



**RESPONSE REPORT  
RECOMMENDATIONS  
LAW ENFORCEMENT COUNCIL**

April 2022

The Honorable Minister of Justice, Anna E. Richardson

To:  
The President of the Parliament  
Mrs. Grisha S. Heyliger-Marten

CC: The Law Enforcement Council

Subject : Recommendations of the Law Enforcement Council  
Ref. nr. : 092-22B/JUS  
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Philipsburg, April 4, 2022

Dear President,

Pursuant to the Rijkswet Raad voor de Rechtshandhaving, the Law Enforcement Council (hereafter: Council) is charged with the general inspection of organizations within the justice chain on Curaçao, St. Maarten and the Netherlands insofar as Bonaire, St. Eustatius, and Saba are concerned. Furthermore, the Council is charged with the general inspection of the quality and effectiveness of the judicial cooperation between the countries.

Since the Council was established on July 7, 2010, the Council has been diligently carrying out their duties as described in the aforementioned Kingdom Law. In the period from 2010 to now, the Council have published a large number of reports. All the published reports regarding Law Enforcement in St. Maarten can be found on their website.

In their inspections essential processes and tasks of the Ministry of Justice and all relevant entities within the Law Enforcement chain have been critically assessed by the Council. In their reports the Council makes recommendations to the Ministry of Justice in general and to Justice entities in specific. Compliance to the imposed recommendations should help to make desirable improvements to the current situation related to the scope of their inspection.

Since I took office on March 30, 2020, I have been committed to make structural improvements within the Ministry of Justice and in the field of Law Enforcement of St. Maarten. I am of the strong position that the work of the Council is essential and is of great value in realizing these improvements. It is therefore disappointing to know that in the last eleven (11) years the recommendations of the Council have not been given the attention that they deserve.

It is understandable that noncompliance to the recommendations was partly caused by a lack of financial means, expertise, capacity as well as political stability. However, for making the desirable improvements within the Ministry and the Justice chain a more pro-active approach by our Ministry will be necessary.

Compliance to recommendations of the Council, but also to the recommendations of the Progress Committee, Integrity Chamber and the CPT<sup>1</sup>, is essential in this.

For these reasons, I have initiated this pro-active approach last year with the Department of Judicial Affairs. The Department of Judicial Affairs assessed all the recommendations of the Council that have not been (fully) complied to. These recommendations have been discussed with the Management of the Justice entities. Creating awareness for the pending recommendations and making compliance a shared responsibility between the Minister, SG and the Management of the Justice entities can be considered the first two imperative steps in this process.

The recommendations made by the Council in the last 11 years are extensive and extremely diverse. Therefore, in this letter I will not address each recommendation separate but will provide an elucidation on diverse recurring themes. In addition, several recent developments and anticipated achievements for this year will be provided as well.

#### HUMAN RESOURCES

One of the first and probably also the most imperative recurring theme in the recommendations of the Council regards human resources.

People are the core of the Ministry of Justice; no law enforcement, youth protection or border control will be successful without competent people. But for more than a decade, personnel matters of the Ministry of Justice have lingered. Therefore, it was one of my top priorities since I took office to make improvements in that field.

With the establishment of the Ministry's Function Book on December 20, 2021 we have taken the first important step in making structural improvements on personnel level.

Subsequent to the approval and completion of the Ministry's Function Book, department heads have now been instructed to draw up a placement plan for the transfer of their personnel. At the same time, in consultation with the department heads, the processes related to the handling of legal status issues will be reviewed so that they can be dealt with more quickly and effectively. Sick-leave is now also being addressed, whereby better agreements have been made with SZV and Medworks.

Furthermore, with support of the interim Human Resources Director, Mr. Alvin Daal, who is a certified Change Manager along with two local HR Experts, the implementation of a personnel information system and central management of personnel files has also begun.

A pilot assessment system will soon be launched in collaboration with Government Accounting Bureau S.O.A.B. In addition to understanding their own potential, the personnel at the Ministry will now be actively involved in their further development and careers within the Ministry. Various recruitment

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<sup>1</sup> European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

campaigns are being planned to increase personnel throughout the Ministry of Justice as the demand for the specialized services is growing daily.

As we delve deeper into the reality of things, the state of frustration by the personnel of the Ministry becomes more understandable. It's high time that the issues be addressed and structure be established. This is the goal. With the placement process to take place, I see this as an opportune time to properly and finally regulate each and every member of staff in the right way. As such, the ball is rolling and I'm grateful for the team of dedicated persons who are committed to getting this done.

The Ministry is finally experiencing stability, structure and progress. In November 2021, a Strategic Plan for the Ministry was formulated during a multi-day session with all department heads. This plan provides clear goals and direction for the judicial chain. The human resource restructuring project commenced at the start of February 2022.

#### Course Coordinator

Education of personnel is of high importance and I have been taking steps to further cement the intellectual growth of all personnel of the Ministry of Justice.

Since taking office, I took note of the grievances of many frustrated staff members who expressed that they lacked the completion of courses relevant to their function. Moreover, Hurricane Irma destroyed the Ministry's Justice Academy, where the personnel of the Ministry of Justice underwent certification courses.

During the month of June in 2021, with the assistance of S.O.A.B, a vacancy ad for a Course Coordinator was published on various media platforms to spark the interest of potential candidates. At least eight (8) persons between St. Maarten and Curaçao applied to this vacancy. A selection committee was established in August 2021, and an interview process was underway. In October of 2021, Ms. Martina emerged as the strongest and most suitable candidate to take on the role and responsibility of the Course Coordinator for the Ministry of Justice in St. Maarten.

In January of this year, the Course Coordinator started her employment at the Ministry., She is currently executing the research and assessment process of agency staff. She will design and coordinate the processes for personnel development, education and training.

The Course Coordinator falls directly under the Minister of Justice and is accountable to the Minister. She is responsible for the overall educational programs for the law enforcement personnel; takes care of both the organization and content of the training courses in consultation with the Minister and department heads and is also responsible for internal and external communication.

More specifically, the Course Coordinator coordinates the development, planning and implementation of educational programs for all law enforcement personnel. She has a role in shaping the training and development policy and the implementation of this policy. Ms. Martina has the task of organizing and setting up the training program and ensuring that the training program meets the needs and requirements

of the Ministry of Justice as well as the needs of the law enforcement personnel. Quality assurance is of great importance to further encourage employees of the Ministry of Justice to commit themselves to their own development.

With such a profile outlined, Ms. Martina has more than thirty years of experience in the educational field and more than 15 years as educational specialist and support. She specialized in the vocational sector and has created curriculums for educational institutions such as VSBO and SBO in Curaçao, VMBO and ROC in the Netherlands and for course institutions such as *Opleidingsinstituut Rechtshandhaving & Veiligheidszorg* of Curaçao, ORV (including all Justice organizations). Additionally, Ms. Martina also has knowledge and experience in developing competencies for short and long-term courses from SBO level 1 until 4, Associate Degree 5 and Bachelor's Degree 6.

#### Law Enforcement Institute St. Maarten

Now we have employed a Course Coordinator, the establishment of the Law Enforcement Institute of St. Maarten is one of my follow-up priorities for our Justice chain. As such, it is one that remains on my vision board so that we will see it through step by step. With the introduction of our dynamic Course Coordinator to the Ministry, I look forward to the development of the much-needed courses as well as the working relationships that will be forged in order to take into account the needs and requirements of the Ministry.

The Law Enforcement Institute of St. Maarten will be part of the Ministry of Justice and situated where the former Soremar car dealership once stood and operated. The Ministry of Justice stands for a justice system that exemplifies fairness, integrity, law and order and enables a safe and more progressive St. Maarten. The Ministry of Justice seeks to have professional personnel at all levels of the ministry and strives to invest in their professional and personal development. In order to realize this goal, the Law Enforcement Institute will coordinate the development, planning and implementation of educational programs for all law enforcement personnel and provide (accredited) training programs, training curriculum as well as training materials.

On March 2, the demolition works of the former Soremar Building in Cole Bay began, just 4 years after it was destroyed by Hurricane Irma in 2017. For quite some time, the dilapidated building has become an eye-soar and remains dangerous should St. Maarten experience another major Hurricane.

Parallel to working hard on establishing our own Law Enforcement Institute, we are working together with our Kingdom counter parts to have our Police, Customs, IBPS and Prison officers certified.

#### DJI trainers

In that regard it is noteworthy to mention that on March 2, 2022, an introductory meeting took place with trainers of the prison training institute of the Dutch Custodial Institutions Agency (*Dienst Justitiele Inrichtingen*, hereafter: DJI).

Upon my request the DJI trainers were invited to St. Maarten, to familiarize themselves with the Point Blanche prison and to assess what training curriculum needs to be established for the prison personnel. Also, in attendance at the meeting was the prison's HR-advisor, Mr. Richard Zijlstra who has been posted

by the Ministry of the Interior and Kingdom Affairs (hereafter: BZK), at the prison since November 2021 to assist in HR matters at the prison.

Discussions with the DJI prison training institute on training programs for St. Maarten prison personnel were started last year and have yielded positive results. The DJI prison training institute has proposed to provide similar training opportunities for prison personnel in St. Maarten as is provided in the Netherlands. The DJI prison training institute would design a tailor-made training for the prison personnel on St. Maarten, which, once completed, will certify the guards.

It must be recognized that prison work is complex and requires a variety of skills. Well-trained prison personnel is important so that prison staff are equipped with the knowledge, skills and attitude to perform their duties well and with respect for the rights and dignity of inmates. For this reason, it is of great importance that prison officers, current and new, are up to date with their knowledge and skills and should be provided the opportunity to continuously develop and enhance through further training.

The training provided by the DJI prison training institute covers topics such as self-defense, integrity, safety and security of staff and inmates, physical training, relevant legal regulations, positive communication and more. The training usually consists of minimum 8 and maximum 12 persons per group and takes about 6 weeks to complete. The first group will start their training course on May 9, 2022.

#### Customs Department

In November 2021, the Customs Department started with a training on Customs laws. The training course is currently in its final stage. In this course Custom recruits are educated about the relevant laws that Customs deals with on a daily basis. The course included modules on the *Wapen-, vuurwapenverordening*, *Grensoverschrijdende geldtransporten*, *Benzine accijns*, *Opiumlandsverordening* and the *Landsverordening op de In- uit- en doorvoer*.

During the training sessions, it became evident that the older Customs officers also require the training as a refreshment. This refreshment course will be done throughout this year.

This training course on Customs laws is only one part of the complete Customs training. The course coordinator is completing the Customs course curriculum. Once the curriculum is finalized, the other courses will be administered.

#### Graduations

The COVID-19 pandemic had a negative effect on the finalization of training courses within the Justice chain for the year 2020 and the beginning of 2021. But I am proud to state that in the period from May 2021 to February 2022, the Ministry of Justice had four graduation ceremonies and one inauguration ceremony.

On May 7, 2020, a class of 15 police officers graduated from their *Basis Politie Opleiding* (BPO). Later that year, on October 29, 2021, a class of 13 police officers from their BPO and only 4 months later KPSM added another 19 police officers to its ranks with the graduation the BPO Class of 2018.

On Friday, November 12, 2021, a certificate ceremony was held at the department of Immigration Border and Protection Services (IBPS). IBPS attained another milestone whereby 11 officers successfully completed their course of *PLM Praktijk Leermeester* (coaching, training and mentorship) and 6 officers completed their course of *PO Praktijk Opleider* (teach courses and prepare officers to do so as well).

The PLM/PO courses began on November 8, 2021 and were possible with the assistance of the Royal Netherlands Marechaussee (KMAR). These are two of the many courses included in the ongoing education curriculum between the Ministry of Justice and KMAR. The courses are tailor-made and designed to strengthen border control which stems from the mutual agreement on strengthening border control.

During their training in the Netherlands, KMAR operates based on the ideology of "train the trainer," as such, this principle was adapted so that officers of the department of IBPS become skilled and equipped on how to train their colleagues.

One of the primary goals of the department of IBPS is to increase the overall knowledge of each officer so that they may carry out their task efficiently. As such, the community can take pride knowing that 17 of our immigration officers remain committed and dedicated to moving St. Maarten forward in the safest manner possible.

With the enforcement of immigration laws under high implementation the department of IBPS intends to continue to train its personnel to the highest possible level. These trainings ensure that immigration officers remain prepared to protect our borders at all times.

On Wednesday, February 16th, 2022, I had the privilege to swear in six (6) prison officers and one civil servant at the Prison and House of Detention Sint Maarten.

That inauguration day was long overdue and a longtime coming, but it finally came. Despite the length of time, the changes and the missed promises, on this day, the class of 2012 and 2014 finally crossed the proverbial stage, were recognized and officiated to be known as a prison officer. In spite of the delays, these officers remained committed and in service to the facility, the residents and the community of Sint Maarten and for that, as Minister of Justice, I am grateful.

There was much anticipation for the long-awaited swearing in ceremony. The prison is often seen as the forgotten child, and the staff have been neglected for years. The prison has been one of my main priorities and I will continue to fight for the urgent improvements needed within the entire prison system.

The prison officers took their oath at the prison facility in Point Blanche and received their official statutory declaration.

With the Course Coordinator in place more and more graduation ceremonies will be taken place in the future. I am looking forward to attend all of them in the next two years. Starting with a graduation of the Custom Department at April 8, 2022.

## COOPERATION

Another recurring theme in the recommendations made by the Council in their report relate to improving cooperation structures. That is structures within our own Ministry, with other Ministries and within our Kingdom.

The Ministry of Justice acknowledges the importance of strong cooperation structures and is committed to stimulate but also initiate these strong structures. Below some several examples are given of initiatives by the Ministry to create or maintain these strong structures on all different levels.

### *Cooperation within the Justice chain*

From July 12 - July 14, 2021, a Justice Conference commemorating Justice Week 2021 at the Simpson Bay Resort was held. The conference served as an opportunity for each department and external partners of the Ministry to discuss topics related to their operations which included their legal basis, year plans, the budget, challenges, plan of actions aimed at improving the functionality and effectiveness of same. Present at the conference was the Coast Guard, Court of Guardianship, the Police Force of St. Maarten, National Detectives, Customs, the Admissions and Expulsions section of the Immigration Department, Financial Intelligence Unit St. Maarten and the Foundation Judicial Institutes St. Maarten (SJIB).

During the three-day conference, each department delivered presentations to a selected panel tasked with providing critical and structured feedback based on the agenda points. The panel consisted of Member of Parliament and Second Chair of the Parliament Justice Committee, the Honorable George Pantophlet, Former Lieutenant Governor who is currently St. Maarten's Representative on the Progress Committee Mr. Franklyn Richards, Former Lieutenant Governor and Former Minister of Justice, who is currently the Task Master for the Plan of Approach on the Protocol of Border Security Mr. Dennis Richardson.

The presentations delivered were elaborate and critical which is essential in giving a better understanding of the operations and laying the foundation for inter-department working relationships to be established.

The Ministry's Financial Controllers and Human Resource Officers were also present, giving departments an opportunity to dialogue and express the challenges they experience. Overall, this platform gave the departments a stage to understand how each other operates and the process of things. Ultimately and respectfully, all departments need each other to some degree to operate optimally.

By invitation, Secretary General Mr. Randolph Duggins and Ms. Aishira Cecilia legal advisor of the Ombudsman delivered a presentation that covered their services to St. Maarten, their experience and observations of the Ministry of Justice to date. The information shared was very enlightening and gave all attendees a better understanding of where they have an impact on society and where improvements are needed within their service and operations.

This conference has allowed for a lot of positive results for the various departments and agencies under the Ministry of Justice. I believe that through the dialogues and discussions that took place over the course



of the 3 days, we were able to establish better understanding of each department's operation and move forward with different ways of strengthening them. In order to be more effective in the way we manage going ahead, I hope that each department aims to adapt the feedback based on the insights relevant to their operation.

Justice Week 2022 will be held in second week of July. The week will consist of a large variety of activities in which the work of the Justice chain and its staff is celebrated. It is my intention to include activities such as a parade, a jubilee ceremony, sport competitions and of course also a Justice themed conference with international key note speakers into the program. These activities will be organized by the Justice Activity Committee. We are currently in the process of establishing this Committee and hope to have our kick-off meeting in the beginning of April.

#### *Inter-ministerial collaboration*

The Departments within the Ministry of Justice exist of work processes that are often linked to work processes or responsibilities of other ministries. Cooperation between the different ministries is imperative for functioning efficiently and effectively.

#### Joint controls

A very recent example of inter-ministerial collaboration and bundling forces in the interest of the country St. Maarten regards the controls of the multidisciplinary team.

On January 27, 2022 the multidisciplinary team embarked on a continuous operation to clean up the country's image whereby an increase in compliance would be the order of the day. The joint controls serve as a means to enforce compliance with residence and work permits, illegal substances, business licenses and to eliminate barkers in the Philipsburg area. These actions have not only been praised by the community but are now being questioned.

It is a fact that the benefits of a compliant society are, but are not limited to reduced legal issues, improvement in business operation efficiency and safety, enhanced public relations, fostering customers trust and better employee engagement and retention. Ignoring government-mandated regulations can be costly for businesses and the country at large.

The multidisciplinary team continued joint controls on February 2, in Philipsburg, on February 5, in St. Peters and on February 11, in Simpson Bay accompanied by controllers of SZV with the same objective; compliance. The results of which have been persons overstaying their limit in St. Maarten, employees performing business activities for an extended period of time without a work or residence permit, employers operating businesses without the updated or valid business licenses, persons carrying weapons in public and the abuse of employees by their employers who fail to pay their wage taxes or apply for a work permit for them as required by law.

The multidisciplinary team are executing their duties by law. With an expected 500,000 airline passengers and 1 million cruise visitors to St. Maarten by the end of 2022, now is the right time to carry out the joint



controls. As such, the overall joint controls will continue throughout various communities to ensure compliance.

#### National Youth Delinquency Symposium

In addition to the multidisciplinary team, initiative was taken by the Ministry of Justice in collaboration with the Ministry of General Affairs to strengthen the cooperation between stakeholders in the approach to juvenile delinquency by organizing the National Youth Delinquency Symposium.

On Monday, September 6th to Wednesday, September 8th, 2021, I hosted St. Maarten's first National Youth Delinquency Symposium with the theme: "A Call to Action; The State of Our Youth."

The Symposium served as an opportunity for all stakeholders involved in youth care and prevention of youth delinquency to discuss topics related to their operations within the field of the youth with an emphasis on youth delinquency.

As the Ministry of Justice continues to strive for the improvement of the Justice Chain, youth delinquency has remained an important aspect that warrants focused attention. The justice chain is the last resort where it pertains to the trajectory of the youth, meaning that by the time the youth have reached to this point, prior interventions, parental upbringing, and schooling have not had their intended impact. To exacerbate this, the youth delinquency network of St. Maarten is very limited due to scarce resources and capacity. Notwithstanding that there is a need to ensure that our youth are kept out of the penal system.

The consideration for this symposium was based on the need to establish a comprehensive system that supports at-risk youth (and their families). Moreover, youth delinquency warrants a layered approach to which government must ensure an array of initiatives are established to tackle this target group. This is achievable by utilizing and incorporating existing services, structures, agencies as well as capacity with the aim to reduce the number of youth in the Justice system and provide parents, youth service providers with alternative measures/programs and improve the network. The symposium highlighted the bottlenecks in the work method with at-risk youth and was a good start for clearing out those bottlenecks.

#### *Cooperation on Kingdom level*

##### JVO

Collaboration on Justice related matters on Kingdom level is structurally regulated through the Judicial Four Party Consultation (*Justitieel Vierpartijenoverleg – JVO*) that takes place twice a year. A large variety of Kingdom workgroups to stimulate strong working relationships within the Kingdom have been established through the JVO. Below a few examples of JVO workgroups that are currently in place and in which the Ministry of Justice St. Maarten actively participates in:

- Taskforce Detention
- Workgroup PIJ/TBS
- Workgroup administrative approach to subversive crime
- Project group data protection

- Project group information coordination
- Workgroup Mutual Regulation Immigration Services Chain (*Onderlinge Regeling Vreemdelingenketen*)

The Ministry recognizes the importance of strong working relationships with our counterparts within the Kingdom. Regarding the prevention of youth crime such a structural cooperation or joint approach within the Kingdom is lacking. For this reason, I initiated the establishment of the workgroup prevention of youth crime during the last JVO on February 24, 2022.

Due to COVID-19 pandemic the last two years, the JVO consultations were limited to virtual meetings. Although these virtual meetings have been of great value, everyone can agree that the strongest connections are made in person.

#### Work visits

To intensify the working relationship with our Kingdom partners and to make that personal connection with the Justice partners in Curaçao and the Netherlands, I paid a work visit to both countries last year with my cabinet. These two work visits have already proven to be of great importance in my quest to making structural improvements to the Ministry of Justice.

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Last week I had the opportunity to pay a work visit to Aruba as well. This work visit was once more very fruitful and my support staff and I built a good base for further collaborations with our different counterparts in Aruba.

The next JVO is scheduled to take place at the end of June in Bonaire. This will hopefully be the first live meeting since two years with the four Justice Ministers of our Kingdom. I have the intention to fully make use of the occasion to strengthen our working relationships even further and to include Caribbean Netherlands (the BES islands) in that as well.

In addition to cooperation within the Kingdom by means of the JVO and work visits, the country package has created a strong work relationship with Affairs BZK as well.

#### FINANCIAL MEANS

At the start of this letter, I have expressed my serious commitment in making structural improvements to the Ministry and to focus on a high rate of compliance to the recommendations of the Council. However,



it cannot be disregarded that the recommendations made by the Council have direct or indirect financial implications and that the financial situation of the Government is still fragile.

Therefore, I deem it necessary to place an emphasis on the department's annual plans based on the budget, specifically policy-based budgeting. The purpose of placing emphasis on policy-based budgeting is that it assesses that all annual outputs and budgets contribute directly to the achievement of clearly stated expected accomplishments and objectives (outcomes and impacts) of the Ministry for efficiency and effectiveness. This ensures that it minimizes any imbalances experienced by the different departments and ensures that a direct link is provided between what the goal is the output, activities, and the resources available to do so. But in addition to policy-based budgeting, new revenues must also be created to finance further improvements.

The Ministry of Justice is of the view that an increase in the fees for services or products provided by the Ministry will be essential in this regard. A first legal assessment for this has been carried out by the Ministry.

Another important focus point of the Ministry in this regard is the collection of fines. Together with the Public Prosecutor's Office, the Ministry of Finance and the Ministry of General Affairs, we will be exploring possibilities in the coming month to make the process of the collection of fines more efficient.

It must also be noted that BZK has made monies available for the realization of several measures in the country package. These available funds will make it more feasible to carry out the recommendations of the Council. This is especially the case for the prison (measure H.20 and H.21 of the country package) and IGD (measure H.11 of the country package).

#### COMMUNICATION

On several occasions, the Council has made recommendations to the Ministry of Justice and the Justice entities about improving internal and external communications structures.

I completely echo the essence of strong communication structures, especially in the intricate field of law enforcement. Regarding our internal communication, the Secretary-General and I have been stimulating and facilitating our departments to keep an open lines of communication with other departments and to share information where possible within the legal framework of data protection. We hope to further stimulate this by re-initiating the Justice newsletter.

In addition to that, we have been heavily focusing on providing accurate information to the public. This is currently done in the form of hosting our own website ([www.ministryofjustice.sx](http://www.ministryofjustice.sx)), the Government website, our Facebook page, awareness campaigns, radio interviews, press briefings and press releases.

#### POINT BLANCHE PRISON AND HOUSE OF DETENTION

In the period from 2013 to 2019 the Council published seven (7) reports about the Point Blanche Prison and House of Detention (hereafter: prison). These recommendations have been incorporated into the 2022 Action Plan of the Management Team and Program Team of the prison. Below an elucidation will be provided on that 2022 Action Plan. In addition, insight is given in developments related to the construction of a new prison as well as Electronic Monitoring.

#### *2022 Action Plan*

Although the prison underwent renovations in 2015, there has been a neglect for structural maintenance and repair work due to budgetary constraints and the lack of resources. Hurricane Irma further destroyed the facility, leaving it in an alarming state. Due to these constraints, the Pointe Blanche Prison has come under scrutiny of many overlooking bodies such as the progress committee, the law enforcement council and the CPT concerning but not limited to its infrastructural shortcomings. These bodies have shed light on the detention conditions of the facility and have recommended acute repairs to ensure that the prison facility meets the (international) requirements with regards to a humane detention facility and safe working environment.

In 2018 there was a positive turn of events in which, upon the request of the Minister of Justice in office at the time, the assistance of the Netherlands was provided in terms of prison development matters. The Custodial Agency (*Dienst Justitiële Inrichtingen - DJI*) from the Netherlands was requested to provide their expertise and conduct a holistic research on the prison in St. Maarten and produce a Detention Plan of Action on how to move improve the prison system in all aspects. The DJI team consisted of six employees with long-term experience in prison and forensic care. This exercise produced the following report: "A Safe Society: building a responsible and sustainable detention system on St. Maarten (2018-2023). This is a five-year action plan which includes improving the entire detention chain. Although the plan was produced, it remained challenging to get the project off the ground. The COVID-19 pandemic worsened the matter and made in nearly impossible to make any improvements on any level within the prison system.

#### The Netherlands

In September, 2021, together with my supporting staff, I visited a number of prison facilities such as the Youth Prison in Lelystad, penitentiary institution in Almelo, the Penitentiary Psychiatric Center section in PI Zwolle and a small scale adolescent facility in Amsterdam with the intention to open the door for new partnerships and support between both countries.

PI Almelo was selected as the prison to be visited due to its scale and size. It is one of the smaller prisons in the Netherlands that can serve as an example to St. Maarten and from which we can learn a lot due to its comparable capacity. Ton Golstein, the director of the prison, also formed part of the DJI group that came to St. Maarten to support the prison after hurricane Irma and produced the report mentioned above in 2018.

### Organization structure

It was quickly realized that a strong and stable team was a prerequisite to execute the 2018 Detention Action Plan effectively. A positive development within the prison organization structure is the permanent appointment of a prison director who can fully take up the prison director tasks and ensure the efficient operation of the prison. The selected has officially taken his position as of January 2022. In his first month he visited a prison in the Netherlands (PI Almelo) for training purposes. A new prison management team has also been put in place to support the prison director in all operations. In addition to the new prison management team, I formally requested the Dutch State Secretary of BZK in October 2020, for assistance regarding implementing the improvements needed within the prison system. This request was approved, from which a prison program team was established and deployed to St. Maarten since the last quarter of 2021. The prison program team currently comprised of two experts, that being a program manager and an HR-manager. The prison program team has been given the task to support the prison management in implementing the 2018 Detention Action Plan.

With these two teams set in place, alongside the assistance of the prison staff and the Ministry of Justice, steps can be made and have already been made in the positive direction towards improving the prison system on St. Maarten.

### 2022 Action Plan

The prison management team, the prison program team along with support from the Ministry of Justice have since then made great strides in tackling very acute matters within the prison system. The most recent development is the establishment of the 2022 prison month action plan. This plan is derived from the 2018 Detention Action Plan and covers 6 topics. It incorporates recommendations and measures from all monitoring bodies such as the progress committee, the law enforcement council, the country package and more. The 2022 action plan focuses on improving the six following areas:

1. safety and security;
2. buildings and terrain;
3. personnel matters;
4. inmate care and activities;
5. internal and external communication;
6. business operations.

As previously indicated the Council made a large number of recommendations since 2013 which are related to these 6 areas. Not all recommendations will be addressed separately in this letter. Instead, an overview of recent development related to the 2022 Action Plan is provided below.

#### *1. Safety and security*

- The fire alarm system has been repaired and is operational;
- The intercom installation has been repaired;

- The repair of the lightning protection system has been delayed because the contractor was no longer interested. We are currently looking for new interested contractors. This job in particular is quite intricate. Therefore, it is difficult to find the desirable expertise locally.
- The quotation process has been completed for all other security systems that need to be repaired. As soon as the BZK-funds from the 2022 program budget become available, further steps can be taken;
- The new entrance gate is fully operational;
- Updated house rules have been established by the director. They are currently being translated to French and Spanish;
- Preparations are being made to move the cell containers as they now block important view points.

## *2. Buildings and terrain*

- The public tender for the workshop and chapel are completed. The advice and decision are expected in the first half of April;
- In March/April an assessment will be carried out of the existing cells in Point Blanche prison and Police cells (HvB) in order to gain a better insight into the necessary improvements in view of international standards;
- Work has been done on obtaining furniture and other inventory from DJI. This is for, among other things, the furnishing of cells and for the day program. The formal request for assistance required for this is currently being processed.

## *3. Personnel matters*

- The new director (LB expected within short) Mr. Steven Carty has completed a traineeship in the Netherlands at the PI Almelo;
- Preparations for the certified basic training for prison officers is in full swing. Two trainers from the DJI training institute made a preparatory visit and the first group will start on May 9<sup>th</sup>, 2022;
- Substantial investments have been made in the collaboration with Med Works;
- The HR manager and the prison director have invested in an improved collaboration with SZV in the context of absenteeism protocols;
- The HR manager has been assisting the (remaining) prison HR administrative staff in order to combine forces as much as possible;
- A monthly SMO (social medical consultation) has been organized. Complex personnel files are discussed and monitored together with the Management Team and Med Works;
- Preparations are done for the introduction of a new function book.

## *4. Inmate care and activities*

- All prison cell wings are equipped with new 'water jugs';
- Five maintenance groups of inmates have been formed;

- A first air space is repaired and restored as a sports area;
- A second (large) airspace is now in progress of being repaired;
- The Gym is renovated and furnished with new equipment;
- The Computer room (classroom) is renovated and refurbished. Lessons will be starting mid-April;
- A pilot has been started for a new employment project: filling sandbags for hurricane shelters and other emergency facilities;
- Plans are made for the renovation of the large recreation room (including kitchen facility) and the small recreation room with pool tables;
- A plan is in preparation for improving library facilities;
- A plan is in preparation for the realization of an 'in-house workshop';
- A plan is in preparation for the start of the inmate work program in collaboration with the Ministry of VROMI;
- A temporary chapel facility is realized. The church services will start mid-April;
- Family Days were reintroduced. These will now take place once every three months.

Currently, 2200 hours of daily program per week for inmates have been realized. In the month of April, another 360 hours will be added and at the end of May, 500 hours will have been added. The total number of hours of the day program to be delivered is 3750 (according to Dutch standards). When the workshop is repaired and back in use, the total required hours can be achieved.

#### *5. Internal and external communication*

- A monthly consultation between Management and Inmate Association is restored;
- There is invested in strengthening the collaboration with the Dutch Ministry of Justice and Security, in particular DJI;
- Agreements have been made with the Chief of Police on improving the cooperation between the KPSM and the Prison. Part of this is an assessment of the prison cells.

#### *6. Business operations*

- Strengthen Planning and Control cycle is in preparation;
- Strengthen ICT is in preparation;
- First assessment of financial 'bleeders' Prison system is in preparation.

#### *UNOPS*

The Council published their report Detention capacity in 2013. The first recommendation to the Ministry of Justice is to create extra cell capacity. Although this recommendation originates from 2013, it is unfortunately still very accurate. However, we have taken important steps in this regard in the last 18 months.



Together with BZK discussions with the United Nations Office for Project Services (hereafter: UNOPS) have been ongoing for the last 18 months about the construction of a new prison for the country St. Maarten. In the (DJI) Prison Action Plan of 2018, calculations were made regarding the desirable cell capacity for St. Maarten. UNOPS has incorporated these calculations in their project proposal. Having said that, the definite desirable, necessary and feasible cell capacity for the new prison still has to be determined during phase 1 of the project.

The project proposal shows that the entire project will be divided over several years and will consist of two phases. Phase 1 is projected at 13 months and Phase 2 is estimated at 48 months.

Phase 1 will include project mobilization and strategic management planning for the project, as well as assessments, design and procurement preparations for the transitional and long-term facilities. These deliverables will need to be brought into line with the activities of the Prison Action Plan 2018 that are already being implemented. The outcomes of Phase 1 will determine the technical and financial conditions for the successful implementation of Phase 2.

I am eagerly anticipating reaching a final agreement with the Netherlands and UNOPS on this project and sharing the details of said agreement with Parliament.

#### *Electronic Monitoring*

Several recommendations made by the Council in their report "*PI: interne- en maatschappijbeveiliging*" of 2017 and the review report in 2019, are linked to making improvements in the execution of electronic monitoring.

In this regard, I am proud to announce that on Monday, January 10, 2022, I signed a three-year contract with a new Electronic Monitoring (EM) provider company named Buddi Ltd.

Buddi Ltd. is a company based in the United Kingdom, with extensive experience around the globe in the field of EM equipment (ankle bracelets) and monitoring software. The procurement of this contract was realized by a public tender procedure in which different stakeholders in the Justice chain had an important role in the evaluation of bids. The starting date of the contract was February 1, 2022, and consists of the lease of 20 ankle bracelets. This means that the number of ankle bracelets that can be used is now doubled compared to the previous capacity.

I am grateful to the Ministry for having finalized this process that will allow for less pressure on our Justice chain. In finding innovative solutions for the corresponding Justice institutions to carry out their tasks this is a step in the right direction. Whilst the construction of St. Maarten's new prison and an enhanced rehabilitation facility remains one of my top priorities, this contract for 20 ankle bracelets allows for a less populated Pointe Blanche prison.

EM is a multifunctional tool that can have a strong impact in the field of crime prevention, the protection of victims as well as rehabilitation and reintegration of offenders. Based on our legislation, EM can be

used in different stages of a criminal process. That is in the early stage in the process, as a special condition of the suspension of pre-trial detention. The magistrate judge can, in their authority, or upon the request of a lawyer or the prosecutor, decide to suspend pre-trial detention. The severity of the alleged offense and the possible risk for society of releasing a suspect on pre-trial detention on EM is taken into consideration when deciding on EM for the suspension of pre-trial detention.

EM can also be used as a special condition attached to a (partly) conditional sentence imposed by the court. It is the judge who decides on the sentence and the conditions of a sentence. Therefore, it is also the judge who decides if EM is a suitable special condition in relation to the crime committed. In the final stage of the criminal process, EM can be used as a special condition of (early) conditional release (VI). In general, a detainee can be eligible for VI after two-thirds of their irrevocable sentence. Due to the lack of cell capacity at the Pointe Blanche prison, EM is currently regularly used in cases of early VI. However, an inmate does not have a legal right to be released early on VI with an ankle bracelet. The behavior of an inmate during detention can for example have an impact on a decision to grant early VI with EM.

In addition to the new EM provider the cooperation process between the entities who have a role in the EM process (prison, Public Prosecutor, KPSM, SJIB and Court of Guardianship) has been reviewed and improved. The Court of Guardianship is now also an official partner in the established new covenant. With these two accomplishments, the recommendations of the Council regarding EM have been completely fulfilled.

#### **KORPS POLITIE ST. MAARTEN (KPSM)**

It can be stated that the management and the policy officers of KPSM are actively working on the recommendations made the Council in the past years. The Council is currently in the process of carrying out the third part of their general review. In this part of the general review, the compliance to the recommendations of several KPSM-related reports: investigation process detectives, approach to robberies, criminal seizure and forensic investigation. To avoid contaminating the assessment process of the Council, a response to these recommendations will be provided to Parliament once this general review has been completed by the Council. A few relevant developments will however be addressed in this letter.

#### ***Police Substation Cul de Sac***

Based upon the 2011 Census, the district of Cul de Sac comprises the 3rd largest of the 8 districts of St. Maarten, measured in terms of population size and the number of dwellings. Furthermore, the district contains the largest number of schools, especially secondary schools, in St. Maarten, as a result of which, the large majority of school children on the island travel by bus or otherwise on weekdays to and from this district. The latter results in the highest density of young persons within the district in peak hours of a given weekday, with accompanying traffic congestion. There are also many businesses established along the main roads in Cul de Sac.

As the Ministry of Justice continues to seek methods of becoming more efficient, collaboration with other institutions remains of utmost importance to maintain order and a safe St. Maarten for our community

and visitors. With the establishment of a Police Substation in the Cul de Sac area, our Police force will be empowered to tackle youth delinquency and reduce the number of frequent incidents of police calls to this district. As such, the Government is willing to enter into a lease-to-own agreement for a suitable property with financial entity, as a means of bridging over the current lack of investable funds until the Government has the financial capacity to carry this investment on its own.

Ideally the property acquired will not only include a suitable location for a Police Substation but will also have classrooms which could be used by Justice Departments for training courses and apartments which could be used for various needs of residential space within the Ministry of Justice.

In 2022 the Ministry of Justice hopes to come to an agreement with a financial institute for the purchase of a property under a lease-to-own agreement with the Government, with the understanding that the property will be developed (repurposed) by Government as the Justice Substation for district Cul de Sac.

#### *Police Complaint Committee*

The Council published an inspection report about violence by and against the Police in 2014 and 2019. One of the outstanding recommendations of the Council for the Ministry in these report regards establishing the Police Complaint Committee in accordance with the National Ordinance Complaint Committee Police Actions ([Landsverordening Klachtencommissie Politieel Optreden<sup>2</sup>](#)).

On a regular basis, the Ministry receives (in)formal complaints of the public about the conduct of a police officer. Therefore, I recognize not only the added value but also the urgent need of an independent body that can process submitted complaints about the conduct of police officers (and extra-ordinary police officers) next to the already existing complaint mechanisms of the Bureau Internal Affairs of KPSM, the Ombudsman and the Court.

Hereby I would like to inform you that the first several formal steps as described in the aforementioned Ordinance have been taken to establish this Police Complaint Committee. The selection process for the first three members of the Committee has been finalized together with the Attorney-General and we are currently in the process of appointing the members of the Committee by National Decree. Once the establishment of the Committee and her members is formalized, the public will be informed about this as well as the manner in which complaints about the conduct of Police officers can be submitted.

#### **IMMIGRATION AND BORDER PROTECTION (IBP)**

In 2013 and 2017 the Council has carried out an inspection on the movement of persons in the countries which form part of its authority. Border control serves to control who travels into and out of the country and whether the person complies with the conditions. Well executed border control can prevent illegal migration and take care that undesired foreigners cannot enter into the country. For several reasons investigation to this end is of importance for St. Maarten. Through its relative prosperity St. Maarten is an

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<sup>2</sup> AB 2013, GT no. 335

attractive country for illegal immigration from surrounding countries. Through the presence of an international airport and the many bays St. Maarten offers countless opportunities to bring persons and goods on land. The consequences of a faltered border control among other things are the increasing costs for public works, health care, social security, safety and not in the last place overpopulation. The great offer of cheap undocumented workers raises unemployment, namely among young people, and limits the income for the treasury. For the aforementioned reasons the organization and execution of the border control on the movement of people in St. Maarten has been inspected, whereby the border control at the airport as well as in the inland waterways, the territorial sea and harbors was a part of the inspection. It has also been described how the authority for the execution of border control and the decision making of the refusal for admission has been regulated in practice and in the laws, regulations and plans. Further, the cooperation has been tested between the services and organizations which are involved in the border control and the cooperation between the countries of the Kingdom. Finally a look was taken at the contribution which the border control provides to combatting of human trafficking and human smuggling.<sup>3</sup>

Recommendations made by the Council to the Ministry regarded amongst others the legal status of the Border Protection Service.

In the first months of my tenure, I conducted a thorough review of the Ministry, its respective departments, and the legal structure. While reviewing the legal structure of the Police Force of St. Maarten it became apparent that having the Border Protection and Mobile Unit under the Police Force was not in accordance with the National Ordinance (LIOL). In addition, it was noted that the execution of Immigration tasks could be carried out more effectively if these tasks were placed back under the Immigration Department. An extensive study into the department found that a Landsbesluit (Lb), Landsbesluit houdende algemene maatregelen (LBham) and a Memorandum of Understanding (MOU) that were created in 2017 are actually in conflict with the LIOL as it is written.

Since March 1, 2021 the Border Protection and Mobile Unit have been placed back at the Immigration Department. Together with the implementation of the Function Book, the legal status of the Border Protection and Mobile Unit will be strengthened.

#### *Collaboration with the Ministries of VSA and TEATT*

In these same two reports of the Council, recommendations were also made about intensifying and combining work processes with the Ministry of VSA.

On Friday 27th, 2021, the Ministries of Justice, VSA and TEATT met to lay the foundation of establishing a working agreement or covenant to tackle the various loopholes used to defraud the system to acquire certain things like residency permits. Ministers' support staff and relevant department heads engaged in a highly-anticipated meeting to identify issues within the labor and immigration system that allows persons coming to the island to abuse the system and acquire residency. The meeting served to introduce certain talking points and discuss the way forward with the intention of developing a joint covenant

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<sup>3</sup> [Report Grenscontrole op het personenverkeer](#)

between all three Ministries that will tackle many aspects such as the employment-related immigration matters from the Ministry of Public Health, Labor and Social Development (VSA) and the abuse of the Business Director's License from the Ministry of Tourism, Economic Affairs, Traffic and Telecommunication (TEATT) to acquire residency.

A covenant was first created in 2020, between the Minister of Justice and the Minister of VSA to cooperate on issues affecting both the labor and immigration systems. A task force was developed with representatives from both ministries to enhance the coordination and work relation specifically between the Immigration and Border Protection Services (Justice) and the Division of Labor, Affairs and Social Services (VSA) on employment-related immigration and to specifically address the ongoing issue whereby employers are employing persons who are not legally registered on the island. Representatives of the Ministry of TEATT were also invited to specifically discuss the misuse of the Business Director's licenses that persons are requesting in order to acquire residency status on the island.

The issue of the abuse of the Director's license for residence purposes is an on-going issue. Persons are paying for Directors' licenses but the physical businesses are non-existent. The individuals continue to pay for the renewal of these licenses which is completed at the Receivers Department and not at the Ministry of TEATT. For this reason, the Government of St. Maarten led by the three respective ministers are moving forward to have a covenant established to continue to tackle this issue in a holistic manner.

#### *Strengthening of the border control (versterking grensbewaking) St. Maarten*

The strengthening of border control was incorporated as a measure in the country package (H.11). It consists of a collaboration between the Customs, the Immigration and Border Protection Service, KPSM, the Coast Guard, the Royal Netherlands Marechaussee, the Public Prosecution Service and contact is maintained with the Customs Netherlands. A significant reinforcement was achieved for St. Maarten on the basis of the Mutual Regulations for the Reinforcement of Border Control St. Maarten (*Onderlinge Regeling Versterking Grensbewaking - ORVG*).

The focus in this measure is on the strengthening and improvement of the supervision of the national borders of St. Maarten, which takes place in three domains, namely on land, in the air and maritime (at sea). Within these domains, three main processes can be distinguished: enforcement, investigation and intelligence and all what is needed to further strengthen the processes and cooperation.

In connection with the reconstruction of St. Maarten after the devastation of hurricane Irma in 2017, agreements were made between St. Maarten and the Netherlands about border control. These agreements are laid down in the ORVG mentioned above. The resulting plan of approach from 2018 and the results already achieved formed a good starting point for the reinforcement proposals in the Plan of Approach. This Plan of Approach therefore regularly refers to the ORVG process. In addition, in formulating the project proposals, grateful use was made of the many recommendations made by the Council in recent years, including in the field of information exchange, chain cooperation, detention facilities and the functioning of the various law enforcement agencies.

The final version of the draft Plan of Approach was submitted to BZK on 5th November 2021 and approved on 9th November 2021 by BZK.

#### *Holding facility – Grenshospitium Simpson Bay*

Regarding the recommendations made by the Council about the detention facility for Immigration purpose, I can inform you that on August 25, 2021, the Simpson Bay holding facility, was placed back by ministerial decree, under the authority of the Immigration department. The facility is now again used for the original purpose, that is as a holding facility for immigration detainees. The Ministry has renovated the facility with necessary workings to make it functional.

#### **FOUNDATION VICTIM SUPPORT SERVICES**

The Council published in 2012 their first report about victim support. In 2019 a review report was published. One of the most essential recommendations for the Ministry of Justice in these reports was to establish a victim support bureau.

On Wednesday, September 8, 2021, the Victim Support Services Foundation (VSS) was officially established under my leadership. The Foundation's board members include Ms. Cassandra Richardson as President, Ms. Roxanne Howell as Treasurer and Mr. Isaac Harold Richardson as Secretary. VSS was established to supervise victims of life crimes, serious car accidents, burglaries/break-ins with heavy violence/force or with the use of a firearm (or other weapons) and will mainly function in close collaboration with three official bodies to ensure the proper functioning of the foundation: namely, the Ministry of Justice via the SJIB Probation Service, the Public Prosecutor's office and the KPSM.

I am elated for the establishment of the much-needed Victim Support Services Foundation. This is a step in the right direction and a milestone for the community of St. Maarten. For many years, such a foundation or support platform has been a void in our community. As I kept hearing the many stories of persons who have been through a traumatic experience, I ensured that this initiative remained one of the Ministry of Justice's top priorities. I have total confidence in the board of individuals who are well aware of the needs of the foundation. They will undergo training to ensure the foundation is functioning at the level needed to provide optimal service.

The VSS Foundation is currently in the process of establishing its working protocol which will serve to map out the tasks and standard operating procedures of the organizations and entities involved. It will also describe and streamline the work processes with regard to victim support from the start of the criminal process (reporting of a criminal offense) to the end (the execution of the perpetrator's sentence), so that victims are properly and efficiently assisted at every stage of the criminal proceedings process. The various aforementioned organizations already assist victims in practice in various areas; from providing general information to referring the victim to professional institutions. This care, and with it the range of duties, is expanded with the present of a working protocol for VSS.

In most cases, KPSM is the first official body in the criminal justice chain that the victim comes into contact with. The victims come to KPSM after filing a report or after the police arrives on the scene of the crime. KPSM provides initial and practical assistance, with an emphasis on providing information and making victims aware of their various rights. KPSM focuses mainly on acute assistance to victims and on tracing criminal offenses and is impartial in this respect. The responsibility of the KPSM starts at the start of the criminal proceedings and in principle continues until the moment the case is transferred to the Public Prosecutors Office. This is the case if the suspect in question is detained or the final report is sent by KPSM. Public Prosecutors Office.

The Public Prosecutor applies criminal law on behalf of society with an open mind and is therefore not an assistant, counselor, conflict mediator or agent for the victim. The Public Prosecutor acts in its role as a magistrate and is impartial. In addition to the interests of individual citizens (victims), the Public Prosecution also stands for collective values such as the rule of law and the integrity of society. The Public Prosecutor is clear about this in communication with the victim.

The basic principle for the Public Prosecutor in its services to victims is active reciprocity. This means that the Public Prosecutor can only properly provide a service to the victim if the victim (whether or not supported by assistance or legal advice from others) does his share where possible. The responsibility of the Public Prosecutor starts at the moment of the suspect's detention or submission of the final report and continues up to and including the execution. The Public Prosecutor also has a role in the care after the criminal case has been concluded.

#### SJIB (Probation Services)

The goal of the probation office is to contribute to a safe society by preventing as much new offense behavior from probation clients as possible. The probation service can be involved in victim support in the following areas:

- mediating between the perpetrator and the victim with regard to reaching a compensation agreement;
- conflict mediation between offender and victim, if the victim would like this;
- reporting (on behalf of the victim) to the KPSM / Public Prosecutor of the violation by the offender of the conditions imposed on the victim related to a suspension of pre-trial detention, parole or a court decision. In case of domestic violence, a contact or location ban can be advised and imposed, which can be monitored by means of an ankle bracelet (electronic surveillance). The victim is informed of this

In preparation for the establishment of the foundation, the President of the Board Cassandra Richardson attended a conference at the Acoya Resort in Curacao on August 26, 2021 whereby the theme concerned the sexual assault of and preying on minors. Three presenters discussed topics geared towards the prevention and overcoming of victimhood in incidents where children are targeted. Discussion topics included EMDR therapy and overcoming sexual abuse, predators of the internet and signs for detection, and lastly, interview tactics performed by police with victims of crime.

The intended audience were those involved in providing emotional support and care to victims such as front-line workers and social workers and persons working with victim support services. The event was well attended by professionals from all six islands. The attendance for St. Maarten was especially noteworthy with the newly established victim's support services. The coordinators of the event premiered a film concerning what to expect from departments of justice such as police and prosecutor's office for persons who are victims.

President Cassandra Richardson built most of her academic and working career in the United States and Canada, respectively. She holds a bachelor's degree, double majoring in Communications with an emphasis in Journalism and Environmental Science from the University of St. Catherine's in St. Paul Minnesota, and two master degrees, one in Social Work and the other in Communication and Social Justice, both from the University of Windsor in Windsor Ontario, Canada. Ms. Richardson served as Executive Director of the Safe Haven Foundation, a domestic violence shelter for women experiencing intimate partner violence. She also filled the position of counselor and therapist to women and their families that are victims of domestic violence. She is an educator on gender-based violence, an advocate for gender equality and children and youth rights in her St. Maarten community and is a proponent for access to programs and opportunities alleviating the poverty of vulnerable groups.

Mr. Isaac Harold Richardson has served on the boards of various education, political and religious organizations and he looks forward to working and being a part of the VSS because it has to do with victims; people who have been violated or who have no one to speak on their behalf. Mr. Richardson brings a heart of compassion and love for people in general. Whatever it takes to encourage and let people know that there is hope at the end of the tunnel, he stands ready to serve them.

Ms. Roxanne Howell holds a Bachelor of Business Economics in Financial Accounting and brings with her 20 years of experience in the financial sector. She has been working for the Government of St. Maarten for the past 10 years as the Financial Controller for the Ministry of Public Health, Social Development and Labor and now serves as the Concern Controller for the Ministry of Finance per June 2021. Ms. Howell believes that the VSS foundation is a great initiative as many times people go through certain experiences and tend to forget the trauma that comes afterward. During a traumatic experience, it's imperative that victims have the support that they are able to access and rely on. She trusts that with the establishment of VSS, this platform will now allow victims to be heard.

In February of this year the Ministry of Justice together with VSS launched the management and staff positions of the foundation. They are currently in the process of assessing the submitted applications for the positions. Soon a call for volunteers will also be published. The staff and volunteers will undergo training in order to be equipped in dealing with traumatic situations for their clients. The community may look forward to more information and being advised as soon as the VSS website is launched. The VSS Foundations will become fully operational in 2022.

That concludes my Ministry's response to the recommendations made by the Law Enforcement Council during the years. And although, I am completely aware of the fact that these responses are serious



overdue, I also hope that the information provided is appreciated and valued by Parliament as well as the Council herself.

The Ministry of Justice is committed to providing responses to Parliament on future reports of the Council within the set legal timeframe. Parallel to that I will be keep pushing myself and my staff to consistently work on making improvements to our Ministry as well as ensure compliance to the recommendations of the Council.

Yours Sincerely,



MINISTER OF JUSTICE  
Anna E. Richardson