for harm, both physical and psychological or emotional, as well as practical issues like the costs participants might incur as a result of participating in research in terms of money, time and inconvenience.

Explanations of how the research was beneficial to each stakeholder were seen as a step towards reducing the potential risk of harm to all stakeholders. The researcher negotiated with officials to ensure room was given to conduct the interview and that it was safe and appropriate for the purpose intended. Most importantly, careful consideration was given to the formulating of the research tools (interview schedules, etc.), considering the protection of risk of harm. Also, the University of Salford's risk assessment form was completed, and the researcher abided by the University's Lone Worker Policy.

Throughout the research, various components of risk were anticipated when carrying out an interview. These included:

- Risk of actual or threatened physical/verbal attack or abuse.
- Risk of psychological trauma or consequences, because of actual or threatened violence, or the nature of what is disclosed during the interaction.
- Risk of being in a compromising situation, in which there might be accusations of improper behaviour.
- Increased exposure to risks in everyday life and social interaction: travel, infectious illness, accidents.

To minimize these risks, the researcher ensured:

- Most, if not all interviews took place on these organizations' premises. The researcher followed all safety protocols set down by these organizations.
- The time and place for interviews were in locations where the interviewer and the participant felt safe, and this limited the risk of harm.
- Expensive equipment was not carried to the interviews, besides the recording device.
- Regular debriefing meetings were held with the researcher's supervisors to discuss issues that arose from the fieldwork to minimize the risk of personal emotional/psychological.

3.11 DATA ANALYSIS METHOD

During the process of data analysis, the researcher employed three overarching strategies to systematically explore and interpret the collected information. Initially, an initial coding framework was established using NVIVO analysis software. This framework was designed to categorize and organize data based on emerging issues derived from the literature review

findings and research questions. NVIVO, specifically tailored for qualitative analysis and transcriptions, utilizes codes (nodes) to identify specific patterns within the data, thereby streamlining the examination process.

The second strategy involved a detailed line-by-line analysis of interviews conducted with different groups, including remandees, prison officers (immediate decision-makers), and decision makers. Through this analysis, thematic patterns and main codes were meticulously identified and structured into a tabular format, providing a visual representation of the analyzed data. Subsequently, the researcher engaged in the refinement of these themes, extracting and further analyzing them to enhance clarity and identify any gaps in the data.

The third strategy focused on delving deeper into how these identified themes conceptualize remand experiences in Trinidad and Tobago through lived experiences. This involved an iterative process of scrutinizing the everyday interactions and experiences of individuals in custody. To achieve this, the researcher constructed a comprehensive remand model, which served as a combined node list within the context of Trinidad and Tobago, integrating insights from both the initial coding framework and the line-by-line analysis. Furthermore, the researcher delved into the identified codes to extract deeper meanings and create overarching themes that conceptualize the remand experience within Trinidad and Tobago. This strategy aimed to provide richer insights into the complexities of remand experiences in the specific context of Trinidad and Tobago by leveraging primary data and existing literature, thereby contributing to a better understanding of the topic.

3.11.1 Thematic Analysis

An overall thematic network analysis was utilized for this study. According to Attride-Stirling (2001), “The thematic networks technique is a robust and highly sensitive tool for the systematization and presentation of qualitative analyses.” (p.1). Using a thematic analysis, this study engaged in a five-stage approach to analysis the data gathered on the experiences and views of remand.

The first stage, Familiarisation, marked the beginning of the analysis process by familiarizing researchers with the dataset and information gathered from the literature review. This stage underscores the importance of considering both predetermined factors (a priori issues) and emergent themes that surface during data collection. To facilitate this process, the researcher utilized NVIVO analysis software to construct an initial coding framework. This framework was designed to capture the myriad issues arising from the data, literature review, and research questions. NVIVO, tailored for qualitative analysis and transcriptions, employs codes (nodes) to identify specific patterns, simplifying the organization and sorting of data. By leveraging this software, the researcher could conduct a thorough examination of the dataset with efficiency and precision.

In line with this thematic analysis, there was an initial coding process. According to Marty (2014), coding refers to the process of categorizing pieces of data with a shortened name or version that explains and accounts for the cohort of data. These codes depict how data is sorted and categorized in the first step of the analysis. Myers (2017) stated that codes are then used to question what exactly is being revealed about the topic or what theoretical understanding it is trying to indicate. Sacks et al. (2015) demonstrated that coding is a significant part of the grounded theory approach, as it sets the framework with the data for

analysis and future analytical work. Coding critically links data collection, data analysis, theory development or emergence and understanding by contextualizing particular thoughts, actions, and events.

The first stage, Familiarisation, initiated the process by aiming to acquaint researchers with the dataset and information gathered from the literature review. It emphasizes the importance of considering both predetermined factors (a priori issues) and new insights that arise during data collection (emergent data-driven themes). This involved an initial skimming through transcripts to grasp the overall content without forming immediate judgments or biases. This phase served to immerse researchers in the data, allowing them to identify any personal biases and preconceived notions. Furthermore, researchers engaged in bracketing, a practice involving the acknowledgment of their own ideas or assumptions through mental or written notes.

Coding was done line by line, word by word, and phrase by phrase. Coding each line gives an initial view of the data and its meaning. It was a focused way of synthesizing and sorting the data, which allowed the researcher to scrutinize the data, an action that is not achievable through quantitative research. These initial codes are comparative and well-grounded in the data.

After, a more advanced coding procedure was initiated during the research. Close monitoring of the data was done at this stage. Halimi et al. (2017) showed that the advanced coding procedures bring the data back together after being dissected in the initial stage, to form other meanings and understandings from the data.

From coding, moving on to the second stage, in-depth Annotation or memo writing, researchers delved deeper into the transcripts. This phase involved extensive annotation, where researchers meticulously made notes directly on the transcripts. Key passages were highlighted, and recurring themes or patterns were identified. These annotations served to summarize the content and pinpoint significant ideas. Additionally, researchers documented emerging themes separately to capture initial insights. Halimi et al. (2017) showed that a memo is an analytical note that reminds the researcher about the codes that were already analysed. This helped to extract the collective ideas out of the data and create a map of the data gathered. This stage allowed for the comparison of data and investigates deeper into the meanings of the codes generated. It also allowed for the identification of gaps and enabled the researcher to question or probe further if necessary.

Later, the third stage, Identify Dominant Thematic Areas, followed the annotation process. Here, the researcher synthesized the annotated transcripts to identify dominant thematic areas. These identified themes were then summarized into broader categories or thematic areas. This synthesis process enabled the researcher to discern overarching patterns or topics within the data. To aid further analysis, the researcher created a dedicated folder or document with separate files or pages for each broad theme.

The collection of each broad theme was examined, which can then be compared to reality by sampling different incidents that may further enrich or elaborate the data. These steps were repeated continuously throughout the data until theoretical saturation. This occurs when there are no more themes that can be generated from the data. Eventually, the researcher wrote a draft and then reflected on all the steps until a set of understandings were generated.

Due to its engaged nature, Creswell (2006) showed that this approach has the advantage of being contextually well-situated in a specific time, place, culture, and event. The movement between data and theory enables the researcher to develop a rich and meaningful understanding of remand within Trinidad and Tobago. This was beneficial to the study, in that it permitted close inspection of the data on remand. Moving forward, the fourth stage involved Building a "Theme Tree Table." In this stage, researchers transferred the annotated notes from the transcripts to corresponding files or pages dedicated to the identified broad thematic areas. This systematic organization of data included references and relevant quotes, facilitating a hierarchical structure akin to a tree. Main themes branched out into sub-themes within each thematic area, enhancing data organization and navigation.

Finally, the fifth stage, Tell the Story, involved synthesizing the identified themes and sub-themes to construct a cohesive narrative or "story." Researchers interconnected the themes, weaving them into a coherent storyline. Critical commentary and analysis were provided to elucidate the significance of each theme and their interconnections. This storytelling approach enabled the findings of the analysis to be conveyed in a meaningful and insightful manner, offering a comprehensive understanding of the research topic.

The process of data analysis started after all the interviews were transcribed.. Thematic analysis approach was used for the analysis of data as it is one of the most common approaches used in qualitative research (Guest, 2012). Researchers all over the world used this method of analysis for their qualitative studies because it is a relatively simple method that “minimally organizes the data and describes it in rich detail” (Braun and Clarke, 2006 p.79). This method is based on the propositions of Braun and Clarke who define it as a method used for “identifying, analysing, and reporting patterns (themes) within data” (Braun and Clarke,

2006 p.79). This method of analysis was chosen for this study because evidence suggested that it “can produce an insightful analysis that answers particular research questions” (Braun and Clarke, 2006 p.97).

NVIVO software was used to analyse the qualitative data, as it is an effective means of analysing large data sets. Once interviews were transcribed, they were imported into the software to start the analysis process. All the steps of thematic analysis were employed during the analysis of the data. In the first step, once interviews were transcribed, they were read and re-read to gain familiarity with the data. In the second step after getting familiarization with the contents of the data, initial codes (nodes on NVIVO) were generated to capture the important features within the data. These nodes were the recurring patterns (themes) across the data that were developed during this process of familiarization. In the third step, after all the data were coded and all the relevant extracts highlighted, nodes were collated and examined to identify broader patterns of meaning (themes).

After developing the potential nodes within the data all the relevant information was organized under these nodes. In the next two steps these nodes, through the iterative process, were refined, organized and categorized meaningfully into sub-nodes to develop a thematic framework. Similar themes and ideas were clustered in groups and organized in the thematic framework.

During the course of twenty-seven interviews, respondents gave their views about remand and its impacts on prisoners and officers. They talked about different aspects of remand and discussed why people are not granted bail and are sent to remand. They also gave

their views on the policies on remand and made recommendations for the improvement of the current situation.

Codebook-inmates	Files	References
1. Views about living in jail	1	2
Congested cell	9	11
Impact	2	6
Inadequate and unhealthy food	7	12
Lack of basic facilities	9	18
Prisoners' hold	8	18
Uncivil attitude of officers	9	15
2. Facilities available for prisoners	0	0
Activities and programs	9	20
Education	4	4
Privileges	2	3
3. Views on remand	3	5
Best moments	10	13
Experience	10	27
Worst moments	10	17
4. Views about the system	1	2
Illegal arrest	12	19
Ineffective legal aid	3	3
Lack of facilities in infirmary	4	5
Lack of opportunities for improvement	2	2
Unjust system	6	16
5. Suggestions	1	4
For people	8	9
Improvements	3	5
Introduction of new programs	4	7
Long visitation hours	3	6

Table 3: Codebook for Inmates (Data lifted from NVIVO)

The data were collected from four different groups during the study. These groups included inmates, prison officers, lawyers/magistrates and policy experts. All the data were analysed separately which resulted in separate codebooks, framework matrices, maps and word clouds. There are numerous codebooks and matrices, but the sample of the codebook of inmates is presented in Table 3.

In Table 3, the column of themes represents the nodes that were identified during the analysis of the data and were further divided into sub-categories on the basis of the views of the participants. The column ‘file’ contains all the responses of participants, while the column of references shows the frequency of responses that were collated in their respective categories during the analysis.

Several themes emerged during the process of analysis from four data sets, which were divided into many sub-themes to provide a detailed overview of the topic. All the preliminary themes that were developed during the first round of analysis are discussed in the Findings section that follows.

CHAPTER FOUR: EXPLORING THE LIVED EXPERIENCES

This chapter outlines the findings on the experiences of remand. This chapter is presented in two Sections. Section one (1) covers remanded inmates' and remand officers' experiences while Section two (2) outlines the lawyers' and decision makers' experiences. All the themes that were identified are presented in detail below.

4.1 REMANDEES

Table 4: Themes for Lived Realities of Remandees

Category	Themes
How is remand experienced in practice (lived realities) in Trinidad and Tobago? (Remandees)	<ol style="list-style-type: none"> 1. LIVING CONDITIONS <ul style="list-style-type: none"> ○ Depersonalisation ○ Vulnerability ○ Emasculation (<i>Issues with Manhood</i>) 2. RELATIONSHIPS BETWEEN OFFICERS AND REMANDEES <ul style="list-style-type: none"> ○ Treatment Towards Remandees ○ Depersonalization ○ Self-fulfilling Prophecy 3. SYSTEMATIC ISSUES WITH REMAND <ul style="list-style-type: none"> ○ Lengthy Periods on Remand (<i>wasting years on remand</i>) ○ Labelled as Criminals ○ Access to Justice (<i>wealth gap</i>) ○ Perceived Profitability of Remand 4. IMPACT OF REMAND ON REMANDEES <ul style="list-style-type: none"> ○ Identity Limbo 5. COPING WITH LIVING ON REMAND <ul style="list-style-type: none"> ○ Coping Mechanisms ○ Self-Preservation 6. RECOMMENDATIONS <ul style="list-style-type: none"> ○ Increased visitation time with family ○ Improved Treatment from Prison Officers ○ Improved Living Conditions

4.1.2 Living Conditions

One of the primary concerns highlighted by remandees pertained to the inadequate living conditions. Remandees provided detailed accounts of the overcrowded and substandard physical environment they endured while in remand. They described the conditions as filthy, unsuitable, unpleasant, and detrimental to health, with insufficient living space. From the remandees' descriptions of the living conditions, several subthemes emerged, including feelings of depersonalization, vulnerability, emasculation, and a sense of disrespect.

Expanding on these subthemes, depersonalization refers to the loss of individual identity and dignity within the institutional setting, while vulnerability reflects the heightened exposure to risks and harm due to their inability to defend themselves or mitigate the adverse effects of their environment. Emasculation signifies a loss of power or masculinity experienced by male remandees, while feelings of disrespect indicate a perceived lack of regard for their humanity and rights. These subthemes underscore the multifaceted challenges faced by remandees due to the inadequate living conditions during their time in remand.

i. Depersonalization

A significant subtheme emerging from the remandees' accounts of their living conditions on remand is the feeling of depersonalization, characterized by a sense of powerlessness over their reality while incarcerated. For instance, Remandee 9 explained,

“You in a cell. Your cell about a six by ten, right and the first night I sleep down they, I sleep razor blade because its fifteen, sometimes seventeen man in a cell and you had to sleep razor blade. So, a man here so, (inaudible) line up, go up. A man fart, you have to smell that. A man have to shit in he cell, you understand? So, the first night I sleep there, it was real uncomfortable and the cell dark, cockroach and thing running on the wall.”
(Remandee 9)

The remandee recalled his “*real uncomfortable*” first night introduction to remand and the shock that the conditions gave him. The experience he focused on in his description – the overcrowding, having to sleep in a ‘*razor blade*’ style (back-to-back, top to tail), not being able to relieve themselves without others watching, cockroaches - vividly illustrate this shock and reveal his discomfort and frustration with the conditions on remand. Particularly noteworthy is his mention of being unable to avoid smelling “a man fart” and witnessing others having to “*shit in the cell*,” indicating a loss of personal physical space and human dignity.

The loss of privacy and personal space on his first night in custody intensified the psychological vulnerability he experienced after losing his freedom. Wrestling with the sudden loss of autonomy, he faced what seems like an existential crisis, trying to reconcile his past identity with his new incarcerated reality. This upheaval evoked a pervasive vulnerability, affecting him both physically and emotionally. Consequently, he grappled with this sense of depersonalization, where the boundaries between his individuality and the institutional setting blurred, deepening his feelings of isolation and detachment from himself and his environment.

Remandee 10 also underscored the loss of dignity, particularly when discussing the issue of men defecating in front of each other. This aspect is highlighted as crucial to the remand experience, as it is described as “*one of the worst things*”:

“I would give you one of the worst things for me is to defecate in front of another remandee. You could never feel normal watching a man defecate in front of you.” (Remandee 10)

In this context, “derealisation” refers to a psychological phenomenon where individuals feel disconnected from their surroundings, as if they are in a dream-like or unreal state. When similar to Remandee 9, when Remandee 10 expresses his inability to feel “*normal*” in the

situation where men defecate in front of each other, it suggests that he experiences a detachment from what he perceives as normal or expected behaviour in social interactions. This departure from feeling normal indicates some kind of psychological disconnection from the reality of the remand environment.

This departure from normalcy further emphasizes the impact of living conditions endured while on remand. The loss of personal space, particularly in intimate moments such as using the restroom, contributes to a sense of discomfort and frustration among inmates. This loss of personal space and the resulting feelings of derealisation and discomfort possibly contribute to a broader pattern of mental distress experienced by individuals in remand facilities. It highlights how the physical environment and social dynamics within these facilities can greatly affect the psychological well-being of inmates, leading to a pervasive sense of unease and a lack of normalcy in their daily lives.

In effect, he is talking about not feeling, or being treated, like a “*normal*” human being. He is clear that this is not a normal human action, interaction or experience, but one that is brought about by the conditions of living on remand. As such, the meaning given to the experience is that it essentially creates a feeling of ‘*dehumanization*’. This action of defecating in front of another remandee has him feeling un-humanlike, something he probably never thought would happen to him as a human throughout his life span, a surreal feeling even. Moreover, it is also about not being able to feel his “normal” self, or the person that he was before going into remand. This reflects the theme or concept of ‘*depersonalization*’ which permeated the experiences of remandees.

In Remandee’s 7 account of his experience, he said,

“I mean the food and thing inside here here, dey does treat you like fucking dogs with dat dog feed. I does hadda wonder wah it is really going on.”

This quote encapsulates a sense of dehumanization felt by the remandee. He draws a direct comparison between the treatment they receive and that of animals, particularly through the reference of *"dog feed"* to describe the food provided. This imagery conveys how the quality of food is so poor that it's not fit for human consumption, reinforcing the feeling of being stripped of basic human dignity.

The use of the strong expletive in the phrase *"fucking animals"*, and its placement described himself rather than before the officer's action-verb, indicated the intensity of this dehumanization felt personally. It expresses frustration and anger at being treated as less than a person, where the conditions they endure are so degrading that they are reduced to mere beasts or bodies, as if their humanity has been entirely overlooked or disregarded.

The latter part of the quote, *"I does hadda wonder wah it is really going on,"* reveals a sense of disorientation and confusion. It shows how the speaker is grappling with the reality of their situation, questioning the rationale behind such inhumane treatment. This reflection suggests a deeper psychological impact, where the constant exposure to substandard living conditions begins to erode their sense of self-worth and understanding of their place in the world. The quote is a poignant expression of the loss of identity and dignity that results from being subjected to such degrading conditions, highlighting a critical theme in the study of the lived experiences of remandees.

i. *Vulnerability*

It is quite significant that instances and moments of depersonalization were present in most of the remandees' experiences. Another subtheme predicated on the living conditions of remandees was a feeling of vulnerability. For some of these remandees, the depersonalization relayed a deeper sense of defencelessness. Remandee 8 gave his experience while on remand, especially his encounter upon entering prison. In doing so, he highlighted feelings of having everything stripped away from him, which underscored his vulnerability. He stated:

"Because everything has been taken away from you, including your freedom. When entering prison, you are required to disrobe. I am a man with a great deal of pride, therefore my incarceration feels like a great discourtesy to me." (Remandee 8)

As with Remandees 9 and 10, there is a loss of dignity and vulnerability in being disrobed. Being incarcerated in its entirety is "*a great discourtesy*" evoking feelings of shame and difficulty reconciling his sense of manhood with the experience of disrobing and imprisonment. He feels as though this situation diminishes his masculinity, particularly as he observes that everything, including his freedom, is being taken away from him (depersonalization), "*including your freedom*". The concept of freedom holds particular significance for him as a symbol of autonomy and decision-making, traits traditionally associated with masculinity. However, in the prison environment, he must adhere to the directives of others, exacerbating his sense of defencelessness.

This contributes to his defencelessness while living on remand i.e. losing the freedom and giving way to being disrobed. This is not only depersonalising, but it also brings into focus themes of disrespect, masculinity/emasculation and the struggle between being who he was before incarceration and conforming to his current situation. His words, "*discourtesy to*

me” give a sense that he no longer feels as though he is treated with respect and identified as a man, although he still sees himself as one worth such respect.

ii. *Emasculation*

For many remandees, the idea of respect is closely tied to how they view themselves as men. While in remand, their sense of masculinity often faces questioning and feels vulnerable. Remandee 2, for example, hinted at this idea by mentioning his feelings of emasculation due to him having to ask for permission for everyday tasks. This realization was challenging for him to accept while staying in the remand centre. It emphasizes how the remand environment can deeply affect how individuals perceive themselves and their identity, especially concerning traditional gender roles and ideas of masculinity. He stated:

“When you get up in the morning, we have to, in the function, I know well as a youth man out there, when you get up, you say your prayers, you brush your mouth, you make up your bed, those sort of things, organize yourself, if it’s school or if it’s work, you know. Family things. When I get up now and I realize where I was, it’s a total difference. I had to, it come like I have to ask to bathe, ask to brush my teeth, you know, ask to use the urinal and ask for number two, them kind of thing.” (Remandee 2)

He reflected on his previous daily routine and came to the realization that he no longer has the complete autonomy he once enjoyed. The notion of having to seek permission for even the simplest tasks feels emasculating to him and, in a way, strips away his sense of personal agency. This experience highlights how being in a situation where one must constantly seek approval undermines his sense of masculinity and individuality. Additionally, it also touches on the feeling of depersonalization, as he perceives himself as losing a core aspect of his identity—the ability to act independently and make decisions for himself without external validation.

Remandee 4 recounted an incident which highlights feelings of emasculation and depersonalization. He described moments when he felt compelled to summon an officer to dispose of waste, emphasizing how this simple task symbolized a loss of personal agency and dignity. This underscores the impact of institutionalized practices on the individual's sense of autonomy and self-worth while in remand. He said:

“But in the earlies, it was real tough. Like the first two years, it was tough because to defecate, you have to go in a corner, spread gazette paper and do it on that. You have to call a man outside to dispose of it, so it was tough. Sometime you want to go off, you want to use the toilet outside and an officer fighting you down”
(Remandee 4)

Arising from these encounters, a prevailing consensus suggests that the treatment of individuals held on remand is characterized by both disrespect and depersonalization, significantly eroding the remandees sense of dignity and fairness. Additionally, beyond the challenging conditions, there is notable commentary regarding remandees' perceptions of encountering what he describes as “*fighting you down*” that is, resistance from officers when making even the most basic requests. This observation not only underscores the pervasive feelings of emasculation experienced by the remandees but also offers insights into the dynamics of the relationship between them and the officers overseeing their detention.

4.1.3 Relationship Between Remandees and Officers

During interviews with remandees, another prominent recurring theme was the dynamic between remandees and prison officers. Remandees frequently detailed how their interactions with officers influenced their overall experience while in custody. The depicted relationship between remandees and officers was consistently characterized as authoritarian, lacking professionalism, and oppressive by the remandees themselves. As a result of their encounters, several subthemes emerged regarding the remandees' relationships with prison

officers, including the treatment received from officers, the sense of depersonalization experienced by remandees, and the perpetuation of negative expectations about remandees.

i. Treatment Towards the Remandee by Officers

The interviews with remandees shed light on the dynamics between remandees and prison officers, with insights provided by individuals like Remandee 2, who remarked:

“At the end of the day, we have to obey them. We have to obey the authorities to get what we really want here. If you do not obey them, you cannot.” (Remandee 2)

While the specific desires or needs within the facility are not explicitly mentioned, Remandee 2's statement provides valuable insight into the power dynamics between remandees and prison officers. His observation underscores the hierarchical structure within the institution, where compliance with authority figures is deemed essential for obtaining desired outcomes or privileges. This highlights the inherent imbalance of power and control within the remand system, where remandees often find themselves in a subordinate position.

Similarly, Remandee 6's concise remark hints at a similar sentiment. He stated:

“You does have to wait on them officer for anything. You have to wait on an officer to take you out and thing like dat.” (Remandee 6)

Our findings from Remandees 2 and 6 align with the expectation that officers wield significant authority within the remand setting. However, what emerges as particularly noteworthy from the accounts of other remandees is the impact of the relationship dynamics on their sense of self. Many remandees expressed feeling emasculated, oppressed, and belittled by their interactions with officers, describing these encounters as marked by a lack of professionalism. This sheds light on the complex dynamics at play within the remand

environment, where the exercise of power by officers can have far-reaching consequences on the lived experiences, the psychological well-being and dignity of remandees.

For Remandee 3, in sharing his experience stated:

“A lot of negative spirits. They will come for you (inaudible) like dem officers sometime dey outta timng. We not normal to them men eno. Them men don’t see us, just another one if u get me. You try to talk to them, but they act like you beneath them—but I doesn’t take them on. one or two ah dem normal but majority “(Remandee 3)

The quote reveals the relationship between remandees and officers. The mention of "negative spirits" and "they will come for you" sets a tone of constant tension within the prison environment. The phrase "dem officers sometime dey outta timing" suggests that in the Remandee's opinion the officers often overstep boundaries, acting in ways that are inappropriate or excessive. IT appears as though these actions contribute to a toxic atmosphere. This implies a sort of disregard for the dignity of the inmates, which can make their environment feel unsafe and unpredictable.

The statement "*We not normal to them men eno. Them men don’t see us, just another one if you get me*" underscores the deep sense of depersonalisation that remandees feel. To the officers, the remandees are not seen as individuals with unique stories, struggles, and humanity; instead, they are perceived as faceless, interchangeable "others." This lack of recognition as human beings strips remandees of their identity and further entrenches their marginalization.

The frustration continues with "*You try to talk to them, but they act like you beneath them,*" highlighting the authoritarian of the relationship, where attempts to communicate or connect with the officers are often met with condescension or outright dismissal. This dynamic reinforces the power imbalance and contributes to feelings of worthlessness among the remandees.

- ii. The phrase "*but I doesn't take them on*" indicated a coping mechanism of detachment, where the remandee chooses not to engage with the officers' behaviour as a way to preserve their own sense of self. The acknowledgment that "one or two ah dem normal but majority" suggests that while there are a few officers who treat remandees with some level of decency, the overall experience is overwhelmingly negative. This makes the rare instances of positive interactions stand out, but they are not enough to counterbalance the prevailing sense of dehumanization and disrespect.

Depersonalization

In recounting his experience, Remandee 7 expressed his frustration towards officers who he feels unfairly target him, leading him to feel disrespected. To assert his dignity and preserve his sense of manhood, he confronts these instances by demanding respect and refusing to tolerate mistreatment. Remandee 7 stated:

"Well, the ones and twos, at times get me agitated and upset and sometimes those is who would see the bad side because you have to let them know they unprofessional. And if they coming from home with their problem, don't take it out on me. I in here so long and this is the case. So, it's either they understand or they get vex or they even threaten to put me in the cell block which I tell them, I don't care because you can't talk to me like that. I am not a little boy. In future, if they come back with that same attitude, you just ignore them. That will get their attention. When you ignore them, now they would get vex because you ignoring them. Eventually, they would just have to understand that because you not talking to them, normal. I tell them as it is, just how you operate and talk to me is how I would operate and talk to you. You give me that respect and reason with me and show me something, then I will do the same ting but if you all want to play you all disrespecting me, so be it." (Remandee 7)

His defined mechanism acts as a barrier against any encroachment on his sense of self-worth and masculinity. By steadfastly maintaining his dignity, he safeguards his identity against the corrosive effects of mistreatment. Through his unwavering assertion of his adulthood and masculinity, he sends a clear message that he refuses to be demeaned or belittled. This resilience in the face of adversity underscores his determination to uphold his inherent worth and resist any attempts to erode his sense of pride and manhood. He wanted to ensure that everyone knows that he is not "*a little boy*" and that the process of trying to break down the core principle of his manhood will not be accepted.

Remandee 1 emphasized the imperative for enhancing the quality of interaction between the officers and the remandees, underscoring the significance of fostering a more positive and respectful environment within remand. This sentiment reflects a broader call for reform aimed at promoting better communication, empathy, and understanding between both parties. He stated:

“There is a change you could make. The officers can interact in a more personal and better way, a little more humanly. For instance when they coming to call yuh and them aint know yuh name. when they aint know yuh names, they snap at us like we are animals. You can’t address humans so, say something like inmate so and so...” (Remand 1)

He conveys a sense of degradation and depersonalization stemming from the manner in which officers address them, notably by neglecting to use their names, almost suggesting that they are unworthy of acknowledgment or recognition as individuals. As he poignantly expresses, *"like we are animals,"* this comparison to animals underscores his perception of being stripped of his humanity. This portrayal highlights the dehumanizing effect of such treatment, where individuals are reduced to mere objects or entities devoid of personal identity, undermining their dignity but also reinforces their status as powerlessness.

i. Self-Fulfilling Prophecy

Remandee 4 highlighted how the unprofessional treatment of remandees inside prison heavily impacts how they view themselves. This participant described the treatment and environment inside prison as *“oppressive”*, and even says they feel as though they are criminals although they are meant to be innocent. He stated:

“They do look at you like, you know, you come with a crime brother, make it. Many a time, I do explain to them, not everybody that go to church is a Christian and not everybody in jail is a criminal and not every smile in your face is a friend.

Yeah, making me feel like I really committed this crime. They making me feel like I guilty. Remember, this is a reform system right. They supposed to

reintegrate to put you back into society different, right? But they do have you thinking to be more criminal than you already are because they oppressive, real oppressive.” (Remandee 4)

The unfair and inhumane treatment he endured, coupled with being unjustly labelled as a criminal, instils within him a sense of guilt. This self-fulfilling prophecy appears to warp his perception of innocence, compelling him to internalize the criminal identity thrust upon him by the system. He feels as though he is coerced into assuming the role of a criminal rather than being recognized as a law-abiding member of society. This labelling and self-fulfilling process, which he describes as oppressive, creates a suffocating sense of entrapment within the confines of this criminalized identity, despite his steadfast belief in his own innocence.

4.1.4 Systematic Issues with Remand

The challenges encountered by remandees concerning the procedures and duration of being held in remand emerged as a prevailing theme among them. The remand system they navigate is often depicted as flawed, stagnant, interminable, and unjust. Within this flawed system, several subthemes arise, shedding light on systemic issues faced by remandees. These include the prolonged duration spent in remand, the premature labelling of individuals as criminals while their innocence or guilt is yet to be determined, the disparities in accessing justice based on financial resources, and the perceived exploitation of the remand process for financial gain.

i. Lengthy Periods on Remand

The responses provided by remandees indicate a pervasive sentiment that the entire remand system treats them as criminals, leaving them feeling powerless and hopeless about their situation. Remandee 9 articulated his disillusionment with the system, describing it as

fundamentally broken. He expressed frustration that the system perpetuates incarceration without meaningful progress or resolution, ultimately leaving individuals feeling trapped and despondent. Remandee 9's perspective raises deep-seated issues within the remand system that may contribute to a sense of guilt and hopelessness among those ensnared by its mechanisms.

Remandee 9 stated:

“It’s the whole system itself. The whole system because it ain’t make sense carrying a man that distance, you understand and nothing is being done. When a man don’t get his case start now, how a man could go on a trial, boy. Because look how long I in jail, right? I might not can’t remember certain things, you understand. So, if I do decide to go in the box and talk, I might not and they ask me “Back then, the first time you get lock up, right, back then, what you eat? You could remember what you eat before you thing?” I go can’t really answer that but I could more answer what you now ask me there. Back then, when I did first get lock up because remember- you see it design to keep you in here cause you can’t even remember to free yourself” (Remandee 9)

His lamentation in the words, *“you see it design to keep you in here cause you can’t even remember to free yourself* encapsulates a deep sense of resignation and hopelessness felt by Remandee 9. He seems to have reached a point of acceptance, despite not yet being convicted, wherein he feels imprisoned both physically and mentally. This perception of entrapment has rendered him powerless and incapable of taking any action to improve his situation, as reflected in his assertion that *“nothing is being done.”* The implication is that he perceives the system as intentionally designed to perpetuate his confinement, leaving him feeling defeated and unable to advocate for his own freedom.

The systemic challenges associated with being on remand, notably the prolonged duration of detention and limited legal representation, evoke feelings of despair and frustration among many remandees. These individuals perceive their lives as being squandered while awaiting trial, a sentiment that exacerbates their sense of hopelessness. The prolonged period

of uncertainty coupled with inadequate legal support leaves them feeling abandoned and disillusioned with the justice system. As a result, they experience frustration at their perceived lack of agency and control over their circumstances. Remandee 6 aptly captured this sentiment when he stated:

“The pressure, the frustration sometimes, you go to court, you looking for a start in your case, your lawyer don’t come. When you go, if your lawyer not there, the magistrate or the judge them ready. So, when they give you a date, you getting two, three months. The lawyer might be there, the judge might be there but the State Prosecutor not ready so that’s another two to three months. That could keep going on and on, more and more time in here.” (Remandee 6)

He is disheartened. The optimism and assurance that may have initially accompanied the prospect of attending court seem to have faded into a tiresome and repetitive ritual. The expression "keep going on and on" paints a picture of a cyclical, never-ending routine, indicating that he feels trapped in a perpetual state with no prospect of resolution—a seemingly permanent state of limbo. He describes this cycle as generating "pressure," an internal conflict that he is grappling with, devoid of any outlet to alleviate this tension, especially because he finds himself ensnared in the same unchanging cycle.

Issues pertaining to the system have also deeply impacted the thoughts and emotions of remandees regarding their family life. They express a sense of loss for the significant moments they are unable to share with their loved ones. Their continued state of limbo within the prison walls perpetuates a cycle of uncertainty, leaving them without any assurance of when they might regain their freedom. As Remandee 6 reflected on his experience while on remand, he lamented the opportunities and joys of life that have been denied to him by the system. He expressed regret over missing out on what should have been the most memorable years of his life. Providing an example of the delays and uncertainties he faces as a remanded inmate, he shared:

“Like vex with myself and say Boy. For example, like on my twenty-first birthday, I could remember my grandmother telling me “You know, that is your golden birthday.” That used to real hurt me and thing. I never really experience life and thing. I come in here at a young age so I used to study that.” (Remandee 6)

He expresses a sense of hurt, disappointment, and emptiness, as evidenced by his statement "vex with myself... I never really experience life and thing. I come in here at a young age so I used to study that." These words convey feelings of despair, hopelessness, and powerlessness regarding his ability to change his circumstances. His lamentation underscores the overwhelming weight of his situation, exacerbated by the fact that he has spent a significant portion of his life on remand without any resolution in sight. This prolonged confinement has taken a toll on his mental and emotional well-being, leaving him feeling broken and devoid of any sense of self-worth.

Similarly, Remandee 7 recounts his own experience of feeling shattered. He recalls a specific incident during his nine-year incarceration where one of his lawyers assured him that he would be released after his second court appearance. However, the magistrate ultimately remanded him back into custody. The repeated disappointments and broken promises have left Remandee 7 "feeling sick" of his situation, as he expressed:

“Yeah. I get lock up when I was twenty-three. I am thirty-two now. (inaudible) A Couva magistrate send me in here... well I did done kind of understand what was going on. Remember the lawyer tell me we going home, so I was in a little shock too, I want to know, well is what going on. But I talk to the lawyer and he explain and tell me I go just have to wait a little while. Eh I feel sick.” (Remandee 7)

His experience of being unable to leave the courtroom and returning to remand underscores a sense of helplessness and powerlessness. It highlights the stark reality that his fate lies not in his hands but at the mercy of the judicial system. The use of the word "sick"

evokes vivid imagery of weakness and vulnerability, symbolizing the loss of control and masculinity he feels in this situation. His reliance on the system for his freedom, coupled with the indefinite nature of his imprisonment, fosters feelings of discouragement and despair.

Similarly, Remandee 8 echoes these sentiments, remarking on the system's inherent design to perpetuate incarceration, which he describes as a "waste of one's life." He elucidates the challenges of being charged without sufficient evidence, further elaborating with examples, as he narrated:

“You wasting your life when you come here. A man get charge for murder, the state doesn’t have sufficient evidence to start a conviction. Men sit down in the remand for twelve years, ten years, fifteen years, eighteen years. You go to court and in fifteen minutes, they tell you leave the court, they don’t have a case against you. After you spend ten years, twelve years, eight years in jail. You go in court and in fifteen minutes or half hour, they tell you “The State has no case against you, you free to leave the court.” You just spend twelve years or fifteen years of your life just sit down. So, if I have to go and talk to the youths, I would tell them “Hey, forget that.” (Remandee 8)

From his tone, you understand the complete disbelief that a system allows men to sit for up to eighteen years with no “evidence” or reason and that such a system is allowed to continue and operate in this manner. The comparison between losing years of life to minutes in court underscores the injustice and unreasonableness of the situation, particularly as the only activity you do is “sit down”. This visual he gives underpins the frustration (perhaps even anger) he is experiencing in the situation while on remand.

These experiences within the system illuminate the lack of control that remandees have over their fate, leading to immense frustration, feelings of helplessness, powerlessness, and a sense of emasculation. They underscored that, in the current state of remand, they are trapped and at the mercy of external forces for any change to occur, which may happen unpredictably

and without warning. The uncertainty surrounding their circumstances not only fosters frustration but also breeds anger and anxiety for many. Moreover, the disregard for the time spent incarcerated without updates on their cases suggests a lack of recognition for their humanity and worth, further contributing to their frustration and sense of powerlessness within the system.

ii. Access to Justice

Another critical issue brought to light is the disparities in retaining and accessing legal representation, which serves as the gateway to justice. Remandees emphasized that individuals with financial means to afford private attorneys typically spend less or no time on remand compared to those reliant on legal aid. This disparity significantly contributes to their prolonged stay in custody. Notably, eight out of the eleven interviewed remandees identified the affordability of private attorneys as a pressing concern, highlighting its paramount importance. Many lamented that their extended periods on remand made it financially untenable to retain private legal counsel for an extended duration. The experience of Remandee 4 serves as a poignant illustration:

“Well, my first attorney was a paid attorney. After spending so much time in here, I can’t afford a counsel, so I use legal aid. I using the system and dat is my lawyer; she’s fine, you know.” (Remandee 4)

Remandee 11, who had spent the least time on remand at the time of the interview, expressed a somewhat optimistic outlook. He noted that he could communicate with his attorney whenever necessary, which seemed to instill a sense of contentment and assurance in him. Furthermore, he appeared confident in his imminent release from remand, expressing:

"Yeah, man, my family has that covered, and on top of that. The attorney is a private one, so I know I'm leaving." (Remandee 11)

This expression of confidence, such as stating "*So I know I'm leaving,*" when coupled with the availability of paid private attorney representation, highlights a broader issue regarding the perceived (and potentially genuine) influence of wealth on access to justice. For these remandees, the ability to afford competent private representation alleviates a significant burden, serving almost as a lifeline out of the cyclical entrapment of remand. Conversely, those unable to afford such representation are compelled to confront a harsh reality: that equitable justice may not be as readily attainable. This realization appears to compound their frustration, as their hope diminishes while they await legal aid support, exacerbating their sense of helplessness and disillusionment.

For Remandee 7 he stated:

"Your lawyer is your voice because here what going on. Remember your lawyer could threaten legal action and for legal action. It have men in prison don't have a paid lawyer. That is why it have so much people in jail because they don't have a legal representative to say like. Like the person I was charged with, he change three lawyers whilst the case was going on because it's legal aid. They pull out, man have to wait a whole next year for an attorney. The next attorney pull out." (Remandee 7)

He perceives private lawyers as the embodiment of "your voice" in securing justice, viewing them as instrumental in averting prolonged periods of remand. To him, retaining a private (paid) attorney signifies the promise of release, freedom, and fairness, as these legal representatives possess the authority to advocate and negotiate on their behalf assertively. Conversely, he regards public defense lawyers as lacking concern or investment in the plight of remandees. In his view, the system enables them to withdraw from a case without providing explanations, leaving individuals stranded and compelled to endure lengthy waits—sometimes up to a year—for the assignment of another attorney. This perceived lack of commitment and accountability from public defenders contributes to his frustration and disillusionment with the legal process.

iii. Perceived Profitability of Remand

In addition to emphasizing the importance of legal representation, Remandee 10 shed light on his perception that the remand system is structured to generate profits from prolonged periods of detention. He observed that various stakeholders, ranging from taxi drivers to private lawyers, exploit the system as a means of quick financial gain.

“It have people in prison. It have lawyers who came in prison, who make billions of dollars off of prisoners. It have the institution, which is like the cafeterias, the taxi services. I think everybody just using the remand as a form of gaining capital. Because thirty dollars to come from right by the taxi stand to come to M.S.P.(Maximum Security Prison) Thirty dollars and all of them have seven seaters so that’s about twenty one trip. So, if they make ten trips for the day. The cafeteria, one of those custard (biscuit) you offered me, is probably, eight or ten dollars.” (Remandee 10)

From this statement, it's evident that remandees are perceived as commodities or pawns exploited by various parties for financial gain. This involuntary exploitation not only fails to benefit the remandees or their families but also exacerbates the issue of overcrowding within the system.

Moreover, Remandee 10 emphasized the significant financial burden imposed on the families of remandees as they strive to support their incarcerated loved ones. This strain not only affects their financial stability but also leads to male absenteeism within the family due to prolonged periods of detention. Consequently, this absence of paternal figures contributes to additional social challenges for the family unit. Remandee 10 elucidated:

“When you check the price of that out in the free world and your family come here and say “Hear what, I love my child. I have to spend something like fifteen hundred to two thousand dollars to really get something for you for two weeks.” So, every two weeks, they spend fifteen hundred dollars for ten months. When you have to go to court, we have adjournments, two months, three months, four months. You have to pay the lawyer say fifteen hundred, two thousand, twenty five hundred, three thousand and you getting adjournments for years. So,

that is a next set of money so that is one of my problems. The financial strain and the persons incarcerated works nowhere. Why they being subjected like this? They work nowhere. Who expect a man in jail, ten years, fifteen years, to get a lawyer or a good lawyer to help your case? If you get a legal aid, the legal aid has other matters, he pays you no interest and your family have to mortgage their house. If you have sisters, they might have to do prostitution. It might not be in that sense but you know what I mean. Your sons might turn to crime, you might see them coming through the gate."

The inability to work and provide financial support for himself is a challenge for him, leaving him feeling utterly helpless. Additionally, the inability to secure legal representation not only affects him personally but also leaves him unable to assist his family, intensifying his sense of powerlessness. He perceives legal aid as insufficiently invested in remandees compared to private lawyers, leaving him feeling voiceless when represented by legal aid and deeming himself worthless because he cannot afford private representation.

In his view, the system prioritizes profit over justice, contributing to broken homes when individuals are detained for extended periods. His inability to contribute financially to the household, coupled with the financial strain on his family (such as being unable to pay the mortgage), fosters feelings of inadequacy and frustration with the system. Additionally, he expressed a fear of his son experiencing his absence first-hand, which exacerbates his feelings of inadequacy as a father, posing a threat to his masculinity.

The remandees collectively offered insights into the operations of the country's correctional facilities, painting a bleak picture of Trinidad and Tobago's criminal justice system. Their narratives ranged from likening the system to playing Russian Roulette with the lives of incarcerated individuals to highlighting systemic inefficiencies that squander years and livelihoods. Moreover, they lamented violations of inmates' humanity perpetrated by the government.

A prevailing sentiment among the remandees is one of disillusionment with Trinidad and Tobago's criminal justice apparatus. This disillusionment is palpable in the seemingly endless cycle they find themselves trapped in, from monotonous daily routines to frequent court visits resulting in case postponements. This perpetual cycle takes its toll on the remandees, prompting them to employ various coping mechanisms.

The systemic issues, treatment by authorities, living conditions, and other challenges collectively elicit diverse reactions from the remandees. These reactions reflect the complex interplay between institutional shortcomings and individual experiences within the criminal justice system.

4.1.5 Impact of Remand on Remandees

The remandees detailed their experiences with living conditions, their challenging interactions with remand officers, and their grievances with the remand system. Their accounts reveal the multifaceted impact of remand on individuals, with the predominant outcome being a state of "legal and identity limbo."

From the narratives shared during interviews, there were poignant moments where individuals expressed a sense of injustice in their incarceration, viewing themselves as innocent despite being detained. This innocence, upon which they rely, is a fundamental principle enshrined in the laws of the land, granting them the presumption of innocence until proven guilty. Even those with limited legal knowledge recognized their right to innocence. The presumption of innocence, as perceived by the remandees, bestows upon them a legal status and identity within the judicial system.

However, for many remandees, the notion of innocence seems incompatible with their reality of being confined in jail, particularly for extended periods. This incongruity between their presumed innocence and their incarcerated status contributes to a sense of dissonance and uncertainty about their legal identity and place within the justice system.

For instance, Remandee 12 vividly described the plight of some inmates of which he is aware, stating,

"It have murder men in here innocent and they have no evidence against them, they just have them because yeah, your name call, we go give you that murder case."

Here, Remandee 12 is shedding light on the presence of individuals charged with murder who are actually innocent. He uses the term "*murder men*" to emphasize their unjust imprisonment despite the absence of evidence against them. The frustration in his tone is palpable, highlighting the absurdity of their predicament.

Similarly, Remandee 10 echoes this sentiment, asserting that it's unreasonable for anyone to be incarcerated for an extended period while maintaining their innocence. He emphasizes,

"You can't be innocent and in jail so long. Then, they can't just hold a person and they don't know anything about." (Remandee 10)

Both Remandees emphasize the inherent innocence of those on remand, as recognized by legal principles such as the presumption of innocence.

However, these narratives reveal the complexity of the situation, as multiple factors contribute to this paradoxical scenario. According to Remandee 12, one key factor is the lack of evidence against the accused, while Remandee 10 points to the prolonged duration of

remand as another complicating factor. When combined, these issues create a frustrating limbo where individuals remain legally innocent yet incarcerated indefinitely.

This uncertainty regarding their guilt or innocence, coupled with lengthy periods spent in remand, leads to an indefinite legal status that defines the identity of remandees within the justice system. This ambiguous and indefinite status creates a legal limbo, where remandees find themselves trapped between innocence and conviction, with the outcome hanging in the balance.

Other remandees in their recounts of experiences made statements that convey this innocence until proven guilty status. For example,

I not saying it have innocent men in jail, right but I is one. – (Remandee 9)

I come like I innocent until proven guilty but on remand, you guilty until proven innocent(Remandee 4)

Cause I done know me ain't do nothing, innocent, dem send me in here innocent eh –(Remandee 3)

Knowing that they are innocent, yet feeling guilty within the criminal justice system, without any decision being made about their future appears to have left them in a legal quandary. Being in this apparent legal quandary has remandees feeling stuck, uncertain, and as if their lives and time are being wasted. Remandee 3 explains:

*“You wasting your life when you come here you just here doing nothing.”
(Remandee 3)*

The words “*here doing nothing*” convey this idea of absence; a limbo. With these words, you can feel his frustration, and his feeling of being stuck and unable to do anything to alleviate or change his position as he has no control over his freedom. His lack of control of

his own life and destiny and being at the mercy of the system have him feeling like time is being wasted in this position (being on remand).

Remandee 5 spoke of an uneventful, uninspiring absence when he referred to the state of being remanded as “*dead*”. He said:

“How they put it? You know they use the word dead money, it’s like dead money. You can’t get it back... life on Remand is nothing. To me, it’s nothing.”
(Remand 5)

Describing their situation as “*dead*” in the context of “*money*,” there’s a palpable sense of lifelessness and unproductivity associated with life on remand. It suggests a state of limbo, where there’s no progress, no sense of purpose, and no hope for the future. It’s as if they’ve reached a point of no return, transcending into a space of waiting indefinitely for judgment day to arrive. This sense of being “*dead*” conveys a feeling of emptiness, absence, and stagnation, where time is lost, and opportunities are squandered.

When Remandees use this term, they’re highlighting the irreversible nature of their situation, emphasizing the inability to reclaim the time spent on remand. As he said, it is a time you are unable to “*get back*”. It’s a period marked by inactivity, a lack of direction, and a feeling of being trapped within the confines of the legal system. They express a sense of uncertainty, incompleteness, and restlessness, stemming from the legal limbo imposed upon them by the system.

Remandee 9, in his explanation, summed up the uncertainty that is experienced while being remanded as a dead zone. He stated:

“Alright, how I go put it boy? Life on the remand come like life and death. You don’t bound to wake up, you ain’t bound to wake up, you could dead on here. So, that is my thing. Life on the remand not nice.” (Remandee 9)

He likened his situation to a state of limbo, caught between the realms of life and death, where one's fate hangs in the balance. This metaphor underscores the uncertainty inherent in the experience of remand. It's an intermediary phase, where individuals await a trial that will determine the course of their lives—whether they will move forward or remain stagnant.

For Remandee 7, this limbo represents a space devoid of purpose, a wasteland where time seems to stand still. He articulated this sentiment, expressing:

"It (Here) ain't no place to be...I wouldn't use the term system but the judiciary ain't ready yet." (Remandee 7)

By abstaining from referring to the space as part of a structured "*system*," Remandee 7 demonstrates his disdain for assigning any semblance of order or intentionality to it. His choice of words, particularly in stating that "*the judiciary ain't ready yet*," suggests a lack of readiness or preparedness within the legal system, further reinforcing his perception of it as dysfunctional or ineffectual.

For him, residing in this seemingly aimless and unproductive environment offers no sense of direction or purpose. The notion that the judiciary is not yet ready implies a delay or inadequacy in the legal processes, exacerbating the sense of aimlessness and uncertainty. Consequently, he finds himself entrenched in a state of limbo—a space characterized by ambiguity, indecision, and a lack of clarity regarding his future

In an effort to grapple with the perplexing realities of their legal limbo, remandees have sought ways to navigate and define their identities within this nebulous space, often characterized by terms like "*dead money*" and a sense of utter emptiness. Remandee 5

succinctly captures this sentiment by stating, "*life on remand is nothing. To me, it's nothing*," underscoring the pervasive feeling of void and aimlessness that pervades their existence.

Through their experiences and introspection, remandees endeavour to carve out a sense of self and purpose within this ambiguous and confounding state. The interviews reveal a collective struggle among remandees to comprehend and define themselves amidst the uncertainty and stasis of remand life. This process involves grappling with questions and striving to assert agency and identity despite the overwhelming sense of limbo.

As each remandee shared their narrative and expressed themselves openly (with varying degrees of candor), they all sought to convey their individuality and define themselves within the confines of their legal predicament. It was strikingly evident that in almost every interview, whether right at the outset or early on, the interviewees endeavoured to assert their identity. However, in this process, a recurring theme emerged: the uncertainty of their situation on remand seemed to blur their sense of self, causing an existential quandary. It became apparent that their legal status was permeating their sense of identity and self-positioning. As if the legal status is seeping into them identifying and positioning themselves. This phenomenon highlights the impact of their legal circumstances on their self-perception, self-identity and self-understanding.

Transitioning from society to the uncertain realm of remand introduces a complex dynamic where individuals grapple with reconciling past certainties and identities with present ambiguities. This shift engenders a spectrum of responses among remandees, ranging from feelings of helplessness and bereavement to a bewildered sense of self and even survivor's guilt. Conversely, some individuals adapt to their new reality and cultivate fresh identities.

The journey from stability and freedom to the unpredictability and confinement of remand sheds light on how remandees assert and safeguard their sense of self amidst uncertainty. Two distinct strategies emerge: firstly, by reflecting on their pre-remand identities and how they were perceived by others, and secondly, by crafting new identities while incarcerated. These coping mechanisms offer insights into how individuals navigate the fluid and challenging terrain of the remand system while striving to maintain a semblance of personal boundaries and agency.

For example, Remandee 6 conveys a bit of confusion in trying to navigate his identity. He says:

“The only thing I really lose is my freedom. I ain’t lose nothing else, just my freedom alone because right now, I come like I innocent until proven guilty but on remand, you guilty until proven innocent.” (Remandee 6)

When Remandee 6 states, “I” lost my freedom like a criminal would, “*I am still a normal innocent man*”, it's as though he grapples internally to reconcile the loss of his freedom – a hallmark of criminality – with his steadfast belief in his innocence. This inner conflict epitomizes the uncertainty and legal ambiguity inherent in his situation. Despite his firm conviction of innocence, the experience of remand and its accompanying legal ambiguity seem to sow seeds of doubt, leading to feelings of guilt.

In an effort to navigate this internal turmoil, Remandee 6 takes proactive steps during his interview, unprompted, to assert and reaffirm his identity as a Christian. This act appears to serve as a shield against being solely defined by his remand status and shields him from potential judgment by the researcher. Moreover, it seems to offer him solace and clarity amidst the confusion and uncertainty of his circumstances. By clinging to his faith, he seeks to

anchor himself in something inherently good, providing him with a stable reference point to understand his identity within the confines of remand.

Interviewer: *What you was doing before you came down [to this interview]?*

Remandee 6: *I was doing, before I came down, I now finish my diet and I was now about to read some Bible.*

Interviewer: *Eh-heh.*

Remandee 6: *I is a Christian.*

Interviewer: *Christian?*

Remandee 6: *Yes.*

Interviewer: *What denomination you is? What is your?*

Remandee 6: *SDA.*

Interviewer: *Seventh Day? Wow, so you not eating pork and thing?*

Remandee 6: *I don't eat meat period.*

Interviewer: *You don't eat meat at all? What is that? Same religion or just?*

Remandee 6: *No, I was Rastafari.*

Interviewer: *ok , ok*

Remandee 6: *Yeah, I was Rastafari.*

Interviewer: *What make you change from Rastafari? Ah real minding your business a little bit if you don't mind me getting a little personal*

Remandee 6: *I come and get diagnose with a disease in prison and it cause a itch so I had to cut off my hair and never grow back my hair.*

From the provided interview excerpt, it's evident that there are several noteworthy aspects to consider. Rastafarianism holds a dual significance in Trinidad and Tobago – it's not only recognized as a religious faith but also associated with a local gang known as 'Rasta City'. Members of this gang embrace Rastafarian beliefs, culture, and lifestyle. However, Remandee 6 is swift to draw a clear distinction, asserting that he has severed ties with this group. He emphasizes this by stating that he no longer identifies as Rastafarian, having even cut his hair, although he still adheres to certain Rastafarian practices such as abstaining from meat consumption.

This deliberate separation from his past association with Rastafarianism suggests a conscious effort to shed what he perceives as a negative identity. In its place, he appears to have adopted a new, positive identity centred around Christianity. By aligning himself with

Christianity, he seeks to disassociate himself from the lifestyle and reputation of the Rasta City gang. It's as if he's undergoing a personal transformation, symbolized by his change in religious affiliation.

In delineating his shift towards Christianity, Remandee 6 seeks to communicate a transformation to the interviewer, emphasizing his desire to be recognized solely for his present identification as a Christian. This deliberate act of self-redefinition serves a dual purpose: it distances him from his previous affiliations and identities while also asserting his newly embraced identity and beliefs.

By aligning himself with Christianity, Remandee 6 evokes powerful imagery associated with spiritual renewal and purification. The concept of being "*born-again*," symbolized by baptism and the metaphorical cleansing of past wrongdoings, carries connotations of innocence and redemption. In identifying as Christian, he appears to be signalling his commitment to moral and spiritual regeneration, akin to preparing oneself for a symbolic "*judgement day*."

This portrayal suggests that his adoption of Christianity represents not only a religious affiliation but also a personal journey of repentance and transformation. By embracing this faith, Remandee 6 may seek solace in the belief of divine forgiveness and the prospect of a renewed, righteous existence despite his past associations.

Remandee 3 on the other hand presented himself as being a well-reasoned, experienced thirty-five-year-old. The following excerpt refers:

Remandee 3: Yeah. Age just brings reason and wisdom, yeah?

Interviewer: *Make sense.*

Remandee 3: Yeah. I does say it have a time for everything too.

Interviewer: *Right.*

Remandee 3: The Bible talk about that, it have a time for everything. It have a time to put aside your childish ways and I know for a fact, I done pass that stage, I reach that stage.

Interviewer: *You reach that stage already?*

Remandee 3: Yeah, so it's like been there, done that, you know? I am grown now.

He was adamant about emphasizing that he has outgrown the naivety and recklessness of his past, which led to his incarceration. He is no longer a child (ignorant) making foolish decisions like the ones that landed him on remand. With age, he became wise. With the passage of time, he claims to have gained wisdom and maturity. To him, his experience on remand served as a catalyst for personal evolution, marking a transition from ignorance to enlightenment. This transformation symbolizes not only his development as an individual but also his heightened sense of accountability and responsibility. As he puts it, "*I am grown now*," suggesting a newfound maturity and readiness to take ownership of his actions.

In growing and having all these experiences, his growth gave him reason and wisdom. He sees himself as being more intellectual than all the other remandees. The excerpt below explains:

Remandee 3: So, talking to one the other day. They have a slang they does use, 'cutting jail'.

Interviewer: *Mm-hmm, what's that*

Remandee 3: Cutting jail is like passing time. So, boom, I say let me listen, let me give a five minutes in the jailer talk. Let me cut some jail, let me give a five minutes of hearing to this man. When I listen to this man talk, nonsense. Non-non-nonsense.

In conveying this sentiment to the interviewer, he is essentially drawing a line between himself and the typical remandee, indicating that he is not interested in engaging with what he perceives as lower-quality individuals or conversations within the prison. Instead, he positions himself as belonging to a higher, more discerning echelon, characterized by intelligence,

wisdom, and sophistication. By elevating himself above the "*lowlife jailers*" and their discourse, he seeks to establish a sense of superiority and distinction. This separation can be interpreted as a rejection of the remandee identity, as he strives to distance himself from the confines of his current environment. It's as if he is physically present but mentally detached, signifying a disconnection from the reality of his circumstances.

Similarly, Remandee 9 employs a separation identifier, albeit in a different manner. Rather than comparing himself to others, he outrightly disassociates himself from the remand setting. He declares:

"My navel string not here so I won't rate jail. I want to go out of jail."

(Remandee 9)

The saying "*my navel string not here*", is a colloquial indigenous saying which means not having deep roots or connections to a place. In other words, Remandee 9 is endeavouring to distance himself from the remand environment, despite having spent 15 years there. His assertion suggests that he never formed any substantial connections or ties during his time on remand. This observation is intriguing, considering the lengthy duration of his stay, implying that he has remained in a state of anticipation, refraining from forging connections as he awaits his release.

Despite residing in this limbo state, Remandee 9 tenaciously clings to his identity, steadfastly refusing to adopt the label of a prisoner or criminal merely because of his remand status. His refusal underscores his determination to retain his sense of self amidst the challenges of his circumstances.

Unlike Remandee 9, Remandee 4 accepted his identity as a prisoner on remand. He stated:

“Because of how they does keep you here. That is why I would say it complicated. Because first things first, remember I am state property. The only thing I really lose is my freedom. I ain’t lose nothing else, just my freedom alone because right now, I come like I innocent until proven guilty but on remand, you guilty until proven innocent.” (Remandee 9)

Remandee 4's sentiments reflect a poignant internal conflict regarding his sense of self and identity while on remand. He appears to have relinquished his sense of freedom, acknowledging a guilt associated with the charges that have kept him on remand for eight years. Describing himself as 'state property', he portrays a sense of dehumanization, feeling unseen and reduced to a mere object owned by the state. Despite this, he asserts that the only thing he has lost is his freedom, suggesting a determination to retain his intrinsic humanity and personal identity.

This juxtaposition reveals a struggle within Remandee 4 to reconcile his perceived loss of freedom with his enduring sense of self. On one hand, he grapples with the dehumanizing implications of being considered state property, while on the other hand, he strives to maintain a semblance of his original identity by asserting that he has not lost anything beyond his freedom. This internal tug-of-war underscores the complex nature of his identity crisis while on remand, where he vacillates between viewing himself as a human being with inherent rights and dignity, and as a mere object owned and controlled by external forces.

In essence, Remandee 4's inner turmoil highlights the possible crisis faced by individuals on remand, where their sense of self and identity becomes entangled in the legal and institutional complexities of their confinement. This ongoing battle to define oneself

amidst the constraints of the remand system epitomizes the limbo state experienced by those awaiting trial, where their identity hangs precariously in the balance.

Furthermore, Remandee 4's state of mind appears to be mired in confusion, grappling with a sense of innocence juxtaposed with feelings of guilt while enduring the rigors of remand. This internal conflict highlights the perplexing limbo in which he finds himself ensnared by the legal system. He articulates this dichotomy, stating, "*I come like I innocent until proven guilty but on remand, you guilty until proven innocent.*" This observation encapsulates the bewildering paradox faced by individuals on remand, where the presumption of innocence is overshadowed by the harsh reality of confinement.

In this limbo state, Remandee 4 experiences a disconcerting sense of depersonalization, feeling as though he has been reduced to the status of 'state property' while simultaneously struggling to reaffirm his own sense of personal identity. The inherent contradiction of feeling both dehumanized and re-personalized underscores the profound psychological toll of the limbo state inherent in remand.

As remandees grapple with the existential uncertainty of their situation, they employ various coping mechanisms to navigate the complexities of their limbo existence. These coping strategies, while diverse in nature, play a pivotal role in shaping their experiences while incarcerated on remand.

For instance, the presence of sports programs and activities was found by remandees to develop relationships with other inmates. From the experience of Remandee 2, sports help the remanded inmates to develop camaraderie and interact with one another as they enjoy the time and activities, saying:

“The best thing about remand, well in my experience, the best thing about remand is the keeping the sports and thing. Keeping the sports and the love between brothers and that way men could sit down and interact with one another and deal with cases and thing. That’s the best thing I see in the remand.” (Remandee 2)

Referring to sports as the “best” part of remand shows the sense of relief and joy the sports brought to Remandee 2. The tone gives a sense that sports is an escape from the mundane ritual of remand, providing an outlet to feel ‘normal’.

Aside from using sports as a tool to develop relationships and interact with others, another participant highlighted the value of sports and its impact on improving one’s perception of himself. Remandee 5 identified sports as his best remand memory, noting:

“Football, they had a competition, a Futsal that was taking place in here and I end up taking part and I got MVP and thing.... yea... My best memory of remand? Definitely the Futsal programme.” (Remandee 5)

By being awarded as the most valuable player, he had a positive memory of remand, a moment to feel proud and not helpless, a moment to feel and identify as something other than the labels assigned to them. This demonstrated that despite the unfavourable conditions they were faced with, sports provided remandees with benefits and advantages.

Another coping strategy noted was the involvement in educational programmes which were used and seen as a medium for maximizing their time inside prison and focusing on improving themselves to prepare for the outside world. For Remandee 1, he attended classes and followed a routine for some time to enhance his knowledge and skills. As a result, he was able to graduate and described this moment as his biggest achievement from remand, saying:

“Every day I try to do something different. Like the programmes they have some peace in here for the inmates, so every day I try something new... The best moment was at graduation. Because at least I achieved something from this place.” (Remandee 1)

In his endeavour to navigate the perplexing limbo of remand, Remandee 1 discovered a glimmer of solace in the notion that he had "*achieved something from this place.*" Despite the inherent irony of striving for personal growth within the confines of a restrictive environment, his sentiment reflects a profound resilience and determination to transcend the limitations imposed by his circumstances.

The ability to strive for personal advancement while ensnared in a space of confinement is indeed intriguing, as highlighted by Remandee 1's observation. Despite the restrictive nature of his environment, the pursuit of daily activities and educational programs seem to serve as some sort of a beacon of enlightenment amidst the uncertainty of his situation. The use of the term "peace" suggests that these endeavours provide a semblance of tranquillity and purpose, offering a respite from the otherwise bleak reality of life on remand.

Moreover, Remandee 1's recollection of his graduation and the sense of accomplishment it evokes underscores the profound significance of such milestones within the context of incarceration. By attaining the status of a graduate, in his view he affirms his intrinsic worth and potential for personal growth despite his current confinement.

Remandee 6 shared the programs he completed and the certifications he acquired as a remandee:

"I did self-esteem. I have a certificate for self-esteem, I have a certificate for anger management. I did that in here" (Remandee 6)

From this participant's statement, he wanted to improve and develop himself while inside prison. It was also worth noting that he chose to complete certifications versus courses which could be due to the uncertainty of time of remandees in prison. Through the programs, he was able to gain confidence and learn how to manage his anger.

For remandee 7, he attended classes to be “*fit for society again.*” The participant highlighted how he wanted to remove his record of being a remandee by acquiring more knowledge and studying hard, saying:

“Yeah, I don’t want that on my record too. I fit for society again, yeah, so it’s to get my education... I put it to use, I going and do Social Studies now. I fail it already. I born here but I leave when I was seven so I don’t know Social Studies based on the Caribbean. I get a four in it, I go settle for it. I really want a one but I go settle for a two.” (Remandee 7)

This participant demonstrated how he wanted to develop himself and be more than just a remandee. In understanding his limbo space, he decided that he should prepare for his return to society, almost as if to block out his current situation. He copes by looking to the future, a better future and seeing himself reintegrated. More so, is the hopefulness he exhibits in his preparation for returning to the home. The gaining of education gives him a sense of normalcy as if he was an outcast before having it. His statements suggest that he is ready to be on the same level as the rest of the society.

Another coping strategy was the participants’ desire and willingness to improve and strengthen their relationship with God. As shared by remandee 2, he started to realize how to accept his condition or situation as he opened up to the Words of God. Remandee 2 narrated:

“From that, I didn’t really understand what was said but while praying and reading and seeking the word of God, I get to understand the little things I had out there and thing was, you know. I know well, I must be coming here for a reason. So, that is where it come to my realization that you here for a reason, I was going down a road.” (Remandee 2)

In wrestling with the perplexing uncertainties of his legal limbo, Remandee 2 turned to religion as a guiding light to help him navigate the complexities of his remand experience. Amidst the swirling questions of why, how, who, and when, he found solace in the belief that “*I must be here for a reason.*” This statement reflects the profound sense of confusion and

existential searching that often accompanies life on remand. Struggling to make sense of his circumstances and define his identity within the confines of the legal system, Remandee 2 sought refuge in his faith as a source of comfort and understanding.

For Remandee 2, his relationship with God served as a soothing balm amidst the turmoil of uncertainty and unanswered questions. It provided him with a sense of purpose and clarity, offering a framework through which to interpret and accept his situation. In the midst of confusion, his faith acted as a guiding force, providing him with a sense of direction and inner peace.

As time passed within the walls of the remand prison, Remandee 2 developed a coping mechanism centered around his faith, using prayer and spiritual reflection as tools to come to terms with his reality. Through this process, he sought to unravel the deeper meaning behind his journey as a remandee, finding solace and strength in his unwavering beliefs. By embracing his faith, he embarked on a journey of self-discovery and acceptance, gradually finding purpose and meaning amid uncertainty.

Remandee 3 echoed how the words of God helped him in his most difficult times, saying:

“The Bible talks about that; it has a time for everything. It has a time to put aside your childish ways from when I did come in here and I know for a fact, I have passed that stage, I reach a next stage” (Remandee 3)

Remandee 3's narrative sheds light on how faith served as a pivotal coping mechanism for remandees in their quest for meaning and clarity. He turned to religion to navigate and make sense of his journey thus far, indicating a profound internal transformation. His mention

of "childish ways" suggests a recognition of personal growth and evolution. It signifies a pivotal shift from a state of immaturity or naivety to a more mature and accountable mind-set.

When Remandee 3 entered the remand prison, he perceives himself as akin to a child or exhibiting childish behaviour. However, his experience within this limbo space catalysed a change. It provided him with an opportunity to transcend his past self and embrace a newfound sense of responsibility and maturity. In his eyes, this limbo period served as a crucible for personal growth and self-discovery, enabling him to emerge as a more resilient and self-aware individual. There is a sense that there exists the possibility for inner renewal and self-realization. Through his faith, he found the strength to confront his past childish ways, take ownership of his actions, and navigate the complexities of his existence within the confines of the remand system.

Remandee 6 quite simply noted:

“If you hold your corner and stay close to the Father, you wouldn’t have no problems.” (Remandee 6)

Remandee 6's perspective underscores the protective role of religion as a coping mechanism during remand. He emphasizes that staying close to his faith, symbolized by his identification as a Christian, serves as a shield against trouble and adversity while incarcerated. In essence, religion becomes a vital survival tool, offering him a sense of purpose and guidance within the confines of the remand system.

By anchoring himself in his Christian identity, Remandee 6 not only finds meaning but also repositions himself within the context of remand. His religious beliefs provide a framework through which he interprets and navigates his limbo space, allowing him to maintain a sense of personal agency and control amidst uncertainty. Through prayer, scripture,

and adherence to religious principles, he fortifies himself against the challenges inherent in his situation.

For Remandee 6, religion is not merely a spiritual practice but a practical strategy for self-protection and preservation. By aligning himself with his faith, he creates a psychological barrier against the potential pitfalls and dangers of remand life. This re-personalization process enables him to assert his identity and agency within the constraints of his environment, fostering a sense of resilience and empowerment (a way to cope) despite the adversity he faces.

4.1.6 Recommendations

Another major pattern that emerged was that of recommendations and suggestions from the remandees which they believed would improve their experience while on remand. These suggestions underscored their desire for improvement within the remand system.

i. Increased Visitation Time with Family

The issue of visitation arose in many different ways. Some remandees simply requested more time and increased frequency of visitation from loved ones. Others, however, suggested conjugal visitation. For instance, Remandee 9 stated:

“Under the vybz of hear what going on, it have men, simple thing, church. All them small, these is things they could build bigger. These is things they could expand. For the church now, it have people family who in church group and thing. They could come and see them here. So, that go invite them instead of sticking up in a cell right through. They could come out and see your family, your loved ones. We could see we family more too and for longer time make you feel yuh know, good. If they say they was going and do something with the conjugal visit, let men spend time with their wife and have sex and whatever and things. These are things men need to do. If I is the Commissioner, I doing that.” (Remandee 9)

In this excerpt, Remandee 9 articulates a series of insightful recommendations aimed at enhancing the conditions and experiences of those on remand. One suggestion in particular pertains to family visitation policies and the overall environment during these interactions. For Remandee 9, there is an important role of family visitation as a means to foster a sense of comfort, connection, and humanity amidst the often isolating and dehumanizing atmosphere of remand. He emphasizes the need for inmates to feel a sense of belonging and normalcy through these visits, highlighting the fundamental human need for social connection and familial support.

Moreover, Remandee 9 alludes to the significance of family visits in affirming one's sense of masculinity and self-worth. By expressing the desire to "*feel good*" during these visits, he sheds light on the profound psychological impact of familial relationships and the role they play in bolstering inmates' emotional well-being and sense of identity.

Furthermore, Remandee 9 advocates for the improvement of programs offered within the remand facility. He suggests that these programs should be more predictable and consistent, indicating a need for structured and reliable opportunities for education, skill-building, and personal development among inmates.

ii. *Improved Treatment from Officers*

Another suggestion is better treatment by officers. Remandee 1 explained that a change in officers' interaction towards the inmates could greatly improve their remand experience:

"There is a change you could make. The officers can interact in a more personal and better way, a little more humanly. For instance when they coming to call yuh and them ain't know yuh name. when they ain't know yuh names, they snap at us

like we are animals. You can't address humans so, say something like inmate so and so..." (Remandee 1)

Remandee 1 suggested that a change in officers' treatment would go a long way in making remandees feel more human, more respected and not like animals. As a result, a change in treatment would inevitably contribute to remandees feeling and identifying as humans. The notion of being treated with dignity and respect is central to fostering a sense of humanity and self-worth among inmates. When officers treat remandees with compassion and decency, it is assumed to help to counteract the dehumanizing effects of incarceration, affirming their inherent worth as individuals deserving of basic rights and dignity.

Furthermore, as noted previously in this chapter, Remandee 1's suggestion implies that current treatment practices may contribute to feelings of dehumanization and marginalization among remandees, likening their treatment to that of animals. This highlights the urgent need for reforms within correctional facilities to ensure that inmates are treated (for the very least) with fairness, empathy, and dignity. Implementing changes in officer behaviour and attitudes can not only enhance the overall well-being of remandees but also foster a humane environment.

iii. Improved Living Conditions

Every remandee gave recommendations to improve the remand conditions. Remandee 4 said, *"yuh see nasty place, they need to build another"*, expressing his disgust at remand. Though it is assumed that he is speaking physical structure, he did not specify. His disgust and repulse at that *"nasty place"* tells a story about his feelings and view of remand. His simple suggestion is to build another. In his opinion, fixing may not even be practical, as he suggested building a new one. Perhaps for him, this new building symbolizes new operations, new development, cleaner surroundings and being out of the *"nasty place"* he experiences.

Apart from the physical conditions, Remandee 4 highlighted that more activities are needed for remandees.

“Well, I would have choose for the prisoners to be more free, yes. We lock down 23/7. I won’t say twenty-four because you get the little hour in the yard. I would have choose to be more free and more recreational activities. Because a man could become a good footballer while he here, a good cricketer, other things. Because they just have we in a cell, twenty-three hours a day, doing nothing. Nothing, nothing, nothing” (Remandee 4)

In his opinion, Remandees are doing nothing for 23 hours. His emphasis on ‘*nothing*’ gives the impression that there is an emptiness, a vulnerability in the absence of activity which leads to persons losing their talents and the skills they had before. These skills and talents are what these remandees were best known for or identified as before being remanded. He suggested allowing remandees to keep these talents and skills and ultimately their identities.

To summarize remandees’ experience while on Remand, remandees were asked a penultimate question, “*Life on remand is _____*” (*fill in the blank and provide a why*). To this question. Remandees gave their opinions and views on remand which were quite interesting and noteworthy to this study.

Remandee 5 stated:

“How they put it? You know they use the word dead money, it’s like dead money. You can’t get it back. No matter what you do, you can’t get back that part of your life on Remand so it is, some go say it is a university, some would say it’s a lot of different things but to me, life on Remand is nothing. To me, it’s nothing.”
(Remandee 5)

To him, remand is “*nothing, dead money*”. His experience on remand turned his valuable life into nothing; something worthless. There is a sense that he has given up, there is a void that he has created to represent this aspect of his life. This could also be seen as his coping mechanism while living on remand. From his experience, we learn that remand is a hollow, useless, valueless place and time. Remarkably, no remandee interviewed gave a positive

summary of their experience on remand. Each had a negative experience while on remand telling their stories in their way. Despite the differences, the constant was the negativity, hopelessness, resentment and dislike for remand.

To conclude this section, a few quotations summarizing their experiences of remand are shared below.

“Alright, how I go put it boy? Life on the remand come like life and death. You don’t bound to wake up, you ain’t bound to wake up, you could dead on here. So, that is my thing. Life on the remand not nice.” (Remandee 9)

“It (Here) ain’t no place to be...I wouldn’t use the term system but the judiciary ain’t ready yet. (Remandee 7)

“Life on remand is very, very, very hard, right. It is very hard knowing that a man in jail so long for whatever he charged for, even if it’s a murder case, he has been in jail so long and ten, fifteen years passed and when they do decide to deal with your case, they still want to convict you upon that case when you done do a jail. So, that very hard and real men, even on my behalf, in the Remand yard. Because it have men on remand yard who just sitting down, for instance like me, I just in jail. I have no evidence, nothing, I just here and it very hard for me but I does just try to make it normal, you know? But it hard on the whole.” (Remandee 2)

“Life in Prison not nice... Because everything taken away from you, your freedom.” (Remandee 8)

Well, life in the Grove (remand) for me was hell. (Remandee 3)

4.2 PRISON OFFICERS

Table 5: Themes for Lived Realities of Prison Officers

Category	Themes
How is remand experienced in practice (lived realities) within Trinidad and Tobago (Prison Officers)	<ol style="list-style-type: none"> 1. Officers' view on Remand Conditions <ul style="list-style-type: none"> ○ Abandonment and Neglect ○ Lack of proper resources to perform duties properly ○ The Forgotten Service 2. Prison Officer's Relationship with Remandees <ul style="list-style-type: none"> ○ Aggressive and Frustrating Identities ○ Lacking respect from inmates ○ Being a remand prison officer is challenging and stressful. ○ Managing Overcrowded remand prison 3. Systematic Issues <ul style="list-style-type: none"> ○ Playing different roles to remanded prisoners such as father, brother, and counsellor ○ Access to Justice ○ Needing to know how to communicate properly with remanded inmates ○ Remand treatment vs. treatment of the convicted ○ Needing to balance compassion, discipline, and respect

4.2.2 Working on Remand

The first dominant theme among Prison Officers was the prisons conditions. In a similar way that prison conditions affected remandees, it also affected prison officers. For prison officers, however, the issue of prison conditions also encompasses a lack of proper resources which hinders them from performing their duties effectively and properly. Prison officers' perspectives on the conditions within the facility help to frame and contextualise the experiences reported by remandees, providing an understanding of the challenges faced by both parties within the remand system.

i. Abandonment and Neglect

Prison Officer 2 highlighted that there are challenges with the working environment as facilities are not also suitable for the execution of their duties, claiming the facilities, particularly the toilets are “*below average*”. He stated:

“It’s difficult because of the environment that we working in. We don’t have proper facilities, we don’t have drinking water, toilet facilities, a little below average. Yeah well they really don’t care bout we.” (Prison Officer 2)

In highlighting these issues, Prisoner Officer 2 claimed that having to work in these conditions makes him feel that the powers-that-be do not care for their wellbeing or their working conditions, which conveys a feeling that remand is a place of abandonment and neglect. There is a normalcy in his tone which implies that they have become accustomed to being seen as neglected, which can have an impact on their attitude to the work. He also seemed disheartened by the conditions he must work in which is similar to the depersonalization felt by the remandees.

ii. Lack of Proper Resources to Perform Duties

Prison Officer 3, in sharing his experience, described the working environment in more detail. He stated,

“From the dormitory up there, I don’t even use the dormitory but when I was on batch, I could tell you half the dorms don’t have water. Half the toilets don’t work, or sorry, ¾’s of the toilets don’t work. One thing with seniors, they quick to throw the junior staff under the bus. They quick to say it’s our fault these things happen. To an extent, yes, but the majority of officers are the ones who try to take care of stuff. When I used to use the dorm up there and I used to sleep over in the jail, I had my cloth, my disinfectant, I used to wipe the kitchen counter down once I see that kind of thing. Because I can’t eat in a filthy place so the dorms, certain parts of the dormitory, when rain falls, it leaks. You have to get up in the middle of the night and move your entire bed spot. It’s flood and thing certain places. Here in the office, running water is like once in a blue moon. From what I understand, how the place, how the plumbing is, once the inmates are in the yard, they don’t get water here because the lines running in a kind of way that when they using the water there, the water don’t reach here.” (Prison Officer 3)

Prison Officer 3, in giving his experience, sounded quite repulsed by the conditions he explains. His extensive descriptions are quite telling as they appear to bother him deeply as he says, *“I can’t eat in a filthy place”*. In each of these accounts, there is a sense that having to work in these conditions has these officers feeling disrespected and overlooked. From these feelings, there is a sense that not many funds or resources are extended towards the Prison Service to facilitate the upkeep of remand.

iii. Forgotten Service

Although remand is present, the lack of upkeep signals a lack of attention and focus on it as an institution which, in turn, is felt by the officers and even the remandees. Luckily, it appeared that although disheartened, officers remain committed to the service and duty and deliver what is needed. This shows determination, and willpower to still show up and work. Prison Officer 4 in giving his account, said:

“I think some when they see the uniform you get the reaction you suppose to get, but many people don’t regard prison service and we officers as anything much” (Prison Officer 4)

To be thought of as “*not anything much*” and not get the expected respect for wearing a uniform shows his disappointment while working with the service. The lack of resources to complete tasks coupled with this lack of respect translates into their feelings of being the *forgotten service*.

4.2.3 Prison Officers’ Relationship with Remandees

i. An Unsettling Environment

Despite facing challenging working conditions and a lack of respect, the prison officers interviewed in this study expressed a strong commitment to fulfilling their duties to the best of their abilities. This dedication is commendable, considering the adversities they encounter in their workplace environment. This is assumed can impact the lived experiences of remandees as giving their “best” means they put a lot of time and effort into their work in the prison and the remandees.

One notable concern raised by these officers is the cohabitation of remandees and convicted inmates within the same compound. They believe that this arrangement poses significant safety risks and exacerbates the challenges of managing remandees effectively. Perhaps such housing may also have an impact into how remand is perceived by the remandees. As a result, efforts are made to minimize interactions between these two groups by keeping them separate within the facility.

However, it is important to highlight the perception among these officers that remandees, in particular, may present a greater danger compared to convicted inmates. This heightened risk, in their opinion, is attributed to the frustration and agitation experienced by remandees as they await resolution of their legal cases, often over prolonged periods.

As such, given the situation of remanded prisoners, all prison officers must be extra careful at all times. Prison Officer 1 described the remanded prisoners as "aggressive" and "frustrated." He then differentiated the situations of the convicted and remanded prisoners, noting that the convicted prisoners behave differently because they are aware of the definite length of their stay in prison. In this regard, therefore, it can be argued that the state of being remanded constructs an uncertainty in the prisoners as well as the officers, as there is uncertainty in their duration on remand, affecting both remandees and officers. This uncertainty creates a pressuring environment which creates aggressive, frustrated identities. As remanded prisoners are just asked to wait for uncertain periods; Prison Officer 1 explained the uncertainty causes the said group's dismay and even anger:

Remand, they more aggressive, frustrated. The convicted have a date to go home, no matter what, you have a date to go home. Remanded prisoners are the set that don't know what going on with their life, in terms of, you there fifteen years, court just keep telling you come back next two months. They are the more dangerous as they are in and out." (Prison Officer 1)

The aggressive and frustrated behaviour exhibited by remandees, according to the officer's explanation, stems from the uncertainty surrounding the duration of their detention. This uncertainty creates a volatile situation, as remandees may be released suddenly and unexpectedly, granting them unrestricted access to interact with prison officers outside of the facility. The officer emphasized the rapidity with which remanded inmates can be released from custody, highlighting the potential risk that this poses to officers encountering them in the community. Consequently, prison officers remain vigilant and exercise caution in their interactions with remandees, being mindful of their tendencies and behaviours. This heightened awareness reflects the need for officers to adapt their approach based on the unique challenges presented by the remand population, ensuring their own safety while

effectively managing the individuals under their supervision.

The perspective offered by the officer highlights a crucial aspect of how remandees experience their time in custody. The awareness that remandees may behave aggressively or impulsively due to their eventual release and potential access to officers outside of the facility sheds light on the dynamics within the remand system. Remandees may perceive their interactions with officers differently, knowing that these interactions could continue beyond the confines of the prison walls. This understanding could influence the overall atmosphere and interactions between remandees and officers within the facility, potentially affecting the lived experiences of individuals on remand.

As Prison Officer 2 commented: *“You always cautious when you going out. You always looking...”* revealing a sort of fearful feeling. This can be quite nerve-racking for officers having to always watch over their shoulder and look out for anything that may happen to them. Prison Officer 5 provided an actual example of an encounter with an ex-remandee. The danger is always present, saying:

“And I was on my phone and this inmate came out of jail. So, when I walking, all I hearing is “Officer, officer.” I turn so because nobody doesn’t really know I’m an Officer. When I turn, he leans up on a wall with a chain big so. I say “What’s the scene?” and I gone, so that is to show you how easy it is, you could fall out. That’s why I tell people, I not playing no hero thing here. (inaudible) That’s how I functioning because at the end of the day, you want to beat inmate today, tomorrow, the next day and they coming outside. When they come outside, remember you have your life to live.” (Prison Officer 5)

Prison Officer 3 in their experience commented that the remanded prisoners *have all the time to think of both the good and bad*. He noted that as a result, it could be scary for the prison officers, but they will survive their jobs, saying:

“As the saying goes, in jail these inmates have nothing to do and whole day to do it. People in here all kind of fourteen, fifteen years now. So, they find time to do all kind of things. I mean its fearful but you will survive.” (Prison Officer 5)

Thinking of your job as a place of survival is quite noteworthy., almost as if every day he goes to work in remand to overcome a fearful warzone. Again, this demonstrates their powerful sense of duty and commitment despite the fear. The uncertainty of remand and its conditions have impacted the officers’ sense of security, stability and even their identity as respected prison officers in uniform.

4.2.4 Systematic Issues

i. Playing different roles to remanded prisoners such as father, brother, and counsellor.

The officers' responses shed light on the multifaceted nature of their roles within the remand system and the challenges they face in navigating the dynamics of their interactions with remandees. One notable aspect highlighted is the uncertainty surrounding remand stays, which adds complexity to the officers' working environment. In response to this uncertainty, officers find themselves assuming various roles, such as father figures, brothers, and even counsellors, to the remandees. This implies that there are diverse responsibilities and identities that officers must adopt to effectively manage and support individuals in custody. The officer’s account highlights how remandees often perceive authoritative figures, such as prison officers, in roles that provide comfort and support. This underscores the complex dynamics of the relationships formed within the remand system, where individuals in custody rely on officers not only for enforcement but also for guidance, protection, and emotional support. This can imply that the lived experiences of remandees highlight the significant

impact of authoritative figures in shaping their emotional well-being and sense of security within the remand system.

Under this theme, they also emphasized the need for officers to have the proper training and skills to communicate clearly and effectively with the remanded prisoners, which was also an issue raised by the remandees. Prison Officer 1 shared his reality of being a prison officer to remanded prisoners where there are innocent men punished in jail for years. his participant emphasized the lack of understanding among the general population regarding the crucial role played by prison officers in guiding and supporting troubled remand inmates, alongside the inherent challenges of the job. The officer emphasized that their actions and interactions often have a significant impact on the daily lives of the remandees, who perceive and rely on them as closely involved figures within the prison environment. The Officer stated:

No, it has innocent people on remand. Just for instance, it had some young boy, he was a footballer, he was in Port of Spain for twelve years. He was really innocent when they check it. So, that is the kind of thing we have to face, knowing that you have to be a father, brother, pastor, everything. People feel the job easy but you have to, it has men who would say "I feeling to kill myself." You now have to talk to him and tell him that not making sense. People feel this job, just you know when something happen, they blast prison officers. But they don't know we are counsellors, fathers, brothers. (Prison Officer 1)

It is interesting that for this officer he has to assume and change identities while working on remand, to provide a support system to these remandees (in the absence of formal structure) as a part of his day-to-day routine in his line of work. He does this because, in his eyes, remandees are presumed innocent and that's how he tries to treat them, viewing them as *innocent*. He described the "young boy" giving this idea of innocence and explained his dilemma in trying to treat persons who are innocent in a punitive environment with convicted

criminals. His use of the words, “*father*”, “*brother*”, and “*pastor*” all speak to this innocence and the officer trying to maintain this view of remandees and in his treatment towards them. This changing of identities to accommodate the uncertain state of the remandees is somewhat like a *chameleon*, adapting to his surroundings, all in an attempt to show empathy to the remandees. This can be seen as a strategy of reformation and survival used by the officers. In his experience, he believes there is a perception that their work as officers is *easy*. This perception is aligned with the lack of respect that was raised by Officer 2. The callous disregard of the officer and the importance of his job in remand appears to impact his pride and confidence, which is depicted by his tone and his words “*they blast prison officers for everything.*” He appeared to be feeling undervalued. He seemed disappointed in the public’s misunderstanding and even more frustrated that he was unable to correct this public perception that their work in remand is easy. To him, it is quite difficult to manage persons who are innocent until proven guilty.

ii. Access to Justice

Prison Officer 2 recounted an incident where he provided assistance to a remanded inmate regarding communication with his lawyer. The participant shared:

“I tell him first of all don’t go behind the lawyer. Don’t do anything stupid. He didn’t have a call card and I end up giving him a call card for him to call the firm where the lawyer works. He talks to somebody because I’m saying probably where he works, they don’t know, so talk to the superiors, let them know what going on, that he delaying your case and whatever. He probably took my advice. I didn’t hear anything on the news yet. So sometimes you just have to know how to talk to them to keep them from doing certain things, as they on remand an thing, you does have to talk to them” (Prison Officer 2)

Prison Officer 2 recounted an incident where he provided assistance to a remanded inmate regarding communication with his lawyer. The officer described a situation where the

inmate expressed frustration over his inability to contact his legal representative. According to the inmate, he believed that delays in communication with his lawyer were prolonging his time on remand.

In response to the inmate's concerns, the officer took proactive steps to address the issue. He provided the inmate with a call card to facilitate communication with his legal team, thereby enabling him to discuss his case and potentially expedite proceedings. This gesture highlights the significant barriers to access to justice faced by remandees, which may not be as prevalent for convicted individuals. The officer's actions underscore the importance of ensuring that remandees have adequate opportunities to communicate with their legal representatives and access the justice system. Despite the challenges and limitations of the remand system, the officer felt compelled to intervene and assist the inmate in navigating these obstacles.

It is noteworthy that the officer's noted decision to provide the call card was influenced by the fact that he was dealing with a remandee rather than a convicted inmate. This distinction suggests that the officer perhaps recognized the heightened vulnerability and need for support among individuals awaiting trial. This vulnerability can have an impact of the lived experience of remandees.

iii. Needing to know how to communicate properly with remanded inmates.

In the experience, Prison Officer 2 said, "*sometimes you just have to know how to talk to them*", as if to say there is a special way to talk to remandees given their uncertain state. Communication appears to be a key element of remand experience as it emerges in both remandees' and officers' experiences, however, there are noted differences. For officer's communication when coupled with the aforementioned 'chameleon effect', seems to be a

good strategy to empathize and talk to the remandees as men who are presumed innocent. It is almost as if it distinguishes them from convicts in the officer's mind as he treats remandees special.

From Officer 2, it is understood that there is a need for prison officers to ensure that they are capable of communicating properly and effectively with the remanded inmates.

Communication appears to be another strategy used by officers to cope and survive while working at remand. It appears to be a tool used to navigate the unsettled environment.

Prison Officer 4 shared that they have a handbook that officers must follow and apply as they interact and relate with the remanded prisoners. The participant expressed:

“Ah, again that is what I coming to. In our, in the same handbook, the fear book, it states how a prison officer is supposed to be and it says you supposed to have tact, tact management. Tact is how you could talk to them using your words and how you manage them. So, once you have that, you would be able to deal with all kind. So, you have to have that tact. You have to know how to talk to them.” (Prison Officer 4)

It is quite interesting that the officer refers to their handbook as a “*fear book*” and then explains using ‘*tact*’ to manage the remandees. There is an assumption that in calling it a “*fear book*”, he is referring to, and describing guidelines to instil fear and/or terrorize inmates and even the officers themselves. The officer then explained that when dealing with remandees, as an officer “*tact*” is needed.

This holds considerable importance as it suggests that language and communication play a primary role in managing or exerting control over remanded inmates, with the use of force and physical coercion being of secondary importance. Almost as if without tact they would have no power or authority over remandees. This specific treatment towards remandees indicates that officers in their operations try to treat remandees differently from convicts, understanding the idea that they are innocent until proven guilty.

iv. *Remand treatment vs. treatment of the convicted*

This system in which officers have to work creates a challenging and stressful environment, particularly when managing an overcrowded remanded facility. The issue of overcrowding was recurrent in the officers' experience. Prison Officer 5 explained that prison officers find it difficult to manage a crowded place where the situations and conditions of the inmates seem unfair, saying:

"At the end of the day, as a Prison Officer, we more supposed to deal with the convicted (inaudible), we not supposed to deal with the remanded. Sometimes in speaking to inmates, you get to find out that he in here for weed, he here for a little robbery in a grocery and to me, you don't have to send all these people here for them little things. Because at the end of the day, it's overcrowding. Sometimes, when you go by a cell, you know how much people in there? "Ten of we boss." If you see the little cell. I say "What?" So, all of them in a line going around in the cell so. They have to sit down so and sleep so. I find you could offer the little community service because at the end of the day when you bring somebody who rob a little grocery store and you bring him inside here and he inside here three, four months around criminals who commit murder. What you think going to happen? He would start to think like them. So, it has ways that they don't need to bring in each and every person inside here. They have to work on that." (Prison Officer 5)

In his evaluation, some offences do not require persons to be sent to remand and other forms of detention can be used. He further commented on the idea of remand being a catch pit where there are no classifications and/or separation of inmates, which fosters a melting pot where criminals can engage and even develop their criminal skills (whether individually or in gangs). There is a sense therefore, in his view, the remand is like a Criminal University. Perhaps the most critical point raised by the officer, in his opinion, is that prison officers should not be managing remand. In his view, they are trained specifically for convicted persons. This is quite significant and plays a key role in understanding the mentality, role and actions of prison officers working on remand. Indirectly, he is saying that this can be challenging in trying to adapt to the needs and nuances of the remandees.

From his experience shared, there is an understanding that there is a clear distinction in the officer's mind between remandees and convicted inmates. So clear that it would appear that he knows exactly how to deal with convicted inmates, however, becomes frustrated when dealing with remandees who are in an uncertain state. To this, he later offers a suggestion to have specialized trained officers to properly manage remandees and their position within the criminal justice system.

v. *Needing to balance compassion, discipline, and respect*

There is a consistent need to balance sympathy, discipline, and respect when dealing with the remanded inmates which can impact their ability to control the remandees. This can indeed make the job of prison officers more complex as they deal with remandees. Prison Officer 4 commented:

"The officers make the work hard. Because prison service if you really look at it is an easy work. It's manning prisoners, opening, closing cells, bringing them out for feeding, bringing them out to bathe, lock them back in. if you have that control, if you have that mindset to deal with these guys, you no longer have to worry about phone coming in, marijuana, cigarette, all these things. But because officers so want to be compassionate and lenient and all these things and want to feel sorry for them, they forget about service and they just thinking about their brother or (inaudible). So, they would bring in things to make them more comfortable. So, with that, that does have a lot of repercussions behind it. Because you being the officer who would search somebody when they coming in from court or if they have to go somewhere and you find things on them, you confiscating it. Obviously, it would cause somewhat of an uproar because you now take away their little happiness that they feel they entitled to and that starts a whole lot of different things. So, officers contribute to a lot of our demise sometimes. Sad to say." (Prison Officer 4)

This officer places the blame for dysfunction at the foot of the officers, saying when they step outside their rule of law, and offer comfort instead of maintaining control, remandees tend to take advantage. This cycle causes disruptions and makes their jobs much

more complex. When disruptions and disrespect occur, it in turn makes their work harder. In identifying this scenario, the officer is essentially saying that an officer should stay within the parameters of what he was trained to do, which appears to be controlling and ruling with an iron fist. In his estimation, this would give the inmates the right message, gain their respect and make the work manageable as it should be.

4.3 DECISION MAKERS

Table 6: Lived Realities from Decision makers

<i>Category</i>	<i>Themes</i>
How is remand experienced in policy (lived experiences) within Trinidad and Tobago?	<p>I. VIEWS ON REMAND</p> <ul style="list-style-type: none"> ○ <i>Perception on Remand</i> ○ <i>Living Conditions</i> <p>II. SYSTEMATIC ISSUES WITH REMAND</p> <ul style="list-style-type: none"> ○ <i>Access to Justice</i> ○ <i>Barriers to Access to Justice</i> ○ <i>Remand as a form of control</i> <p>III. REMAND IMPACT</p> <ul style="list-style-type: none"> ○ <i>Incarceration Effect</i> ○ <i>Change in personalities and identities</i>

Section two (2) explores the view of decision makers with the remand system and remandees, contextualising the experiences of remandees. The following categories of respondents (i.e. lawyers, the magistrate and the government official) gave their accounts of their point of view with using and /or working with Remand legislation and policy. While some of the board concepts reoccur from Section 1, these professionals provide another viewpoint of lived experiences.

4.3.1 Views on Remand

i. Perception on Remand

From the lawyers' responses there was a clear effort to explain and clarify what remand is and how it works as outlined by the legislation. In this vein, and according to all three of the lawyers, the main objective of remand is to ensure the safety of prisoners and to make

sure that they could appear in court for their next hearing. Even more simply, remand is a place that holds persons who are not yet convicted. Lawyer 1 highlighted that another element is considered that is not explicitly stated in the legislation and that is, a risk element which looks at society's general safety from the accused. To this, Lawyer 1 stated:

"It's a purgatory. It's the gap. You're sorting out, this person has been charged, but not yet convicted. It's that area that's important. So, you kind of have a red flag. Red flag this person. We don't know yet if they're a criminal, but we have to do something with them, we can't let you go back out into general society if we think you're a danger. If we determine that you're a danger, you should kept be inside until." (Lawyer 1)

In his account, he referred to remand as "*a purgatory*" and "*a gap*." In the simplest explanation, *purgatory* is a place of suffering that cleanses and purifies. However, in his explanation, *purgatory* is being used as a comparison and depiction of remand. It is quite telling and paints a negative, graphic, pejorative imagery of remand, giving a sense of despair, sadness, gloom and poor living conditions. The lawyer's depiction implies that remand is a bleak and despairing environment, unfit for human habitation, eliciting emotions of anguish and bewilderment, which could also add to the lived experience of the remand, echoing the theme of identity limbo explored earlier. A place of suffering relays a place of agony and confusion, which is quite interesting given that the theme of identity limbo and status was highlighted previously.

Also interesting is the reference to remand being "*a gap*", being thought of as just an empty interim space. A space that straddles between two worlds, a convicted world and a free society (as outlined in the legislation). Being in this gap, conveys a space of nothingness, a space of limbo and openness with no actual meaning or definition more than a holding place. Though their literal meanings are self-explanatory, figuratively these descriptions explain that

to persons who interact with the legislation and policy, remand is an unpleasant experience that, though important to the system's apparatus, really has little to no true meaning as it lingers in the middle of two worlds. It also survives to agonize those who are there daily. From the response, there is a sense of helplessness when the lawyer says "*We have to do something with them*", as if remand, though being the only method may not be the best or right approach to dealing with the particular purpose.

The magistrate perceives remand as a tool for managing the risk and potential danger posed by inmates to society. From his perspective, remand serves as a means to address the recurring issue of individuals being repeatedly arrested for similar offenses, particularly gun violence. He suggests that by placing such individuals in remand, it may contribute to reducing the prevalence of certain crimes and thus lowering statistics related to those offenses. Essentially, the magistrate sees remand as a measure aimed at deterring individuals from committing further offences while awaiting trial or resolution of their cases. He stated:

"I'm not sure if [remand is] effective but you still have to give it a try. I am for it simply because what I've been told is what the statistics show which is that the people who are committing the gun violence, that they are just a limited number of persons committing gun violence. So, I don't know if they are manufactured statistics but it shows that there just a few people that commit violence and they do it over and over again. Trinidad is just a jokey place that it may just be manufactured evidence so, if that is true, then I'm giving you both sides, keeping them behind bars should be able to cut down on the amount of gun violence and one of the provisions in that law is that three-month period is, I think you need to complete the case within that three-month period."(Magistrate)

By the magistrate's admission, remand doesn't appear to be effective or as effective as it should be as persons are returning for similar offences. However, he further notes that something has to be used and since there is no other options, remand remains the only option. He said "*...but you still have to try*", as if to say that remand is not ideal, but yet is the only thing available, so it is utilized to the best of its ability. If in the magistrate's view, remand is

not achieving its intended purpose, it may also mean that some unintended outcomes have been derived from this ineffective system. One such outcome, the magistrate highlighted, is the use of remand in managing crime statistics as well as the controlling of risk and danger to society from offences such as gun violence.

From the perspective of the magistrate, remand is seen as a mechanism for managing and controlling individuals who may pose a risk to society. This implies that remand is not merely a temporary holding facility but rather a means of exerting control over those awaiting trial. In essence, remand is viewed as a form of punishment rather than just a neutral interim arrangement. This raises concerns about the presumption of innocence, as individuals held in remand are treated as if they are already convicted, rather than being regarded as innocent until proven guilty. This perception can have very significant implications for the treatment and rights of remandees within the criminal justice system. It suggests that they may be subjected to harsher conditions and restrictions than justified by their legal status as awaiting trial.

ii. *Living Conditions*

One of the legal professionals viewed remand facilities within Trinidad and Tobago as stinking, unpleasant and unclean. She stated:

“I could tell you it's stink. There's a scent a pungent scent. It's. secure I mean where can be more secure than a prison. But it's... It lacks. I don't know I don't what other word take what a word I could possibly give me a description Unclean.” (Lawyer 3)

This lawyer describes a “*pungent smell*” which gives a repulsive imagery that emphasizes a place not fit for human living. The descriptions make clear that remand is not viewed as a

comfortable place, but one of dreary discomfort that gives a feeling it is less than human; and dehumanizing.

The description of remand being *secure* but *lacking* gives an impression that while the infrastructure is impenetrable, it lacks the amenities to have remandees feel like normal people. This contributes to the depersonalization of remandees by detaching them from what they may regard as normal human conditions.

In the Chief Secretary's view, remand makes him feel uncomfortable with these poor conditions. He stated:

"I would say I was uncomfortable. I would not say that the conditions were not the best. But, if it's one thing that jumped out to me was the fact that I don't ever want to be in there." (Chief Secretary)

For him, remand being in this current, uncomfortable, physical condition has him reluctant to ever want to be sent to remand as he says "*I don't ever want to be in there.*" The statement also signalled that the conditions are not viewed as normal or at least what can be considered normal, as if they were normal perhaps it would not have jumped out at him. By saying that these conditions were so terrible that his unwillingness to ever be there jumped out at him, conveys that firstly, conditions are so out of the ordinary that it stood out to him and secondly, that conditions are so abnormal that it left a negative impression on him. The abnormality of the conditions gives a sense of dehumanization.

The magistrate also stated:

"...that is one place I don't want to see and worst yet, I don't want to go there."
(Magistrate)

His statement suggested a place that is debilitating and beyond the wildest and worst imagination. His emphasis that he does not want to see or go there gives a feeling that remand is an inhumane place. Such a place can create thoughts of depersonalization as it is difficult to imagine anyone living in such conditions. The statement also signalled that the Magistrate wishes to create a distance from remand. His unwillingness to even see, much less visit, can be seen as impersonal, almost as if he has to remain detached to send persons there knowing how undesirable and dehumanizing remand conditions are.

4.3.2 Systematic Issues with Remand

i. Access to Justice

Lawyer 2 highlighted the issue of transporting remandees, particularly in Tobago. Lawyer 2 noted that there are difficulties in going and returning from, Court which often results in remandees missing the opportunity to attend court on stipulated dates and significant delays in cases. This participant expressed the common issues he faced concerning the remanded inmates, saying:

“As I explained, the delays of not having your client there to give certain instructions or the delay of not having your client on remand in Trinidad or being able to contact your client as frequently as you would like to, it is more timely, it’s costlier. Sometimes you go to court to sit and you wait all day for your client to come from Trinidad and they end up not being in court. It does affect my work, as it sets things back.” (Lawyer 2)

In his experience, the transportation issues hinder remandees from appearing in Court for their case, (ironically this is one of the main purposes of remand). The remand system with all its inefficiencies has affected one of its main purposes and ultimately this would impact the access to justice for remandees. He also noted that these transportation issues create delays in

accessing justice for remandees. The concern of access to justice was raised by Lawyer 3, as she gave her experience of persons being placed on remand not because of the process of justice, as outlined in the legislation, but because of a lack of access to bail. Lawyer 3 noted:

“Sometimes though, people are granted bail but they are not able to get the necessary documents together to access the bail. And if you are unable to access bail, you are going to end up on remand.” (Lawyer 3)

Lawyer 2 also noted:

“We ought to, need to adjust the concept of when people should or should not get access to bail an important one that should get be known. All right. Many people end up in on remand because they can't access as opposed to them being refused” (Lawyer 2)

This perception gives another way an accused can be remanded into custody apart from the aforementioned way of court’s decision outlined in legislation. In this instance, Lawyer 3’s concern is that although persons are granted bail through the decision from the court, the defendant is remanded into custody regardless, owing to the presence of bureaucratic reasons, not satisfying process requirements. This suggests different stages to avoid remand and accessing bail, which is not apparent in the legislation. If one succeeds at the first stage, they still have other hurdles to overcome before they can be sure they are not held on remand.

The phrase “end up on remand” suggests that remand, in practice, is a default position that one may find themselves in the case of inaction. This is in contrast to the picture presented in the above legislation which implied bail as the default, against which the court needed to act by using its discretion, only on the basis of “substantial grounds”. In other words, this suggests that there may be a conflict or contradiction between the norm of policy

and the norm of practice. This again highlights the potential difference between a judicial process and a bureaucratic process, where only the first is the focus of legislation. This would mean that although the legislative or policy intention for remand may be that it is something to be avoided unless necessary; a last resort, the practice reality is that bureaucracy makes it easier to “end up” on remand.

The other implication of the risk of “ending up on remand” is that to avoid the ‘new default’ position of remand the burden of action is transferred from the court needing to actively use its discretion, to the defendant needing to “access bail”. This raises potential questions of responsibility for access to justice for someone who is, as noted by a legal professional, legally innocent. This quotation suggests that in practice, the onus may sometimes be placed on the defendant.

Another part of the bureaucratic process that affects access to justice is the difficulty of persons to maintain the conditions imposed on them. There is an assumption in the legislation that some persons may need heightened control, but not necessarily be remanded, as such conditions are imposed to ensure their whereabouts are known to the authorities and that they appear in court for their matter. The legal professionals expressed concern about the accused not being able to satisfy these conditions imposed on him by courts, and as such are held on remand.

“So, you have persons who are charged who have not been able to access bail. And then there are conditions that have been imposed by the magistrate or the judge, that a person simply cannot meet.” (Lawyer 1)

“One of the typical conditions of granting bail. They make you report to the police station right. See if they will report to the police station on two days a week between the hours of 6:00 a.m. and 6:00 p.m. something like

that. So you'll have to walk with your book so you can have the officers write in the book that you were at the station and sometimes a matter will last five years. So you reporting into the prison in the police station for a five-year period.” (Lawyer 2)

The phrase ‘simply cannot meet’ suggests courts are imposing difficult or impossible conditions that the accused cannot reasonably be expected to uphold. This may suggest that something is contradictory within the system if unrealistic expectations are being set with the intention that persons cannot meet the requirement. The legal professionals gave an example of the accused having to report to a police station two to three times a week. This, though appearing simple on the surface, becomes complex as cases have lengthy years before completion. So, in a given situation the accused may be going to the police station two or three times a week, sometimes even more, for five or more years. The bureaucratic process created by the imposition of conditions is another way that can result in a person being remanded into custody and contribute to the rise in the numbers of those on remand.

ii. Barriers to Accessing Justice

Lawyer 2 indicated that the issuance of bail is not also suitable for the lower class but is effective for the elite class who can access it without any difficulty.

“We know that sometimes most of the people who commit these crimes are of a lower socio bracket. And if the main purpose of remand we would have said is to return to court well that's the main one; then, some people are being unfairly prejudiced. If the amount set are not relative to the socio-economic situation.” (Lawyer 2)

From this lawyer's experience, she believes that most of the people committing crimes are of a lower socio-economic bracket. She also highlighted that some persons are "unfairly prejudiced". She said that the system at times operates on biased and unethical actions, which ultimately impact the state of remand. Being unfairly prejudiced and then placed on remand for a socio-economic predisposition speaks to the core of not having access to justice and interruptions to the rule of law.

Her concern is based on the fact that everyone will not be able to access bail because of a lack of financial resources, and therefore those persons would have to stay on remand. The professional stated:

"There are offences where bail is set too high and a person cannot access it." (Lawyer 2)

The idea that there are only particular offences where bail is set too high may suggest, that possibly, that is a policy intention to control particular offences for whatever reason.

The words "*set too high*" may suggest that there is an acceptable level at which bail can be set and be considered reasonable if someone is to access it. The practice of setting bail too high would also incorporate the court assuming the accused's socio-economic status and setting a cost that may be unattainable by the persons of a lower strata. It could also mean that there are standard averages or ranges for particular offences and the courts simply extend the same courtesy to everyone who comes before the court for that offence.

"So, you know you'll have clients that would beg, whether or not they are represented by an attorney. Sometimes they experience and they can say it for themselves, "Mam please remove the surety, Mam, Mam, Mam, no please. Please Mam." Because they know they're not going to be able to get that. And it hurts the poorer classes." (Lawyer 2)

As a result of this practice, Lawyer 2 believes that those of the lower class are disadvantaged. “*And it hurts the poorer classes*” suggests that other classes are generally able to access bail.

The professional further explained that some persons represent themselves. This may suggest that they are unable to negotiate lower bail amounts on their own and may receive more favourable responses if they were represented. Therefore, in the lawyer’s experience, the issue may be a lack of representation throughout the pre-trial process, which again, may impact the numbers that are filtered onto remand.

There is an assumption in policy that everyone has access to financial resources and therefore has a fair chance of being able to access bail. From the lawyer’s experience, however, in practice, fairness is lost as not everyone has the means to access bail. This unfortunately affects the poor classes more and they are remanded into custody. Therefore, remand is often a place you mostly find persons who identify with the lower economic strata.

For Lawyer 3, another hindrance to the access to justice in addition to high bail is the prolonged periods the accused spends on remand before his case is tried. She said:

“The main one is the inefficiency of the court system, where the average person who is unable to post bail will remain on remand for a prolonged period of time before his case is tried fairly and whether he is innocent or guilty, it’s judged by a court of law. So, I think that is the major challenge and it may need to be addressed otherwise the numbers will remain.” (Lawyer 3)

Her deliberate mention of the prolonged periods, suggests another layer that may cause a barrier to justice. For her, the system itself prevents access to justice, which results in stagnant numbers on remand. This ultimately needs attention and will inevitably improve remand and its role in making justice inaccessible.

4.3.3 Remand Impact

Another concept pertinent to remand is the notion of incarceration effects, which examines the impact of imprisonment on individuals who are remanded into custody. In Trinidad and Tobago, remanded individuals are effectively subjected to imprisonment upon their custody. The legal professionals have voiced concerns regarding the use of imprisonment as the primary form of detention within the remand system in Trinidad and Tobago.

As they believed it has an impact on the persons who are remanded into custody.

“Do you think the person who was in there and spends three or four years on remand before they do their trial is going to be the same person they were when they come out. Prison changes you...” (Lawyer 1)

The response suggests that persons who are remanded into custody are changed by the experience. In this lawyer’s experience, remandees personalities and identities are affected by their environment and experience while on remand, so much so that change is noticed. He said, in his opinion, *“prison changes you”*. With the current state and operations of remand, he is of the assumption that no one can remain the same through that experience, and so, by default, it is an intended and/ or expected outcome of remand to have changed identities amongst remandees. What is even more interesting is his implication that the change does not seem positive, but his tone suggests that the change is a negative one.

The magistrate noted that in his experience the practice of setting high bail, resulting in persons being placed on remand is not as productive as it may be believed to be. He criticizes the system claiming it is not a good one at all. He stated:

“No because it’s counter-productive. It is counter-productive so I don’t think so. I don’t think remanding people and setting an unusually high bail to send them in jail, I don’t

think it's a good system at all. The main reason is because the prisons are overcrowded. The second reason is that because of the overcrowding, even if it wasn't overcrowding, what happens is a lot of people go in there for fairly minor offenses and they come out with a PHD in crime." (Magistrate)

For him, the system is providing opportunities for persons to become experts in criminal activities as he said, *"a lot of persons go in for fairly minor offenses and they come out with PHD in crime."* This also suggests that persons develop into identities or personalities that can commit major offences or specialize in particular offences. This may also be the reason the remand system is overcrowded, and the same persons being held on remand multiple times.

Another concept raised by Lawyer 2 is that people on remand should not believe or be made to feel like they are convicts being punished. He said:

"The imprisonment part (of remand) ... you don't want legally innocent people believing they are convicts serving time and being punished."
(Lawyer 2)

In expressing such, there is a clear implication that remand is not a punishment and should not be seen or perceived as such by those in the system. The rather awkward phrasing of someone being "legally innocent", suggesting that they may be only innocent in a legal sense, points to the importance of distinguishing status and labels, which is supported further by the use of the term "convict" (which is not so much of a legal term). This concern raises issues between status, labelling and identity and the impact remand can have on the remandees' identity. There is an irony of course that the person does not feel that they are "serving time" in the sense of serving a sentence, but are still "spending time" or "doing time"

in prison. In other words, the legal and policy intention may be keen to underline the distinction in legal status, but the result for the person's situation is the same.

4.4 CONCLUSION

The realities of remandees and prison officers in terms of the conditions of the prison, uncertainties of length of stay and overcrowded environment are parallel. However, they share opposite views as it relates to the treatment of remandee by prison officers. Remandees interviewed had nothing positive to say about their interactions with prison officers while prison officers interviewed recall having a level of respect for remandees and trying to help them. However, some prison officers declared that they preferred ruling with an iron fist and not feel sorry for them because sympathy leads to complications and job implications.

Prison officers and remandees shared similarities in views on systematic issues faced in remand in Trinidad and Tobago. Both groups also acknowledged the differences between criminal and remandee and that remand as an institution requires specific guidelines. For decision makers, remand is necessary for the criminal justice system, but the current framework does not have the best structure and essentially defeats the very purpose of remand.

It was noted overall that the current remand system in Trinidad and Tobago has an outrageously negative impact on those who live and work there, so much so, that those who live there feel dehumanized and depersonalized, while those who work there feel neglected and forgotten. Remand as an institution in Trinidad and Tobago was positioned so negatively, that even the decision makers wish to never be there, not even for a site visit.

CHAPTER FIVE: CONCEPTUALISING LIVED EXPERINCES

5.1 INTRODUCTION

The experiences and responses shared throughout the study resulted in few shared concepts amongst remandees, remand officers and policymakers as well as concepts specific to each group. These concepts, altogether, point to multiple realizations relating to remand. One realization about remand, particularly in Trinidad and Tobago, is that although it utilizes imprisonment as a form of holding or control, it is quite different and unique in its positioning and delivery.

It is submitted, through the experiences shared by the participants, that remand is impactful on the lives of those on remand and by extension the criminal justice system. This impact appears to be diverse and different from what has been cited in the literature on remand within Trinidad and Tobago particularly. The specifics of remand were not readily studied and explored in their respective right within the literature. Therefore, there is a need to focus future attention on remand as it has proven not only to be a criminological issue, but it can also be a social and even economic issue within any society if not properly understood and managed.

The impact of remand on the lives of those on remand and involved with remand has given an understanding of the experience of remand in Trinidad and Tobago. This chapter discusses the main topics that were raised through the accounts of the participants.

5.2 SUPPORTING JUSTICE

Access to justice constitutes a cornerstone of democratic societies, guaranteeing every individual the opportunity to pursue legal remedies and a just trial. Yet, this principle is challenged in pre-trial detention, or "remand." The experiences shared validate the significance of remand within criminal justice systems, echoing Schnake (2014) and Schneotich (2008). This study extends this understanding to Trinidad and Tobago's criminal justice system. While remand serves legitimate purposes, there are implications for access to justice which are complex, and this has remained a consistent argument throughout the literature. From the narratives, the thesis reinforces this argument that although on paper access to justice is enshrined in the remand system, in practical operations it does not appear that access to justice is properly achieved. The same was found in Brookman and Pierpoint (2003) who also discovered in their study that while remand policies on access to justice may seem harmonious in theory, their implementation often presents challenges and discrepancies when put into practice.

Though Remand is significant, in the narratives it was referred to as "*a purgatory; a gap*", nothing more than a mere sifter and sorter of some sort. This experience of nothingness seemingly runs contradictory to the value attributed to remand in the literature and criminal justice policies, where remand is seen as important to the criminal justice system, as it is argued that the presence of remand in the criminal justice system provides a layer of protection for the preservation of justice (Schnake, 2014; Schneotich, 2008).

In any event, remand suffices a duality of principles: the presumption of innocence and ensuring justice is maintained. Both principles remain key within the procedures of the

criminal justice system, which is supposed to exercise fairness and impartiality. According to Dobbie et al. (2018), a fundamental notion of remand is that individuals are held based on the presumption of innocence because they have not yet been convicted. A violation of the presumption of innocence can present a number of difficulties for remand systems worldwide (Dobbie et al., 2018). Essentially, such violations would impact access to justice. For example, as illustrated by one of the remandees in this investigation, when a person spends years in remand only to be found innocent during trial, the notion of being presumed innocent during remand loses its significance. This systemic issue appears to form a part of the lived reality of remand in Trinidad and Tobago.

According to the Bail Act 1976, remand intentions are to ensure persons appear for their trials; to protect their safety; and the safety of witnesses and victims. From this, there is an underlying sense that remand is to be used in exceptional cases where bail cannot apply, and so justice is preserved. From this study, although there were no cries for its abolition, but rather for amendments and alterations, remand in its practice and operations appears to run contrary to these fundamental principles and goals.

All persons interviewed appeared to understand and had no issue with the presence of remand within the system. However, from the narrated experiences, there were constant difficulties that threatened the ultimate goals of justice by hindering its access and were highlighted among all participant groups. The concept of access to justice is quite variegated but constant in relation to the remand discussion (Bookman et al., 2001). From the experiences shared, it appears that access to justice remains a critical issue with being on remand in Trinidad and Tobago. From the narratives, access to justice is hindered by various costs, length of time on remand, bureaucracy and procedures of the system, the quality of

legal representation and transportation. These aspects were each ventilated to different degrees within the narratives of this thesis and continue to be well debated aspects within the literature.

Notably, these observations align with previous research, where remand prisoners have been observed to be held in prisons for long periods instead of being tried for their crimes and given an absolute sentence (Redpath, 2014; Weinrath, 2009). One remandee in this study critically highlighted the number of remandees who were admitted into remand for charges without adequate evidence. These prisoners were kept on remand for twelve years, and when they finally got a court hearing, their charges were dropped within 15-30 minutes of court, due to the lack of sufficient evidence for a conviction. These observations illustrate the inefficiency of the judiciary and the inability of policymakers to draft and implement appropriate guidelines for the trial of remanded prisoners (Freeman and Seymour, 2010).

Not only does the long remand time of prisoners result in the loss of their homes and jobs and the disintegration of their social relationships, but upon being released after trial, the prisoners are likely to re-offend (Pepin, 2012).

Access to justice during the entry and early stages of the criminal justice system has a specific critical prominence as it ensures, amongst other things, protection of the rights of remandees when they are seen as vulnerable and gives the confidence of fairness. Within the literature, access to justice has been established as a basic principle of the rule of law and therefore plays a vital role within the system. Having remand as part of the criminal justice process therefore is necessary and warranted as it helps to preserve justice. Remand is, therefore, a necessary measure of the criminal justice system (Bargent, 2017). Without this

kind of access to the criminal justice process, it can be argued that individuals become voiceless and do not get the opportunity to exercise their rights to justice.

After exploring the experiences of persons in practice and policy of remand, it appears that remand creates several challenges which hinder access to justice. From the experiences, inferences can be drawn, and arguments are made that remand in its practice impacts the quality and efficiency of justice within Trinidad and Tobago. Given the lamentations expressed in the narratives, these issues that impede access to justice impact the view of the system, some referring to it as the “worst place”, giving an obviously undesirable impression of remand.

Some believed that lengthy stays on remand squandered the lives of remandees through court and judgment delays. They were of the opinion that this caused them spending most of their memorable years in prison and the system prevented them from completely experiencing life. Some prisoners stated how their trials were repeatedly postponed due to the absence of their attorneys, the judge or magistrate, or even the state prosecutor, highlighting the unpredictability and frustration that surrounded their lives. The issue of lengthy stays was one of the most repeated issues in the shared experiences amongst the different groups. From the different groups, the issue with remand’s lengthy stays is that they end up feeling more like a punishment for the innocent, rather than a support in justice. Furthermore, delays in justice while in detention (on remand) violate the basic principle of access to justice which is the ability to be given a voice and have their day in court.

Another access to justice issue that remained consistent throughout the literature was access to legal aid (Bookman et al., 2001). The evidence here shows that public legal aid is woefully inadequate. This insufficiency is exacerbated within the criminal justice process by aloofness and the restricted spread of legal services. It was also noted that access to legal services is impacted by the cost, as it was perceived that those who are wealthy can afford better legal services. This disparity was evident in the remandees' experiences with private versus legal aid attorneys. It was noted that retaining a private attorney was prohibitively expensive and sometimes even thought of as impractical, given the unpredictability of their length of remand. This is further complicated when one considers that remandees frequently lose their jobs, not only because of their remand term, but also because of the length of such term (Pepin, 2012).

Notably, some experiences conveyed that their trust in getting released was dependent on the type of attorney they had. According to Reed (2011), it was found that remandees having private counsel were more optimistic about their chances of getting released than those with legal help. Based on the attorneys' confession, they too face a number of challenges when handling cases of remandees. These include changes in the laws, transportation of remandees, the lack of access to remandees; all of which were issues noted within the literature (Cooke, 2022).

The literature also notes multiple cuts to legal aid funding, along with the resulting shifts in work patterns and low morale of legal aid attorneys, have rendered the criminal defence profession untenable (Thornton, 2020). Nonetheless, remandees face the greatest difficulties, particularly those who are innocent or guilty of small offences, but without the financial means to employ a private attorney for their legal proceedings.

The various issues highlighted remain consistent with the existing literature in relation to remand and justice. Ultimately, access to justice for remandees greatly impacts the quality of justice. Without it, the criminal justice system cannot boast of its fair and just aspects. Access to justice ensures the efficiency and effectiveness of the criminal justice system, which promotes the needs and rights of the public by ensuring that matters progress and proceed in an expeditious, fair and reasonable manner.

Yet, though the significance aligns, the study departs at the point where experiences see remand as nothingness, so much so that the duality of remand may be the significant role it plays as well as its direct ability to downplay or even contradict its significance. One is now compelled to ask, “How significant can a gap or a sifter be in the preservation or promotion of justice?” It is unlikely that a space of inhumane nothingness does anything at all for the support of justice, far less play a significant role in same. In legislation and ‘theory’ perhaps, but as expressed through the lived experiences in Trinidad and Tobago, this inhumane nothingness actually challenges this purported significant role. This, in turn, raises further questions that seek to interrogate whether remand is therefore fulfilling the role within the system and of course to what extent, which can be a basis for further research and development.

Access to justice remains a cornerstone of a fair and just society. However, when individuals are caught in the web of remand, their ability to exercise this fundamental right is often compromised. The challenges posed by remand, such as delayed access to legal counsel, economic disparities, and the erosion of the presumption of innocence, demand urgent attention and reform. All these challenges remain consistent with past studies.

From the lawyers' accounts, an important finding of this research was the variation in the way remand law is applied. This variation creates, in a sense, various barriers to justice such as the inability to accumulate bail. The financial burden of securing bail often falls on the defendant or their family, creating a significant barrier to justice. For individuals who cannot afford bail, the consequences extend beyond their time in detention.

Pre-trial detention can disrupt employment, strain family relationships, and lead to a cascade of negative consequences that perpetuate the cycle of poverty. This cycle can hinder the defendant's ability to prepare a proper defence, increasing the likelihood of an unjust outcome. The inability to gather the funds required for bail represents a significant barrier to justice in the criminal legal system as reported by the lawyers in this study. This issue not only affects the presumption of innocence but also perpetuates racial and socioeconomic disparities.

5.3 CONTROL

The issue raised by legal professionals and magistrates regarding the use of remand as a tool for control presents a significant concern within the criminal justice system. From the narratives, there is a compelling argument suggesting that the discretionary authority exercised by judges and law enforcement agencies in determining who is remanded may result in inherent disparities within the system. Such discretion runs the risk of remand being disproportionately applied against marginalized communities, including individuals from lower socioeconomic backgrounds or minority groups. This perpetuates a system of control that reinforces existing disparities and injustices within the criminal justice.

From the narratives, one of the remandees recalls that he was remanded during a state of emergency. In Trinidad and Tobago during moments of high crime rates, and implementation of different states of emergencies led to the use of remand as a form of control. It was even found that bail reformation and adjustment have also been manipulated to be used as a form of control. This reinforces the assumptions in the literature that Remand has unintentionally been used as a form of control for policy makers and criminal justice decision-makers. Although remand is traditionally associated with the pursuit of justice (Bennett, 1939; Brookman, 2001; King et al., 2006), a growing body of literature suggests that remand unintentionally serves as a mechanism for exerting control within the criminal justice system, challenging the conventional view that its sole purpose is to detain individuals until their trial.

In the wider theory and understanding of the role and purpose of remand, remand can be seen as somewhat a form of control to ensure justice is achieved. As the earlier studies by Packer (1969) found that the criminal justice system has two models, the crime control model and due process model. Each model advocates for a different role of remand. It would appear that this study also found, through the experiences shared, that elements of both models are observed to some extent within the current criminal justice system of Trinidad and Tobago. Controlling the remandee's movement and monitoring his actions to ensure he appears in his court cases can be viewed as a form of control. What makes this observation by the lawyers and magistrate slightly different is the use of remand as a form of control in crime response and crime-fighting within policy and governance. However, the use of remand as a manipulative crime-fighting tool impedes justice contrary to its purported intent of promoting justice. The extent of this type of use has not been explored in any great depth within Trinidad

and Tobago, and may require a more detailed examination to understand the extent of the impact this has on the remand system and the criminal justice system in Trinidad and Tobago.ⁱ

In other instances, remand can be employed as a coercive tool to pressure defendants into accepting guilty pleas as illustrated by Stewart (2004). Facing the prospect of prolonged pre-trial detention, defendants may feel compelled to plead guilty to secure their release, even if they believe in their innocence. This coercive use of remand undermines the principle of a fair trial and can lead to unjust outcomes.

While remand is a necessary and legitimate component of the criminal justice system, its potential misuse as a form of control raises critical human rights and ethical concerns. Striking a balance between public safety and the individual's rights is essential to ensure that remand is used justly and in a manner that upholds the principles of justice and fairness. Efforts to reform the system, reduce pre-trial detention time, and address the underlying issues that contribute to its misuse are vital steps toward a more equitable and just criminal justice system in Trinidad and Tobago.

ⁱ If we reflect on theory of control by Foucault, the elements of consistent surveillance as a control mechanism may be comparable to the role and function of remand incarceration in Trinidad and Tobago. However, the tenets of Foucault's tell that constant control enables a disciplinary power that leads to a controlled society that involuntarily follows rules and regulations. It is this discipline (reformation) that is an outcome of incarceration that perhaps causes the remand experience to feel like punishment to remandees and those involved with remand. Remand, as expressed through the legislation has a goal to monitor and survey persons to ensure they appear in court hearings as it claims to preserve justice. However, the theory departs on the issue of discipline as an outcome since remand is not supposed to be a punishment or disciplinary measure as persons are presumably innocent by law. The doctrine of control through surveillance in institutions like remand is to ensure the rule of appearing in court is followed. It is in that small sphere that disciplinary power gains a small relevance, simply as compliance and not as reformation. A possible point for future exploration and investigation.

5.4 LIVING ON REMAND: REMAND CONDITIONS AND TREATMENT

From the literature, there is an argument that remand is unjust and unsanitary (Kinsella, 1938; Bennett 1939; Redpath, 2014). From numerous sources including empirical studies; countless human rights reports; governmental reports; news articles and even television productions, there is a consistency that remand conditions leave much to be desired; particularly in third-world countries. From the experiences shared in this study, the sentiments remain the same; remand conditions within Trinidad and Tobago are deplorable. According to May et al. (2014) individuals detained in facilities like remand perceive their confinement there as a more punitive form of punishment compared to incarceration in prisons for convicted individuals. From the narratives, this study reinforces this view that from remandees' experience, remand is viewed as more punitive than incarceration following conviction.

Participants reported that they did not have the basic facilities, such as drinking water and working toilets. Participants gave their experience of remand being unhygienic, unsanitary, and lacking basic resources and facilities, which has been observed in several previous studies, perhaps, arguably the most reviewed aspect of remand. Prisons have been characterized by overcrowding and unhygienic conditions as well as substandard nutrition, exacerbating poor health and transmission of infectious diseases (Van Hout and Mhlanga-Gunda, 2018). It may be worth a reminder here that prison incarceration remains the only form of remand utilized in Trinidad and Tobago.

The existing literature on remand conditions has extensively delved into various aspects, including the causes, descriptions of prevailing conditions, human rights issues, and

potential solutions to alleviate these challenges. However, despite considerable research efforts, progress in addressing these issues has been limited, particularly concerning the prolonged duration individuals spend in custody awaiting trial or sentencing. (Brookman, 2001) This lack of progress is a significant concern highlighted in scholarly discourse. Surprisingly, there is a dearth of research examining the impact of remand conditions specifically on inmates, unlike the broader understanding of the effects of prison conditions on the incarcerated population. This gap underscores the need for further investigation into the unique challenges faced by individuals in remand facilities. While it may be tempting to extrapolate findings from studies on prison conditions to remand settings, such an approach would oversimplify the complexities and differences between the two contexts. As noted therefore, this study's significance lies in its exploration of these distinctions and its potential to contribute valuable insights into the distinct challenges faced by individuals in remand custody in Trinidad and Tobago.

Through the experiences revealed in this study, there is an assumption that remand within Trinidad and Tobago has inhumane physical conditions. Also, this study, through its findings, can infer that remand conditions do have an impact on the persons who live on remand and even work on remand (discussed subsequently). The prominent reiteration of complaints of poor physical conditions in remand by remandees and the officers' accounts generally suggest that the harsh conditions have some impact and relevance to the inmates and their experiences. In further analysis, there were inferences that the harsh conditions impact how remandees see and feel about themselves in the situation. Remandees relayed their feelings of dehumanization and their loss of dignity and manhood.

The constant complaints of overcrowding and lack of privacy given in the experiences shared, serve to exacerbate the dehumanizing experience of remand. Remandees gave accounts of being in tight cramped living spaces, sharing cells with multiple individuals, as many as ten individuals in some instances. The absence of personal space and privacy infringes upon their autonomy and manhood, leaving them feeling disempowered and even as mere objects within the system. Some remandees even compared this living space to feeling like caged animals. This comparison gives a further inclination of dehumanizing. Moreover, the remandees suggested that it is somewhat common in the everyday lives of being on remand.

The dehumanization experienced by remandees is intricately tied to their depersonalization within the legal system, both of which appear to contribute to the process of how remandees see themselves. Remandees express feelings of disconnection from society and a sense of being stripped of their humanity, reduced to mere cogs in the legal machinery. Consequently, their day-to-day existence within the remand environment feels punitive, despite their legal innocence. This experience appears to align with the findings of previous studies by Vasiljevic and Viki (2013) and Bandura (1990), which highlight the persistent association between incarceration and dehumanization, as corroborated by the observations in this study on remand.

However, it remains unclear whether the process of dehumanization evolves over time, depending on the duration of an individual's remand. Nevertheless, the narratives collected in this study provide empirical evidence supporting the existence of such a connection, offering a novel perspective within the fields of criminology and incarceration literature. The enduring nature and potential variability of this phenomenon present promising avenues for future

research within the realm of criminology. Further investigation into the underlying mechanisms and broader implications of dehumanization in the context of remand is warranted to deepen our understanding of its complexities and inform potential interventions.

Adding to the inhumane feelings the experience on remand has brought remandees is the issues raised on healthcare, and the inability of the facility to provide proper medical attention and care to remandees. Similar to the physical conditions, when healthcare is denied or made accessible, as it is an essential part of personal care and a humane feeling, remandees expressed feelings of worthlessness. They feel as if their dignity and humanity are compromised, as they are not afforded the same right to healthcare as general humans within the population *who are also innocent*.

The restrictive and isolating nature of incarceration (also depersonalizing), coupled with the stress of the poor physical conditions in the environment, can significantly impact an individual's health. The lack of freedom and social support experienced while on remand appears to contribute to the development or exacerbation of mental health disorders such as depression, and anxiety which appeared to be connected issues given the responses. The issue of healthcare while incarcerated was well discussed in the literature. However, it is less common in relation to remand and its role in dehumanizing and depersonalizing remandees.

Tied closely to the experience of physical conditions are the numerous accounts describing the treatment meted out to the remandees while on remand. The connection between physical conditions and treatment of the incarcerated is widely ventilated within the literature, as poor prison conditions create an environment that allows for inhumane treatment, abuse and the miscarriage of justice. This study confirms that the same remains true for

remand, given the experiences analysed by the remandees. The remandees cited physical and verbal abuse, humiliation, and even neglect. Such degrading treatment devalues the inherent dignity of remandees, perpetuating a cycle of vulnerability, dehumanization and depersonalization, hindering their dignity and manhood.

In this context, vulnerability has two meanings. The first refers to the increased risk or susceptibility of inmates to physical, psychological, and social harm. The second refers to their feelings of powerlessness and worthlessness. Such treatment undermines an individual's sense of self-worth and reinforces feelings of powerlessness and worthlessness.

There has been literature that looks at incarcerated inmates and theories like that of the self-fulfilling prophecy (King et al., 2008). This area has not been readily explored in the context of remand and could be an opportunity for future development. However, this study, from the experiences shared, identified moments where remandees expressed feelings of guilt as they believed they were treated as though they were criminals. They also have these feelings because they are incarcerated in untenable conditions. For some, they engaged in such criminal activities while on remand to survive there. For others, it was not about survival, but rather they have embraced this new identity and fulfilled the prophecy. It must be noted that remandees felt that if it weren't for remand, such a persona, life and prophecy would not have existed.

Living conditions in a prison are among the chief factors determining an inmate's self-esteem and dignity, both of which are core to one's identity (Haesen et al, 2017). Arguably, persons who are detained in humane conditions will be more responsive and assertive. Those who experience punitive conditions and mistreatment, on the other hand, are likely to return to

society psychologically shattered and in a poor or worse state of physical and mental health than when they entered remand. The latter sentiments were shared in the remandees' accounts.

Remandees noted that they had '*changed*' since entering remand, even their thinking. Some reminisced on their jobs and who they were before entering remand, both of which are identifiers and indicators by which they can no longer be identified. At times, it would even appear that there was a struggle or confusion with identifying themselves since they are not able to have their previous identities while on remand. This caused a disappointment to many of these remandees resulting in what appeared to be a lowered self-esteem and confidence in themselves as men. Some tried to remember themselves as good upstanding citizens, perhaps to remind themselves that they are still innocent despite their position.

Remand's poor conditions appear to have far-reaching effects that extend beyond the prison walls. They impact the mental and physical well-being of the incarcerated individuals which could have an impact on their families, and society as a whole. Recognizing these effects is crucial for advocating for reform and improvements in the criminal justice system to ensure that it fulfils its intended purpose, rather than exacerbating the problems it seeks to address. Poor conditions often result from the denial or inadequate provision of basic human needs, such as proper nutrition, clean water, sanitation facilities, and appropriate clothing. When these fundamental requirements are not met, inmates are stripped of their dignity and reduced to a state of deprivation which undermines their sense of worth, self-respect and self-identities.

The dehumanization strips away the identity of the remandees. The discussions and debate over terrible prison conditions remain, even within the context of remand. What differs

is that on remand the legal status of remandees allows for slightly different understandings to untenable conditions. Both in academia and, especially, in policy circles, there is an argument that supports the toughening of prisons. The literature suggests that harsher conditions result in mental or physical duress. They however disagree, that the degree of seriousness of such duress is so much that it should generate some kind of concern or reaction. In other instances, there is an argument that the terrible conditions may create enough discomfort that one has to “think twice” before thinking of doing anything to be sent back on remand.

Despite these arguments, this study deepens the conversation by understanding the subtle and major differences between remand incarceration and convicted incarceration, and how experiences such as remand conditions impact those who have experienced it. This study also raises the question of whether incarcerated prisons and remand facilities should have any similarities given remandees’ presumption of innocence. In this regard, Remand conditions and treatment left remandees feeling un-human-like, vulnerable, confused and even guilty. These all impact their core identity and how they see themselves.

Furthermore, if remandees are presumed innocent, there is an expectation that the conditions of detention should be similar to those experienced when not in detention, since this is not a punishment but a way to maintain justice and the presumption of innocence. This expectation was cited by the remandees, even so, they lamented that the conditions described in no way reflect the conditions of persons presumed innocent. Moreover, the loss of humanity described by participants in this study also questions the *effect* of remand’s living conditions on the remand system, its purpose and intent, and how it *affects* innocent persons and the principle of presumption of innocence.

Unlike prisons for convicted offenders, remand is not meant to rehabilitate their detainees, but it is a place that remandees go to await trial in the theory of preserving justice. As such, at the end of an incarcerated prisoner's stay in prison, they should go through some form of transformation so that they can be reintroduced into society. On the other hand, for remandees, it is more complicated since there is a presumption of innocence until the outcome of their trial determines whether or not they are acquitted, return to prison or are given a community sentence. Therefore, there are no rehabilitation or societal reintegration programmes for remandees, and most are just released when they are found not guilty. In this case, it is argued here that remandees should have some resemblance of life outside of detention while on remand so that they experience no major change on the return to it.

However, for participants in this study, the living conditions experienced on remand forces them to go through a transformation by disassociating themselves from life outside of remand. Further emphasizing this realization, one remandee explained that persons have been on remand so long that for some, they are a completely different person now from when they were first admitted (*issues of identity discussed later*). Preserving justice by putting persons in a remand facility, exposing them to poor living conditions and taking away any control or autonomy they have on the daily routine, ultimately violates the very principle of presumption of innocence, and appears to negatively impact remandees.

According to the officers, lawyers and magistrate, living conditions creates unnecessary pressures on the criminal justice system in managing remand and structuring the system, and it encourages further criminal behaviour of those incarcerated. It is recommended, perhaps for the sake of human rights, that further investigations be done into the extent of the alleged inhumane and overcrowded living conditions experienced by remandees in Trinidad and

Tobago; and whether it is reasonable for the support of human rights and justice to have remandees live in such conditions, far less for lengthy periods. Further recommendations for policy reform can be given based on these studies for a better delivery of justice within the jurisdiction and the upholding of human rights. The analysis of remand experiences reveals that remandees endure pervasive feelings of dehumanization, vulnerability, and depersonalization. These emotional and psychological states underscore the profound impact that remand can have on individuals. The literature on long or indefinite sentences provides a critical context for understanding these experiences, as it similarly documents the detrimental effects of prolonged uncertainty and the erosion of personal identity (Liebling & Maruna, 2013; Cohen & Taylor, 1972).

Living on remand often subjects individuals to an environment of constant uncertainty and powerlessness. This mirrors the experiences of those serving long or indefinite sentences, where the absence of a clear end date to their confinement contributes to a sense of hopelessness and existential despair. Research on the "pains of imprisonment" highlights that indefinite sentences exacerbate the psychological strain on prisoners, particularly by undermining their sense of self-worth and autonomy (Sykes, 1958; Crewe, 2011). These findings are reflected in the remand context, where the indefinite nature of detention, combined with the stigma of being accused but not yet convicted, intensifies feelings of dehumanization.

The vulnerability felt by remandees is also closely linked to their precarious legal and social status, a theme commonly explored in studies on long-term incarceration (Haney, 2003; Liebling, 2004). Prisoners serving long sentences often experience a profound sense of vulnerability due to enduring power dynamics and the constant threat of violence within the

prison environment (Crewe, 2011; Toch, 1992). Similarly, remandees find themselves in a vulnerable position, unsure of their future and without the full legal protections afforded to convicted prisoners, exacerbating their sense of helplessness and exposure to harm.

In relation to depersonalization, the loss of individuality is identified as a significant consequence of prolonged detention, where individuals are often reduced to their legal status rather than being recognized as full human beings (Cohen & Taylor, 1972). This depersonalization is particularly acute in the remand setting, where the liminality of the remandee's status—neither fully free nor fully condemned—can strip away personal identity and lead to a profound sense of disconnection from oneself and others.

This discussion situates the study within the broader literature, highlighting that remandees experience feelings similar to those on indefinite or long-term sentences. Understanding these parallels is crucial for comprehending the full impact of remand on individuals and underscores the need for more discussions on this understudied group.

5.5 WORKING ON REMAND

This group of respondents, while serving as decision-makers, were initially engaged to provide context to the lived experiences of remandees. Unlike other stakeholders, this group experiences the realities of remand intimately and on a daily basis. Recognizing this, they offer another unique perspective on decision-making as an immediate authority within the system.

Their close proximity to the daily operations and challenges faced by remandees affords them first-hand insight into the intricacies and complexities of the remand process. This intimate understanding allows them to offer perspectives on the decision-making processes

that shape the experiences of those on remand. Their direct involvement in the remand system underscores the importance of considering their insights and recommendations in efforts to address systemic issues and implement meaningful changes.

Poor remand conditions affect the officers who work on remand similarly to how they affect those living on remand, as similar sentiments were noted among the staff's accounts. These include dirty housing amongst the dormitories where the officers had to stay, leaking roofs and their offices were reported to rarely have running water. Within the literature, the lack of proper resources for prison officers were linked to the officers' work-related stress in previous studies (Crawley 2004; Steiner and Wooldredge, 2017). Steiner and Wooldredge (2017) noted how the characteristics and environment of the prison facility (convicted facility) could significantly impact the level of stress experienced by prison officers.

While Steiner and Wooldredge (2017) did not go into details about these characteristics and environment, Crowley et al. (2018) specifically focused on how prison facility conditions were related to the occurrence of hepatitis C viral infections. The resources and facilities within the prison structure were noted as critical for managing such infections, and the overall health of the prison officers as well as inmates (Crowley et al., 2018). Although the experiences and perspectives of the remand officers in this study did not indicate that their health and hygiene were at risk owing to the lack of appropriate facility resources, the stress they felt could result in burnout and the corresponding inability to properly carry out their responsibilities.

While the previous literature focused on convicted prisoners, it would appear that a similar stress level and pressure is experienced by the officers in their duty on remand, based

on the experiences reported in this study. In fact, in the experiences reported by some officers, remand in Trinidad and Tobago appears to be more stressful than managing the convicted. They attributed this to the indefinite length of time remandees spend incarcerated, manoeuvring their legal status, following the outdated legal framework within this is to be done.

The parallels between the experiences of remandees and the officers who oversee them highlight the broader impact of the remand system on all individuals within it. Research shows that the psychological toll of incarceration is not limited to prisoners; prison officers, who operate within the same stressful environment, are also significantly affected. The remand setting, with its inherent uncertainties, overcrowding, and heightened tensions, creates an atmosphere that is psychologically taxing for both inmates and staff. This dual impact is well-documented, with studies noting the high levels of stress, burnout, and emotional strain experienced by correctional officers due to the demanding nature of their work (Arnold et al., 2005; Lambert et al., 2010; Johnson et al 2005). The findings from this study further suggest that these shared experiences of stress and psychological burden within remand settings call for a more holistic approach to reforming remand practices, one that considers the well-being of both remandees and the officers who manage their confinement.

The challenging and often substandard working conditions faced by prison officers mirror the adverse impacts experienced by remandees due to poor living conditions. These conditions not only undermine the well-being and job satisfaction of prison officers but also have broader implications for the effective functioning of the correctional system. Furthermore, how prison officers perceive themselves within the service can be influenced by

the conditions they work in, potentially affecting their mood and performance, consequently impacting the experiences of remandees. The hostile and unpredictable prison environment can contribute to the development of mental health issues such as depression and anxiety among staff members, which may remain unaddressed. While existing literature acknowledges the link between work and stress-related mental health problems among prison officers, there is a notable gap in understanding how these issues specifically manifest in the context of remand imprisonment. Nonetheless, the implications of such mental health challenges on officer-remandee interactions and the overall remand experience are significant. Therefore, further research is warranted to explore these dynamics and their implications comprehensively.

Officers highlighted that there are no specific detailed work rules to manage the remandees. According to them, rules were followed and solemnly flouted. Some even said that their roles extend beyond mere law enforcement and security, as officers also act as counsellors and support figures for remandees. Many individuals in custody are experiencing high levels of stress and anxiety due to their legal situations. Officers provide emotional support, information about legal processes, and help connect remandees with resources such as legal aid, mental health services, and educational programs. Building rapport and offering guidance to remandees contribute to a more humane environment/interaction.

The officers highlighted that there are no specific detailed work rules for managing remandees, which creates a challenging work environment. According to their reports, while certain protocols are followed, they are often inconsistently enforced or ignored altogether. This lack of clear guidelines adds to the stress and uncertainty of their roles, requiring officers to navigate complex situations without adequate support or direction. Moreover, many officers

indicated that their responsibilities extend beyond the traditional roles of law enforcement and security. They frequently find themselves acting as informal counsellors and support figures for remandees, addressing the emotional and psychological needs of those in custody.

The remandees, often overwhelmed by high levels of stress and anxiety due to their uncertain legal situations, rely on officers for emotional support and guidance. (Haggerty & Bucerius, 2021) This aspect of the officers' work should be seen as crucial, as it could help to create a more humane environment within the remand setting. The act of building rapport and offering guidance can be used positively to reduce the tensions within the facility and fosters a more positive interaction between staff and inmates (Lambert, Hogan, & Barton-Bellessa, 2012; Schaufeli & Peeters, 2000).

This dual role of officers underscores the importance of their psychological well-being, as they must manage both the security of the facility and the welfare of the individuals in their care. The emotional labour involved in this dual role can lead to high levels of burnout and job dissatisfaction, further emphasizing the need for comprehensive support systems and training programs to help officers manage the complex demands of their job (Brower, 2013). The findings suggest that reform efforts in the remand system should not only address the conditions of those incarcerated but also provide greater support for the officers who oversee them, ensuring a more balanced and humane approach to remand living experiences.

Officers also serve as mediators and conflict resolution specialists to remandees. Conflicts can arise among remandees due to various factors, such as differences in backgrounds or disagreements over resources. Officers are trained to de-escalate situations, mediate disputes, and ensure that conflicts are resolved peacefully. This role helps

maintaining a stable and secure environment within the facility, which is essential for the well-being of both remandees and staff. Their ability to operate effectively in all these roles, provides stability, keeps remand well-functioning and creates a positive environment for them to work. The officer also believed that such is an immediate solution to creating a humane environment within inhumane conditions. Changing roles also establishes favourable identities for prison officers and healthy relationships with remandees.

It should be noted, from the experiences shared, that there appears to be a difference in the way remand officers view themselves, how they interact with the remandees and how the remandees view officers and their interaction. From the officers' account, they view themselves as adaptable, working within the remit of the rules provided, playing different roles to the remandees and being a general support system to them. However, for the remandees, officers are portrayed as vindictive, controlling, harsh, abusive, authoritative and dictators. The stark difference in views is noteworthy as the interaction with officers and the treatment received by remandees were said to contribute to the depersonalization and dehumanizing experiences of remandees. When officers strictly adhere to prescribed duties outlined by rules and regulations, there is often a disconnect between policy and its intended outcomes, leading to a disparity that impacts the remand experience. Although these policies for remand are crafted with good intentions, they can inadvertently yield unintended consequences due to various factors. These unintended outcomes may contradict the original goals of the policies, which are designed to address problems or achieve specific objectives in an incarcerated setting such as remand in Trinidad and Tobago. However, as officers reveal the transition from policy intent to action and eventual outcomes involves a complex process marked by numerous interactions and intersections, each carrying the potential for

unpredictability. It is not assumed that any rule or regulation aims out rightly to dehumanize remand, suggesting that such outcomes, particularly negative ones are unintended in remand. This discrepancy between expectation and reality necessitates further examination to fully comprehend its implications. This disconnect contributes to issues and tensions within the remand system in Trinidad and Tobago, fostering a negative environment for both remandees and officers.

5.6 AUTHORITY AND POWER DYNAMICS

Within the austere confines of a prison, a microcosm of a society governed by its own rules and hierarchies, the interplay between authority and power unfolds daily, defining the intricate relationships between prison officers and inmates. These two seemingly interchangeable terms take on unique roles within this cloistered world, shaping the expectations, challenges, and conflicts that characterize the prison environment.

From the experiences shared by the remandees, authority and power dynamics appear to be central issues when looking at treatment while on remand as well as the systematic structure of remand. The literature, consistent with the pattern already laid in this chapter, focuses almost solely on these terms in the context of prisons generally, with some referring to convicted prisons and a lesser extent, remand. (Studies such like Wooldredge and Steiner, 2016)

Authority, a concept deeply entrenched in the legal and institutional framework, forms the foundation of a prison officer's role. It is bestowed upon them by the very nature of their position. This authority is not merely a symbolic gesture; it is the lifeblood of order and security within the prison environment. It emanates from a complex web of legal statutes,

departmental regulations, and institutional policies that define the prison officer's scope of control. It is, in essence, the right to command, direct, and enforce the rules and regulations that govern prison life and by extension remand in Trinidad and Tobago.

Within this remand framework, officers are tasked with a weighty responsibility. Their primary duty is to maintain order, uphold the law, and ensure the safety of both inmates and staff. It is a role imbued with legal legitimacy, and their actions are expected to conform to established norms and procedures that are outlined in the 1943 Prison Rules of Trinidad and Tobago.

Officers are not merely enforcers of rules; they are also seen as the arbiters of discipline, tasked with the role of balancing institutional authority with the complex social dynamics that exist within the prison walls (Rowe, 2015). The conflicting nature of their role is highlighted by the fact that while they are granted power by the institutional framework, they often perceive their interests as subordinate to those of both the management and the inmates. (Rowe, 2015)

In stark contrast, the concept of power within a prison is more fluid and dynamic. While prison officers derive their authority from the position they hold, inmates often seek power through various means. Power, in this context, can manifest in different ways. This social dynamic allows certain remandees to exert considerable influence over their peers, creating a complex interplay of power that challenges the formal authority of prison staff (Arriagada, 2022). The remandee hierarchy often places certain groups, such as gang affiliates, at a disadvantage, leading to their exclusion from full participation in prison life and further complicating the social power dynamics (Tewksbury et al., 2014; Raaijmakers et al., 2016). In

this context, the possession of contraband or the ability to manipulate social relationships can serve as a source of leverage for remandees, enabling them to assert control in an environment where traditional forms of authority may be contested (Arriagada, 2022; Tewksbury et al., 2014). Moreover, the social support networks that develop among inmates can significantly influence their behaviour and status within the prison. Research indicates that remandees often engage in aggressive behaviours to establish dominance and respect within the remandee hierarchy, which can be seen as a survival mechanism in the harsh prison environment (Loper & Gildea, 2004; Connell et al., 2016). The ability to navigate these social structures effectively can determine a remandee's status and influence, further illustrating the decentralized nature of power within prisons (Loper & Gildea, 2004; Lindegaard & Gear, 2014). Consequently, while prison officers are expected to uphold order and discipline, the reality is that power dynamics within the prison are often shaped by the interactions and relationships among remandees themselves, leading to a complex and sometimes contradictory environment where authority is both asserted and challenged (Rowe, 2015; Arriagada, 2022; Loper & Gildea, 2004).

The scope of power for prison officers extends primarily to the enforcement of rules and regulations, as well as the maintenance of order. They wield the power to make decisions about inmate activities, access to privileges, and, when necessary, the use of force. However, this power is not unchecked. It is subject to oversight, regulations, and legal constraints to prevent the abuse of authority. In theory, the very legitimacy of their power depends on their responsible exercise within the bounds of the law. In reality, according to the remandee, this oversight does not appear to be always present as each and every remandee complained about

the officers' treatment and their feelings of insult, and attacks on their manhood and confidence.

Conversely, the power of inmates is more limited in scope. It operates within the confines of the remand's subculture, and its exercise is often constrained by the watchful eyes of prison officers. While inmates may have some influence within their social circles, they remain subject to the authority and control of the correctional staff while incarcerated.

Similar to the findings of Wooldredge and Steiner (2016), the narratives examined in this study bolster the notion that the extent to which officers rely on positional power at the facility level is linked to inmates' perceptions of their impartiality, fairness, and competence. Consequently, some officers are seen as upholding standards of fairness and competency, while others are perceived as unfair and prone to abusing their authority. Consistent with Wooldredge and Steiner's findings, an elevated dependence on coercive power is correlated with inmates viewing officers as less fair, less just, and less competent.

Nonetheless, there remains a delicate balance between authority and power within the remand system, and it is essential for maintaining safety and order while upholding the rights and dignity of all individuals involved. It is a dynamic equilibrium, constantly shifting as new inmates arrive, circumstances change, and prison officers adapt to the unique challenges of their environment. For the officers working on remand, this delicate balance is quite challenging in managing remandees, particularly because the rate at which inmates exit and are readmitted to remand is quite frequent. It would appear that for them this constant rotation makes them feel fearful of their safety when off-duty. An issue they say is unique to remand,

as for convicted the fear is not as imminent. This fear has an impact on the authority and power ability when dealing with remandees.

Another aspect of the delicate balance as well as the concepts of authority and power was seen through the concerns and discussions regarding what the remandees perceive as corruption. Their views on corruption go to the root of their power subculture and dynamics within the remand prison in Trinidad and Tobago. From these experiences shared, it would appear that the more corrupted a remandee is, the more power and authority they have inside the remand facility. This may prove quite crucial as an implication and consideration for authorities as understanding this power subculture may, in turn, be an effective management tool and even aid in the development of the said remandees that engage in corruptive acts.

Interestingly, the claims for power and authority in this remand context were not limited to inside the prison walls. As remandees shared their experiences, it was duly noted that they believe a great deal of profitability is achieved by the external powerful forces from having overcrowded remand facilities. In the literature, the concept of profitability is not typically applied to remand within the criminal justice system. Instead, the focus is usually on ensuring that the system is fair, just, and respectful of human rights, while addressing any financial or economic considerations in a way that does not compromise these principles. However, though not centred on remand, the issue of profitability in the incarceration system remains a complex and ethically charged one within the literature (“Understanding the Landscape of Fines, Restitution, and Fees for Criminal Convictions in Minnesota,” 2023; Silveira & Judkins, 2023)

Profit and incarceration seem to inhabit different moral spheres, even more so when the concept of remand is interwoven. Yet, in many parts of the world, prisons have become commercial enterprises, raising fundamental questions about the ethics and implications of running prisons for profit (Silveira & Judkins, 2023). In the United States and a handful of other countries, a significant portion of the prison system operates on a for-profit basis. Private companies, often referred to as private prison corporations, manage and operate prisons under contracts with government entities. These corporations aim to make a profit while fulfilling the custodial and rehabilitative functions of the penal system. The idea behind this model is that private enterprises can provide correctional services more efficiently and cost-effectively than government-run facilities (Silveira & Judkins, 2023).

Though seen in other countries, the Trinidad and Tobago remand system was not so designed for profits, yet the remandees in their experience have this perception. This contributes to their feeling as nothing more than a commodity, stripping away their human-like attributes once again. The ethical quandary that arises in treating human beings (the remandees) as commodities while incarcerated provides a concern that challenges the very foundations of justice, morality, and human rights. This view remandees have on their position leads to the dehumanization and feelings of exploitation, eroding their dignity and compromising the principles upon which the incarceration system, more so remand, is built.

In the intricate tapestry of the incarceration system, such as that of Trinidad and Tobago, authority and power are intertwined, shaping the interactions between prison officers and inmates and significantly impacting the experiences of those on remand. Authority, grounded in legal and institutional frameworks, serves as the bedrock of control and order within the prison system. It empowers prison officers to enforce rules, maintain security, and

ensure the safety of remandees. This legal authority is essential for upholding the operational integrity of the facility, ensuring that order is maintained in an environment often characterized by volatility and unpredictability (Sykes, 1958; Crewe, 2011).

However, power within the prison context is more fluid and evolves through social interactions, inmate hierarchies, and the control of resources. This form of power can influence how remandees navigate their daily lives and form connections within the prison community. The power dynamics among inmates and between inmates and officers can shape the remand experience in profound ways, often determining the remandees' access to resources, their personal safety, and their sense of identity (Foucault, 1977; Goffman, 1961).

The relationship between authority and power within the remand context is multifaceted and complex, potentially running even deeper than what has been captured in this study. This dynamic is fraught with challenges, ranging from the potential for the abuse of authority by officers to the struggle for survival among remandees in an environment where power dynamics can dictate outcomes and significantly impact the quality of life. For correctional officers, the responsible exercise of authority requires a strong ethical foundation and a commitment to upholding the rights and dignity of remandees. This ethical responsibility is crucial in preventing the misuse of power, which can lead to severe human rights violations within the prison setting (Garland, 2001; Liebling, 2004).

For remandees, understanding and negotiating these power dynamics is vital to their well-being, relationships, and self-identity. The ability to navigate these complex social structures can affect their access to resources, their interactions with both fellow inmates and officers, and ultimately, their experience of incarceration. The stress and anxiety associated

with these power dynamics can exacerbate the already challenging conditions of remand, contributing to feelings of helplessness and vulnerability (Cohen & Taylor, 1972; Haney, 2003).

Ultimately, the interplay between authority and power within the prison system underscores the need for a balanced and compassionate approach to the remand system. This balance is essential for creating an environment where both officers and inmates can coexist with dignity, respect, and a shared commitment to the principles of justice and rehabilitation. Understanding this intricate relationship is crucial not only for maintaining security within correctional facilities but also for addressing broader questions of rehabilitation, justice, and the protection of human rights within the prison system (Liebling, 2011; Sparks, Bottoms, & Hay, 1996).

5.7 IDENTITY LIMBO

As noted in the literature, there have been several studies within Criminology relating to the concept of identity, and the impact incarceration has on such identity, particularly upon the expected or actual return to society (Khan, 2023). However, scant attention has been paid to the early stage of incarceration, particularly the remand phase. This study fills that gap by shedding light on how remand affects identity. Understanding these effects enhances our comprehension of the broader impacts of incarceration on individuals.

The presumption of innocence, the remand conditions, extended lengths of time on remand, dehumanization, depersonalization, vulnerability, diminishing masculinity, self-fulfilling prophecy, identity confusion, the delicate balance of authority and power, all individually and collectively provide challenges to remandees' sense of self. Through each of

their experiences remandees continue to suggest that in their state of holding and stagnation on remand, their identity is also in limbo. For incarceration following sentence, on the other hand, there are formidable obstacles to self-discovery and personal growth, the potential for transformation, redemption, and a renewed sense of identity because one of the main purposes of prison is rehabilitation and expected change or reformation.

However, when it comes to remand the purpose is not intended for change. As noted earlier, the only purpose for remand is the holding for trial or for sentencing. In this vein, the idea of identity limbo is not an automatic connection. Yet, in this study, it appears to be one of the major conclusions drawn. Although the remand system is designed to control and confine, it has an unexpected consequence for those who find themselves incarcerated—a real identity crisis. The lawyers and magistrate agree that remand changes persons who enter, noting that they leave a completely different person. In this regard, there is an admission that their identities (as remandees) undergo such transformation during the remanded period.

In examining the interviews, the accounts provided by remandees evoke a sense of fluid transition, as they navigate their identities between their past and present selves, often experiencing a lack of clear identity. This fluidity arises from enduring prolonged periods of waiting, characterized by minimal activity and confinement within dehumanizing conditions. The narratives suggest that remandees exist in a state of limbo regarding their identity, a concept related to previous research on the psychological impact of incarceration (Sykes, 1958; Goffman, 1961).

Remandees often define themselves through self-reflection on their pre-incarceration lives, asserting their innocence while simultaneously adapting to the labels imposed on them

as individuals detained pending trial. This duality reflects the tension between their self-perception and the external labels imposed by the criminal justice system (Cohen & Taylor, 1972). Additionally, their identities are shaped by their interactions with fellow remandees, some of whom they may perceive as criminals, further complicating their sense of self. Lastly, their contemplation of who they might become upon release adds another layer to their identity, reflecting the uncertainty and hope intertwined in their remand experience (Haney, 2003; Crewe, 2011).

In examining the findings related to identity formation among remandees, it is essential to highlight how these individuals navigate the complexities of self-concept amidst their incarceration. In his study on young offenders, Crewe (2011) notes that incarcerated grapple with the psychological implications of their status, which often leads to a fragmented sense of self. In his study he found that they oscillate between an intrinsic understanding of their innocence and the externally imposed identity of being a detainee. This cognitive dissonance is exacerbated by their relationships with other incarcerated persons, which can foster both camaraderie and alienation, as they confront the varying degrees of stigma attached to their peers. Furthermore, the anticipation of eventual release becomes a critical factor in shaping their identities. In this study we see a similar movement amongst remandees between understanding their past self, their current self and their future. Many remandees engage in a form of limbo, contemplating their futures and the possibility of reclaiming their former selves or even forging new identities. This struggle illustrates the profound impact of the remand experience on self-perception and identity, highlighting the interplay of hope, despair, and even the desire for redemption (Haney, 2003; Crewe, 2011).

In a previous study conducted by Maruna (2001), it was discovered that prisoners possess the ability to make deliberate choices that impact their self-awareness and their capacity to act independently in order to internalize and manifest their self-perceptions, thereby enabling them to reconstruct their identity and cultivate a positive narrative about their future selves. According to Giordano, Cernkovich, and Rudolph (2002), cognitive transformation goes beyond an individual's capacity to consciously evaluate and derive meaning from their environment through deliberate awareness and innovative behaviour. It also involves individuals forming beliefs and taking actions, shaping their viewpoints and perspectives on what they perceive to be compliance with or defiance against societal norms. Maruna and Farrall (2004) agree with Giordano, Cernkovich and Rudolph, who state, "Yet, even if you rehabilitate yourself", it is also well known that will power or agency alone is not enough". (p.10). Maruna and Farrall (2004) in echoing this sentiment, further emphasize that while personal agency is crucial, it alone is insufficient for rehabilitation, suggesting that structural processes and environmental factors also play significant roles.

Although Giordano, Cernkovich and Rudolph's and Maruna and Farrall's works are concerned the discussion of desistance theory and primarily and wholly focus on the convicted population, there may be possible applicability to other incarcerated populations like remandees. This notion presents a potential avenue for further investigation, albeit speculative in nature. Existing literature predominantly ties the concept of identity to rehabilitation, which typically occurs post-conviction. The present study, therefore, positions itself by opening the discussion of identity to those who are themselves awaiting their fate, the legally innocent. It does not solely advocate for rehabilitation, but rather emphasizes the reconstruction of self-perception among remandees and their societal perceptions. The discussion regarding the

identities of incarcerated individuals needs to broaden its scope beyond convicted prisoners to also encompass those held on remand, as indicated by the narratives presented in this thesis. Prisoners actively participated in interventions and made decisions to shape their self-perception and perspective on their lives. The ability to self-actualise on their own accord meant that prisoners were able to reconstruct their identity to build and maintain an optimistic narrative about the future (Maruna, 2001).

Generally, the concept of identity is one of profound significance, it shapes an individual's sense of self, belonging, and place in the world. However, within the literature, a connection between incarceration and identity transformation was identified as it is one of the main goals of the penal justice system. When individuals enter the system, their identity seems to undergo some kind of transformation. In this study, we found that individuals' identities plunge into a state of limbo—an ambiguous, uncertain existence that blurs the lines between who they were, who they are, and who they will become. According to Williams (2016), remand can be both an identifiable state (not convicted) and a physical space (imprisonment). In the literature, remandees are referred to as stateless, pretrial limbo, and legal limbo, but identity limbo was not readily noted.

While identity issues are easily thought of as an outcome for convicted prisoners or even arguably relevant within the literature of juvenile offenders to answer the question of future offending; identity issues may not be as easily or readily associated with remand, as for many, the concept behind remand is that it is meant to only be temporary. However, this study found that this connection was an unexpected outcome of remand. In Trinidad and Tobago, the remand experience is marked by isolated incarceration, and confinement, which appears to trigger an identity limbo among inmates. Removed from the distractions and influences of the

outside world, remandees are compelled to navigate being innocent, having freedom and their identity, which they spent their lives building and, now enter into a reality where they are being controlled and assuming an identity which may be temporary or long-lasting as their lengthy stays on remand are uncertain. This introspection can be both a source of personal growth and a cause of internal turmoil.

This introspection, while potentially leading to personal growth, can also be a significant source of internal turmoil. The tension between their past identity and the imposed identity within the remand system highlights the psychological and emotional challenges faced by remandees. This finding aligns with broader discussions in the literature on the psychological impacts of incarceration, where identity is often a central concern (Haney, 2003; Liebling & Maruna, 2013). The study underscores the need for a deeper understanding of how even temporary or supposedly transitional phases within the criminal justice system may have long-lasting impacts on an individual's sense of self.

Many remandees grapple with questions of their sense of self and morality, leading to an internal struggle that deepens their sense of limbo. These internal struggles seem to arise as a way for individuals to cope with their current circumstances of being incarcerated on remand.

In the state of limbo on remand, individuals find themselves caught between who they were in the past and who they are becoming as they await a final decision, uncertain about their future identities. The processes of dehumanization and depersonalization they experience while in custody undermine their previous identities, eroding and devaluing their past experiences and sense of self. As a result, their identities become unstable and fluid, heavily influenced by the emotional and psychological turmoil of life on remand. This identity crisis leads to different

outcomes for different individuals: while some find in it a catalyst for personal reflection and transformation, for others, it intensifies feelings of alienation and despair.

Typically, when considering the identity of incarcerated individuals, there's a tendency to present a simplified narrative. This narrative often depicts identity as a singular or, at best, a cohesive entity transitioning from one known state or stage to another, i.e., from free to convicted. However, little attention has been given to the transitional limbo state experienced by remandees. This state of uncertainty encompasses whether their past identity, from when they were free, still resonates with their current circumstances or if they are already envisioning their future selves upon release. This uncertainty is made worse by depersonalization which strips away at their past identity. Through this thesis, the narratives of prisoners have shed light on the complexities of this identity limbo, suggesting that the identity of remandees, in particular, warrants academic and policy attention within the field of criminology.

This exploration could potentially inform the re-evaluation of the significance and role of remand in the field of criminology. While the guilt of remandees as criminals remains uncertain, understanding their identity is not solely aimed at mitigating future criminal behaviour or reducing the possibility of returning to remand. It is imperative to control and mitigate the impact of this environment to ensure that any potential future criminal behaviour is minimized or prevented entirely.

In essence, the focus on the identity of remandees extends beyond mere theoretical contemplation; it carries practical implications for the management and treatment of individuals within the criminal justice system. By recognizing and addressing the limbo state of identity experienced by remandees, policymakers and practitioners can better tailor

interventions and support systems to meet their specific needs. This approach not only contributes to the well-being of individuals in custody, but also enhances the effectiveness of resettling efforts and ultimately promotes public safety.

The acknowledgment of the identity limbo experienced by remandees challenges traditional notions of identity within the context of remand incarceration. By considering the nuances of identity in this population, the field of criminology can advance its understanding of the complexities inherent in the criminal justice system and how to better use all aspects of the system to enhance the system and its function. Moreover, addressing the identity needs of remandees can lead to more holistic and effective strategies for reintegration into society (where appropriate) and more so reintegration, ultimately fostering positive outcomes for both individuals and society as a whole.

In the literature, it is noted that convicted incarceration is an experience whereby all prisoners undergo a process where their personal identities are stripped away and then reshaped by the institutions where they are incarcerated. (Warr,2020). This study builds on that understanding by showing that the identities remandees had before incarceration are either lost or suppressed, supported by the data collected. This loss of identity is complex, involving several factors: the deprivation of freedom and autonomy, the negative effects of labelling and stigmatization, and the disruption of social relationships, among other factors. These issues underscore possible gaps in the decision-making process that led to the adoption of incarceration as the main method of remand in Trinidad and Tobago. This approach has inadvertently created a significant challenge: the reshaping and sometimes fracturing of an individual's sense of self. This phenomenon is here described as an "identity limbo," where

individuals struggle to reconcile their past and present selves under the constraints of remand incarceration.

Further, to compound the issue, the long time spent on remand leads to some kind of institutionalization of prison life. Institutionalization is a term used to describe the process by which individuals adapt to the rules, routines, and norms of the prison environment. While this adaptation is cited as necessary for survival in a remand facility, it also appears to lead to a transformation of one's identity.

As remandees spend years or even decades within the remand system, they become accustomed to its unique culture and social dynamics. They develop coping mechanisms, adopt defensive personas, and conform to the hierarchical structure of the inmate population. In this process, their pre-incarceration identities can become buried beneath layers of institutionalization. Then, there is a struggle to readjust to life outside of prison, which reflects the complex relationship between their pre-incarceration identity and the institutionalized self they have become.

While the prison experience can be dehumanizing, shattering one's identity, it also offers opportunities for some to have personal growth and transformation. For some, the experience of incarceration became a turning point in their lives. They may engage in educational programs, therapy, or self-reflection that lead to great changes in their values, attitudes, and behaviour. In this sense, the prison environment can serve as a crucible for personal growth. Some individuals may come out of remand with an increased sense of empathy and a renewed commitment to positively contribute to society. This suggests that while their identities may be reshaped during their time in prison, they are not necessarily weakened or diminished. For others, they must navigate a precarious balance between

preserving their safety and well-being within the prison system while grappling with the loss of their identity.

For some, self-preservation may lead to a further detachment from their past, as they adopt survival strategies that may be at odds with their pre-incarceration identities. This can intensify their sense of limbo, as they feel caught between their past and present selves. In contrast, others may use self-preservation strategies as a means of maintaining a semblance of control and identity within the confines of the prison. These individuals may find ways to adapt and survive while preserving elements of their true selves, even in the face of adversity.

A major part of the remandees' identity is constructed around their external relationships with their families. It was found that the impact of remand extends far beyond the individual in custody. Pre-trial detention can have severe consequences on the lives of those detained and their families. It disrupts employment, strains personal relationships, and can lead to the loss of housing or even child custody. This collateral damage extends the control exerted by the criminal justice system far beyond the individual and into their broader community. Families and communities become ensnared in the cycle of control, as they grapple with the repercussions of a loved one's detention. For the remandees, however, the constant long separation from familial relationships impacts their sense of being, and for many, their masculine role, as they are unable to fulfil it while on remand.

In each instance whether for personal growth, self-reflection, feelings of loss or self-preservation, the remandees' identity remains in limbo and continues as there is uncertainty as to when they would be released from remand. Understanding the intricate dynamics of identity in the context of remand is crucial for policymakers, advocates, and society as a

whole. It underscores the importance of providing support and resources for individuals during and after incarceration, with the ultimate goal of maintaining and ensuring justice within the system. Acknowledging the complexities of identity within the remand system can bring about a more compassionate and effective criminal justice system, which recognizes the humanity and potential for growth in every individual, regardless of the situation they may find themselves in.

5.8 COPING MECHANISMS

The thesis extensively delves into the impact of remand, characterized by its harsh and dehumanizing conditions, on the individual's identity. It elucidates how individuals in remand navigate the existential limbo induced by their circumstances, identifying various coping mechanisms they employ. Within this discourse, coping mechanisms emerge as indispensable tools enabling remanded suspects to uphold their sense of self, safeguard their humanity, and confront the myriad challenges of identity in remand, and ultimately, their 'identity limbo'. Noteworthy coping mechanisms highlighted in this thesis encompass religious practices, educational pursuits, engagement in sports, and the cultivation of specific interpersonal relationships while in remand. These findings expand upon the insights of previous research by Kaganzi and Kakande (2022), which underscored the significant correlation between stress, depression, and coping mechanisms among prisoners. While affirming this correlation, this current study further elucidates that each remandee's narrative underscores the utilization of coping mechanisms to endure their time in remand custody, inadvertently aiding in navigating the ambiguous identity predicament inherent to remandees.

As previously highlighted in this study, the experience of being in remand significantly diminishes individuals' autonomy, freedom, and, to some degree, their sense of individuality and identity. Similar to the findings of Zamble and Porporino (1988) in their earlier study, there is a notable absence of positive behavioural change among those incarcerated, with little impact on the coping skills of inmates, leading to a halted progression both behaviourally and developmentally. Their research implies a stagnation in efforts to effect change in prisoners. However, in this thesis, it is argued that the loss of personal freedom and the constant threat of dehumanization inherent in remand can induce a sense of detachment from one's past and uncertainty about one's future. Inmates often struggle with the perception that their lives have come to a standstill, which can corrode their sense of self and identity. Remandees resort to activities, routines, and strategies to stabilize themselves and alleviate distress amid this stagnant, limbo-like state of identity. Future research should explore the efficacy and implications of such coping mechanisms and their potential impact on behavioural and developmental progressions among remand populations.

But, as far as this thesis is concerned, the narratives illustrate that these coping mechanisms appeared to serve as a lifeline that connects remandees to their past lives. Activities such as letter writing, reminiscing through shared stories from their past, or even identifying themselves through their job titles, enable remandees to reflect on their personal histories and relationships, particularly with families and their roles. These mechanisms allow them to preserve a connection to their pre-incarceration identities, reminding them of who they were before being remanded.

Similarly, these said coping mechanisms they used appear to act as a source of hope and motivation for the future, upon their release. For instance, remandees who engage in

educational pursuits, vocational training, or creative outlets like art or writing, maintain a connection to their aspirations and ambitions beyond prison walls. This connection to future goals and dreams becomes a driving force that helps individuals preserve some sense of identity despite their current circumstances.

Remand has been found to inherently carry elements of dehumanization, as individuals are stripped of their freedom, privacy, and agency. The rigid routines, disciplinary measures, and inhumane conditions within prisons have led to a degrading sense of identity for many inmates. Coping mechanisms play a crucial role in resisting this dehumanization and making remandees still feel like humans and keep their sense of manhood.

The narratives of some remandees illustrate that these coping mechanisms empower them to maintain a sense of dignity and self-worth. Engaging in activities that remind them of their humanity, such as religious practices, allows inmates to resist the dehumanizing effects of their environment. By preserving their self-respect and self-esteem, they can protect their core identity from being eroded by institutional forces. In other instances, it was seen that religion acts as a cleanser, allowing remandees to return to a place they felt as though they had strayed from.

In this sense, therefore, it would appear from these narratives that coping mechanisms are used for passive resistance against the dehumanizing aspects of the correctional system. Remandees who maintain their identities and self-worth through coping mechanisms send a powerful message to the system that they refuse to be reduced to mere numbers or statistics. This resistance can, in turn, influence the way they are treated by both fellow inmates and even remand staff.

Remandees attempt to cope with their identity limbo by experimenting with new identities available to them in prison, such as adopting an "intellectual" persona or a "religious" one, among others. These coping identities appear as mechanisms to help to cope with their identity limbo while on remand. In addition to exploring these new identities, remandees also participate in various activities that allow them to test out different roles. Activities such as football, expressive writing, educational pursuits, vocational training. These activities not only appear to help them cope with their identities on remand but also serve as a way to pass the time.

In some cases, remandees use coping mechanisms that involve them holding on to the identities they held before being incarcerated. Interestingly, during the data collection of this studies, many remandees reveal these coping identities quite early during interviews, presenting themselves in a manner they wish to be perceived. It appeared that this approach allowed them to maintain a sense of control over and even maybe a peace of mind over how they are viewed. These strategies help them maintain a sense of self as they strive to be remembered in various familiar roles—whether as the devout Christian, the intellectual, the father, the family man, the wise mature individual, the electrician, the mason, or other identities they once held.

It would appear that to some extent, coping mechanisms are indispensable for at least stabilizing identities while on remand, stabilizing where their sense of where they currently are in the world. While remand is undoubtedly a challenging experience that can threaten one's sense of self, coping mechanisms offer a means of resilience, resistance, and personal development. Coping mechanisms in the context of remand, offer remandees a pathway for them to a peace of mind, and potentially survive this experience. These strategies offer

remandees constructive outlets for processing their feelings and building resilience in the face of adversity.

This thesis illuminates the crucial role coping mechanisms play in navigating the challenges of incarceration, and in particular ‘identity limbo’, thereby enriching the existing literature on coping and adaptation within remand. Research has shown that coping mechanisms are vital for individuals in incarceration settings, as they significantly influence mental health outcomes and the ability to adapt to the prison environment (Per et al., 2019; Bangeles, 2023). For instance, mindfulness-based interventions have been found to be particularly effective in helping incarcerated populations manage stress and improve emotional regulation (Per et al., 2019). Additionally, studies indicate that the social support systems available to incarcerated individuals can serve as protective factors against the adverse effects of incarceration, thus enhancing their coping strategies (Bangeles, 2023; Hardy, 2018). These narratives lay the groundwork for the future exploration and implementation of evidence-based prevention and intervention strategies aimed at bolstering the mental well-being of remandees. By fostering their successful reintegration into society and mitigating rates of remand return, such initiatives could lead to yield significant benefits for both individuals and communities alike. It can also signal that there is a need for both authorities and prison officers to become more ‘identity aware’ in their daily roles and interactions. By understanding the profound impact that their actions and the prison environment have on the identities of remandees can lead authorities to initiate a review and reform of the system. By recognizing the significance of these coping mechanisms and the social determinants of health, authorities can implement more effective interventions that not only address the immediate needs of remandees but also promote long-term positive outcomes

(Crawford, 2023). This understanding could serve as a starting point for further discussions.

Potential reforms could include implementing strategies and practices that reduce depersonalization and dehumanization, thereby improving the overall conditions and treatment of remandees.

5.9 CONCLUSION

Remand continues to be an integral part of Trinidad and Tobago's criminal justice system. It was found that it plays a crucial role in its functioning, networking, and bureaucracy. However, its utilization and advancement seem to be associated with numerous issues highlighted through the experiences of those who live on remand. The daily account of their lives and interactions with the system should allow for a deeper exploration into conceptual understandings of remand and its impact on remandees as well as its connectivity with the wider criminal justice system.

This thesis embarked on an exploration of the lived experiences of remandees, prison officers and legal functionaries as a foundational endeavour to comprehend the intricacies of the remand system within the Trinidad and Tobago criminal justice framework. At the forefront of this inquiry lies the identification of what is termed as the "identity limbo" among remandees. This notion of identity limbo arises from the perpetual state of uncertainty and instability that characterizes their existence, caught between who they used to be, who they currently are in the realms of incarceration and who they would be when they gain their freedom. In this limbo state, individuals struggle with uncertainty and a lack of clear direction, which leads to a widespread feeling of disconnection from both their past selves and potential

futures. This identity limbo is further intensified by the environment and interactions experienced on remand, which tend to depersonalize and dehumanize the remandees, making it even harder for them to maintain a sense of identity.

The identity limbo presents a significant challenge to those on remand. Identity limbo may even hinder remandees' ability to fully commit to staying out of trouble and developing a strong sense of self-esteem while they are in custody awaiting trial.

This state of limbo in which remandees are held, creates a troubling discord within the minds and identities of remandees, as they navigate those murky waters between confinement and liberation, oscillating between hope and despair, aspiration and resignation.

Beyond this, through the narratives this thesis learnt that the existing conditions in Trinidad and Tobago are dehumanizing and depersonalising, leaving them feeling vulnerable and stripped of their masculinity. This is further compounded by the views of the prison officers who also complained of the conditions which affect their daily operations. These said conditions had prison officers feeling forgotten and abandoned by authorities. However, the extent to which these conditions truly affect individuals within the Trinidad and Tobago remand system remains unclear. This suggests the need for more targeted research to fully grasp the implications of these feelings and their impact on the lived experiences of remand.

In exploring and explaining this identity limbo, it becomes clear that its effects could reach far beyond the walls of the prison and beyond the purview of this study. However, it would appear from the narratives that remandees find themselves ensnared within a maze of existential quandaries, grappling with questions regarding their sense of purpose, identity, and belonging. The threat of such uncertainty looms and influences their lived experiences and in

some instances limiting their ability to imagine a fulfilling future outside the constraints of their present situation.

Furthermore, the identity limbo appears to foster feelings of detachment, both internally and from the wider social structure, as individuals struggle with self-preservation while incarcerated and reminisce about their former selves, leaving them with doubt and feeling lost without the stability and consistency needed to develop a clear understanding of themselves. This portrays the sense of aimlessness and confusion they face as they struggle to establish a solid identity while in a state of legal limbo. In simpler terms, this doubt and confusion in identity suggests that the sense of isolation experienced by remandees could make it difficult for them to connect with others and to successfully return to society after they are released from custody, therefore, causing issues with staying out of trouble or future run ins with the law for remandees. This may then open wider questions for future empirical exploration such as is this identity limbo actually feeding the criminal activities within Trinidad and Tobago and which activities, etc...

However, amidst the bleakness of their predicament, glimmers of resilience and agency emerge within narratives. Despite the challenges posed by the identity limbo, remandees seem to continue to exhibit remarkable tenacity in their pursuit of coping and surviving their day-to-day challenges. As the remandees shared, through acts of introspection and self-reflection, detachment and even denial they endeavour to reclaim agency over their lives and to transcend the constraints imposed by their circumstances.

The idea of "identity limbo" becomes a significant framework for understanding the intricate dynamics that influence how remandees experience life within Trinidad and Tobago's

criminal justice system. By unearthing this issue, we gain invaluable insights into the myriad challenges confronting individuals ensnared within the remand system, while also bearing witness to their navigation of this said issue through coping strategies that aim to maintain some sort of agency and capacity for transformation. These coping mechanisms appear to serve as crucial tools for remandees to mitigate the psychological distress and existential uncertainty inherent in their limbo existence, enabling them to at least survive their current adversity.

Coping strategies such as spiritual and religious practices appear to play a pivotal role in helping remandees navigate the challenges posed by the identity limbo. Drawing upon faith traditions and spiritual beliefs, individuals find solace and strength in their connection to something greater than themselves, whether through prayer, meditation, or religious rituals.

These rituals and beliefs serve as a structure through which remandees interpret and cope with their challenges, providing some kind of hope and direction amid the chaos of their everyday lives. By embracing their spiritual convictions, remandees gain some hope and determination, allowing them to withstand the difficulties of their uncertain circumstances.

Another coping strategy that emerged involves engaging in educational, recreational and vocational activities, which act as transformative coping mechanisms for remandees. These provide avenues for personal growth, skill enhancement, and self-betterment and some sort of identity of these remandees. Through participating in educational programs, vocational training, remandees gain the necessary tools and resources as they envision a positive future beyond their current confinement. By prioritizing their intellectual advancement, individuals are able to exert a degree of control over their lives, in hopes of surpassing the limitations imposed by their identity limbo and fostering a sense of self-worth and purpose. Additionally, these educational

and vocational endeavours offer concrete pathways for reintegration into society, equipping remandees with the skills and qualifications required to secure employment and make meaningful contributions to their communities upon release.

The term "identity limbo" refers to the complex and challenging situation that remandees face within the criminal justice system of Trinidad and Tobago. This concept needs to be thoroughly examined to fully understand its implications and significance within the context of the country's legal system. Further analysis of the identity limbo is crucial for gaining a comprehensive understanding of its effects for both remand suspects and the criminal justice system as a whole.

The stories shared indicate that the treatment of remandees by prison officers significantly affects their experiences while in remand. This highlights the important role played by these immediate decision makers in shaping the daily lives of those in remand. Exploring the perspectives of prison officers provided valuable insights into the dynamics of authority and power within the Trinidad and Tobago system, which has not been extensively discussed in existing literature. It was perceived that managing authority and power requires a delicate balance, as officers must maintain respect, order, and control in the prison environment. However, it was noted that controlling the remand population is often more challenging than managing convicted inmates, as the former is perceived to be more volatile. This, in turn, influences the interactions between officers and remandees, thereby impacting the overall experiences of those held in remand.

The Trinidad and Tobago remand system remains under review by the Government of Trinidad and Tobago, and it also remains a topical issue for those involved and connected to

the Criminal justice system. From the narratives shared, decision makers seem to have this perception that the remand system is not functioning optimally. Remandees from their experience seem to share this said perception that remand does not serve its purpose. Although the remand system has its place within Trinidad and Tobago's legal structure, the argument by the narratives is that there's a pressing need to enhance its efficiency to guarantee that those in remand have access to fundamental rights, such as fair legal representation and access to justice. The absence of these rights can significantly affect their experiences while on remand. The narratives illustrate perceptions of these systemic issues, particularly the lack of legal representation, which remandees believe prolong their stays. The inability of remandees to secure their release from custody leads to feelings of hopelessness. When they are unable to navigate the legal system effectively to obtain release, they experience a sense of uncertainty and frustration. This feeling of being stuck in a state of limbo, where their future is uncertain, can contribute to the development of what is referred to as an "identity limbo." This identity then appears to be characterized by a lack of clarity or certainty about one's current status, past status or future status, which can affect their sense of self and well-being.

To a large extent as it was perceived in the study, the remand system is unsanitary, dehumanizing, abusive, overused and somewhat impractical in its function, which can ultimately defeat its intended purpose, to support justice. The perception exists that employing remand as a crime control mechanism contradicts its intended purpose as specified in legislation. This perception is reinforced by the frequent amendments made to the Bail Act in Trinidad and Tobago, which can be easily enacted based on the prevailing political climate. The accurate and precise use of remand in Trinidad and Tobago again has not been widely explored in the literature and is not within the perimeters of this thesis, but it presents an

opportunity for further exploration and discussion. However, this thesis was able to identify the views on this issue from the narratives, shedding light on a system that decides who experiences remand, when, but not how long one experiences the said system. The implications of this issue can be further explored in future research. This groundwork is undoubtedly important for comprehending the criminal justice system in Trinidad and Tobago and its broader impact on the field of criminology in the Caribbean.

CHAPTER SIX: LIMITATIONS, CONCLUSIONS AND RECOMMENDATIONS

Remand remains an issue within the criminal justice system of Trinidad and Tobago. Though it has been cited as being problematic, very little empirical work has been done to understand and examine the system and how it is experienced. When viewed from a world standpoint, remand has had less academic attention than other areas within the criminal justice literature. (Morgenstern, 2013; Emelí, 2023)

This thesis aims to contribute to a notable void in Caribbean remand literature, particularly within the context of Trinidad and Tobago. By delving into the experiences of male remandees at a facility in Trinidad and Tobago, we provide an understanding of their lived experiences. Through this detailed exploration, we uncover valuable insights and perceptions regarding the lived experiences of remand in Trinidad and Tobago. The thesis's analysis of these narratives not only sheds light on remand within the Trinidadian context but also underscores its importance in the field of criminology, an area that has still been relatively unexplored.

Expanding our understanding of remand by examining the perspectives of male remandees in Trinidad and Tobago sets the stage for further research into the experiences of a broader range of demographic groups within the remand system. This initiative can prove to be quite crucial for developing comprehensive strategies that address the complex challenges and nuances of remand across diverse socio-cultural contexts. By embracing inclusivity and considering the unique needs of different groups, we can work towards creating a more

equitable and effective criminal justice system that provides fair treatment and support for all individuals involved in the remand process. One can only hope that such an approach will influence the field of criminology and its knowledge base, and at the very least, have an impact on criminological practices and activities within Trinidad and Tobago.

6.1 Limitations

One potential limitation of this body of research is its exclusive focus on a sample composed entirely of male offenders and prison officers within Trinidad and Tobago. Consequently, it remains uncertain whether the findings and theories derived from them accurately reflect the experiences of female or minority delinquents, or offenders operating in different social and economic context. This raises questions about the generalizability of the findings to broader populations and contemporary contexts. Nevertheless, the primary objective of this research endeavour was to delve into the intricacies of Remand within the context of Trinidad and Tobago by exploring personal unique experiences, a distinct area that has been noticeably absent in existing literature concerning Remand, with a particular focus on Trinidad and Tobago. This exploration aimed to build on scholarly discourse regarding the subject matter.

Throughout the duration of this study, there have been notable developments in legal judgments and amendments that could potentially influence the criteria and processes for remand placement. Although these developments may not have directly impacted the findings of this study, it is pertinent to acknowledge their existence and relevance in the context of this thesis. By recognizing these legal changes, this study aims to maintain currency and relevance, ensuring its alignment with the evolving legal landscape surrounding remand

practices. This acknowledgment underscores the commitment to comprehensively understand the remand system and its multifaceted implications within the contemporary legal framework.

The emergence of the COVID-19 pandemic in 2020 had far-reaching effects across various sectors globally, including academia and research. Though majority of the data collection was completed before the COVID-19 pandemic, lockdowns, social distancing measures, and travel restrictions imposed to curb the spread of the virus hindered researchers' ability to keep fluid communication with school and its resources as the closure of universities, libraries, and research facilities limited access to essential resources and facilities that the researcher used for preparing this thesis research. Despite these very few challenges of COVID 19, the thesis was able to be completed in the manner as described in the methodology aspect of this thesis.

Despite these limitations, the research provides valuable insights into the experiences of male remandees, shedding light on significant aspects of the remand system in the specified context. The acknowledgment of these constraints gives future research endeavours an opportunity to explore the broader spectrum of remand experiences, including those of female remandees and individuals remanded with bail, for a more comprehensive understanding of the dynamics at play within the remand system.

Nevertheless, the completion of this study may be considered a step in the right direction towards the development of the literature of remand studies. Moreover, the study extracted a valuable wealth of data which may be used or advanced for the greater good and overall improvement of the remand system within Trinidad and Tobago.

6.2 Concluding Statements and Recommendations

Through the examination of lived experiences recounted in narratives, a concept emerges: "identity limbo." Remandees seem to be caught between two worlds, as their identities remain in limbo due to their current legal situation. Understanding the complexities and concept may be valuable in furthering various theoretical frameworks in criminology, such as incarceration identity and desistance theories. Exploring the identity limbo can deepen our understanding of incarceration identity and more so remand incarceration, which pertains to how individuals perceive themselves and their place within the criminal justice system while incarcerated on remand. By delving into the identity limbo, future researchers can elucidate how the indefinite nature of remand status affects individuals' self-concept, shaping their perceptions of themselves as neither fully free nor fully convicted. This nuanced understanding can contribute to existing theories of incarceration identity by highlighting the unique challenges faced by individuals in pre-trial detention.

The processes of dehumanization and depersonalization play a critical role in stripping away and impacting the identities of remandees, contributing to the creation of an identity limbo. The treatment and environment that remandees experience further exacerbate these effects. Recognizing this allows authorities to reevaluate and adjust their policies to find ways to minimize interactions and practices that worsen this situation. By doing so, they can help preserve the identities of remandees and mitigate the negative impacts of their detention environment.

Furthermore, the concept of identity limbo, the uncertain state of an individual's sense of self, which could have significant effects on theories of desistance. Desistance theories, as discussed by Maruna and Farrall (2004), explore the reasons and methods behind individuals

ceasing to engage in criminal behaviour. According to these theories, one key factor in ceasing criminal activities is the development of what is called "pro-social identities," which are identities that favours behaviours beneficial to society. This study indicates that for individuals on remand, their identity is negatively affected. This adverse impact on their identity could potentially hinder their ability to develop pro-social identities. Given these insights, there is a valuable opportunity for further research. By investigating how individuals on remand cope with their identity in this uncertain and challenging limbo state, and by exploring how this relates to pro-social identities, researchers could deepen our understanding of how significantly identity is impacted. This could ultimately lead to more effective interventions that help individuals limit the depersonalisation process and, as a result, hopefully, better manage identity limbo.

Additionally, gaining an understanding of how individuals maintain a sense of agency and purpose despite uncertainty can enhance our knowledge of the coping strategies used by individuals while on remand. This insight is crucial for developing a framework for support mechanisms that assist people in maintaining their well-being and identity during uncertain times of remand.

The uncertainty surrounding life post-release, including uncertainties about one's identity and circumstances, can influence an individual's decision to either engage or abstain from criminal activity. When individuals are uncertain about what awaits them upon release from remand, it can create a sense of ambiguity and instability that may contribute to feelings of anxiety, fear, and hopelessness. And so, unpacking the identity limbo offers new ways of understanding the lived experiences of individuals in the remand system and their implications for broader criminological theory. By shedding light on the complexities of identity formation

and future development of desistance in the context of pre-trial detention, this exploration opens avenues for further research and theoretical development within the field of criminology.

Furthermore, exploring whether this concept applies to other remand populations would be intriguing and could also contribute to the advancement of the field of criminology. Understanding whether individuals held in remand facilities in different contexts experience similar feelings of limbo and identity crisis could provide valuable insights into the universality of these phenomena and generalisation.

By examining remand populations in various jurisdictions and cultural contexts, researchers could gain a more comprehensive understanding of the factors contributing to the development and maintenance of an identity limbo. This comparative approach could shed light on the influence of legal systems, societal norms, and institutional practices on individuals' experiences of uncertainty and identity formation while in remand.

Moreover, investigating how individuals from diverse backgrounds navigate the liminal space of remand could inform the development of more tailored interventions and support services for this population. By identifying common challenges and coping strategies across different remand populations, researchers and practitioners may be better equipped to address the unique needs and vulnerabilities of individuals in custody.

From the narratives examined, there is a perception amongst the individuals on remand, that employing and engaging in diverse coping strategies is necessary to navigate their challenging circumstances. Educational, recreational, and vocational programs, as well as religious practices, appear to be crucial elements in the lived experiences of remand. In

some instances, these activities contribute to shaping the identity of remandees during their time in custody.

Recognizing that there may be some sort of connection between coping strategies and identity among remandees is crucial for informing future policy decisions and program development. By understanding how individuals on remand utilize various coping mechanisms to navigate their circumstances and shape their identities, policymakers and decision-makers can tailor interventions and programs to better meet their needs. This insight can lead to the creation of more effective and targeted initiatives aimed at supporting remandees during their time in custody, ultimately facilitating their successful reintegration into society upon release.

Another aspect of the lived experiences of remandees is the perceptions of the relationship between prison officers and remandees. It is perceived that there is a strained and stressful relationship that exists between them. This disconnect has the potential to significantly influence the overall quality of the lived experiences within the remand system in Trinidad and Tobago. Understanding and addressing this incompatibility can play quite a vital role in improving the environment and conditions experienced by individuals in remand. This perception highlights the importance of fostering mutual understanding and respect between officers and remandees to enhance the effectiveness and fairness of the remand process. Such efforts can lead to a more supportive environment, ultimately contributing to better outcomes for all involved parties.

This aspect of this thesis underscores the need for policy reform, emphasizing specialized training for officers tasked with managing remandees. This training could be very essential considering that remandees are awaiting judgement, sentencing or bail and are thus

not yet convicted. In this vein, the study advocates for an environment that prioritizes control for compliance over strict discipline, aligning with fundamental principles of justice and fairness within correctional facilities. Such reforms aim to foster a more conducive and respectful environment for both officers and remandees, ultimately promoting a positive environment.

Overall, remand is not perceived as functioning efficiently from all accounts. Interestingly, despite acknowledging its shortcomings, none of the narratives advocated for its abolition. It's noteworthy that individuals both within and outside the remand system perceive it not only as a punitive measure but also as a flawed aspect of the justice system. The adverse conditions described by participants, including both remandees and prison officers, seem to have detrimental effects on the well-being of individuals involved in the system. This can imply that while there is recognition of the system's flaws, there is also acknowledgment of its necessity, albeit with a clear call for improvement to ensure fair and humane treatment for all.

Remand physical conditions in Trinidad and Tobago remain substandard. (Wallace, 2020). Remandees and prison officers alike express their shared dissatisfaction with these conditions, deeming them unsuitable for human occupancy. This collective perception suggests that there is an inherently dehumanizing and depersonalizing environment that characterizes remand facilities. Further investigation into these conditions is crucial for addressing the systemic issues and ensuring humane treatment for all individuals within the remand system of Trinidad and Tobago. Of course, the initial knee jerk reaction to this is to enhance the infrastructure and resources within remand facilities to improve living conditions and access to essential services for remandees and prison officers. This could include measures such as upgrading facilities, providing mental health support services, and ensuring

timely access to legal representation. While this may well be welcomed and even celebrated by those on remand, there still remains a need for empirical investigations into the extent and direct impact of these conditions on those confined to and, working on remand.

In numerous jurisdictions, including the Caribbean, the issue of remand persists as both problematic and inadequately studied (Emelí, 2023). Despite its significance, there remains a notable gap in understanding the complexities and implications of remand within the criminal justice system. This underscores the urgent need for a thorough examination of remand's function and impact, transcending mere calls for expanded facilities to encompass a holistic assessment of its operations and potential contributions to the judicial process.

The thesis, which focuses on Trinidad and Tobago's remand system, offers a perspective in the literature that sheds light on the understanding of remand practices in a previously unexplored and unexamined manner. The narratives give invaluable insights and perceptions from individuals directly involved in the remand system, offering an understanding of their lived experiences and perspectives. These insights serve as a catalyst for fostering deeper discussions and analysis aimed at enhancing and reforming the remand system. By leveraging the perceptions and experiences described in this thesis, stakeholders can embark on a collective endeavour to develop innovative strategies and policies that address the shortcomings and inefficiencies of the current remand system. Ultimately, this endeavour holds the potential to drive meaningful improvements that ensure fairness, efficiency, and effectiveness within Trinidad and Tobago's criminal justice landscape. By adopting a meticulous and informed approach to the study of remand, policymakers can gain valuable knowledge that informs the development of effective and equitable policies. Moreover, such an approach holds the promise of fostering sustainable improvements that

uphold fundamental principles of justice and humanity, ultimately benefitting individuals awaiting trial and society as a whole.

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APPENDIX









Appendix 1: Informed consent

University of Salford, Manchester Study on Remand within Trinidad and Tobago INFORMED CONSENT FORM, V 3.0

This form is to check that you have been given all the information you need before you agree to take part in the research.

Please complete and sign this form **after** you have read and understood the study information sheet given to you. Read the following statements and only sign the form if you are agreeing with all of them.

I understand that:

- | | |
|---|-------------------|
|  I have read and understand the study information sheet (version 3, October 17 th 2018). I have had the opportunity to consider the information and to ask questions, which have been answered satisfactorily. | <div>Yes/No</div> |
|  I have the right to decline to participate in this research before, during or after participation and to refuse to answer any specific questions. I understand that I shall not be penalized if I decline, nor shall I gain any favour if I agree to be part of the study. | <div>Yes/No</div> |
|  My personal details will be kept confidential and will not be revealed to people outside the research team. However, I am aware that if I reveal anything related to criminal activity or harm to self or others, the researcher will have to share that information with the relevant authorities. | <div>Yes/No</div> |
|  I can ask any questions I have throughout the interview process, and understand that all such questions will be answered to the best of the researcher's ability. | <div>Yes/No</div> |
|  I give my permission for the interview to be recorded. | <div>Yes/No</div> |
|  The original data will be deleted after three years. The anonymized data will be used in the researcher's thesis, other academic publications and presentations and reports to government/authorities. | <div>Yes/No</div> |
|  If I do decide to withdraw I understand that the information I have given up to the point of withdrawal, will remain part of the research data. | <div>Yes/No</div> |
|  I agree to participate in the study | <div>Yes/No</div> |

Participant Name: _____ Date: _____

Participant Signature: _____

If you have any questions about your rights or treatment as a participant or about the study you may contact the researcher, 1.868.472.0525 or k.julien@edu.salford.ac.uk If you have any further concerns or complaints about the study, you can contact the Chair of the Ethics Panel at Phone No. +44 161 295 2778; or e-mail s.mcandrew@salford.ac.uk

Appendix 2: Sample of Interview Schedules
LEGAL REPRESENTATIVE SEMI-STRUCTURED INTERVIEW GUIDE, V 1.0

Indicative Interview Guide

Good day, I am Kalifa Julien , currently a Postgraduate student at The University of Salford Manchester, pursuing a Doctorate of Philosophy (PhD) in Criminology and Criminal Justice. The purpose of this survey is to explore remand in Trinidad and Tobago: how it is viewed by policy-makers, how it is used by the courts; how it is organised within the prison; how it is experienced by people on remand; and what effects it has for them.

*** Aim- Remand Intentions*

Topic	Suggested Stimuli / Question
Introduction	<p>Today I just want to have a little chat with you about remand.</p> <p>**Introduce self and research ** Explain purpose of interview ** Explain voluntarism/ confidentiality **Explain about the recording of the interviews **Ask if any questions **Ensure that Consent Form signed</p>
Remand policy	
Legislation governing remand	<ul style="list-style-type: none"> • Tell me about the different pieces of legislation and policies that govern remand? Do they complicate remand decisions? • If you were to offer a model legislation and put everything about remand into what would that legislation look like, what would it look like?
Views on remand decisions	<ul style="list-style-type: none"> • Are there times when you disagree with a judge's decision about bail and remand? Does this happen often? Can you describe a couple of experiences? What about access to justice?
Provision of justice/Access to Justice	<ul style="list-style-type: none"> • Are you able to meet with your remand clients regularly? Does legislation or policy provide for this? Does it actually happen? Can you give examples? • Do you think your Association should play a greater role in setting remand policy and ensuring that it is adhered to? • As Head of [Legal Association]/ As a representative of [Legal Association], you are asked to present a detailed report to the Prime Minister, for him to give an important speech at UN Assembly, on remand, policy and its legislation. What are the

Views on Remand	<p>crucial points you would highlight for the Prime minister? Don't spare anything: give me the good, the bad and the ugly?</p> <ul style="list-style-type: none"> • But hold on, why is remand important anyway? What is its role in Trinidad and Tobago's criminal justice system? • If you had to model remand, a perfect version of itself, what elements would ensure it must have? • Reflecting on other territories is there any legislation you see/know of that could be used as a model to Trinidad and Tobago?
Remand and the Criminal justice system	
Comparison to other territories	<ul style="list-style-type: none"> • Ok as we wrap, tell me what recommendations you have for remand?
Future of Remand	
Close and future (being positive)	<ul style="list-style-type: none"> • How was the chat? • Check if there's anything else that they wanted to say/share.

LEGAL Official SEMI-STRUCTURED INTERVIEW GUIDE, V 1.0

Indicative Interview Guide

Good day, I am Kalifa Julien , currently a Postgraduate student at The University of Salford Manchester, pursuing a Doctorate of Philosophy (PhD) in Criminology and Criminal Justice. The purpose of this survey is to explore remand in Trinidad and Tobago: how it is viewed by policy-makers, how it is used by the courts; how it is organised within the prison; how it is experienced by people on remand; and what effects it has for them.

*** Aim- Remand Intentions*

Topic	Suggested Stimuli / Question
Introduction	<p>Today I just want to have a little chat with you about remand.</p> <p>**Introduce self and research ** Explain purpose of interview ** Explain voluntarism/ confidentiality **Explain about the recording of the interviews **Ask if any questions **Ensure that Consent Form signed</p>
Remand policy	
Legislation governing remand	<ul style="list-style-type: none"> • Tell me about the different pieces of legislation and policies that govern remand? Do they complicate remand decisions? • If you were to offer a model legislation and put everything about remand into what would that legislation look like, what would it look like?
Views on remand decisions	<ul style="list-style-type: none"> • Are there times when you disagree with a judge's decision about bail and remand? Does this happen often? Can you describe a couple of experiences? What about access to justice?
Provision of justice/Access to Justice	<ul style="list-style-type: none"> • Are you able to meet with your remand clients regularly? Does legislation or policy provide for this? Does it actually happen? Can you give examples? • Do you think your Association should play a greater role in setting remand policy and ensuring that it is adhered to? • As Head of [Legal Association]/ As a representative of [Legal Association], you are asked to present a detailed report to the Prime Minister, for him to give an important speech at UN Assembly, on remand, policy and its legislation. What are the

Views on Remand	<p>crucial points you would highlight for the Prime minister? Don't spare anything: give me the good, the bad and the ugly?</p> <ul style="list-style-type: none"> • But hold on, why is remand important anyway? What is its role in Trinidad and Tobago's criminal justice system? • If you had to model remand, a perfect version of itself, what elements would ensure it must have? • Reflecting on other territories is there any legislation you see/know of that could be used as a model to Trinidad and Tobago?
Remand and the Criminal justice system	
Comparison to other territories	<ul style="list-style-type: none"> • Ok as we wrap, tell me what recommendations you have for remand?
Future of Remand	
Close and future (being positive)	<ul style="list-style-type: none"> • How was the chat? • Check if there's anything else that they wanted to say/share.

REMANDEES SEMI-STRUCTURED INTERVIEW GUIDE

Indicative Interview Guide

Good day, I am Kalifa Julien, currently a Postgraduate student at The University of Salford Manchester, pursuing a Doctorate of Philosophy (PhD) in Criminology and Criminal Justice. The purpose of this survey is to explore remand in Trinidad and Tobago: how it is used by the courts; how it is experienced by people on remand; and what effects it has for them.

Topic	Suggested Stimuli / Question
Introduction	<p>Today I just want to have a little chat with you about remand.</p> <p>But before we get started I just have a few things that I need to go through with you.</p> <p>Ok first off let's just take a moment for you to read through this information sheet. If you have any questions I'll be more than happy to answer them.</p> <p>Please do remember that this is voluntary and at any you feel that you cannot continue for any reason at all, please do stop me.</p>
Inmate's background Age Job Orders/Charges Length of time on Remand	<ul style="list-style-type: none">• So how old are you.....• Were you working....? / Where were you working....? / how long were you working?• On any kind of court order at the moment? / Tell me about the events that led you here?

	<ul style="list-style-type: none"> • How long have you been on remand? / First time on remand?
Incarceration in relation to you current imprisonment	<ul style="list-style-type: none"> • What crime have you been charged with or convicted of? • When were you arrested? • When were you detained? • Have you been detained continuously since then? • Were you offered bail, police bond or surety, and if so were you able to meet the conditions? • When did you enter this prison? • How long were you held in police custody? • Were you ever subject to physical abuse in police custody? ➤ If YES, ask How many times? Did you suffer a serious injury or health problem because of the beating? If so, did you receive any medical care? ➤ If NO, skip to Have you appeared before a magistrate or judge? <p><i>Legal Aspect</i></p> <ul style="list-style-type: none"> • How much time passed between your arrest and your first appearance before a magistrate or judge? • Do you or did you ever have a lawyer? • Is/Was your lawyer government-provided or private? • Have you been given any notification of when your trial will take place? • Have you had the opportunity to consult with a legal aid lawyer? How is a regular. What happens when you lawyers comes to you? • Are you held with other pre-trial prisoners, or with convicted prisoners as well? How is that experience...do you mingle much/? • As a remandee, do you have access to any prison work or job training programs? • Do you have equal access to facilities including medical care? <p><i>Medical Care</i></p> <ul style="list-style-type: none"> • Did you receive any medical tests when you first entered this prison? • What were you tested for?

<p>Perceptions of remand</p>	<ul style="list-style-type: none"> • If you were the Prison's Commissioner, and you have to opportunity to improve the place, what would you do? • So fill in the blank: Life on remand is____[what?] _____ describe it to me in one word? Why that one word? What is the purpose of remand to you then? What do you think it should be? • But why do you think you were sent remand?. how did you end here?..do you think it justice? • Say your best friend from outside had just arrived, what advice would you give them?" "Why is that?" "Tell me about how you find out about that."
<p>Close and future (being positive)</p>	<ul style="list-style-type: none"> • How was the chat? • Check if there's anything else that they wanted to say/ share. • If you had to do this again would you?

PRISON OFFICERS SEMI-STRUCTURED INTERVIEW GUIDE, V 1.0

Indicative Interview Guide

Good day, I am Kalifa Julien, currently a Postgraduate student at The University of Salford Manchester, pursuing a Doctorate of Philosophy (PhD) in Criminology and Criminal Justice. The purpose of this survey is to explore remand in Trinidad and Tobago: how it is used by the courts; how it is experienced by people on remand; and what effects it has for them.

Topic	Suggested Stimuli / Question
Introduction	<p>Today I just want to have a little chat with you about remand.</p> <p>But before we get started I just have a few things that I need to go through with you.</p> <p>Ok first off let's just take a moment for you to read through this information sheet. If you have any questions I'll be more than happy to answer them.</p> <p>Please do remember that this is voluntary and at any you feel that you cannot continue for any reason at all, please do stop me.</p>
Tell me about yourself	<ul style="list-style-type: none">• What attracted you to become a Prisoner Officer?• Do you consider you job adventurous or is same old same old daily?• On a scale of 1-10 how would you rate your happiness while working on remand?
Officer's Regulations	<ul style="list-style-type: none">• Are there strict guidelines to for your behaviour as an officer, while working on the remand section? Are these guidelines any different from those for dealing with convicted inmates?• What's the one guideline you hate the most? Why?• Are any of the guidelines or lack thereof that is dangerous or harmful to your person in anyway, i.e.

	<p>health, safety etc.? Do you think they need reconsidering?</p> <ul style="list-style-type: none"> • Do you think courts are sending too many persons on remand? Why do you think that's happening? What do you think can be done to reduce it?
<p>Daily Routine</p> <p>Daily activities</p>	<ul style="list-style-type: none"> • So how many days do you work? What does your work day look like? • Is it difficult working the remand section? What do the operations look like? • What's your main duty and responsibility? • Have you ever been hurt or harmed on remand? By other prison officers or inmates? Tell me what happened? Was anyone held accountable? Have you ever seen it happen? • What's the worst part about working in the remand section?
<p>Views about Remand</p> <p>Conditions</p> <p>Perceptions of remand</p>	<ul style="list-style-type: none"> • Is there anything you enjoy about working on remand? • Describe your working conditions? • If you had to say the best thing about working remand, what would it be? • So fill in the blank: Working on remand is_[what?] _____ describe it to me in one word? Why that one word? What is the purpose of remand to you then? What do you think it should be?

<p>Close and future (being positive)</p>	<ul style="list-style-type: none"> • How was the chat? • Check if there's anything else that they wanted to say/ share.
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Tell us about your experience...

I want to hear your views about what it's like working in remand

What is the research about?

Please help me with a university research study that explores the current state of remand in Trinidad and Tobago. I am a PhD student from Trinidad and Tobago, affiliated to the University of Salford, Manchester in the UK. I'd like to hear from the remand prison officers, because you're working on the front line! What's it like working in remand? What are the challenges that you face? How do you deal with them?

At the end of the research, I will write a report for academic publication and to the government making recommendations for how things should change to improve remand. Yes! You would have complete satisfaction in knowing your contributions would help towards the improvements of the penal system within Trinidad and Tobago.

What will I have to do?

If you decide to take part, I will meet you to talk about your experience of working in remand. The discussion will take place 1 to 1. We will discuss what it's like for you, in your own words, without being interrupted. I would love to hear about anything which you think is important about your experience of working in remand.

The discussion will usually take about 45 to 60 minutes – depending upon how long you want to talk. You can stop at any time. The discussion will take place in a room where other people cannot hear what you are saying and in which you feel comfortable.

Do I have to take part?

Taking part in the project is your decision. If you don't want to take part, that's OK. You are not expected to take part in this interview if you don't wish to, you will not be penalized in any way. There is no risk or disadvantage in partaking in the study. And if you do decide to take part, but don't want to discuss something I ask about – that's also fine. If you do decide to withdraw from the study at any time the information given, up to the point of withdrawal, will have to be consented to for use in the research. Unfortunately, there would be no reimbursement or incentives for your participation, as I am sponsoring this study out of pocket. I can only offer you comfort and satisfaction in knowing your contributions would be used for improvements of the penal system. Let's hear it for citizen's pride!

Who will know what I say?

Everything you tell me will be confidential, I promise your supervisors won't find out! The exception is if you tell me something about criminal activity or someone being in danger – I have to report that to the relevant authorities. But as you work in the system, I'm sure that you'll understand that!

I'd like to record the discussion, so I don't need to keep writing down what you say. The discussion will be anonymous - I'm using the discussions to write a report, but all names and personal information will be changed.

What if I have a question?

If you have a question about the project, you can call 1.868.487.2829, I can also be contacted by email on k.julien@edu.salford.ac.uk. You would also get a chance to ask any further questions just before we actually start the discussion.

What if I have a concern?

If you have any further concerns or complaints about the study, you can contact Professor Susan McAndrew, Chair of the Health Ethics Panel,; Phone No. +44 161 295 2778; or e-mail s.mcandrew@salford.ac.uk.

What do I do now?

If you'd think like to help me by discussing remand, **please tell the person who gave you this letter**. If you don't want to take part, you don't need to do anything. Thanks for taking the time to read this, and I really hope you can help me.

Thanks, -

Appendix 4: Approval from Ethic Committee



Research, Enterprise and Engagement
Ethical Approval Panel

Doctoral & Research Support
Research and Knowledge Exchange,
Room 827, Maxwell Building,
University of Salford,
Manchester
M5 4WT

T +44(0)161 295 2280

www.salford.ac.uk

1 November 2018

Dear Kalifa,

RE: ETHICS APPLICATION–HSR1718-119 – ‘An exploration into how is the use of remand framed in Trinidad and Tobago, both in policy (intention) and practice (lived experience).’

Based on the information that you have provided, I am pleased to inform you that ethics application HSR1718-119 has been approved.

If there are any changes to the project and/or its methodology, then please inform the Panel as soon as possible by contacting Health-ResearchEthics@salford.ac.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sue McAndrew'.

Professor Sue McAndrew
Chair of the Research Ethics Panel

Appendix 5: Approval from Commissioner of Prisons

**Prison Administrative Offices,
10-14 Phillips Street,
Port of Spain.**

May 14, 2019

Mr. Neal Hazel (PhD)
Chair of Criminology and Criminal Justice
School of Health and Society
University of Salford Manchester

Dear Mr. Hazel,

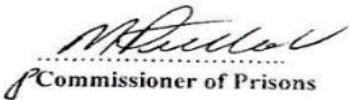
**RE: Request to access for Doctoral Research – Student
Ms. Kalifa Julien**

I refer to your letter requesting permission for student Ms. Kalifa Julien who is currently a PhD candidate at the University of Salford, Manchester to conduct her research at the Prison Institutions.

Approval has been granted for Ms. Julien to commence her research, weekdays, from; **May 15, 2019** between the hours of **9:00am to 3:00pm**.

Ms. Julien is to report to **Mr. Sean McLeod**, supervisor of the Developmental Training and Research Department at the Prison Administration Building, 10-14 Phillips Street, Port of Spain on **May 15, 2019**; at 9:00am.

Sincerely,


Commissioner of Prisons