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REPUBLIC OF TRINIDAD AND TOBAGO

HRED

ELEVENTH REPORT OF THE

JOINT SELECT COMMITTEE ON

HUMAN RIGHTS, EQUALITY AND DIVERSITY

FOURTH SESSION OF THE ELEVENTH PARLIAMENT (2018/2019)

on

Status of the Implementation of the Recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Treatment of Child Offenders

Committee Mandate

The Joint Select Committee on Human Rights, Equality and Diversity was established under House of Representatives Standing Order 106 and Senate Standing Order 96 and shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to:

(a) compatibility of Acts of Parliament with human rights, and any matters relating to human rights in Trinidad and Tobago (but excluding consideration of individual cases);
(b) Government compliance with national and international human rights instruments to which Trinidad and Tobago is a party;
(c) the promotion of measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all peoples including marginalized groups on the basis of gender, age (elderly, youth, children) disability and the creation of an inclusive and more equitable society through greater social justice and sustainable human development within Trinidad and Tobago.

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Table of Contents

EXECUTIVE SUMMARY 7
BACKGROUND 10
Child Offender 11
Changes to Rehabilitation Centres 11
International Instruments 12
Recent Legislation pertaining to Child Offenders 12
***The Children's Court Rules, 2018* 12**
***The Children's Community Residences Regulations, 2018* 13**
Rationale for the Follow-up Inquiry 14
Conduct of the Inquiry 15
EVIDENCE 16
Statistical Evidence 16
Objective: To determine the status of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity, into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders. 19
FINDINGS AND RECOMMENDATIONS 41
Objective: To determine the status of the recommendations of the 2017 Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders. 41
Rehabilitative Programmes 41
Children's Registry (CRDV) 42
Complaints Handling System 42
Human Resources to support Rehabilitative Programmes 43
Strategic Plan 44
New Policy Initiatives 44
Recommendations 45
Other Findings and Recommendations 46
Missing Children 46
Areas of Compliance: Child Rehabilitation Centre Guidelines 46
APPENDIX I MINUTES 49

APPENDIX II VERBATIM 55
APPENDIX III 75
Compliance with Child's Rehabilitation Centre Regulations, 2017 75

LIST OF ABBREVIATIONS

CATT	**Children's Authority of Trinidad and Tobago**
IGOVTT	**National Information and Communication Technology Limited**
MCDCA	**Ministry of Community Development Culture and the Arts**
MNS	**Ministry of National Security**
NCR	**National Children's Registry**
OPM	**Office of the Prime Minister**
PMCD	**Public Management Consulting Division**
SASC	**Statutory Authorities Service Commission**
SMIRCYMO	**St. Michael's Interim Rehabilitation Centre for Young Male Offenders**
SJIRCYFO	**St. Jude's Interim Rehabilitation Centre for Young Female Offenders**
TTPrS	**Trinidad and Tobago Prisons Service**
UTT	**University of Trinidad and Tobago**
YTRC	**Youth Transformation and Rehabilitation Centre**

LIST OF TABLES

Table 1: Legislation pertaining to the Detention of a Child 12
Table 2: Legislation pertaining to Community Residences 14
Table 3: Officials Attendance List 15
Table 4: Nature of Complaints received by child offenders 17
Table 5: Areas of YTRC's Non-Compliance with 18
Child Centre Rehabilitation Regulations, 2017 18
Table 6: Status of Recommendations 19
Table 7: Challenges associated with the implementation of the 44
Children's Community Residences (Rehabilitation Centres) Regulations, 2018 44
Table 8: List of outstanding works to be completed at the YTRC 46

LIST OF APPENDICES

Appendix I **Minutes**

Appendix II **Verbatim Notes**

Appendix III **Areas of Non-Compliance with the Child Rehabilitation Centre Regulations, 2017**

EXECUTIVE SUMMARY

1.1. The Committee resolved at its Twenty-First Meeting held on September 14, 2018 to conduct an inquiry into the status of the implementation of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity into the treatment of child offenders and agreed the following objective would guide the inquiry:

- **To determine the status of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity, into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders.**

1.2. The Committee agreed that the Ministry of National Security, Statutory Authorities Service Commission (SASC), and the Office of the Prime Minister (OPM) were to be invited to a public hearing on December 07, 2018.

1.3. The Committee obtained both oral and written evidence based on the objective listed above.

1.4. The Committee submits its **Findings** and **Recommendations** with respect to the status of the recommendations of the 2017 Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Treatment of Child Offenders in **Chapter 4.** The key findings and recommendations are:

I. The Committee noted the implementation progress of the twenty-five (25) recommendations given by the Committee in the 2017 Report. Ten (10) were completed and five (5) were on-going out of the twenty-five (25) recommendations. Due to the closure of the SMIRCYMO and SMIRCYFO, ten (10) of the twenty-five (25) recommendations were no longer applicable to child offenders.

II. The Committee noted that the Children's Registry was currently at the build phase.

- **The Committee recommends the completion and implementation of the Children's Registry by fiscal 2020.**

III. The Committee noted that the YTRC is in the process of recruitment of specialised staff and recommends the urgent employment of ten (10) psychologists, two (2) pharmacists, one (1) special education teacher, three (3) primary level teachers and three (3) secondary level teachers in addition to supplementary welfare officers and female infirmary staff by the end of fiscal 2019.

- **The Committee recommends the recruitment of the additional specialised staff by December 2020.**

IV. The Committee noted the absence of a YTRC Strategic Plan and recommends that one be drafted and approved by the end of fiscal 2019 and include the implementation of an internal post-release monitoring programme for offenders exiting the rehabilitation centre.

- **The Committee recommends the drafting and approval of a YTRC Strategic Plan that is inclusive of a post-release monitoring programme for offenders exiting the rehabilitation centre.**

V. The Committee noted that infrastructural works were on-going at the YTRC and recommends its completion by the end of fiscal 2019 on the upgrades to the technical/vocational building and equipment, food services, reflection unit and completion of dormitories.

- **The Committee recommends the completion of infrastructural works in keeping with Regulations 11-13 of the Child Rehabilitation Centre Regulations, 2017; specifically with respect to the dormitories and upgrades to the technical/vocational building and equipment, food services and reflection unit by January 2020.**

VI. The Committee also noted that the following areas of compliance with the Child Rehabilitation Centre Regulations, 2017 were outstanding.

a) Appointment of Advisory Board and convening of discharge committee;
b) Quarterly reports on the residents' health being sent to the Prison Medical Officer;
c) Forms granting permission for residents to leave the facility be made available; and
d) Should an intimate search be conducted that it is performed in accordance with Regulation 62 of the Child Rehabilitation Centre Regulations, 2017.

- **The Committee recommends the following by December 2020:**
    - **The appointment of the Advisory Board and convening of the discharge committee;**
    - **The submission of quarterly reports to the Prison Medical Officer;**
    - **The provision of forms for residents to leave the facility; and**
    - **The conduct of an intimate search be carried out in accordance with Regulation 62 of the Child Rehabilitation Centre Regulations, 2017.**

BACKGROUND

2.1. The Third Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Examination of the Treatment of Child Offenders at the Youth Training Centre, St. Michael's Interim Rehabilitation Centre for Young Male Offenders and St. Jude's Interim Rehabilitation Centre for Young Female Offenders was presented in the Senate and the House of Representatives on January 31, 2017 and on March 02, 2017 respectively.

2.2. The inquiry objectives were as follows:

i. **To evaluate the implementation of the physical, infrastructural and management recommendations within the following Reports:**

- ✓ **Second Report of the Child Protection Task Force, 2012;**
- ✓ **2014 Parliamentary Committee Report on the Statutory Authorities Service Commission;**
- ✓ **2002 Final Report of the Cabinet Appointed Task Force on Prison Reform;**
- ✓ **2013 Report , "No Time to Quit" by Prof. Selwyn Ryan;**

ii. **To evaluate the extent to which YTC and SJIRCYFO and SMIRCYMO are fulfilling their aims and objectives;**

iii. **To examine the difference in treatment between female child offenders and male child offenders.**

2.3. During the initial November 04, 2016 public hearing, the Committee examined officials from the Ministry of National Security and the Office of the Prime Minister. The Committee also received three (3) submissions from Non-Governmental Organisations.

2.4. In April 2017, the Committee received Ministerial Responses from the Ministry of National Security, Office of the Prime Minister and the Statutory Authorities Services Commission. Follow-up questions based on issues from the Ministerial Responses were circulated for additional information from the Ministries and same was received. These documents constituted the core information that informed the Committee's assessment

of the recommendations of the Third Report on the Examination of the Treatment of Child Offenders.

Child Offender

2.5. A child offender is defined as a child who has been convicted of a criminal offence[1]. Children rehabilitation centres accommodate children charged and remanded by the Court and convicted child offenders serving a period of detention ordered by the Court.

Changes to Rehabilitation Centres

2.6. The partial proclamation of the Family and Children Division Act, 2016 on May 17, 2017 and February 28, 2018 effected significant changes to the legislation governing this inquiry topic. In particular, the changes to the Young Offenders Detention Act, Chap.13:05 (the short title was amended to Child Rehabilitation Centre Act) transformed YTC into the primary placement facility for child offenders. This Act formalised the Family Court of Trinidad and Tobago which previously operated as a pilot and introduced the Children's Court, which revised the manner in which children in conflict with the law were to be treated in the judicial system.

2.7. Prior to April 13, 2018, female child offenders were housed in the St. Jude's Interim Rehabilitation Centre for Young Female Offenders (SJIRCYFO) located in a secured facility on the compound of St. Jude's Home for Girls under the remit of the Office of the Prime Minister. The SJIRCYFO was decommissioned on April 13, 2018 as a result of the Child Rehabilitation Centre (Designation) Order, 2018 which transferred the responsibility of the rehabilitation of female child offenders to the Trinidad and Tobago Prison Service, Ministry of National Security.

[1] Schedule 5 of the Family and Children Division Act, pg 77. http://www.ttparliament.org/legislations/a2016-6.pdf

2.8. On May 15, 2017, the Youth Training Centre (YTC) was designated a Child Rehabilitation Centre in accordance with Section 2(1) of the Child Rehabilitation Centre Act, Chap. 13:05 pursuant to the Child Rehabilitation Centre (Designation) Order, 2017. Thereafter, the SMIRCYMO was decommissioned in September 2017.

International Instruments

2.9. International instruments has helped to guide the local legislation with respect to establishing the rights and framework that should be provided for the detention of juvenile offenders in the creation of the YTRC, principally articles 18, 24, 25, 41, 42, 43, 79, 84 and 85 of the United Nations Rules for the Protection of Juveniles Deprived of their liberty adopted by General Assembly resolution 45/113[2].

Recent Legislation pertaining to Child Offenders

The Children's Court Rules, 2018

2.10. The Children's Court Rules, 2018 applies in any criminal matter in which a child is charged, the attendance of the child in Court is required[3] and governs how the law treats with child offenders to ensure that their rights and status as children are considered and respected. Legislation pertaining specifically to the detention of a child as provided for in the Children's Court Rules, 2018 is listed in Table 1.

Table 1: Legislation pertaining to the Detention of a Child

CHILDREN'S COURT RULES 2018[4]	
Granting of Bail	**Rule 9.4-** In considering whether to grant bail to a child, the Court may take into consideration: a) the nature of the alleged offence; b) the age of the child; c) any assessments which have been conducted; and d) any relevant reports.

[2] United Nations, "United Nations Rules for the Protection of Juveniles Deprived of their Liberty," 1990. Accessed on February 08, 2019. http://www.un.org/documents/ga/res/45/a45r113.htm
[3] Children's Court Rules, 2018.Accessed: April 17, 2019: http://www.ttlawcourts.org/index.php/component/attachments/download/5504
[4] Children's Court Rules 2018. Accessed on: February 08, 2019. http://news.gov.tt/sites/default/files/E-Gazette/Gazette%202018/Legal%20Notices/Legal%20Notice%20No.%2022%20of%202018.pdf

Bail Conditions	**Rule 9.5-** In determining the conditions of bail, the Court may take into account recommendations from- a) all participants or their representatives; b) the Authority; and c) the Children's Attorney
	Rules 9.6- Where any child is remanded to a Community Residence, the Court shall make such orders and give such directions as may be necessary to provide for the care and welfare of the child.
Intake of a Child Offender	**Rule 11.6 (1)-** At the intake conference, when a child aged fourteen (14) years and over is charged with a criminal offence, other than murder or manslaughter, the Court shall- a) enquire of the prosecutor whether: i) legal representation was provided for the child in accordance with section 15B of the Legal Aid and Advisory Act (Chap 7:07) or privately; ii) the Authority has been notified; iii) the parent, legal guardian or person with responsibility for the child has been identified and notified of the proceedings; and iv) the child has been granted police bail;

The Children's Community Residences Regulations, 2018

2.11. The Children's Community Residences Regulations, 2018 provides for children who are in conflict with the law to be housed separately from children who are in need of care and protection and the measures that must be instituted to provide for the maintenance of the facility. The areas covered include infrastructural amenities, amenities for educational and/or vocational programmes, facilities for visitors, process of admission of residents, individual care plans, welfare of residents, visits and communication with family members, complaints handling, safety and security.

2.12. The Legislation guiding the amenities that must be provided to child offenders housed in community residences are provided in Table 2.

Table 2: Legislation pertaining to Community Residences

CHILDREN'S COMMUNITY RESIDENCES (REHABILITATION CENTRES) REGULATIONS 2018[5]	
General Amenities	Section 5 (1) A Rehabilitation Centre shall be: a. adequately lit; b. adequately ventilated; c. suitably furnished; d. kept in good structural repair, externally and internally; e. kept clean and well maintained; f. kept in a good and habitable condition; and g. furnished with adequate laundry facilities, and equipment.
Amenities for Residents	Section 7 (1) Each resident shall be provided with: a. his own bed; b. proper and safe storage for personal possessions; and c. access to a place for study.
Maintenance of Centre	A Rehabilitation Centre shall have: (a) adequate toilets and bathing facilities which – (i) are fitted with sinks, toilets, showers and appropriate fixtures; and (ii) have a regular and clean water supply; (b) adequate living and dining areas that are outfitted with – (i) adequate seating accommodation; (ii) furniture suitable to the range of ages of all residents; and (iii) clean and sturdy furniture; (c) child-friendly recreational materials and facilities that – (i) are suitable for the developmental capacity and range of residents; (ii) allow for physical exercise and mental stimulation; and (iii) allow for group activities as well as individual occupation; and (d) a space in which therapeutic interventions with the residents can take place.
Amenities for Residents with Disabilities	A Rehabilitation Centre shall have adequate facilities for the needs of a resident with a physical disability.
Individual Care Plan	An individual care plan shall be developed for each resident.

Rationale for the Follow-up Inquiry

2.13. Given the significant changes to legislation pertaining to child offenders and rehabilitation centres that house child offenders, the Committee aspired to measure the progress of implementation of recommendations made in the Third Report of the Committee on the Treatment of Child Offenders and to gauge the areas of compliance of the YTRC against those outlined in the Children's Community Residences (Rehabilitation Centres) Regulations, 2018 and the Children Rehabilitation Centre Regulations, 2017.

[5] The Children's Community Residences (Rehabilitation Centres) Regulations, 2018. Accessed on February 08, 2019. http://www.ttparliament.org/documents/2653.pdf

Conduct of the Inquiry

2.1. The public hearing was held on December 07, 2018. During this time, the Committee questioned the officials on the various matters based on the inquiry objective.

2.2. Therefore, prior to the public hearing, notice was given as to the general objectives of the inquiry and in response, written submissions were received from the Ministry of National Security, Office of the Prime Minister, Statutory Authorities Service Commission and the Judiciary. These responses provided a frame of reference for the supplementary questions pursued at the hearing.

2.3. The Table below lists the officials who attended the public hearing.

Table 3: Officials Attendance List

NAME	POSITION
Ministry of National Security	
Mr.Vel Lewis	Permanent Secretary
Mr. Dane Clarke	Deputy Commissioner of Prisons (Ag.)
Ms. Germaine De Graff	Superintendent of Prisons (Ag.)
Mr. Elvin Scanterbury	Assistant Superintendent of Prisons
Mr. Garvin Ferrette	Legal Officer
Dr. Travis Mohammed	Prisons Medical Officer
Office of the Prime Minister, Gender Affairs Division	
Ms. Jacqueline Johnson	Permanent Secretary
Mr. Ian Ramdahin	Permanent Secretary (Ag.)
Mr. Bertrand Moses	Child Development Coordinator
Ms. Safiya Noel	Director, Children's Authority of Trinidad and Tobago
Ms. Sharlene Jaggernauth	Manager, Legal Services, Children's Authority of Trinidad and Tobago
Statutory Authorities and Service Commission (SASC)	
Mr. Christopher Thomas	Chairman
Mr. Kenneth Parker	Deputy Chairman
Mr. Glenn Wilson	Commission Member
Ms. Gracelyn Bhola-Jordan	Executive Officer (Ag.)
Mr. Djallon Frederick	State Counsel II

2.4. The **Minutes** and **Verbatim Notes** are attached as **Appendix I** and **Appendix II respectively**.

2.5. The Eleventh Report was approved on July 19, 2019.

EVIDENCE

Statistical Evidence

3.1. According to the Judiciary, based on matters filed at the Children Court during the period February 28 to September 30, 2018, eighty-two (82) male and four (4) female child offenders were remanded at the YTRC.

3.2. During the period September 1, 2016 to September 30, 2017, there were five (5) female child offenders (no repeat offenders were recorded) remanded to SJIRCYFO and during the period February 2016 to October 2017, there were forty-two (42) male child offenders (inclusive of five (5) repeat child offenders).

3.3. As at April 30, 2019, the number of male and female offenders remanded and committed to the YTRC were fifty-four (54) remanded and thirty-five (35) committed for male child offenders and eight (8) remanded and three (3) committed for female child offenders.

3.4. The last intake of female child offenders at SJIRCYFO was September 2017 and the last intake of male child offenders at SMIRCYMO was April 2017. As at September 30, 2018 and December 7, 2018 there were three (3) female child offenders and twelve (12) female child offenders respectfully at the Golden Grove Facility for Female Child Offenders.

3.5. The age groups of male child offenders at YTRC are twelve (12) to twenty-eight (28) years old for remanded male child offenders and fourteen (14) to twenty (20) years old for committed male child offenders.

3.6. The male child offenders are separated based on age, so that the younger and older lads are in separate dormitories. In addition, there is dormitory separation based on whether the male child offender has a capital charge versus a minor offence.

3.7. The status of YTRC's and the facility for female child offenders at Golden Grove compliance to the Child Rehabilitation Regulations are provided in Appendix III.

3.8. The absence of a formal complaints mechanism was rectified by the inclusion of an internal complaints handling system and supporting procedures in accordance with Section 48 of the Child Rehabilitation Centre Regulations, 2017. The nature of complaints received from child offenders are detailed in Table 4.

Table 4: Nature of Complaints received by child offenders

Nature of Complaint	Male	Female
Not receiving sufficient diet	√	
Sexual harassment allegations made by fellow resident	√	
Missing clothing	√	
Not being properly treated by the infirmary	√	
Assaulted by fellow residents	√	
Threatened/bullied by fellow residents	√	
Request not being fulfilled	√	
Stealing of clothes and snacks of residents	√	
Diet is not palatable	√	
Being harassed by an officer	√	
Struck by an officer	√	
Embarrassed by and being yelled by officers		√
Not receiving visit		√
Struck by an officer		√
Ignored by an officer		√
Not getting to attend school		√
Unable to retrieve clothes from St. Jude's home		√

3.9. The YTRC achieved broad compliance across the twenty-three sections of the Child Centre Rehabilitation Regulations, 2017. However, eight of the twenty-three sections were lacking with respect to meeting the requisite stipulations are detailed in Table 5.

Table 5: Areas of YTRC's Non-Compliance with Child Centre Rehabilitation Regulations, 2017

Section of the Child Rehabilitation Centre Regulations	Specific Area
Part III- Advisory Board and Discharge Committee	No Advisory Board convened
	No record of meetings for Advisory Board
	No Discharge Committee convened
Part VII- Medical arrangements	Shortage of female infirmary officers means that residents cannot be attended to by medical personnel of the same sex
	No quarterly report by Prison Medical Officer received on the health of residents but was informed that this was required
	No 'sleeping' infirmary
Part XVIII- Leave for residents	No permission for residents to leave the facility due to a lack of forms
Part XIX- Safety and Security	No CCTV system in place
Part XX- Search of a Resident and taking a sample	Lack of non-intimate searches carried out by same-sex officers
	Forms not received to establish grounds for non-intimate searches by staff not of the same sex
	Forms not received for infirmary officer's, parents' or guardians' signature regarding the conduct of searches
	No intimate searches of the residents carried out
	No recording of information pertaining to intimate searches practised
	No supervisor present for special search or recording of such in the log book
	Special searches not conducted by a same-sex officer

Objective: To determine the status of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity, into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders.

3.1. Table 5 shows a status of the recommendations of the Report of the JSC on Human Rights, Equality and Diversity, into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders.

Table 6: Status of Recommendations

Joint Select Committee Recommendation (January 2017)	*Ministerial Response (April 2017)*	*Written Submissions (November 2017)*	*Written Submissions (October 2018)*
Objective 1: To determine the status of the recommendations of the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity, into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders			
Priority needs to be placed on the creation of a long term solution for placement and rehabilitation of female child offenders.	**OPM New facility for Female Child Offenders:** Approval was granted in March 2017 to the Ministry of National Security to construct a Rehabilitation Centre for girls on vacant lands at Golden Grove.	**OPM New facility for Female Child Offenders :** Approval was granted for the MNS in March 2017 to construct a Rehabilitation Centre for Girls on the Golden Grove Compound. Milestones for the project are to be developed.	**OPM New Facility for Female Child Offenders: Ongoing** The former Deputy Commissioner of Prisons quarters was refurbished to house female child offenders at the Golden Grove Facility designated a rehabilitation centre for female child offenders by Legal Notice No. 47 of 2018. The St. Michael's Home for Boys was decommissioned in September 2017 and YTC designated a rehabilitation centre for male child offenders by Legal Notice No. 39 of 2017 .

			MNS New Facility for Female Child Offenders: Ongoing MNS engaged the services of NIPDEC for the construction of a Rehabilitation Centre for female child offenders. As at October 30, 2018, the tendering and evaluation processes were completed and the MNS was awaiting the submission of the Valuation Report.
Amendment of the Statutory Authorities Act, Chap. 24:01 in order to remove the SASC's responsibility for the recruitment and disciplinary process of SMIRCYMO/SJIRCYFO staff.	**OPM Amendment of Act:** This recommendation is currently engaging the attention of the Office of the Attorney General.	**OPM Amendment of Act:** Several meetings have been held with the MAGLA's office, the Homes and the SASC to address the recommendation. The research and questions are ongoing.	**OPM Amendment of Act: Ongoing** These Interim Rehabilitation Centres were managed by staff recruited on contract by the Boards of Management at St Michael's and St Jude's. The issue of SASC control of recruitment and discipline is with the Office of the Attorney General for review.

	SASC Amendment of Act: The SASC cannot deny that there are mitigating factors that challenge the disciplinary process and this can be explained as follows:- • Where a member is accused of misconduct of a criminal nature the onus is on the manager of the Home to make a report to the nearest police station and indicate in writing that such a report was made; • Where an employee is charged by the police for a criminal offence the Homes are required to inform the Commission immediately and in such an instance that officer is placed on immediate suspension pending the outcome of the police investigations; The Commission has observed that in some instances there are delays in providing the Commission with the information.	**SASC Amendment of Act:** SASC has not made any plans to remove the SMIRCYMO/SJIRCYFO staff from the ambit of its responsibilities. The Commission has been considering amendments to the regulations to address some of the challenges. The process for discipline is outlined in the regulations. Some of the amendments being proposed seek to address these issues. The Statutory Authorities Act, Chap. 24:01 does not provide the Commission with the authority to go down to the Homes or any of the Authorities under its purview to view their records and/or operations. The Manager of the Home is the Accounting Officer and has the responsibility to oversee and manage the activities of the Home.	**SASC Amendment of Act: Ongoing** Section 2 and section 3 of the Statutory Authorities Act, Chap. 24:01 states that the Commission is not empowered by the Act to exercise its powers to remove an entity, being the Rehabilitation Centres, from under its purview.
Creation of human resource policies that provide for the expeditious investigation of abuse reports.	**SASC Investigation of Abuse Reports:** One of the major issues identified is that an expeditious and effective disciplinary process was not in place to deal with behavioural	**-**	**MNS Investigation of Abuse Reports: Not applicable** YTC is in possession of a Complaints Procedure/Policy which informs all residents and staff of the guidelines for the treatment of child abuse reports.

	issues, in particular, at the Children's Homes and as such disciplinary action by the SASC may be too long, particularly as it concerns situations involving children. Section 88 (1) and (2) of the SASC Regulations grants the Commission the Authority to immediately remove persons suspected of committing offences against a child, pending investigation and disciplinary action. The SASC cannot deny that there are mitigating factors that challenge the disciplinary process…		Section 48 of the Child Rehabilitation Centre Regulations, 2017 provided for the establishment of an internal complaints handling system and the supporting procedures. **SASC MNS Investigation of Abuse Reports:** The SASC assigned a sub-committee to look at the Statutory Authorities Act, Chap. 24:01 and Regulations and the Municipal Police Regulations with a view to making recommendations for amendment. As at October 18, 2018, the Commission was awaiting comments/advice from the Chief Personnel Officer on certain matters in the aforesaid Acts. **OPM Investigation of Abuse Reports:** Responsibility lies with the Ministry of National Security.
OPM treat with the five (5) outstanding recommended works and conducts an assessment of works yet to be completed for St. Michael's and SMIRCYMO. The issues observed by the Committee are provided at item 4.7	**OPM Refurbishment of Child Offender facilities:** The Office of the Prime Minister is pursuing the recommendation to support the refurbishment of the facilities within its current allocation. It must be noted that there are outstanding payments for works already completed. The items at 4.7 of the report will be considered.	**OPM Refurbishment of Child Offender facilities:** Infrastructural works continue in fiscal 2017 on the following: • Compound Refurbishment; • Dormitories Refurbishment; • Space for Worship Refurbishment; • Secure Fencing; • Well-kept Playing Fields Refurbishment; and	**Ministry of National Security Refurbishment of Facilities: Not applicable** St. Michael's was decommissioned.

		• Refurbishment of Workshop space.	
OPM develop and implement a plan to ensure that the requisite approvals are received from the Trinidad and Tobago Fire Services or the Public Health Division, Ministry of Health over the next six (6) months.	**OPM Acquisition of permits/Approvals:** The Board of Management and the Manager have been instructed to pursue the acquisition of the relevant approvals from the Trinidad and Tobago Fire Services and the Public Health Division over the next six (6) months.	**OPM Acquisition of Permits/Approvals:** The request has been made by St. Michael's but approval remains outstanding.	**OPM Acquisition of permits/Approvals: Not applicable** St. Michael's was decommissioned.
Recruitment of specialised staff at SMIRCYMO be addressed by the SASC and OPM as a matter of urgency within three to six months. Consideration should be given to the requesting the use of state scholarship recipients within the identified specialised field as a short term solution.	**OPM Human Resource Recruitment:** A review of the staffing needs will be undertaken and an appropriate submission will be made to the Cabinet.	**OPM Human Resource Recruitment:** A request was made for the review to be undertaken. No commencement date has been determined by the Ministry of Public Administration.	**MNS Human Resource Recruitment: Not applicable** SMIRCYMO was decommissioned.
	SASC Human Resource Recruitment: In 2015, the SASC was asked to hold its hands on filling all vacancies at the Homes by the Gender and Child Affairs Division of the Office of the Prime Minister pending a review of the job descriptions (JDs). To date the review of the JDs has not been completed.	**SASC Human Resource Recruitment:** The SASC is not responsible for the completion of Job Descriptions. The Chief Personnel Officer (CPO), the Office of the Prime Minister (Gender and Child Affairs), the Homes and the CATT are currently working on the revised JDs however, a completion date was not given. SASC has not been able to utilise state scholarship recipients because most of	**SASC Human Resource Recruitment: Not Applicable** Based on the current JDs there are no positions on the establishment that requires a university degree. The Homes in conjunction with the Office of the Prime Minister (Gender and Child Affairs) and the CPO have been reviewing the JDs for certain core function positions at the Homes. The Commission has not received the revised documents to date.

	It is the Commission's view that a lot of the change management issues that were identified above have to do with the long delay in completing the JDs…After consultation with the Permanent Secretary, Office of the Prime Minister (Gender and Child Affairs) the Commission recommenced appointing persons who have been employed on a temporary basis in excess of two (2) years as well as promoting eligible officers to next promotional positions.	the positions in the specialised fields are contract positions. SASC is responsible for the established positions only the Boards recruit the contract officers.	
Greater collaboration and coordination between the SASC, the OPM and the CATT to address the human resource issues at SMIRCYMO.	**OPM Collaboration:** The OPM has and will continue to foster collaboration among key stakeholder agencies.	**OPM Collaboration:** The OPM continues to collaborate on these and other issues via regular meetings. A recommendation will be made for a monthly statutory meeting to address human resource issues.	**OPM Collaboration: Completed** SMIRCYMO was decommissioned.
	SASC Collaboration: The CATT has indicated that its investigation report could be made available to the SASC to conduct its disciplinary procedure. The State Counsel II at the SASC is looking into the feasibility of this procedure with a view to making appropriate recommendations for the Commission's consideration…	**SASC Collaboration:** The State Counsel II has made recommendations to allow for such an action to be taken. Discussions with the legal arm of the CATT are still in the preliminary stage as they would have to make amendments to their legislation to allow for the provision, but no objections to the provision have been encountered.	**SASC Collaboration: Incomplete** Given the decommissioning of St Michael School for Boys, the SASC was awaiting directions from the Office of the Prime Minister (Gender and Child Affairs) and the CPO.

Additional male staff are hired at SMIRCYMO in order to provide a positive male influence on the behaviour of the boys.	**OPM Male Caregivers at SMIRCYMO:** The OPM has encouraged the placement of male caregivers only at the institution.	**OPM Male Caregivers at SMIRCYMO: Ongoing** An advertisement was placed for male caregivers only for St. Michael's and the other two (2) Homes. Communications and SASC to stop placement of female caregivers in future recruitment.	**Male Care Givers at SMIRCYMO: Completed** SMIRCYMO has been decommissioned and Prisons Officers form the core staff at the YTRC.
Maintenance and upkeep of the facility (SMIRCYMO) be done by the staff and the young men at the institution. This will provide child offenders with more responsibility and to gain a sense of accomplishment.	**OPM Facility Maintenance of SMIRCYMO:** The Board of Management and the Manager has been directed to address this recommendation.	**OPM Facility Maintenance of SMIRCYMO: Completed** This has commenced at St. Michael's. The boys are encouraged to clean and keep their personal spaces and surrounding spaces clean.	**OPM Facility Maintenance of SMIRCYMO: Completed**
Office of the Prime Minister should review the CATT recommendations in Appendix IX.	**OPM review of CATT's Recommendations for SMIRCYMO:** The recommendations of the CATT are being considered within the allocation of the OPM for the Community Residences to consider.	**OPM review of CATT's Recommendations for SMIRCYMO:** SMIRCYMO will be decommissioned by September 30, 2017. No further attempts will be made to prepare a plan. The proclamation of the Family and Children Division Act, 2016 deemed the YTC a rehabilitation centre by Legal Notice No. 39 of 2017.	**OPM review of CATT's Recommendations for SMIRCYMO: Not applicable**
Trinidad and Tobago Prison Service increase the budgetary allocation to the Youth Training Centre (YTC) in order to complete outstanding renovations for the	**YTC Increased Allocation :** The Youth Training Centre is not allocated funding under a specific vote in the Trinidad and Tobago Prison Service. If there is a need for an increase in funding, this is	**YTC Increased Allocation :** Renovations and refurbishments will include, televisions, mattresses, living room sets, industrial fans and personal clothes lockers. The estimated cost of Furniture & Equipment is one hundred	**YTRC Increased Allocation- Completed**

dormitories, security system, sewer system and vocational materials. During the site visit, the Committee was advised that if monies were allocated for material, the labour can be sourced from the Centre or from other state institutions, such as YTEPP, MUST or SERVOL.	made available from the Prison Service budgetary allocation. In this regard, a request for additional funds was made to undertake the identified works. The request was approved and work is scheduled to commence shortly on renovations of three (3) dormitories and the purchase of furniture and minor equipment.	and sixty-eight thousand, two hundred and seventy dollars and seventy six cents ($168,270.76). The project commenced on May 22, 2017.	
Additional specialised staff to support and develop rehabilitative policies, programmes and procedures for child offenders.	**MNS Additional YTC Specialized Staff:** In January 2017, a Prison Psychologist was assigned to the YTC on a two (2) year contract. A Special Education teacher was also assigned to YTC on a month to month contract. At present, a request for permanent staff to address the special needs of residents is currently engaging the attention of the Human Resources Department of the Prison Service.	**MNS Additional YTC Specialized Staff:** The recommendations of the Chief Personnel Officer on this matter are currently being reviewed by the Commissioner of Prisons. At this stage, details with respect to milestones and expected assumption dates cannot be determined.	**MNS Additional YTRC Specialised Staff- On-going** TTPrS requested the contractual employment of ten (10) psychologists and two (2) pharmacists via letter dated October 17, 2018 to the Public Management and Consulting Division (PMCD) and received PMCD response via letter dated December 10, 2018. As at **April 30, 2019:** • One (1) Special Education Teacher, One (1) Primary level teacher and one (1) Secondary level teacher were recruited; • A staff assessment to determine the number and categories of staff to be recruited to provide educational training to male and female child offenders was completed on March 14, 2019**;**

			• As a result of the Staff Assessment it was determined that seven (7) additional teachers should be recruited to provide educational training to the residents. These were identified as three (3) Primary level teachers, three (3) Secondary level teachers and one (1) Special Education Teacher. • Cabinet approval was granted for the employment on contract for a period of three (3) years for ten (10) Prisons' psychologists, one (1) senior Prisons' pharmacist and one (1) junior Prisons' pharmacist.

Review the CATT recommendations in Appendix IX. **CATT Recommendation – Operational Manual:** A number of policies must be developed for the facility to properly guide the operations and procedures implemented by officers. These policies include, but are not limited to: • behaviour management policy • disciplinary policy • sexual abuse policy • search policy • security plan • surveillance policy • Clear escort and scheduling procedures should be developed and implemented to ensure the separation of the remand and committed populations.	**MNS: YTC Operational Procedures Manual:** The YTC prepared an Operational Procedures Manual which details policies relating to: • Behaviour management • Sexual abuse • Searches • Security • Surveillance • Clear escort and scheduling procedures	**MNS: YTC Operational Procedures Manual:** The operational procedures manual is being utilised by members of staff at the YTC and operational procedures for lads in the form of a client handbook are available and accessible through the Library to clients of the YTC.	**MNS: YTRC Operational Manual: Completed** In accordance with the Regulations, the boys are provided with a copy of the YTC Resident Handbook upon entry. Additionally, an audio recording is available for lads who cannot read and write. Furthermore, a copy of the Operational Procedures Manual is available at the library.

CATT Recommendation: Provision for increased capacity • Although the YTC may seek to renovate nine (9) dormitories in the next phase of works, these dormitories are already fully occupied with residents. There are currently 36 committed residents and 27 remanded residents at the YTC, a total of 63 residents. • The maximum capacity of the YTC following the renovations will be 144 residents. • Long term strategic planning by the MNS for children in conflict with the law must include increasing the capacity of the YTC and identifying alternate placement options for male offenders.	**MNS: YTC Infrastructural Funds:** The present system of disbursement of funds for infrastructural projects at the YTC was being reviewed.	**MNS: YTC Infrastructural Funds:** The system for disbursement of funds was being reviewed for infrastructural projects and priority projects identified.	**MNS: YTRC Infrastructural Funds: Ongoing** As at December 7, 2018, there was a shortage of financial resources to complete outstanding infrastructural works (See Table 7). Based on MNS funding requests, outstanding infrastructural works were expected to be completed in the first six months of 2019 (See Table 8), however, follow-up MNS submissions as at April 30, 2019 indicated that the project for the completion of the dormitories had not commenced.

CATT Recommendation: Financial allocations to facilitate procurement of renovation materials for remaining dormitories as well as recurrent costs	**MNS: YTC Refurbishment Works:** There are thirteen (13) dormitories at the YTC being renovated on a phased basis. On completion of this renovation work, the accommodation capacity at the YTC will be one hundred and forty-four (144) lads. The actual (current) number of lads being housed is sixty-seven (67).Therefore, with the current capacity being more than double the actual number of lads, it is deemed to be adequate at this time.	**MNS: YTC Refurbishment Works:** Requested materials are being sought and purchased at present. Completion date was estimated at September 30, 2017, provided that the materials and furnishings are received in a timely manner.	**MNS: YTRC Refurbishment Works: Incomplete** Although MNS initially indicated as at January 31, 2019 that the completion of dormitories would be achieved within six (6) months, however, follow-up MNS submissions as at April 30, 2019 indicated that neither the project for the completion of the dormitories nor the additional refurbishment works identified in Table 8 had commenced.
Strategic Plans for the SMIRCYMO and the YTC be drafted and approved by the respective Ministries within six (6) months. The strategic plan	**OPM: Draft SMIRCYMO Strategic Plan:** Currently in Progress.	**OPM: Draft SMIRCYMO Strategic Plan:** SMIRCYMO will be decommissioned by September 30, 2017. No further attempts will be made to prepare a plan. The proclamation of the Family and Children Division Act, 2016 has deemed	**OPM: Draft SMIRCYMO Strategic Plan: Not applicable** SMIRCYMO was decommissioned.

would assist the Rehabilitation Facilities in providing a functional organizational chart and methods to rectify the issues of staff shortages.	**MNS: YTC Draft Strategic Plan:** At present, the Draft YTC Strategic Plan is being reviewed by the Commissioner of Prisons. This document contains an Organizational Chart for the institution.	YTC a Rehabilitation Centre by Legal Notice No. 39 of 2017. **MNS: YTC Draft Strategic Plan:** The Draft Strategic Plan is currently before the Commissioner of Prisons for review and thereafter, approval. The projected date for finalization is October 21, 2017. Immediately after the plan is approved it will be implemented.	**MNS: Draft YTC Strategic Plan: Ongoing** As at April 30, 2019, the Draft TTPrS Strategic Plan was completed. Following the approval of the TTPrS Strategic Plan, steps will be taken to develop a Strategic Plan that is specific to YTRC.
OPM and the CATT work steadfastly to implement the Children's Registry in order to track the progression of the children in conflict with the law after they exit the rehabilitation Centres. The Committee requests a status update on the progress of the Children's Registry by April 30, 2017 which is expected to be completed by May 31, 2017.	**OPM National Children's Registry (NCR):** The OPM is prepared to advance this project. The overdue submission of the storage details from the Ministry of the Attorney General & Legal Affairs (MAGLA), has drastically delayed the project. Once the documents have been submitted we will be able to recruit a consultant to start and complete the build phase. Additionally the appointment of the Data Commissioner is important for the final approval and implementation of the project.	**OPM National Children's Registry:** The project remain stalled since responses and actions of two (2) Ministries are outstanding which affected the progress of the NCR. A Cabinet Note has been drafted to instruct: • MAGLA to share information on how their data is stored to end the design phase; and • Ministry of Public Administration and Communications appoint an Information Commissioner and advance the declaration of the Data Protection Act.	**OPM National Children's Registry: On-going** The tender for the design stage of the Children's Registry was being reviewed in collaboration with iGovTT and the design stage was expected to be completed in fiscal 2019. As at May 01, 2019 the OPM advised that the Children's Registry was at the build phase and that the National Information and Communication Technology Company Ltd (iGovTT) had been engaged for procurement and project management services to implement the Registry.
SASC and the CATT provide mandatory capacity building programmes for staff. This training should include a Workshop on the UN Convention of	**OPM Capacity Building Sessions:** The OPM GCA hosted capacity building via Train the Trainer workshops with the community residences. This was being done with forty-seven (47) community residences and YTC. The training	**OPM Capacity Building Sessions:** Sessions were held on December 8, 2016 and on January 12, 2017, January 26, 2017; February 9, 2017; March 9, 2017; March 23, 2017; April 6, 2017; April 20, 2017; May 4, 2017 and May 18, 2017.	**OPM Capacity Building Sessions: Completed** In 2017 a total of eighteen (18) members of staff employed at the Interim Rehabilitation centres were trained on child rights, basic social work and rehabilitation methods. In anticipation of

<table>
<tr>
<td>the Rights of the Child and training in basic social work and rehabilitative methods.</td>
<td>consists of eighteen (18) topics including the UNCRC, basic social work and rehabilitative methods.

The representatives at the workshops are mandated to return to their residences and deliver training to the relevant staff within the institution.

SASC Training Sessions:
The SASC is not responsible for training of staff at the Authorities. Notwithstanding this, the Commission, as indicated above, had done PAR training. During those sessions the Commission also explained to the entity that it is incumbent upon the organisation to provide the employees with the appropriate training when they come to the Home…
The Commission explained to the Authorities/Homes that the Commission would appoint people on the basis of the job description and the minimal qualification requirement. However, the Home the management should provide proper orientation and continuous training to satisfy the</td>
<td>Upcoming sessions in 2017 were expected to be held on:
• June 1, 14, and 29;
• July 13 and 27; and
• August 10.
The average number of attendees per session were 35 (approx. one [1] from each home).

SASC Training Sessions:
<table>
<tr><th>Date</th><th>Venue</th><th>Attendees</th></tr>
<tr><td>Sept 17, 2015</td><td>Hilton Trinidad Conference Room</td><td>13</td></tr>
<tr><td>Sept 8, 2016</td><td>POS Corporation</td><td>22</td></tr>
<tr><td>Sept 16, 2016</td><td>St. Mary’s Children’s Home</td><td>50</td></tr>
<tr><td>Sept 29, 2016</td><td>St. Jude’s Children’s Home</td><td>12</td></tr>
<tr><td>Oct 13, 2016</td><td>St. Michael’s Schools for Boys</td><td>15</td></tr>
<tr><td>Nov 10, 2016</td><td>St. Dominic Children’s Home</td><td>50</td></tr>
</table></td>
<td>the responsibility being transferred to the Ministry of National Security:
✓ Four (4) members of YTC staff were trained in the above areas;
✓ CATT trained one hundred and fifty (150) staff members at YTC, on the Convention on the Rights of the Child and the suite of legislation for children proclaimed in 2015.</td>
</tr>
</table>

	requirements of the changing job environment.		
OPM, the CATT and the facility management develop rehabilitative programs in conjunction with other Ministries and NGOs in order to foster and develop the wide breadth of skills and talent of the young men at the Facility.	**OPM Rehabilitative Programmes:** The OPM has begun the process of developing such rehabilitative programs. For example OPM GCA has developed an MOU with the Community Mediation Programme (Ministry of Community Development, Culture and the Arts) to provide life skills development and social support for parents, staff and families within the St. Michael's School for Boys. A similar programme has also begun in the St. Jude's School for Girls based on their unique needs. Additionally, an MOU was signed with the University of Trinidad & Tobago to provide educational, cultural and literacy support to the St. Michael's School for Boys. Other stakeholders such as the TTPS, the Defense Force, Lifeline and Servol have also been enlisted to support this effort.	**OPM Rehabilitative Programmes:** Follow-up mechanisms include: • Weekly checks with participants during sessions, where attendees report verbally, changes are made and solutions for barriers are suggested in the group; • Randomised calls to managers; and • Certificates are awarded upon the completion of the training at the respective Homes. The MOU does not extend to the boys only Community Residences and not in the Rehabilitative Centre.	**OPM Rehabilitative Programs: Completed** Prior to the decommissioning of the SMIRCYMO, there were ongoing training efforts to build internal staff capacity to provide rehabilitative programs. This staff training involved mediation services, health and safety, behavioural management and child protection, crisis management and de-escalation, communicating with children and roles and responsibilities. As at December 12, 2018, the YTRC's various measures to facilitate rehabilitative components included the provision of skills training (see YTC Vocational programmes and 4.2 Rehabilitative programmes) as well as the addition of specialised staff (Recommendation 4.17).
Given the lack of cultural programmes available to boys at SMIRCYMO, the Committee recommends	**OPM Cultural Programmes at SMIRCYMO:** The OPM signed an MOU with the UTT to implement cultural programmes, these include all	**OPM Cultural Programmes at SMIRCYMO:** The commencement dates of the cultural programmes were: • UTT: October 2016;	**OPM Cultural Programs at SMIRCYMO: Not applicable** Prior to the decommissioning of the SMIRCYMO in September 2017 there

that the Centre collaborates with the Ministry of Community Development, Culture and the Arts to establish programmes that would help with the cultural development of the boys.	forms of music. The OPM has also signed an MOU with the Ministry of Community Development (MCDCA), Culture and the Arts for social skills support and will pursue this matter.	• MCDCA: *(To be determined due to financial challenges, However some aspects of the programme have already started.)*	were efforts **to** integrate cultural programs in progress.
OPM seek the assistance of the Ministry of Attorney General and Legal Affairs to draft legislation to prevent parents from abandoning their children at the Rehabilitation Centres and YTC. Parental involvement plays a critical role in the successful rehabilitation of a child offender.	**OPM Draft Legislation:** This will be pursued by the OPM. The OPM will liaise with the Ministry of Social Development and Family Services to advance the Parenting Policy, Parenting and Grand Parenting Training Programme.	**OPM Draft Legislation:** The Parenting Policy will be submitted to Cabinet Shortly by the MSDFS. Parenting Training Sessions are to be delivered by MSDFS on the following dates: • Princes Town: Tuesday and Thursday –June 2017; • St. Helena Village, Piarco: Monday and Wednesday- June 2017; • Mayaro: Tuesday and Thursday- June 2017; • Fyzabad: Tuesday and Thursday- June 2017; and • Valencia- preparations are still in progress.	**OPM Draft Legislation: On-going** The Draft National Parenting Policy was laid in Parliament in September 2017.
Youth Training Centre work in tandem with the various trade schools such as YTEPP and other organizations such as CEPEP to further the vocational skills of the offenders at the Centre. This would allow for the	**MNS: YTC Vocational Programmes:** The YTC has partnered with YTEPP with respect to training for the lads and the provision of assistance with minor infrastructural improvements. The areas of training include electrical	**MNS: YTC Vocational Programmes:** YTC made efforts to partner with other organizations through the National Training Agency (NTA). No date of commencement has been agreed upon. YTEPP programmes are conducted using a yearly cycle that usually starts in July. The TTPrS does not have an exact	**MNS: YTC Vocational Programmes: Completed** There are currently seven (7) residents enrolled externally in the Ministry of Education's MIC-IT (Institute of Technology) Programme. This partnership commenced on September 10, 2018, programmes commenced in June 2018 and were scheduled for completion

offenders to be able to utilize their vocation as a means to secure a productive future and help reduce recidivism at the Centre. Furthermore, in the future, these persons could be hired by the Centre to use their vocational skills to aid in the continual maintenance and upgrade of the facility.	installation, plumbing, construction and cabinet making.	date but was in the process of finalizing. The available programs were Information Technology, Grow box, Animation, Woodworking, Bread, Cakes & Pastries and Life Skills.	in June 2019. The programmes provided by MIC-IT are air condition technician, electrical, plumbing, woodwork, masonry and welding. The new cycle of YTEPP vocational programmes was expected to begin January 24, 2019.
Remedial teaching methods adopted by St. Jude's and YTC need to be tailored to improve and encourage the transition into other mainstream education/ vocational institutions upon exit from the institution.	**OPM:** Under review.	**OPM Educational Plan:** • Staffing: A Special Education Teacher I (working in tandem with UTT Rehabilitation Programme) was recruited to develop the programme for transitioning the young men. • Methodology: A new approach entitled: Primary Curriculum Rewrite was added and the subject areas include Mathematics, English, Social Studies and Sciences. • Reinforcement of learning: The reward/incentive system at St. Jude's was utilised to reinforce teaching methods. • Transitioning to other institutions: New lads were also tested then grouped according to their respective levels. Individualised	**OPM Educational Plan: Completed**

	YTC Educational Plan: The YTC educational plan is geared towards enabling lads to transition into mainstream educational and vocational institutions upon their exit from the institution. In light of this objective, all lads are assessed upon entry to determine their academic levels following which they are placed in classes according to their levels of competence. The YTC has remedial classes, for primary school and secondary school levels consistent with external educational institutions.	plans were drafted and a plan of action set in motion. Each plan details the necessary progression for a young man to be placed into a mainstream institution. **YTC Educational Plan:** Upon entry to the YTC the child is assessed in Reading and Mathematics. The assessment scores determine the level to which the child will be assigned (primary/secondary). • The Primary Division comprises five levels: ✓ Level 1(a) - Accommodates Infant 1 and Infant 2 children (remedial) ✓ Level 1(b) - Accommodates children with learning difficulties (special needs) ✓ Level 2 - Accommodates and caters to the abilities of Standards 1- 3 children ✓ Level 3 - Life Skills class (remanded children) ✓ Level 4 - Accommodates and caters to children whose assessment scores are at the standards 4 and 5 levels. This level may treat with children who are preparing to sit Primary school leaving Exam and/or the SEA Exam	**YTRC Educational Plan: Completed**

		The movement from one level to another is determined by an 80% mastery level and completed during the academic term/year. If however, the initial assessments show that the child has the reading capacity and ability for the secondary division he will be placed in either of the two levels, based on his scores. • The Secondary Division comprises two levels: ✓ Level 5 – Accommodates children between forms 1-3. The students pursue a one year CXC course Caribbean Certificate of Secondary Level Competence (CCSLC). The subjects offered are English, Math, Social Studies and Integrated Science. ✓ Level 6 – Accommodates children whose assessment scores are at the Forms 4 and 5 levels. Additionally, this level caters for successful CCSLC students as entry requirements. At this level students pursue Caribbean Secondary Education Certificate (CSEC) subjects: English A, Math, Social Studies, Principles of Business, Principles of Accounts, Electronic Document	

		Preparation and Management and Office Administration. The placement of children is also determined by their classification (committed or remanded) and their committal and/or discharge dates. Generally, remanded children are initially placed in the level 3 - Life Skills class where they are assessed and spend between 1-3 months. They are then placed at the levels which best suit their abilities. It should be noted that the sentences of YTC residents are not automatically expunged. As a result of the mandatory police certificate of character requirement for many jobs, notwithstanding their qualifications, having a police record makes it difficult for discharged residents to secure employment. Nevertheless NGOs such as 'Caring For Ex-offenders' provide mentors for ex–residents, who assist them in securing employment.	
Officers assigned to the YTC be kept for a minimum of 2 to 3 years prior to being rotated so as to provide stable relationships for boys' psychological rehabilitation and	**MNS: YTC Human Resources:** Historically, officers assigned to the YTC have remained with the institution in excess of the three (3) years as recommended by the CATT, unless they are subject to disciplinary processes. As at April 2017, there were officers stationed	**MNS: YTC Human Resources:** As at April 30, 2017, there were twenty-six (26) out of a total of one hundred and twenty-nine (129) officers stationed at YTC for more than three (3) years.	**MNS: YTRC Human Resources: Completed**

increase the trust between the staff and the lads.	at the institution for over ten (10) years and who were able to build lasting bonds with the lads.		
Model used to develop the rehabilitative programmes at SJIRCYFO and YTC be adopted at SMIRCYMO.	**OPM Rehabilitative Programme:** Under review.	**OPM Rehabilitative Programmes:** • Staffing: a full time psychologist was recruited to provide psychological services to the young men including group counselling sessions and individualised counselling. • YTC programme: A social support programme from an organisation (MEND) that provides life skills and sexual education at YTC was integrated into St. Michael's. • Other programmes: Other recently integrated programmes include: ✓ Men and Masculinity; and ✓ A substance abuse programme.	**OPM Rehabilitative Programme: Completed**
Legislation be amended to allow the YTC to provide for the accommodation of male child offenders under the age of 16 years on criminal and capital offences. This would address the issue of funding and the streamlining of human resources.	**MNS: - Legislation for YTC to become a 'Rehabilitation Centre':** Legislation was being drafted to rebrand the YTC as a 'Rehabilitation Centre.' The legislation would enable the Centre to accommodate male child offenders at the institution. The Children's Community Residence, Foster Care and Nurseries Act, 2000 defines a 'Rehabilitation Centre' as a residence for the rehabilitation of youthful offenders, in which youthful offenders are lodged, clothed and	**MNS: - Legislation for YTC to become a 'Rehabilitation Centre':** The Minister of National Security signed: • the Child Rehabilitation Centre (Designation) Order, 2017, which designated the YTC as a rehabilitation centre; and • the Child Rehabilitation Centre Regulations, 2017 which govern said Rehabilitation Centres. The Committee continues to meet and review the regulations. It is expected to be implemented by September 29, 2017.	**MNS: YTRC as a Rehabilitation Centre: Completed** The Children's Community Residences (Rehabilitation Centres) Regulations, 2018 was approved in the House of Representatives and Senate on June 6, 2018 and June 12, 2018 respectfully.

	fed, as well as taught and includes industrial school as defined in the Children Act, Chap. 46:01.		

FINDINGS AND RECOMMENDATIONS

Objective: To determine the status of the recommendations of the 2017 Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Treatment of Child Offenders at the Youth Training Centre and St. Jude's Interim Rehabilitation Centre for Young Female Offenders.

4.1. The Committee noted the implementation progress of the **twenty-two** (22) recommendations given by the Committee in the 2017 Report. **Ten (10)** were completed, **one (1) are incomplete** and **five (5)** are on-going out of the twenty-two (22) recommendations. Due to the closure of the SMIRCYMO and SJIRCYFO, **six (6)** of the twenty-two (22) recommendations were no longer applicable to child offenders.

Rehabilitative Programmes

4.2. The Committee was pleased to note the measures to enable male child offenders to transition into mainstream educational and vocational institutions upon their exit from YTRC included a revised educational plan and special testing to provide educational training based on age group, a YTEPP Vocational Program that commenced January 24, 2019 and the MIC-IT (Institute of Technology) Programme that commenced on September 10, 2018.

4.3. The Committee was mindful of the findings in the 2017 report which highlighted the need for additional mainstream educational programmes to target child offenders exiting the system to ensure that they achieve competitive educational qualifications to function outside of the institution. In this regard the Committee noted the implementation challenges associated with the facilitation of educational services; such as ongoing refurbishment works to the workshop space, security risks for programmes conducted outside the compound and a decline in MIC-IT enrolment from seven (7) to four (4) male child offenders (out of eighty one male child offenders) due to male child offenders being

found in possession of marijuana. As at April 30, 2019, the Committee was advised that the refurbishment works had not commenced and were awaiting the necessary logistical and financial aspects to be finalised with an expected commencement date of mid-July for completion within six (6) weeks.

4.4. However, there is an absence of a monitoring system due to resource constraints to validate that a male child offender transitions into mainstream education with YTRC and MIC-IT qualifications. The Committee took note however, that with the advent of the Children's Registry children in conflict with the law will be monitored until age twenty-five (25).

Children's Registry (CRDV)

4.5. The Committee was advised that the Children's Registry shall track reports of all children based on data from the Registrar General. In the case of children in conflict with the law, they would be tracked until the age of twenty-five. As at May 1, 2019, the Children's Registry was at the build phase and iGovTT had been engaged to provide procurement and project management services to build and implement the Registry.

Complaints Handling System

4.6. The Committee also welcomed the inclusion of an internal complaints handling system and supporting procedures as part of the Section 48 of the Child Rehabilitation Centre Regulations, 2017. Further, Section 49 of the Child Rehabilitation Centre Regulations, 2017 requires the Commissioner of Prisons to forward complaint reports to the CATT for investigation.

4.7. The Committee noted that the CATT was in receipt of eighty-seven (87) complaint reports for the period October 01, 2017 to December 31, 2018 and there were ten (10) complaints submitted in 2018 as at December 7, 2018. Seventy-nine (79) complaints were

submitted by male child offenders and eight (8) complaints were submitted by female child offenders (Table 4).

Human Resources to support Rehabilitative Programmes

4.8. In order to support and develop rehabilitative programmes for child offenders and in consultation with the resident psychologist, the TTPrS had requested the contractual services of an additional ten (10) psychologists and two (2) pharmacists based on the client to worker ratio. Cabinet approval was granted on March 28, 2019 for the contract employment for a three (3) year period for ten (10) Prisons' Psychologists, one (1) Senior Prisons' Pharmacist and one (1) Junior Prisons' Pharmacist. As at April 30, 2019, the proposed advertising, shortlisting and interview process was ongoing.

4.9. The Committee was informed that the current number of YTRC's social workers (four (4) Welfare Officer I's and one (1) Welfare Officer II) are insufficient to treat with psycho-social needs of child offenders. A staff assessment completed on March 14, 2019 concluded that seven (7) additional teachers were needed to effectively provide the educational training for the residents. These were identified as three (3) Primary and three (3) Secondary level teachers and one (1) Special Education Teacher.

4.10. The Committee was informed that a Cabinet Note would be submitted to PMCD for comments on the recruitment of one (1) special education teacher, one (1) primary level teacher and one (1) secondary level teacher. As at April 30, 2019 these positions were filled.

4.11. The Committee was informed by CATT and MNS of the critical challenges faced by rehabilitation centres subsequent to the implementation of the Children's Community Residences (Rehabilitation Centres) Regulations, 2018 [6]in Table 7.

[6] The Children's Community Residences (Rehabilitation Centres) Regulations, 2018. http://www.ttparliament.org/documents/2653.pdf

Table 7: Challenges associated with the implementation of the Children's Community Residences (Rehabilitation Centres) Regulations, 2018

CHALLENGES OBSERVED BY CATT	MNS CHALLENGES
Inappropriate training for staff	Staffing to meet the needs of the Institution for example, ten (10) psychologists and two (2) pharmacists
Inappropriate person being hired	Infrastructure challenges to house the residents, staff and other services.
Shortage of Financial resources for infrastructural work and area outfitting	Financial constraints
Inability to completely separate committed and remanded residents	-

Strategic Plan

4.12. It was noted that priority was given to the development of the MNS's strategic plan and then the TTPRS' strategic plan that would incorporate YTRC. As at April 30, 2019 the TTPrS Strategic Plan was completed.

4.13. The Committee noted that the completion of a TTPRS strategic plan inclusive of YTRC would have assisted with linking YTRC staff shortages and requirements as a rehabilitation centre as well as provided for a streamlined approach to PMCD requests for additional YTRC positions.

New Policy Initiatives

4.14. The Committee noted that although there was a YTRC pre-release programme, there was an absence of a post-release programme with support services upon entry into mainstream society. The Committee was pleased to note that the TTPrS had commenced preliminary discussions with the CATT and other stakeholders on monitoring measures.

4.15. The Committee was pleased to note that since the December 2018 public hearing the National Child Policy was approved by Cabinet on March 14, 2019.

Recommendations

4.16. The Committee reiterated the implementation of the 2017 recommendation that the OPM work steadfastly to implement the Children's Registry in order to track the progression of the children in conflict with the law after they exit the rehabilitation centres in fiscal 2020.

4.17. The Committee reiterated the implementation of the 2017 recommendation of the recruitment of additional specialised staff to support and develop rehabilitative policies, programmes and procedures for child offenders, by December 2020, specifically:

- **the addition of welfare officers, ten (10) psychologists and two (2) pharmacists;**
- **the recruitment of one (1) Special Education Teacher, three (3) Primary level teachers and three (3) Secondary level teachers.**

4.18. The Committee reiterated the implementation of the 2017 recommendation that the strategic plan for the YTRC be drafted and approved by the respective Ministries by January 2020. The Committee further reiterates that the strategic plan would assist with rectifying the issues of staff shortages and requirements as a rehabilitation centre as well as provided for a streamlined approach to PMCD requests for additional YTRC positions.

4.19. In support of the National Child Policy's strategic objective to ensure effective support systems and services for children, the Committee recommends that the YTRC Strategic Plan include an internal post-release monitoring programme.

Other Findings and Recommendations

Missing Children

4.20. The Committee noted that although there were media reports in July 2017 and January 2018 that highlighted the disappearances of several teenagers who live at the St. Jude's Home for Girls, these girls were not residents of the SJIRCYFO.

Areas of Compliance: Child Rehabilitation Centre Guidelines

4.21. The Child Rehabilitation Centre Regulations, 2017 and the Children's Community Residences (Rehabilitation Centres) Regulations, 2018 created a regulatory framework for rehabilitation centres. With regard to refurbishment works required to ensure compliance with the regulatory requirements for a rehabilitation centre, the Committee noted that the MNS was 85% completed. As at January 31, 2019, the remaining tasks and accompanying timeframes in order to achieve 100% compliance were provided in Table 8. **However, as at April 30, 2019 the Committee noted that these projects had not commenced.**

Table 8: List of outstanding works to be completed at the YTRC

Required Work	Projected Timeframe (As at January 31, 2019)
Upgrade of technical vocational building and equipment	Six (6) weeks
Upgrade of food services	Ten (10) weeks
Completion of dormitories	Six (6) months
Upgrade of reflection unit	Four (4) months

4.22. The YTRC was lacking in achieving full compliance under eight (8) sub-sections of the twenty-four (24) parts of the Child Rehabilitation Centre Regulations, 2017 (Table 5).

4.23. The Committee was informed that the Discharge Committee can recommend early release of a child offender to the Court, if all the goals of his rehabilitation are fulfilled whilst the Advisory Board will provide oversight and make recommendations on the

management of the YTRC. **As at April 30, 2019**, the Advisory Board was yet to be appointed.

4.24. The Committee reiterated the importance of the completion of the infrastructural works in keeping with the stipulations of Regulations 11 to 13 of the Child Rehabilitation Centre Regulations, 2017 within the stated time frames, specifically the refurbishment works in Table 8.

4.25. The Committee exhorts the need to attend to the undermentioned outstanding areas of compliance with the Child Rehabilitation Centre Regulations, 2017 by January 2020.

(a) In accordance with Regulations 4(1), 6(1) and 6 (2) of the Child Rehabilitation Centre Regulations, 2017, the appointment of the Advisory Board and the convening of the Discharge Committees respectively.

(b) In accordance with Regulations 25 (1) and (2) of the Child Rehabilitation Centre Regulations, 2017:-

- **the recruitment of female infirmary staff as part of the specialised staff highlighted at 4.17 above;**
- **quarterly reports on the health of residents sent by the Prison Medical Officer by the last quarter of fiscal 2019.**

(c) In accordance with Regulations 35(d) and Schedule 4 of the Child Rehabilitation Centre Regulations, 2017, that forms permitting residents to leave the facility be made available.

(d) Should an intimate search be conducted it should be in accordance with Regulations 62 of the Child Rehabilitation Centre Regulations, 2017:

Your Committee respectfully submits this Report for the consideration of Parliament.

Sgd.

Dr. Nyan Gadsby Dolly, MP

Chairman

Sgd.

Mr. Kazim Hosein

Member

Sgd.

Mr. Esmond Forde, MP

Member

Sgd.

Mrs. Glenda Jennings-Smith, MP

Member

Sgd.

Mr. Rushton Paray, MP

Member

Sgd.

Mr. Dennis Moses

Member

Sgd.

Mrs. Hazel Thompson-Ahye

Member

July 19, 2019

APPENDIX I
MINUTES

EXCERPT OF THE MINUTES OF THE 22ND MEETING OF THE JOINT SELECT COMMITTEE ON HUMAN RIGHTS, EQUALITY AND DIVERSITY, HELD IN THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR, TOWER D, PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, 1A WRIGHTSON ROAD, PORT OF SPAIN ON FRIDAY DECEMBER 07, 2018

Present

Dr. Nyan Gadsby-Dolly, MP	Chairman
Mrs. Glenda Jennings-Smith, MP	Vice – Chairman
Mr. Kazim Hosein	Member
Mr. Dennis Moses	Member
Mr. Saddam Hosein	Member
Mr. Rushton Paray, MP	Member

Absent

Mr. Esmond Forde	Member (Excused)
Mrs. Hazel Thompson-Ahye	Member (Excused)

Secretariat

Ms. Candice Skerrette	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Aaneesa Baksh	Graduate Research Assistant

Also Present were:

Officials from the Ministry of National Security

Ministry of National Security

Mr. Vel Lewis	Permanent Secretary
Mr. Dane Clarke	Deputy Commissioner of Prisons (Ag.)
Ms. Germaine De Graff	Superintendent of Prisons (Ag.)
Mr. Elvin Scanterbury	Assistant Superintendent of Prisons
Mr. Garvin Ferret	Legal Officer
Dr. Jamal Mohammed	Prisons Medical Officer
Mr. John Lopez	Chief Infantry Officer, Prisons Supervisor – Medical Department

Office of the Prime Minister

Ms. Jacqueline Johnson	Permanent Secretary
Mr. Ian Ramdahin	Permanent Secretary (Ag.)
Mr. Bertrand Moses	Child Development Coordinator
Ms. Safiya Noel	Director – Children's Authority of T&T
Ms. Sharlene Jaggernauth	Manager, Legal Services –Children's Authority of Trinidad and Tobago

Statutory Authorities and Service Commissions (SASC)

Mr. Christopher Thomas	Chairman
Mr. Kenneth Parker	Deputy Chairman
Mr. Glenn Wilson	Commission Member
Ms. Gracelyn Bhola-Jordan	Acting Executive Officer
Mr. Djallon Frederick	State Counsel II

Public Hearing

7.1 The meeting reconvened at 10:46 a.m. in the J. Hamilton Maurice Room.

7.2 The Chairman welcomed and thanked the officials for attending. Introductions were made.

7.3 The Chairman invited opening statements from Mr. Vel Lewis, Permanent Secretary, Ministry of National Security; Ms. Jacqueline Johnson, Permanent Secretary in the Office of the Prime Minister and Mr. Christopher Thomas, Chairman of the Statutory Authority Service Commission.

Summary of Discussions

8.1 The following issues arose during discussions with the officials *(for further details, please see the Verbatim Notes)*:

i. The level of education and the vocational skills provided at the Youth Training and Rehabilitation Centre (YTRC) are insufficient to allow for the transitioning of child offenders into mainstream society;

ii. The challenges of the YTRC with external training provided by Non–Governmental Organizations include:

i. threats by male child offenders to staff when escorted for programmes;
ii. involvement of child offenders in the drug trade upon leaving the facility; and

iii. several child offenders were arrested for possession of marijuana after they left the facility for the programmes;

iii. The decision of the YTRC to develop and restore buildings in the YTRC compound to provide the MIC skills training programmes;

iv. YTEPP Vocational Training programmes for child offenders will commence in January 2019;

v. The human resource issues at the YTRC include:

i. Request for additional ten (10) psychologists and two (2) pharmacists was forwarded to the Property Management Consultancy Division in October, 2018;
ii. Need for additional Social Workers/Welfare Officers as the current complement of five (5) Welfare officers is insufficient; and
iii. Evaluation of the staffing needs of the YTRC to determine the number of additional position / staff needed.

vi. The strategic plan for the YTRC was included as part of the Draft Strategic Plan for the Trinidad and Tobago Prisons Service (TTPrS) and is expected to be completed by February 2019;

vii. The Ministry of National Security and the Children's Authority of Trinidad and Tobago have begun discussions into the monitoring of child offenders after they have transitioned into the mainstream society;

viii. The renovation works at YTRC to meet legislative requirements is 85% complete;

ix. YTRC received 10 complaints from child offenders of the YTRC over the past year and all complaints were investigated;

x. The National Child Policy will be completed in fiscal 2018/2019;

xi. Individual care plans are being created for child offenders at the YTRC by the Welfare Officers in accordance with the Children's Community Residences (Rehabilitation Centres) Regulations, 2018;

xii. The YTRC Advisory Board is scheduled to be appointed in 2019;

xiii. The tendering process for the design of the children's registry has begun and the implementation stage is expected during fiscal 2018/2019; and

xiv. The design of the Children's Registry will be completed in fiscal 201/2019. The Registry will track all children from birth to adult as well as children in conflict with the law for an additional seven (7) years.

Request for Written Submissions

9.1 During the public hearing, written submissions were requested:

Ministry of National Security

i. The expected completion date for the refurbishment of the workshop space for male child offenders;
ii. The expected completion date of the staff assessment to determine the number and category of staff to be recruited in order to provide educational training to male and female child offenders;
iii. With respect to the staff to be recruited to educational training for male and female child offenders, provide the number of staff to be recruited, inclusive of job title and expected recruitment date;
iv. The date of the PMCD request for the contractual employment of ten (10) psychologists and two (2) pharmacists;
v. The expected finalization date of the Ministry's strategic plan that will include details on YTC;
vi. The work plan to move from 85% and 100% compliance to the regulatory requirements for rehabilitation centres. The plan should include milestones and expected implementation dates;
vii. The expected commence date in January 2019 for the new YTEPP cycle;
viii. The number of complaints submitted by child offenders at rehabilitation centres from October 1, 2017 to December 31, 2018. Include details on the sex and nature of the complaint;
ix. The expected appointment date for the advisory board.

Adjournment

10.1 The meeting adjourned at 12:12 p.m.

I certify that the Minutes are true and correct.

Chairman

Secretary

December 28, 2018

APPENDIX II
VERBATIM

VERBATIM NOTES OF THE TWENTY-SECOND MEETING OF THE JOINT SELECT COMMITTEE ON HUMAN RIGHTS, EQUALITY AND DIVERSITY HELD IN THE J. HAMILTON MAURICE ROOM (MEZZANINE FLOOR) (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON FRIDAY, DECEMBER 07, 2018 AT 10.45 A.M.

PRESENT

Dr. Nyan Gadsby-Dolly	Chairman
Mr. Dennis Moses	Member
Mr. Kazim Hosein	Member
Mr. Saddam Hosein	Member
Mr. Rushton Paray	Member
Ms. Candice Skerrette	Secretary
Ms. Khisha Peterkin	Assistant Secretary

ABSENT

Mrs. Glenda Jennings-Smith	Vice-Chairman
Mr. Esmond Forde	Member
Mr. Barry Padarath	Member

MINISTRY OF NATIONAL SECURITY

Mr. Vel Lewis	Permanent Secretary
Mr. Dane Clarke	Deputy Commissioner of Prisons (Ag.)
Ms. Germaine De Graff	Superintendent of Prisons (Ag.)
Mr. Elvin Scanterbury	Assistant Superintendent of Prisons
Mr. Garvin Ferrette	Legal Officer
Dr. Travis Mohammed	Prisons Medical Officer
Mr. John Lopez	Chief infirmary Officer, Prisons Supervisor – Medical Department

OFFICE OF THE PRIME MINISTER

GENDER & CHILD AFFAIRS

Ms. Jacqueline Johnson	Permanent Secretary
Mr. Ian Ramdahin	Permanent Secretary (Ag.)
Mr. Bertrand Moses	Child Development Coordinator
Ms. Safiya Noel	Director—Children's Authority of Trinidad and Tobago
Ms. Sharlene Jaggernauth	Manager, Legal Services—Children's Authority of Trinidad and Tobago

STATUTORY AUTHORITIES SERVICE COMMISSION

Mr. Christopher Thomas	Chairman
Mr. Kenneth Parker	Deputy Chairman
Mr. Glenn Wilson	Commission Member
Ms. Gracelyn Bhola-Jordan	Acting Executive Officer
Mr. Djallon Frederick	State Counsel II

Madam Chairman: Good morning, everyone. It is my pleasure to reconvene this meeting, the Twenty-Second Meeting of the Joint Select Committee on Human Rights, Equality and Diversity. And it is also a pleasure to inform that this public hearing is being broadcast on Parliament Channel 11, Parliament radio 105.5 FM, and the Parliament's YouTube channel, ParlView. I want to welcome with us, officials from the Office of the Prime Minister, the Ministry of National Security, and the Statutory Authorities Service Commission. My name is Dr. Nyan Gadsby-Dolly, I chair this Committee, and I would like to invite now members of the Committee to introduce themselves, starting with Mr. Paray.

[*Introductions made*]

Madam Chairman: At this point I would like to ask the officials, who are present with us, to please invite themselves, starting with the Ministry of National Security, then the Office of the Prime Minister, Gender and Child Affairs, and then the Statutory Authorities Service Commission.

[*Introductions made*]

Madam Chairman: So if that is it, I would like to welcome all of you here with us this morning.

In 2016, the Joint Select Committee on Human Rights, Equality and Diversity enquired into the treatment of young offenders at YTC, St. Michael's and St. Jude's interim rehabilitation centres. The report, including recommendations, was laid in the House of Representatives in January 2017, and in the Senate in March 2017. This Committee has agreed that we would periodically, as we say in Trinidad and Tobago, "make ah tack back", and that is to say, check in on the status of implementation of recommendations made in selected reports as a way of judging the efficacy of the Committee's work. So today's public hearing is a commitment to this mandate. Therefore, we will focus mainly on how this issue has progressed through the various institutions and departments of Ministries since we last discussed it here in 2016.

So, just to summarize again, we discussed this issue in a public hearing on November 04, 2016, and with us on that day were representatives from the Office of the Prime Minister, as well as those from the Ministry of National Security. We made a site visit to YTC, as well as the interim rehabilitation centres located at St. Michael's and St. Jude's on November 16, 2016. And of course, as I mentioned, we presented the reports in early 2017, and the ministerial responses to the reports and the recommendations were received, and based on those responses we have highlighted that we wanted to look a little more closely at what is happening with the progress of the implementation of those recommendations now in 2018, which is about a year and a half later based on when the reports would have been sent to the Ministries and the institutions.

I would like to acknowledge and thank the following for the written submissions that the Committee received: the Office of the Prime Minister, Gender and Child Affairs, the Ministry of National Security, the Statutory Authorities Service Commission and the Judiciary. During this public hearing, viewers and listeners can feel free to send their questions related to today's topic via email at parl101@ttparliament.org, on facebook@ttparliament, and on twitter@ttparliament. At this point I would like to invite brief opening statements from the Permanent Secretary of the Office of the Prime Minister, followed by the Permanent Secretary of the Ministry of National Security, and then the chairman of the Statutory Authorities Service Commission.

Ms. Johnson: Madam Chair, the systems for the development of our nation's children is a work in progress. There are many areas which have, or are being addressed, simultaneously to develop the system. These include the legislative framework, the justice system, the child services system; many of these areas continue to evolve as we see with the legislation and the services. There are also many gaps in the system, including the placement of children, the

supervision of children, human resource issues, which are still to be dealt with in a significant way. The system has many stakeholders and we are collaborating in an effort to build the system using best practices. Key partners would include, of course, the State, but equally important partners are the parents and guardians of children, private and civil society organizations, and all those other agencies which are providing services for children.

The role of the Office of the Prime Minister, in this regard, is to ensure that all these agencies work in concert with each other to ensure that each child achieves his or her fullest potential, particularly those who require care and protection. Most of our policies and programme design are geared towards doing that, and we have given our commitment through the Draft National Child Policy to work with all agencies to ensure the well-being of our nation's children. Thank you.

Madam Chairman: Thank you so much. Permanent Secretary of the Ministry of National Security.

Mr. Lewis: Thank you, Madam Chairman, and members of the Committee. The Ministry of National Security and, by extension, the State, has recognized that the system of justice for young offenders had to be radically changed to meet the standards of the developed world. With this philosophy being adopted, we would have seen the amendments of several pieces of legislation and new legislation that treat with children. Some of these include the Children's Authority Act, Chap. 46:10; the Family and Children Division Act, 2016; the Children Community Residences, Foster Care and Nurseries Act, Chap. 46:04; the Young Offenders Detention Act, Chap. 13:05, being amended to the Child Rehabilitation Centres Act, Chap. 13:05, and, of course, the Young Offenders Detention Regulations amended to the Child Rehabilitation Regulations. The Child Rehabilitation Centres Act, Chap. 13:05, and the Child Rehabilitation Regulations, 2017, create and regulate what we now call the rehabilitation centres.

These centres cater for children in conflict with the law from the age of 10 to 18. The Trinidad and Tobago Prison Service is the agency that manages these institutions on behalf of the State. This new legislation encapsulates the new philosophy in treating with this category of children and brings modern thinking and practices to facilitate this change. I am pleased, members of the Committee, to advise that at the Ministry of National Security we already have two rehabilitation centres in operation that cater separately for the need of male and female children in conflict with the law. The new Children Court is in constant communication with the prison service to ensure smooth operations of both institutions in providing the necessary service to the public. The Trinidad and Tobago Prison Service has taken up the mantle even in the face of various challenges that exist, and it is working with stakeholders to ensure that this new system brings the desired results.

Let me assure you, Madam Chairman, and members of the Committees, that the Ministry of National Security, as the primary stakeholder in this, is committed to providing the support that is needed, and, of course, in fostering the collaboration between all stakeholders so that the prison service can comply with the necessary laws that affect our children. Thank you very much.

Madam Chairman: Thank you so much. Chairman of the Statutory Authorities.

Mr. Thomas: Thank you, Madam Chair. The Commission thanks you for the opportunity to discuss the recommendations of the third report. In a written submission the Commission has sought to respond to the recommendations that pertain to the Commission's functions. However, in that submission the Commission has indicated that the information in which we have detailed is really not all that the Commission can provide. In fact, it is all that the Commission can provide on this matter since most of the issues raised are not within the purview of the Commission.

In addition, the Commission, by Cabinet decision, has agreed, has followed up in terms of the closure of the St. Michael's School for Boys, and that has pre-empted our responses to those recommendations that pertain to the St. Michael's School. Notwithstanding the above, the Commission stands ready to assist the Committee and other agencies in whatever way it is possible to do so in advancing the realization of the Committee's work. And to that end, and in our interest to collaborate, we have accompanied here by the Deputy Chair, Dr. Kenneth Parker, Mr. Glenn Wilson, a member of the Commission, and our State Counsel II, Mr. Djallon Frederick. Thank you very much.

Madam Chairman: Thank you so much. So we are going to begin the questioning part of the public hearing, and I just want to you remind, both members and officials, to direct your questions through the Chair. So let me start by reiterating for the understanding of the general public, because we were here in 2016, and it is our clear understanding that the situation with respect to child offenders, rehabilitation centres, that has materially changed since we first addressed this issue. So I would like to ask, and maybe I can ask the Permanent Secretary of the Office of the Prime Minister, Gender and Child Affairs, to just, for the benefit of the public, trace what has happened with respect to the rehabilitation centres, where we went from the interim, what would have caused us to develop the interim centres, and where we are now with respect to having those, that responsibility passed to the Ministry of National Security so that the public can clearly understand the situation dealing with child offenders, and how they are dealt with in Trinidad and Tobago at this time.

Ms. Johnson: Thank you, Madam. In 2015, we had a suite of children's legislation, one of them being the Community Residences, children's homes, piece of legislation, which clearly identified the need for children who are in conflict with the law to be housed separate and apart from those children who require a simple care and protection. Prior to that what we had was children's homes, in particular, the four large homes which housed children in conflict with the law, as well as those who were in need of care and supervision. The homes also housed those children who had mentally challenged situations, and it also housed children who were merely orphaned and needed a place to stay.

The new legislation sought to separate the children and to treat with a particular incident we had in 2015/2016, with a child who committed a criminal offence, and the associated court matters arising out of that, we sought to create, in a haste, to satisfy the court—what we call, the interim rehab centres. So we created one at St. Jude's and we created another at St. Michael's with the blessings of the Catholic and the Anglican Church. They were always intended to be interim centres because we had subsequent legislation which would have led to the responsibility for children in conflict with the law moving to the Ministry of National Security. In 2016 that was done; the Ministry of National Security deemed YTC a rehab centre for boys.

We continued with the interim facility in 2016 for girls at St. Jude's, pending of the Ministry of National Security identification of a suitable location for girls, and they did that in 2017. So what we did was, moved the boys from St. Michael's up to YTC, and the girls were moved in 2017 from St. Jude's. Those two facilities are—the St. Jude's facilities was in fact commissioned via Legal Notice, but the St. Michael's facility remained uncommissioned. We have been liaising with the Attorney General to have those two facilities decommissioned, because we have now well-established facilities at Golden Grove for boys and for girls. So that has been the history of the matter, in a nutshell.

Madam Chairman: Thank you very much. I think the public is a lot clearer now about it, because when we were here in 2016 it was said at the interim stage, and so that definitely is a material change. It would have been picked up in the recommendations of the Committee at that time, and that certainly shows the progress of the matter from the passing of the legislation and the interim measures put in place and now to the full-fledged rehabilitation centres for boys and

girls. So that children in conflict with the law are now taken care of according to the laws of Trinidad and Tobago.

So that being said, I want to ask a question that looks at the strategic plan, and this may be directed to the Ministry of National Security with respect to rehabilitation. In your response to the Committee with respect to the updates, some issues were identified that rehabilitation centres had to comply with, and so I noticed, based on your submission, there is quite a high level of compliance with some of the requirements, the legal requirements of a rehabilitation centre. One of the issues that the Committee had in 2016, and that we have not seen addressed, at least not in any great measure, was this issue of the actual rehabilitation and what it means for the person, the children, who are within the rehabilitation centre? We expressed issues about the level of education that they were being offered, we expressed issues about the level of re—well, I should not say retraining, but skilled training, that they would have been exposed to, and we noticed that in the submission we had just about seven lads at YTC being part of an MIC programme, and so on.

So, what I want to find out is-based on the recommendations to align, in some way, and understanding the challenges and difficulties the education that they are exposed to in the rehabilitation centres and what they would now be coming out when they come back into the general mainstream education system—what efforts have been made to ensure that the lads and the young ladies who are coming out of the rehabilitation centres are equipped to actually live in the outside world once they are released?

Mr. Lewis: Thank you, Madam Chairman. With respect to those young offenders at the Youth Training and Rehabilitation Centre, the Ministry through the prison service has actually developed a number of programmes that are conducted within the centre, but also through partnerships with, at the present time with MIC and YTEPP.

There have been some challenges in recent times with getting those programmes properly implemented, and the Ministry has taken a decision to refurbish a workshop space within the compound of the Youth Training and Rehabilitation Centre. We have taken a decision to restore those workshop spaces so that we could have better control and better security for the conduct of those programmes within the compound itself, and not expose ourselves to the challenges of getting those young persons outside of the walls of the centre to have those training programmes conducted.

I should also say that, very recently, the Ministry, through the prison service, has begun, has started the discussions with other stakeholders in terms of that transition from the centre into mainstream educational activities. When they leave the centre those discussions are, I would say, at the preliminary stage. They have not been very advanced as yet, those are recently started. The thinking is that the prison service, while we have a certain amount of responsibility as a Ministry, and the prison service, to care for those young offenders while they are in our care, we recognize that in order for serious rehabilitation to take place, there must be some monitoring and follow-up even after these young persons leave the institution. And therefore, we have begun some discussions with the Children's Authority and other stakeholders to ensure that we could put those measures in place, hopefully in short order to cater for that kind of need.

Madam Chairman: Just a follow-up, based on something you just said there, with respect to developing on-site facilities for skill training and other types of training—is the intention to hire staff within the rehabilitation centres to conduct these types of training, or is it simply to have the training on-site and bring in staff from the external agencies?

Mr. Lewis: Well, I think it is going to be a combination of both. We do have on staff at the prison service, trained and skilled persons who could conduct a number of these programmes, but, certainly, we would have to do an assessment

of the staffing, for want of a better word, need for those programmes to determine who are the persons we may need to bring from the outside.

Madam Chairman: What is the current number of lads at the YTC now?

Mr. Lewis: Currently there are 81 boys and 12 girls at the centre.

Madam Chairman: Eighty-one boys and 12 girls. And the seven residents that are enrolled externally in the MIC—those are boys only?

Mr. Lewis: Yes, those are boys.

Madam Chairman: And some of those challenges, because seven—you have 81 persons, you have seven enrolled, so that is quite a small number, could you elaborate a little bit on some of the challenges that would preclude more young men from taking part in these programmes?

Mr. Lewis: Well, disappointingly enough, I think the numbers have actually fallen from seven, and the challenge is really one more of security than anything else in taking them outside of the centre, but I would ask the Deputy Commissioner to elaborate a bit more on it.

Mr. Clarke: Good morning again, Madam Chair, and members of the Committee. As Mr. Lewis has indicated, the PS, the numbers have fallen from seven to four actually. What has happened is—the programme started in September 2018, and at the end of November, we had several instances where the boys were found with marijuana. On the last occasion, the young man was taken to the police station and arrested, and subsequently charged for possession of marijuana. So, at the MIC we, despite the supervision, we have seen the inclination to involve themselves in the drug trades, and whatever have you, and that also poses a security risk to the staff that goes out there with them.

As you have heard, the staff are being threatened once they are out there. So in communicating with the PS and the other stakeholders, we have found that it may be better to have MIC, and other such institutions, come to deliver the programme at the Youth Training Centre, as opposed to the security risk and challenges that are posed, you know, externally to YTC.

Madam Chairman: Okay. One last question on this issue of HR, with respect to rehabilitation, because it is an extremely important issue, because if we do not have—if you are not equipped with the tools, the staffing, and so on, to rehabilitate, then it is "rehabilitation" in name only.

I saw in your submission as well that, as a follow-up to our recommendation, that additional specialized staff be acquired to support and develop the rehabilitative policies, programmes and procedures for child offenders. The prison service has requested the contractual employment of 10 psychologists and two pharmacists, and this is being considered by PMCD. Could I ask, when was this sent to PMCD and how long has it been in consideration?

Mr. Lewis: That proposal would have been sent to the Ministry of Public Administration, the PMCD. I think it is just over a month or so, or almost two months ago. We are aware of how the PMCD works. We have actually been in contact. The HR unit has been in contact with the PMCD to try to see how we could fast-track this arrangement. So we are hoping that, before too long, we would get the recommendations of the PMCD to be able to take this forward to the Cabinet for consideration.

11.15 a.m.

Madam Chairman: Could I ask a further question? The service determined that you need 10 psychologists and two pharmacists—On what basis was that determination made? Why not five psychologists, or why not 20? What were the criteria that would have led to the service deciding, okay, we need 10 psychologists? Do we need any psychiatrists? Do

we need some more social workers? How was that determined?

Mr. Clarke: Madam Chair, we have Asst. Superintendent Mr. Scanterbury here with us who would be in a better position to answer.

Mr. Scanterbury: Morning, Madam Chair. This number was determined after consultation with our resident psychologist. We have one resident psychologist attached to the prison now, and that is based on the client/worker ratio.

Madam Chairman: So psychologists are the only class of—because the recommendation was brought, "Additional specialized staff to be able to address the rehabilitative nature of the centres". Is it only psychologists that are targeted in this approach to get more specialized staff?

Mr. Scanterbury: Yes, for now. The psychiatrists we have, access to as needs be. The doctor would do the referral and we have access to psychologists from the St. Ann's facility. Because of the number of clients that need psychiatric assistance, then we did not see the need to have permanent psychiatrists on board. So for now it is just the psychologist that would assist with the behaviour management and the psychological issues. We also have trained social workers and they come out of our welfare department, so they take care of the psychosocial needs as well of the clients.

Madam Chairman: How many social workers do you have attached to the YTC? Are they assigned to the YTCs?

Mr. Scanterbury: Assigned to the Youth Training Rehabilitation Centre.

Madam Chairman: And how many do you have?

Mr. Scanterbury: Could I pass that on to Ms. De Graff, the current Superintendent, to give you an update on the information.

Ms. De Graff: Good morning again, Madam Chair, and other members of the Committee. Presently we have Welfare I's, we have four and we also have Welfare Officer II along with the Asst. Chief Welfare Officer attached to YTC.

Madam Chairman: So if we count how many of them, I am not sure if the Chief Welfare Officer would be actually in contact, doing the actual groundwork, maybe doing the administrative part of it.

Ms. De Graff: That would be five.

Madam Chairman: So we have five welfare officers who would fulfil that social work function?

Ms. De Graff: Yes.

Madam Chairman: Is that sufficient?

Ms. De Graff: No it is not. Recommendations were made and we expect to get more.

Madam Chairman: So at what stage are those recommendations? Are their positions that are vacant or are they positions that need to be created that would need to be sent to PMCD as well?

Ms. De Graff: Those recommendations would be made from the Chief Welfare Officer based on requirements, and that would go to—

Madam Chairman: You understand what I am asking? Because if you have 10 psychologists before PMCD, do you have vacant positions for welfare officers that you are just seek to fill, or is it that you have to create additional positions? Because if you have to create, then I would have expected that it would have gone in one submission then, so that you get your psychologists plus your welfare officers. So that in terms of the staff and the tools you have for the rehabilitation, you filled up in terms of staff. So which is it—is it that you have positions or you have to create positions?

Mr. Clarke: Madam Chair, no, we recently filled all the vacant welfare positions that we have. However for this particular issue I am not quite certain what is required in terms of the numbers of additional social workers that we

would need at the facility. But that is something that we could consider in terms of whether we need to ask for more or redeploy some of those that are currently in the system. But at this particular moment I am not sure as to what those numbers would be and the vacancies that exist.

Madam Chairman: So we probably need to determine, because if we know it is insufficient and we know we need more, at this point I think it would be important to consider. Many times, considering these issues as a whole, before PMCD tends to accelerate matters rather than going before PMCD now, and then going back again for something that is as important as these officers that really deal directly with the young men, and would be able to produce the rehabilitation in some measure that we are looking for out of these centres. So, I will pass on now to Sen. Hosein.

Mr. S. Hosein: Thank you very much, Chair. One of the recommendations that was made based on the Joint Select Committee's report was the drafting and approval of a strategic plan, and the strategic plan would have assisted with respect to the organizational structure and issues relating to staff shortages. This question is taken directly out of the Chair's original line of questioning. Has this strategic plan been drafted, or what stage is it at? So that if you had drafted the plan, it would be easier now to probably determine the shortages, what you require, what needs to be filled and what needs to be before PMCD.

Mr. Lewis: Thank you. Actually what has happened is that a plan had started to be drafted for the centre, but it was recognized that the work of the centre is subsumed within the wider prison service, and therefore it was felt that the strategic plan for the prison service was required.

So what has happened since is that the Ministry of National Security has since gotten a strategic plan approved for the Ministry. Out of that, the prison service has drafted the strategic plan in which it has incorporated a strategic plan for the YTC. That plan is right now being discussed. It is out for consultation with the various stakeholders within the prison service and the partners, and we are hoping to have that plan finalized. Within about two months or so we should have that finalized.

Mr. Moses: Madam Chair, in the submission, the Statutory Authorities Service Commission had suggested that homes can supplement their human resources by drawing from the on-the-job training programme. I would like to know if this has been done, if they have been able to access those resources. Thank you.

Madam Chairman: You all got the question? Sen. Moses, you just want to repeat?

Mr. Moses: I said, in its submission, the Statutory Authorities Service Commission had suggested that homes could have accessed, supplement their human resources, their personnel, by drawing on the on-the-job training programme. My question is whether such could have been implemented.

Mr. Lewis: Yes is the answer. Unfortunately at this time the Ministry has not had the good fortune of having persons from the OJT Programme with the requisite skills and so on to be attached as yet to the YTC, but we keep in contact with the office of the OJT, and we are hoping—because we have actually been drawing from that pool of resources for other areas within the Ministry.

Mr. Moses: Thank you.

Mr. Paray: Chairman, through you, I want to just make an initial comment. I want to thank the stakeholders for the responses that you all would have submitted coming out of 2016 initial enquiry. I must say the responses in terms of what I have read have been very encouraging in terms of making progress in moving forward on the issues of our children.

There were two things that stood out in my reading of the submissions. One, the issue around staffing and

funding which seems to be a critical issue throughout all the stakeholders in terms of delivering what we expect as a country in terms of looking after our young children.

In one of the responses from the Ministry of National Security under question No. 6 concerning remedial teaching methods, the issue of monitoring. In your response you said:

Currently no monitoring system exists, given the fact there are no resources in place to monitor the transition of the labs. Now, it is children that we are dealing with, and my understanding is if you are training these children doing remedial work, monitoring has to be absolutely critical when you—I do not know if the word is "released" that we want to use, when they go back out. How does the Ministry plan to deal with that, taking note of the fact that the issue of funding is not available, and to reduce the recurrence of these young people coming back into the system? What is your take on the fact that there is no monitoring happening at this time?

Mr. Lewis: Actually I would have addressed that to some extent earlier. Just to reiterate that we recognize that that is a shortcoming, and as I said earlier the Ministry has actually begun conversations with the Children's Authority at least. Of course, which we hope to extend those conversations with other stakeholders, to put in place those measures to be able to do that kind of monitoring and so on even after persons have left the centre. So we recognize it is a shortcoming. It is an area of concern for us. We have already begun the conversation to set some things in motion in that respect.

Mr. Paray: You said that you were having conversations with the Children's Authority. Do you have an idea of the type of time frame you are looking at before you can put something in place to deal with that or is the conversation just beginning?

Mr. Lewis: I have to admit the conversations are just beginning, but already there are some ideas, for want of a better word, that have been put forward of how we can treat with this. We are hoping to meet soon again, for want of a better word, to explore those ideas and to come up with concrete recommendations that could be implemented.

Mr. Paray: Does the Ministry use any type of best practices from other jurisdictions, because I am sure we are not the only ones that are walking this path? Has the Ministry looked at best practices from other jurisdictions to help push that conversation along in terms of the opportunities for monitoring?

Mr. Lewis: Certainly, actually in some of the conversations we have had we have already begun discussing how other developed countries treat with this particular issue. So it is one of the areas that we would want to certainly look at in coming up with whatever measures that we are proposing to put in place.

Mr. Paray: Finally on that point, do you see any role of NGOs, community organizations, in partnering with the Ministry of National Security in assisting with that monitoring of the lads that are coming back into the system? Has any conversation been made with community organizations in that matter?

Mr. Lewis: Certainly I could see a role for various private sector or community groups and organizations in this. We have not had those conversations as yet. We have started with the state agencies that will have some responsibility in this area. I am sure that eventually those conversations should take place.

Mr. Paray: Lastly—I am sorry about this—just as an example, we had some issues in Mayaro Secondary at one time with some children who ended up in a serious brawl and ended up in a canal and so on, with some fighting issues. And one of things that we tried to do—rather than look at suspension, in speaking with the principal and the various agents in the Ministry of Education—I asked the Lions Club of Mayaro if they would be willing to take these kids for, like five, six, seven Saturdays and work with

them in terms of having the ones who were fighting amongst themselves to work together on projects within the community, working in homes with elderly people, to do two things—to resolve their personal issues two to show some care in your community.

The one time that we did it we had a considerable and good experience with it, and the children were back in school with no further issues. So that is why I asked whether communities can get involved, NGOs can get involved in pushing that monitoring along. Thank you.

Mr. Lewis: Thank you, Madam Chairman. I take note of that, and it is something that we will certainly consider.

Madam Chairman: Just before I ask Mr. Hosein to come in, I wanted to get the perspective of the Children's Authority on this matter, seeing that the discussion is happening between the Ministry of National Security and the Children's Authority, with respect to that monitoring aspect, especially for those who are in that transitory state. What perspective can you put on this issue?

Ms. Noel: Thank you, Madam Chairman. What I can say is that who is best placed to monitor a child will determine where the child will be. Sometimes it may be the school social worker, sometimes it might even be the child probation officer out of the Probation Department, or it may be the Children's Authority. So it is really not necessarily just one agency, it really has to do with where the child will be going and what are the services the child is supposed to be accessing post their YTC stay. That will determine who would be best placed to—even it may be homeowners in the community—who would be best place to monitor this child.

Also, the level of risk the child shows for re-offending will also determine the most appropriate agency to monitor that child. So it is not just one agency or one type of professional, it is really case by case and looking at the merits and the elements within the specific case and that is how the Children's Authority views it.

Also, if it is the Children's Authority wishes to monitor a child, you find we prefer to get the oversight of the court via a Supervision Order. So those are things that can be sought, just to legitimize the activity of the monitoring and to ensure compliance when the monitoring occurs.

Madam Chairman: Now, contingent on all of this discussion is that the person that transitions out of the rehab centre is still a child?

Ms. Noel: Most certainly.

Madam Chairman: On a general basis, when children enter the YTC, do many of them come back out of the YTC as children, or do they transition out as adults?

Ms. De Graff: As adults, over 18.

Madam Chairman: So therefore, the whole issue of monitoring then takes on a different dimension, because these are not children, by and large, anymore, these are now adults that are transitioning. But I know that in the prison service, is there not a programme that deals with release? When somebody is going to be released there is some type of programme that takes place for them?

Ms. De Graff: We have a pre-release programme that the last few months— the welfare, other departments get involved connecting with where the child is supposed to be going after discussion would be had with parents. So that programme prepares the child for release.

Madam Chairman: And once released, the child might be an adult at that point, well, could have transitioned into an adult at that point. Are there support services where the now adult, who was a child in the rehab centre—are there services that that person can now reconnect with some of the support systems that they would have had while they

were in the rehab centre, post the programme that helps them to rehabilitate to enter into the mainstream society again?

Ms. De Graff: From the prisons service we do not have a programme for after.

Ms. Noel: Madam Chair, if I may. Under the new legislative framework, children can stay at the rehabilitation centre much shorter. So you find, before, they would have been committed until age 18, now what you would find is that they can have shorter stays at the rehab centre. And so, the discussion about monitoring after their stay at a rehab centre is still a very relevant one.

Madam Chairman: Okay, understood.

Mr. S. Hosein: Thank you very much again Chair, through you. Can you explain to me what happens to a child who obtains the age of 18 while at the Youth Training Rehabilitation Centre and his matter is still before the court?

Ms. De Graff: Presently they are still there. We have those whose matters would have been completed at the Magistrates' Court, and so they would have been waiting for dates in the next Assizes, so they are still at YTC.

Mr. S. Hosein: So there are adults at the YTC centre?

Ms. De Graff: Yes, we have up to a 28-year-old.

Mr. S. Hosein: Is he housed separately from the children?

Ms. De Graff: Yes, we have them separated. Based on their classification we have them—like if they are for capital charges they are the ones who are mostly over 18.

Mr. S. Hosein: Also earlier on, I got some statistics that there are 81 males and 12 females currently at the centre. Those females are also housed at the centre?

Ms. Noel: No, they are separately at Golden Grove at a different location.

Mr. S. Hosein: So it is a new building that was constructed or somewhere else?

Ms. De Graff: It is a remodelled building.

Madam Chairman: Let me ask a question of the Statutory Authorities Service Commission. I noted in your response there was a lot that was recommended, that you indicated was outside of your remit, and you were not able to respond to those recommendations. If I follow closely, your commission has the power to appoint, transfer, promote, remove and exercise disciplinary control. So some of the recommendations dealt with training, capacity building and so on.

Is it the view of the commission that this type of function, though outside your remit, should be included into the remit of the Statutory Authorities Service Commission if that were possible by legislation and so on? Is it your view that that should form part of the function as well, in as much as you are expected to discipline? Would it be something that you think would add value to the commission's work?

Mr. Thomas: Madam Chair, I did not quite understand whether you were referring to the training component or the mandate that the commission has.

Madam Chairman: It is my understanding, and you can correct me if I am wrong—maybe I got the wrong understanding—that the commission is not involved in any way in training or capacity building. Is that the correct impression I have?

Mr. Thomas: The commission has decided to work with the entities in relation to training of the staff that is sent to the commission in terms of their performance appraisal report of the persons under their care. But outside of that the commission does not do training because it is not part of the function or the mandate.

Madam Chairman: So that is why I am asking. It is outside your function, outside of your mandate. I am asking, do you think that function would add value to the work of the commission; the inclusion of that, that is now outside your

mandate?

Mr. Thomas: It is not a question that we have addressed, but I would say that you do have a situation where we do not have the direct type of connection or relationship with continuing persons at the home, and it would be very useful if the training component could be expanded somewhat to include that kind of integration.

Madam Chairman: Understood.

Mr. Paray: Madam Chairman, through you, just browsing through the legislation regarding the children's community residences rehabilitation centres, sections 8 and 9 identify all the requirements for those rehabilitation centres with regard to furniture, sleeping accommodations, recreational materials, facilities and so on. Now, in the Ministry of National Security's submission under, I think it was question 11, one of your comments was that financial constraints and infrastructure challenges—that is, the physical resources to house the residence staff and other services—I want to get a feel in terms of the rehabilitation centres. Based on what the legislation is asking that these rehabilitation centres be outfitted with, what percentage of that has been done in those rehabilitation centres, to the best of your knowledge, whether it is 25 per cent, 50 per cent, 80 per cent. How far along are we in terms of meeting what the legislation has required us to do?

Ms. De Graff: I would say about 85 per cent.

Mr. Paray: So I would think we are in a good position at 85 per cent, although the constraints of funding. Is there a plan of action to bridge that 15 per cent right now in terms of what is missing still? Is there anything in place that you all are working on?

Ms. De Graff: Yes there is a plan of action.

Mr. Paray: Duration, what time frame in terms of being able to see that fulfilling of the legislation?

Ms. De Graff: I do not have a time frame. Requests have been made and forwarded.

Mr. Paray: Work in progress then?

Ms. De Graff: Yes.

Mr. Paray: All right, thank you.

Mr. K. Hosein: This is to the Ministry of National Security concerning vocational programmes which would be carried out by YTEPP. A commitment date has not been agreed upon as yet. When do you expect to start these programmes?

Ms. De Graff: Meeting with YTEPP the proposal is for January, the new cycle, January2019.

Mr. K. Hosein: You expect to start January?

Ms. De Graff: Yes, the new cycle.

Mr. K. Hosein: Thank you very much.

Madam Chairman: This goes to the YTC, the prison officials. One of the recommendations, Recommendation 4.15 of the 2017 report stated: The creation of human resource policies that provide for the expeditious investigation of abuse reports—and this is with respect to abuse of the children within the rehabilitation centre. Based on your response, it seems as though there is now a complaint procedure or policy. I am asking when was this produced and have you seen the progress of the use of this policy with respect to how alleged cases of abuse are dealt with at the rehabilitation centre?

Ms. De Graff: There is an official complaints procedure, and yes because once a child makes a complaint, it is addressed and then as the Superintendent we have whatever action is taken.

Madam Chairman: Was that a recently developed policy?

Ms. De Graff: No, it was developed when Mr. Scanterbury was there.

Madam Chairman: How long ago was that developed?

Mr. Ferrette: Madam Chair, may I clarify that for you and the Committee. The complaints procedure is part of the regulations, the Child Rehab Centre Regulations at section 48. It spells out the procedure that is needed or that is required when a complaint is made by a child, an officer or any other visitor to the rehab centre. So it is provided there in law.

Madam Chairman: Understood. Now, the legal requirements that are spelt out, do they in any way involve the Children's Authority in that situation?

Mr. Ferrette: Madam Chair, is that directed to me?

Madam Chairman: Yes.

Mr. Ferrette: Yes, the Children's Authority would receive our report on any complaints that are lodged by a child or any other person that originates from a rehab centre. So they would have an input in it as part of their monitoring functions.

11.45 a.m.

Madam Chairman: Then I will ask the Children's Authority to comment on the use of this procedure and this policy; and has it been in use? Have you been able to, or have you been called on to intervene in any of the circumstances where alleged reports of abuse have been made?

Ms. Noel: Madam Chairman, I would say, yes, generally. The thing is, what the regulation has, what it does, it puts in law something that already existed. So any complaints that we receive from a child or we become aware of, we do investigate and we do ensure that the rehab centre follows their own process in investigating, and if required, we then also do an investigation. So it really puts in, as I said, in regulation what already exists, so it is something that is already in operation.

Madam Chairman: What type of volume of complaints from the inmates come up through the system and are heard? Like say, for the past year, what—or since it has only been in law since 2015, what kind of volume of complaints have you had?—because, you know, you always hear unofficially things being said. But how many make it through the system and are actually lodged as complaints from the inmates' side?

Ms. De Graff: Madam Chair, from the inmates' side, the complaints for the year I have that are recorded are about 10 complaints, and that is what they personally made and documented.

Madam Chairman: And the Children Authority has been involved in all 10?

Ms. Noel: We have 10 as well. Yes.

Madam Chairman: And are there any challenges to this integrated approach to exploring or investigating this concern to the process?

Ms. Noel: I have not received that there are any major challenges in treating with the complaints made by any of the residents of a rehab centres.

Madam Chairman: And so therefore, the integration of the two bodies, investigating the same thing has been successful?

Ms. Noel: Yes. So the rehab centre would do their own investigation, and then we also oversee, and sometimes if it is we feel it is appropriate, we can also conduct our own investigation.

Madam Chairman: So this leads me to ask something that I think we brought up then and we have discussed in

different enquiries with respect to, and you mentioned it earlier, this integrated approach to child care and that may come back to the policy that was mentioned by the Permanent Secretary from the Office of the Prime Minister, Gender and Child Affairs.

We have discussed and I think the Children's Authority and the OPM, as well as the Ministry of National Security, have been with us on a number of occasions discussing different aspects of human rights, and we have mentioned on more than one occasion this issue of the integrated approach to child care where children who come into the system are dealt with, and their needs are met by the different agencies that all deal with taking care of children, whether they are offenders or whether they just need care and so on, and that everybody is on the same page with respect to what this child has received, what they need, and which agencies are best positioned to provide the support and the service that they need. So, maybe I can now come to the Permanent Secretary, again. Where are we, and is this a part of this draft policy that is being developed? And where are we on that front?

Ms. Johnson: Thank you, Madam Chair. As I indicated earlier, it is a system that we trying to build out here—one that is in keeping with the International Convention on the Rights of the Child, and there are many stakeholders. The national policy on the child is being designed to ensure that this collaborative effort continues as we develop this system in a more comprehensive way. And we, it is not only the Ministry of National Security and the Children's Authority, it is also the Ministry of Social Development and Family Services because they have a key role to play in the parenting policies; policy on the families policy.

So, we have a draft policy in place; we are going to take it out to consultation in January of next year, and hopefully we will be able to finalize it within three or so months. We have gotten the funding from the—through the annual budget to do our consultations, and to finalize that policy. We have gotten a considerable amount of help from the United Nations, and so we are way advanced in terms of having a policy in fiscal 2019 ready.

Madam Chairman: And this is separate and apart from the system that we are trying to build out?

Ms. Johnson: The policy will really govern the system for the development of children including those in need of care and protection, those who have disabilities, it is wide ranging.

Madam Chairman: Well, I want to say that I really want to commend the Ministry for pushing it forward. I know policies are sometimes are tricky things to finalize and to pin down, but certainly as a marker for drawing a line in the sand and saying this where we want to get to, and of course, there is going to be a lot involved implementing some of the recommendations of the policy and so on, but it really is a very necessary step, and we look forward, most definitely to this coming into play, and then the development that comes from that to the point where we can identify a child and say all of these things are how we have impacted and supported this child, and everyone is on the same page. Because I think all of us agree that this is where we want to get to so that our children can have the best of the services that are offered to support and develop them. I will take MP Paray and then Sen. Hosein.

Mr. Paray: Thank you, Madam Chairman. I just want to touch on the issue regulation 19 in your submission here where you indicated, this is the Ministry of National Security. I wanted to get a bit of understanding on this individual care plan that the regulation insists that must be provided for each of the residents that come into rehabilitation centres. And you have indicated that on for all four items under that piece of regulation you have had a positive response. Can you share with us a bit of what this individual care plan is about? And are you meeting that requirement for all residences as of today?

Ms. De Graff: Through the Chair, whenever a resident is sent to YTC, we have those who are committed by the court

for any time, it could be months, it could be years. We have an assessment team who come together and develop the care plan based on the assessment. We also have plans that come in from the court based on those who would have been in the system, and there would have been a probationary period, and so a plan would have been developed that might have used diversionary programmes that did not work, and so we would have that information too.

So, yes, all of our residents, we are working on care plans for the residents, they are done by as recommended by the benchmark by the welfare officers are the ones who do the final plan that is forwarded. We have to send them to the courts too.

Mr. Paray: And your—in terms of funding and so on, has that hindered the implementation of those care plans in any significant way? Or are you managing with the existing funding arrangements that you have at this time?

Ms. De Graff: Part of some of the plans are vocational, the trades. And the issue with the voc tech, the refurbishing of the voc tech building would, we might have a little problem there.

Mr. Paray: Okay. But you are satisfied that the care plan programmes are working effectively? You all are achieving the results that you have expected?

Ms. De Graff: Yes. Yes.

Mr. Paray: Thank you.

Madam Chairman: Sen. Hosein.

Mr. S. Hosein: Thank you very much, again, Chair. Now, I am looking at the Ministry of National Security's submissions and under the rubric of the regulations and the compliance, I see that there is the advisory board and discharge committee. Can you just inform the Committee of what this advisory board and discharge committee is?

Mr. Scanterbury: To the Chair, some of those were taken out of the old regulation. The advisory board is to be appointed by the Ministry, and they would provide some oversight as well and make recommendations to the management of the centre.

The discharge committee in the old incarnation was responsible for providing early release for offenders who may have reached—well, let me speak a little about the old system first so that you get an understanding of where, the history.

In the old system, once a young man has reached the seventh grade, there was a grading system, the superintendent will now write to the Inspector of Prisons and inform him that these young men are eligible for early release, and there was built in, a pseudo parole system that you will leave before your three-year sentence finishes or four years finish and be monitored. Once you did not commit any offences during that time, then you were freed of all your encumbrances.

So in this new incarnation it is possible now for this discharge committee to meet and make a recommendation to the court. If a young man comes into the system and has attained all the goals of the rehabilitation, and we felt that, listen he should be allowed an opportunity to be released early, this discharge committee can make such a recommendation to the court. So those are the committees that have been designed.

To date, the discharge committee has not had an occasion to meet, and they would meet, based on a recommendation from the superintendent.

Mr. S. Hosein: Have the committees be appointed?

Mr. Scanterbury: The advisory board, no. The discharge committee is made up of the Commissioner of Prisons, chief welfare officer, so they are on stand-by.

Mr. Hosein: Can a reason be given or a date be given in terms of the appointment of the advisory committee?

Mr. Scanterbury: I do not know if the Permanent Sec. would speak to that.

Mr. Lewis: Yeah. Well with respect to the board, that is being considered along with a number of other boards within the Ministry. And this is one of boards and committees that we intend to have appointed early in 2019.

Mr. S. Hosein: 2019?

Mr. Lewis: Yes.

Mr. S. Hosein: Okay. One more question, please, Chair. On the last—one of the recommendations coming out of the committee's report also was that the Office of the Prime Minister and the Children's Authority will work to implement something called a "children registry". We want to just get a follow-up with respect to the children registry because I think it is very important, because I believe this registry would track the child who is in conflict with the law, and their progress throughout the court system until exit. Can we be given an update in terms of this children's registry.

Ms. Johnson: The children's registry is being designed to track all children in Trinidad and Tobago from zero to 18. It will continue to track those who are in need of care and supervision up to 25. So those children who are in conflict with the law, those children who have been placed in a children's home, those children will be tracked for an additional seven years.

We have gone past the design stage, and we are at the stage now where we are trying to build the system. We have gotten the support of iGovTT, and we are reviewing the terms and conditions for the tender for the design stage; that is where we are.

Mr. S. Hosein: Estimated, how long it will take to complete?

Ms. Johnson: Well we are hoping to complete design in this fiscal. There are lots of stakeholders involved here. The Ministry of Education is one of the key agencies here. They will be required to treat with the national registry in a significant way because that is how—the registry is being designed to ensure that children achieve certain standards as they age. So once you drop—once we see a child not achieving the standard, it is an indication or an alert for an agency to come in to treat with the child's needs. Yeah? So, we are hoping to complete design in fiscal 2019 and move on to implementation.

Mr. S. Hosein: Thank you very much.

Mr. Paray: Thank you, Madam Chairman. Just as a follow-up to Sen. Hosein's query. You said that this registry will be tracking all children, just not just those who enter the court system. And in terms of the pool of data that is going to be put into that registry, who is going to be speaking to that data? Where is that data going to coming from? Is it going to be from the registrar of births office in terms of, you know, as a child is born it goes into the system, the school system, following progress academically and so, is that the way the registry is going to work?

Ms. Johnson: The registry is essentially designed that way to capture the data from the Registrar General. In fact, they are a critical member of the committee. So it captures births, it captures deaths, it would also capture those children who have gained citizenship by having Trinidad and Tobago parents. Yeah?

There are some other sources of data that we will need to include there, Immigration, for example, to capture children within our jurisdiction who we need to care for. Yeah? So it captures that data.

Mr. Paray: In terms of the data that, and I think the data coming out of the schools would be very critical in determining some of the issues that the child may be experiencing. Have any conversations been made with like TTUTA and so on?—because I know sometimes teachers are already burdened with so much work. A class teacher is the one who

may be the best suited to identify issues with a child, and raise red flags and so on. Has any communication been made with those stakeholders in terms of capturing that data?

Ms. Johnson: Very little at this point in time, but the Ministry of Education is represented on the committee, so they would be bringing those issues to us. The registry has to be designed in such a way that you see only the information that is critical for you in your own individual situations to service the child. So it is not a situation where everyone can access the child's data, but those who are critical to treating with the child in that particular instance, would have access to the data.

Mr. Paray: Just finally, I think it is a good initiative in terms of that registry, because I feel sometimes that, you know, from the time a child enters from early childhood, monitoring ought to be made in terms of the performance of the child to be able to capture those families that may not have the strength, the background to really bring children up in a good citizenry way. And that registry, allowing us to do and being able to probably red-flag those one that may potentially end up in your rehab centres and so on. I think that registry is a very good idea and I look forward to seeing it developing as we go forward.

Madam Chairman: Okay. I think there being no further questions from the members of the Committee, I would like to invite at this time closing comments, and I would like to invite the Permanent Secretary of the Office of the Prime Minister first, followed by the Permanent Secretary of the Ministry of National Security, and the Chairman of the Statutory Authorities Service Commission.

Ms. Johnson: Thank you, Madam Chair. The Office of the Prime Minister appreciates the invitation here today. There are key issues surrounding the development of our nation's children which we must address. Some of them we need to do them very quickly in order to ensure that we do not have packed and overcrowded rehabilitation centres in the country. We are running out of facilities and therefore, we need to do as much as possible to ensure that our children remain at home with their parents and their families as opposed to going to a children's home or going to a rehab centres.

Again, the Office of the Prime Minister is committed to working to ensure that we have fewer and fewer children enter institutions in this country. I thank you.

Mr. Lewis: Madam Chairman and members of Committee, like the other stakeholders here, the Ministry of National Security is pleased to have been able to assist this Committee in its work, in its deliberations. We continue to strive to make every efforts to do what the Ministry of National Security can do in treating with the group of child offenders in our care. We continue to give the commitment to our stakeholders to continue collaboration and cooperation in this regard.

And finally, I want to thank the Committee for the recommendation it has made to the Ministry that has assisted us in improving our own operations. Thank you very much.

Madam Chairman: Chairman.

Mr. Thomas: Madam Chair, for me personally this has been a very interesting introduction. We believe that the commission can play a more useful role, dependent on what develops, but we want to express our continuing collaboration in any way we can assist within the context of our mandate or any enlarged mandate that is so designed. Thank you.

Madam Chairman: Thank you so much. On behalf of the Committee, allow me to congratulate all our stakeholders who are here with us on this particular issue for the progress that has been made, and I think there is just being able to

transition out of the interim stage into the rehabilitation centres, I think that is a material and significant transition, and I want to congratulate you for doing that, and for what we see as the continued efforts to ensure that the young people, the child offenders, are rehabilitate. And as very importantly raised, that we do not have increasing numbers of child offenders, and that the children can stay home, and so that we put things in place to ensure that that side of it is taken care of.

Allow me to summarize a couple points that we would have discussed. Some of the challenges to the rehabilitation process, we mentioned very early the issue of the skills training, and the process that is in place now not being suited to getting as many of lads especially at YTC into a training programme based on the security issues that are present when they are taken off the compound. And so we are pleased to note that steps are being taken to accommodate the training at the centre itself to allow more young men and the lads especially and the females that are housed at Golden Grove to take part in training programmes that are integral to their rehabilitation.

We also looked at some challenges that dealt with the HR issues. There is still work to done to fulfil recommendation 4.24 of the 2017 report which deals with providing specialized staff for the rehabilitation centres, and we note though that OJTs have been deployed to assist in critical areas, and so we look forward to that challenge being surmounted as well.

Another challenge that we have noted is the lack of monitoring of transitioning children who are going back to mainstream society. And so we note that in some cases we are going to have that happening maybe more than in the past, and so that is challenge with respect to ensuring that once they are put back into mainstream society, they have the support that is needed, and we look at them more closely.

Another challenge we had identified is the alignment of the education received in the rehab centres with the mainstream education. With the children coming back out into mainstream education into the schools and so on, there is an urgent need to ensure that they are coming out to be able to go back into the education system and with some level of confidence.

Some of the recommendations that came forward would be the completion of the national policy on child. And we note that is well on its way, and we look forward to the consultations that are going to happen in this fiscal year. I am sure all of us as citizens will be very interested in the progress of this because it affects all of us in different ways.

Another recommendation is the evaluation of the HR needs of the rehab centres. We would like to know that they are staffed, not just with the psychologists that have been identified, but that some effort is made to increase the complement of the social workers or the welfare officers, so that that aspect, the social aspect of the children that are in those centres can be addressed as necessary.

We also noted that as a recommendation that the strategic plan for the rehab centres need, those plans really need to be completed, and so we look forward to some progress being made on that end. It has started, and we look forward to the progress being made during the fiscal.

Also, coming off the challenge of the monitoring system, there needs to be a design of a monitoring programme for children that are transitioning back into the mainstream. And we note that that is one of the initiatives that are being looked at and therefore, we look forward to some progress being made on that because it is extremely important that these children do not come back into mainstream feeling as though they are strangers to the society.

Another point raised, another recommendation was the involvement of NGOs in the monitoring process for

children. We know that it may be very difficult, and that process as expressed may require the input of different people depending on where the child is coming out, what they are doing, what the society, the particular area they are coming out, and so we noted that there may be the need for the involvement of many different stakeholders. And the recommendation is made for NGOs to also be looked at with respect to forming a part of that monitoring network.

We also recommended that the Statutory Authorities Service Commission may benefit from the inclusion of training or capacity-building programmes in as much as they are also responsible for disciplinary measures for the persons that they appoint, and so we recommend that this can be explored as the commission seeks to ensure that their role remains very helpful as they would want to be to the rehab centres.

Another recommendation is that this goal and this programme that is being designed as we go forward in this fiscal 2018/2019 of that children's registry which tracks all of children, and highlights those that have special needs that have into the system whether it is the rehab centres or the need for care and support, we look forward to that being developed. I think we have spoken about it a lot in this Committee, and so hearing that its design is being taken up in fiscal 2018/19, we are very hopeful and look forward to that progress for that children's registry.

And the last recommendation we want to make is that the advisory board for the rehab centres be instituted, as this forms part of the legislation, and we do believe it will be—it will add value to the operations of the rehabilitation centres going forward. So, we look forward to that being implemented in fiscal 2018/19, as it is already being considered.

So, I really want to thank all the officials who made the time to be here with us, the members of the Committee, members of the JSC Secretariat who are always hard-working. And we do look forward to the implementation—further implementation, I should say—of the recommendations that we made in the 2017 report, and that will be made now because this issue of children, their care, their protection is especially important to all of us as a country, and to our progress as a nation as we look forward to further development of Trinidad and Tobago.

So, I thank you viewers and listeners who were here with us, I thank you as well, and this meeting is now adjourned.

12.12 p.m.: *Meeting adjourned.*

APPENDIX III

Compliance with Child's Rehabilitation Centre Regulations, 2017

The Youth Training Centre Compliance with the Child Rehabilitation Centre Regulations, 2017

Regulation No.	Regulation	Compliant/Non-Compliant (Yes/No)	Current Treatment
	PART III **THE ADVISORY BOARD AND DISCHARGE COMMITTEE**		
4	(1) The Advisory Board shall meet at least once quarterly. (2) In the absence of the Chairman, the members of the Board shall elect one of the members as Chairman. (3) Three members of the Board shall constitute a quorum. (4) A Superintendent or the Assistant Superintendent shall attend the meetings of the Advisory Board whenever matters where they exercise authority at the Rehabilitation Centre are being discussed. (5) The Board may appoint a Secretary.	No	No advisory board convened
5	(1) A record of the proceedings at the meetings of the Board, shall be kept in electronic or hard copy form and the minutes of each meeting shall be signed by the Chairman after the minutes have been confirmed at the next subsequent meeting of the Board. (2) The record of the proceedings referred to in subregulation (1) shall be available at all reasonable times to members of the Board, and to the Commissioner of Prisons.	No	No advisory board convened
6	(1) There shall be established a committee to be known as "the Discharge Committee" which shall determine the eligibility of residents for discharge. (2) The Discharge Committee shall comprise the Commissioner, Superintendent, Chief Welfare Officer and such other persons whom the Commissioner may appoint.	No	No discharge committee convened

7	(1) The Commissioner or the Authority shall make an application to the Court to make an order for discharge under section 69 of the Children Act, 2012. (2) Where the Authority intends to make an application under subregulation (1) it shall first notify the Discharge Committee of its intension	YES	
	PART IV **SUPERINTENDENT**		
8	(1) A Superintendent shall manage a Rehabilitation Centre in accordance with the standards for Community Residences and these Regulations. (2) A Superintendent shall ensure that there are - (a) adequate arrangements for the disposal of garbage; (b) proper arrangements for the maintenance of all equipment, furniture and amenities used in the Rehabilitation Centre; and (c) toilets and bathing facilities in good condition and which offer privacy to residents, and that the Rehabilitation Centre is kept in a sanitary condition. (3) A Superintendent shall identify the infrastructural and other needs of a Rehabilitation Centre and shall inform the Commissioner as required.	YES	
9	A Superintendent shall ensure that – (a) the perimeter of a Rehabilitation Centre is secure and that it is regularly inspected and maintained; and (b) a log is kept of the inspections and details of the maintenance activities undertaken.	YES YES	
	PART V		

	THE PREMISES		
10	The Commissioner shall ensure that a Rehabilitation Centre is – (a) adequately lit; (b) ventilated; (c) suitably furnished; (d) kept in good structural repair; (e) kept clean and well maintained; and (f) furnished with adequate laundry facilities and equipment. (2) The Commissioner shall ensure that a Rehabilitation Centre has – (a) a potable water supply with tank storage that is sufficient, functioning and clean; (b) sufficient storage facilities; and (c) proper arrangements for the maintenance of all equipment, furniture and amenities used in a Rehabilitation Centre.	YES YES	
11	The Commissioner shall be responsible for ensuring that a Rehabilitation Centre is fitted with- (a) toilets and bathing facilities which – (i) are equipped with sinks, toilets, showers and appropriate fixtures; and	YES	

	(ii) have a regular clean water supply; (b) adequate living and dining areas that are outfitted with – (i) adequate seating accommodation; (ii) furniture suitable to the range of ages of all residents; and (iii) clean and sturdy furniture; and (c) child-friendly recreational materials and facilities that - (i) are suitable for the developmental capacity and range of residents; (ii) allow for physical exercise and mental stimulus; and (iii) include group activities as well as allow for individual occupation.	YES YES YES	
12	(1) The Commissioner shall ensure that each resident in a Rehabilitation Centre is provided with- (a) his own bed; (b) proper and safe storage for personal possessions; and (c) access to an appropriate place for study. (2) Where bunk beds are provided, such beds shall be outfitted with safety railings and ladders.	YES	
13	. The Commissioner shall ensure that there are facilities to accommodate residents with any disability.	YES	
14	(1) The Commissioner shall ensure that the kitchen of a Rehabilitation Centre is provided with –		

	(a) suitable and sufficient kitchen equipment in good working condition; (b) suitable and sufficient crockery, cutlery and utensils; and (c) adequate facilities for the preparation and storage of food. (2)A Superintendent shall ensure that - (a) food is properly and safely handled; (b) the kitchens are cleaned, sanitised and inspected daily; and (c) any staff preparing and serving food has a valid food badge.	YES YES	
15	A Superintendent shall not permit a resident to access the kitchen without direct supervision from a member of staff.	YES	
16	The Commissioner shall be responsible for ensuring that a Rehabilitation Centre is equipped with tools, materials and infrastructure which are suitable for the academic, vocational and personal development of residents.	YES	
17	(1) The Commissioner shall ensure that suitable facilities are provided in order to promote contact- (a) between the resident and his parents, guardian or the person with responsibility for him; and (b) between the resident and any relative, or such other persons as may be in the best interest of the child subject to the consent of the resident. (1) The Commissioner shall ensure that suitable facilities are provided in order to facilitate contact between the resident and his Attorney-at-law.	YES YES YES	
	PART VI **ADMISSION OF RESIDENTS**		

18	(1) The Commissioner shall ensure –		
	(a) that there is a written procedure for admission of residents into a Rehabilitation Centre; and	YES	
	(b) that there is a register of all the children in the care of a Rehabilitation Centre, in accordance with section 22 of the Children's Community Residences, Foster Care and Nurseries Act, 2000, known as a "Register of Residents".	YES	
	(2) A Superintendent shall record in the Register of Residents with respect to each resident–		
	(a) his name, including all known aliases; (b) his unique identifier; (c) his age; (d) his sex; (e) his address; (f) the offence for which he has been charged or convicted; (g) identifying marks or other unusual physical characteristics; and (h) the names, addresses and contact numbers of the parents, siblings and other close relatives, where they can be ascertained.	YES	
	(3) A Superintendent shall ensure within twenty-four hours of the arrival at a Rehabilitation Centre, each resident –	YES	
	(a) is informed of –		
	(i) the policies and procedures of the Rehabilitation Centre; and	YES	
	(ii) his rights and obligations as a resident,	YES	
	in a manner having regard to the age and understanding of the resident; and		

	(b) is provided with a copy of the Residents' Handbook. (4) The Residents' Handbook shall include in a simple form, expressed in an age-appropriate manner and so worded that a resident would understand, information with respect to - (a) the policies and procedures of a Rehabilitation Centre; (b) the rules of conduct; (c) sanctions imposed for the violation of rules; and (d) the disciplinary process of a Rehabilitation Centre. (5) A Superintendent shall ensure, immediately on entry, that - (a) a photograph is taken of the resident; (b) medical and mental health screening of the resident is conducted; (c) an inventory of the property in the possession of the resident is recorded; and (d) an assessment of the resident in terms of the medical, educational, recreational, rehabilitative, social, emotional and therapeutic psycho-social needs of the resident is conducted to determine - (i) the level of risk of the resident; and (ii) the rehabilitative intervention that is needed for the resident.	YES	
19	(1) A Superintendent shall ensure that an individual care plan is developed for each resident. Individual care plans (2) Individual care plans shall – (a) be based on – (i) the results of the assessment, referred to in regulation 18(5)(d), and implemented in accordance with these Regulations; or (ii) an Order of the Court;	YES	

	(b) include – (i) the objectives of the care of the resident; (ii) the time frames for achieving the objectives; (iii) the persons responsible for assisting the resident in achieving the objectives; and (iv) the programmes developed to assist residents to reintegrate into society; (c) take into consideration the sex, age group and level of development of the resident; and (d) be evaluated and updated not less often than twice a year.	YES	
20	A Superintendent shall cause to be delivered to the Medical Officer a list of all- (a) residents under disciplinary action; and (b) residents complaining of illness.	YES	
21	A Superintendent shall ensure that a resident is declared fit by a Medical Officer before he is assigned chores.	YES	
22	A Superintendent shall carry out any instructions given by the Medical Officer in relation to the treatment of a sick resident.	YES	
23	A Superintendent shall consult the Medical Officer and the Probation Officer with respect to the well-being of the residents and with the Health and Safety Officer with respect to the sanitary state of a Rehabilitation Centre.	YES	
	PART VII **MEDICAL ARRANGEMENTS**		

24	The Commissioner shall ensure that medical specialists and any other medical personnel are present at a Rehabilitation Centre, as required by the Medical Officer.		
25	(1) A resident shall be attended to by medical personnel who are of the same sex as the resident, unless- (a) medical personnel who are of the same sex as the resident is unable to arrive at the Rehabilitation Centre within a reasonable time of being contacted or is unavailable and it is an emergency; or (b) the resident requests otherwise stating reasons. (2) Notwithstanding subregulation (1)(b), the medical personnel need not be of the same sex as the resident where there are circumstances involving- (a) matters of national security; (b) the security and order of the Rehabilitation Centre; (c) the security of the resident, other residents or staff of the Rehabilitation Centre; or (d) any other relevant issue. (3) A record shall be made of – (a) a situation referred to in subregulation (1)(a); (b) a request with reasons made pursuant to subregulations (1)(b) and (2); and (c) the names and sexes of the persons present.	NO YES	Due to shortage of Infirmary Officers, Female Infirmary Officers are also assigned to the YTC
26	A Medical Officer shall be responsible for the medical care of the residents and shall ensure that residents are referred to a medical specialist where necessary.	YES	
27	(1) A Medical Officer shall examine each incoming resident within twenty-four hours of admission and thereafter semi-annually and as necessary.	YES	

	(2) Subsequent to his examination of each resident, a Medical Officer shall complete a medical report on the resident which will form part of the record of the resident. (3) The medical record of each resident of a Rehabilitation Centre shall include the name of the resident, the illness and the treatment prescribed.		
28	(1) The Medical Officer shall keep confidential the medical record referred to in regulation 27. (2) Notwithstanding subregulation (1), a record of a resident may be disclosed to the Authority, which shall also keep the same confidential.	YES YES	
29	A Medical Officer shall keep a signed journal of the daily visits to and by residents and shall enter into his journal an account of all medicines or medical treatment ordered at each visit with such observations or explanations as he may consider necessary.	YES	
30	(1) A Medical Officer shall examine each resident prior to his being - (a) assigned chores specifying the chores for which he is capable; (b) employed; or (c) apprenticed. (2) The Medical Officer shall make a record of the examination referred to in subregulation (1) and his recommendations in the resident's file and in his journal.	YES	
31	A Medical Officer shall report the following in writing to the Commissioner once in every quarter: (a) the general state of health of the residents; (b) the illnesses which have been most prevalent and whether there is any connection between the prevalent diseases and- (i) the locality or physical state of a Rehabilitation Centre; (ii) the diet; (iii) employment; or	NO	The Prison Medical Officer has not yet forwarded a report but was

	(iv) any other avoidable circumstances; (c) the number of deaths; and (d) the number of residents referred to a hospital, occurring during the quarter.		informed that this is required.
32	A Medical Officer shall examine all residents prior to their discharge, making the following entries with respect to each resident in both the Medical Journal and in the Residents' Record: (a) age; (b) state of health together with comments on the medical history; (a) weight; and (b) height.	YES	
33	(1) Where a resident who is due for discharge is in the Infirmary on the date of his discharge and is in need of further medical attention, the resident shall be taken to the public hospital after consultations between the Commissioner and a Medical Officer, and the Commissioner shall notify the Authority immediately. (2) Where the situation in subregulation (1) exists, the Superintendent shall inform the person who has legal custody for the resident accordingly.	NO	YTC does not have a Sleeping in Infirmary
34	(1) Where a Medical Officer is of the opinion that the physical or mental health of any resident is compromised so as to cause concern for his well-being, by reason of his detention in a Rehabilitation Centre, he shall notify the Authority immediately. (2) The Medical Officer shall forward the reports on the physical or mental health of the resident referred to in subregulation (1), accompanied by any recommendations, to the Commissioner.	YES	
	PART VIII		

	WELFARE OF RESIDENTS		
35	A Superintendent shall ensure that- (a) a resident of a Rehabilitation Centre is provided with- (i) food that is- (A) suitable for his dietary needs, health, religious persuasion or cultural background; (B) served in adequate quantities and at appropriate intervals, at least three times every day; and (C) wholesome, nutritious, well prepared and served, reasonably varied and sufficient in quantity; (ii) sufficient clothing and footwear that are- (A) appropriate to his age, sex and religious persuasion; and (B) clean and in good repair; (iii) educational programmes, including- (A) academic or vocational training appropriate to the sex, age, level of development, abilities, interests of a resident, and as may be outlined in his Individual Care Plan; and (B) special education programmes where a resident has literacy, cognitive or learning challenges; (iv) medical care including-	YES YES YES YES	

	(A) medical treatment and medicine deemed necessary by a nurse or medical practitioner; and (B) emergency medical attention deemed necessary by staff supervising residents; and (v) a regular and sufficient supply of suitable personal hygiene products; (b) each resident is provided with the opportunity for physical and other recreation; (c) each resident is assessed to determine whether the resident has a disability; (d) no resident leaves the premises of a Rehabilitation Centre unaccompanied or unsupervised or without permission; (e) each resident is treated fairly and the Rules of a Rehabilitation Centre and these Regulations are applied equitably; (f) the best interest of each resident is considered at all times in the application of the Act and these Regulations; (g) subject to any directions of the Commissioner, no resident shall be allowed, except as authorised by the Medical Officer, to have any food or drink other than that ordinarily provided; and (h) the Medical Officer, or any other person whom the Superintendent designates, from time to time, inspects the food and drink both before and after they are prepared and reports any deficiency or defect to the Superintendent.	YES YES	
36	(1) The Commissioner shall ensure that a child placed in the care of a Rehabilitation Centre shall not be subjected to-		

	(a) cruel, inhumane or degrading treatment; (b) corporal punishment; (c) solitary confinement; (d) unreasonable immobilisation or physical restraint; or (e) any other form of treatment or punishment that may cause physical, mental or emotional harm to the child. (2) A Superintendent shall ensure that paragraphs (a) to (e) in subregulation (1) are observed in the Rehabilitation Centre. (3) The Superintendent may order a resident to be put under restraint where this is necessary to prevent the resident from- (c) injuring himself or others; (d) damaging property; or (e) creating a disturbance. (4) Notice of such an order shall be given without delay to the child's probation officer and to the Medical Officer. (5) On receipt of the notice referred to in subregulation (4), the Medical Officer shall inform the Superintendent whether there are any reasons why the resident should not be put under restraint. (6) The Superintendent shall give effect to any recommendations which may be made under subregulation (5). (7) A resident shall not be kept under restraint longer than necessary, nor shall he be kept for longer than twenty-four consecutive hours without a direction by the Court. (8) The direction from the Court referred to in subregulation (7) shall state the grounds for the restraint and the period of the restraint.	YES YES YES YES YES YES YES YES	

	(9) Except as provided by this regulation, no resident shall be put under restraint otherwise than for safe custody during removal or transport or on medical grounds by direction of the Medical Officer. (10) No resident shall be put under restraint as a punishment. (11) Any means of restraint shall be of a pattern and type authorised by the Commissioner and shall be used in such manner and under such circumstances as the Commissioner may direct. (12) Particulars of every case of restraint under the foregoing provisions of this rule shall be forthwith recorded in the file of the resident so restrained.		
37	(1) The Commissioner shall ensure that there is a written Behaviour Management Policy established at a Rehabilitation Centre and that the policy is communicated by a Superintendent to staff, volunteers and visitors. (2) The information referred to in subregulation (1) shall be communicated to residents a manner suitable to their age, and understanding.	YES	
	PART IX **THE EDUCATIONAL INSTRUCTORS**		
38	A person providing educational instructions including special education instructions at a Rehabilitation Centre shall be selected by the Ministry of Education in consultation with the Commissioner of Prisons.	YES	
	PART X **RELIGIOUS INSTRUCTIONS**		

39	(1) The Commissioner may approve visits to residents and the holding of religious services by Ministers of Religion. (2) Attendance at religious services by residents is voluntary.	YES	
40	Ministers of Religion shall immediately communicate to the Commissioner and the Authority any abuse or impropriety in a Rehabilitation Centre which may come to their notice.	YES	
	PART XI **VISIT AND COMMUNICATIONS**		
41	(1) A Superintendent shall ensure that visits are allowed in accordance with the care plan and these Regulations and the Children's Community Residences (Child Rehabilitation) Regulations, 2017. (2) Restriction of visits shall not be used as a method of discipline.	YES	
42	(1) Subject to regulation 43**,** the Commissioner shall permit family members of residents to visit residents at least once a week, within the sight and hearing of an officer of the Rehabilitation Centre, save in exceptional circumstances, and subject to matters of national security and the good order of the Rehabilitation Centre. (2) Where the Commissioner precludes a family member from visiting a resident in exceptional circumstances, he shall record the fact of the denial and the exceptional circumstances for the denial in the resident's record. (3) Exceptional circumstances referred to in subregulations (1) and (2) include circumstances in relation to – (a) death or serious illness of a near relative; (b) business or family affairs of an urgent matter; (c) arrangements for obtaining employment or assistance from friends on release; or (d) any other compassionate circumstance.	YES YES YES	

43	(1) Visits to residents by family members and friends shall take place in the sight and hearing of an officer of the Rehabilitation Centre. (2) The Commissioner may in his discretion direct that any visit to a resident shall take place in the sight, but out of the hearing of an officer at the Rehabilitation Centre. (3) The Commissioner may refuse, stop or suspend a visit where such visit is inimical to – (a) the interest and security of a resident; (b) the interest and security of the staff of the Rehabilitation Centre; (c) national security; or (d) the good order and security of the Rehabilitation Centre.	YES YES YES	
44	(1) A resident is entitled to receive visits from his Attorney-at-law in the sight but not the hearing of an officer of the Rehabilitation Centre. (2) The Attorney-at-law for a resident shall visit the resident in the company of his parent, guardian or person with responsibility for the resident, an appropriate adult or next friend.	YES	
45	(1) A police officer may, on the authorisation of the Commissioner - (a) visit a resident for the purpose of conducting an interview with the resident where the resident consents to the interview; or (b) visit a resident for the purpose of – (i) identifying the resident; or (ii) charging the resident with an offence. (2) A visit to a resident under subregulation (1), shall take place in the company of-	YES YES YES	

	(a) the resident's parent, guardian, person with responsibility for the resident; (b) an appropriate adult; or (c) next friend; and (d) Duty Counsel in accordance with section 15B of the Legal Aid and Advice Act or the Attorney-at-law for the resident. (3) A visit to a resident under subregulation (1) shall take place within the sight and hearing of an officer of the Rehabilitation Centre and in such area and under such conditions as the Commissioner may direct.		
46	(1) Communication between residents and their relatives and any other person whom the Commissioner may approve, shall be allowed in accordance with these Regulations, subject to such restrictions as may be necessary for the maintenance of discipline and order in a Rehabilitation Centre and the prevention of crime. (2) Not more than three persons shall be allowed to visit a resident at one time or as advised by the resident's care plan.	YES	
47	(1) A resident is entitled to communicate in writing or by landline telephone with family members, and such other persons unless precluded by the Commissioner or legally restricted. (2) Residents shall be assisted as necessary with respect to subregulation (1). (3) Every letter to, or from a resident shall be read by the Commissioner or by a responsible officer deputed by him for the purpose, and it shall be within the discretion of the Commissioner to stop, censor or redact any letter on the ground that the contents of the letter are inimical to – (a) the interest and security of a resident; (b) the interest and security of the staff of the Rehabilitation Centre; (c) national security; or (d) the good order and security of the Rehabilitation Centre.	YES YES YES	

	(4) The Commissioner shall report all negative decisions taken under subregulation (3) forthwith to the Authority and the child's probation officer.		
	PART XII **COMPLAINTS**		
48	**(**1) The Commissioner shall ensure that a written internal complaints handling system is established and maintained for use in the Rehabilitation Centre, which shall be implemented by a Superintendent**.** (2) The Commissioner shall ensure that the complaints handling system shall permit residents to lodge complaints directly with**,** and confidentially to, the Authority, the Supervisor or the Commissioner. (3) The Commissioner shall ensure that the residents, staff, volunteers and visitors are made aware of the complaints handling system.	YES YES	
49	(1) Subject to subregulation (3), a resident may lodge a written or oral complaint on his own behalf with the Supervisor, Authority or Commissioner. (2) Subject to subregulation (3), a parent or any other person may lodge a written or oral complaint on behalf of a resident, with the Supervisor, Authority or Commissioner. (3) A complaint to the Commissioner shall only be made where – (a) the Supervisor or Superintendent is the subject of the complaint; or (b) the Supervisor or Superintendent is personally involved in the matter or affected by the complaint, and the Commissioner shall forward the complaint to the Authority. (4) A complaint referred to in subregulations (1) and (2) shall include- (a) a description of the incident;	YES YES YES YES	

	(b) the date and time of the incident; (c) the persons involved; (d) any action taken; and (e) any other relevant details.	YES	
	(5) A Supervisor shall treat the complaint received by him under subregulation (1) or (2) as confidential and submit a written report of the complaint to a Superintendent.	YES	
	(6) A Superintendent shall submit a copy of the report referred to in subregulation (5**)** to the Commissioner who shall forward a copy of the same to the Authority.	YES	
	(7) The Authority, on receipt of the copy of the report referred to in subregulations (3) and (5), and on receipt of a complaint referred to in subregulations (1) and (2), may investigate the complaint.	YES	
	(8) On receipt of the report referred to in sub- regulation (5), a Superintendent shall – (a) ensure that the matter is investigated; and (b) make a determination on the matter.	YES YES	
	(9) Before a Superintendent proceeds to make a determination with respect to the complaint, he shall hear representations from the resident who is the subject of the complaint, or any other person including a welfare officer, social worker, probation officer, all witnesses and other persons with information relevant to the matter being investigated.	YES	
	(10) A Superintendent may call for reports, statements, documents or any other information relevant to the complaint that may assist him in making a determination.	YES	
	(11) Upon considering the reports, statements. documents or any other information relevant to the case referred to in subregulation (8), a Superintendent may – (a) make recommendations to address the complaint;	YES	

	(b) where he forms the view that there has been an infraction, proceed under Part XIV; (c) make an order for counselling, any rehabilitative intervention or treatment, or for psychological evaluation and the resultant assistance; (d) order that the resident be referred to the Authority; or (e) take any other action that he may deem necessary. (12) A Superintendent shall submit a written report of his determination to the Commissioner who shall forward a copy of the same to the Authority. (13) The report referred to in subregulation (10) shall include – (a) a description of the incident; (b) the date and time of the incident; (c) the persons involved; (d) any action taken; and (e) any other relevant details. (14) Where the complainant is not satisfied with – (a) the determination made; (b) the recommendations given; or (c) any action taken, by a Superintendent, he may make written or oral submissions to the Commissioner stating the grounds for his objections within one week of a Superintendent's determination.	YES YES YES YES YES	

	(15) Where the complainant referred to in subregulation (14) is a resident, he may elect to consult with any other person including a welfare officer, social worker, probation officer, all witnesses and other persons with information relevant to the matter being investigated. (16) The Commissioner may call for any document that may assist him in making a determination about the objection and the complaint and shall make a determination accordingly. (17) The Commissioner shall notify the Authority of his determination made pursuant to subregulation (16), immediately upon its being made. (18) All complaints shall be recorded in the complaints log in accordance with regulation 66(3)(g) of these Regulations. (19) Where the complaint involves matters of discipline as well, all matters of discipline shall be recorded in the resident's file and an entry log made in the discipline log, in accordance with regulation 66(3)(b) of these Regulations. Schedule 3 (20) Where a resident makes a false or malicious complaint, he may be subject to sanctions in accordance with Schedule 3. (21) Notwithstanding subregulations (1) to (12) where a Supervisor or Superintendent is the subject of the complaint, the Commissioner shall appoint an officer above the rank of Superintendent to investigate the complaint. (22) Where a complaint is one with respect to the health of a resident, the Medical Officer shall investigate the matter immediately and shall inform the Authority forthwith. (23) Where the findings of the Authority differ from those of the Superintendent it shall inform the Commissioner who shall take into account the findings of the Authority.		

	PART XIII **RATINGS FOR CONDUCT**		
50	(1) There shall be levels of ratings in ascending order described as follows: Bronze, Silver, Platinum and Diamond, with respect to the conduct of residents in a Rehabilitation Centre and in accordance with the criteria set out in Schedule 1, the activities set out in Schedule 2 and subject to the approval of a Superintendent. (2) Each resident shall be awarded one hundred points on admission to a Rehabilitation Centre. (3) The attainment of each level will lead to an increase in privileges. (4) Where a resident has been referred to the Reflection Unit, he may earn points towards shortening his stay in the Reflection Unit. (5) Points earned while being in the Reflection Unit may be used towards promotion to another level.	YES YES YES YES YES	
	PART XIV **DISCIPLINE OF RESIDENTS**		
51	(1) Where a resident commits an infraction he may be subject to sanctions in accordance with Schedule 3. (2) An alleged commission of an infraction by a resident shall be reported as soon as possible to the Supervisor. (3) Any person may report the alleged commission of an infraction by a resident to the Supervisor. (4) The Supervisor shall, on receipt of a report on an alleged commission of an infraction by a resident, investigate the matter and make a determination as to whether a charge should be laid.	YES YES YES	

	(5) Whether the Supervisor decides to lay a charge or not, he shall submit a written report of his findings and determination to a Superintendent.	YES	
	(6) Where a charge has been laid, a Superintendent shall make a determination on the matter.	YES	
	(7) Before a Superintendent proceeds to make a determination with respect to the infraction, he shall hear representations from the resident who is the subject of the infraction, or any other person including a welfare officer, social worker, probation officer, all witnesses and other persons with information relevant to the matter being investigated.	YES YES YES	
	(8) The Superintendent may call for reports, statements, documents or any other information relevant to the infraction that may assist him in making a determination.		
	(9) Upon considering the reports and any submissions that may have been made pursuant to subregulations (7) and (8), a Superintendent may –		
	(a) dismiss the charge;	YES	
	(b) sanction the resident in accordance with Schedule 3, provided the order is not contrary to an order of the Court;	YES	
	(c) make an order for counselling, any rehabilitative intervention or treatment, or for psychological evaluation and the resultant assistance, provided the order is not contrary to an order of the Court; or	YES YES	
	(d) order that the resident who has been charged be referred to the Authority which shall review the care plan for the resident and make recommendations to the Commissioner.	YES	
	(10) The Commissioner may, pursuant to subregulation 9(d), seek an order of the Court to amend its prior order.	YES	

	(11) Where a resident has been adjudged guilty, he may, within forty-eight hours of the determination, indicate to a Superintendent that he wishes to appeal to the Commissioner who shall send a written report on the same to the Authority. (12) Where a resident indicates to a Superintendent that he wishes to appeal to the Commissioner, he may elect to consult with any other person including a welfare officer, social worker, probation officer, all witnesses and other persons with information relevant to the matter being investigated. (13) The Commissioner may call for reports, statements, documents or any other information relevant to the infraction that may assist him in making a determination. (14) The Commissioner may – (a) affirm the decision of the Superintendent; (b) quash any findings of guilt; or (c) remit a disciplinary sanction or mitigate it either by reducing it or by substituting a sanction which is, in his opinion, less severe. (15) A further appeal of a decision made by the Commissioner pursuant to subregulation (14) lies to the Inspector of Prisons within four weeks of the appeal to the Commissioner. (16) Where a resident indicates to a Superintendent that he wishes to make a further appeal to the Inspector of Prisons, he may elect to consult with any other person including a welfare officer, social worker, probation officer, all witnesses and other persons with information relevant to the matter being investigated. (17) The Inspector of Prisons may call for reports, statements, documents or any other information relevant to the complaint that may assist him in making a determination.	YES YES YES YES	

	(18) The Inspector of Prisons may – (a) affirm the decision of the Commissioner; (b) quash any findings of guilt; or (c) remit a disciplinary sanction or mitigate it either by reducing it or by substituting a sanction which is, in his opinion, less severe. (19) All matters of discipline shall be recorded on the resident's file and entry log in accordance with these Regulations.		
	PART XV **REFLECTION UNIT**		
52	(1) Where a resident has committed an offence against discipline and it is proposed to impose a sanction of referral to the Reflection Unit in accordance with regulation 51(1), the Superintendent shall consult with the Medical Officer, psychologist or psychiatrist, and they shall inform the Superintendent whether there are any medical reasons why the resident should not be so dealt with. (2) The Superintendent shall give effect to any recommendation which may be made by the Medical Officer, psychologist or psychiatrist, under this regulation. (3) Subject to subregulation (4), where a resident has committed an offence against discipline and has been referred to the Reflection Unit in accordance with regulation (1), he shall be referred to the Reflection Unit for a period not exceeding seven consecutive days within a two-month period. (4) At the end of the period referred to in sub-regulation (3) any further stay in the Reflection Unit is subject to review by the Commissioner, the Authority and a child psychologist or psychiatrist. (5) Where there has been actual harm or the immediate threat of harm caused by the resident to himself or others at the Rehabilitation Centre, the Superintendent shall refer the resident to the Reflection Unit for a period not exceeding three hours, and may consult with the Medical Officer, psychologist or psychiatrist during this time.	YES YES YES YES YES YES	

	(6) Where the resident referred to in subregulation (5) has not regained self-control with three hours, the Superintendent shall inform the Commissioner who may order an extension of the resident's stay in the Reflection Unit and shall consult with the Medical Officer, psychologist or psychiatrist during this time. (7) The resident who has been referred to the Reflection Unit shall be allowed to engage in group and other daily activities occurring in, or outside of the Rehabilitation Centre under the supervision of the Superintendent, which time shall not count towards the stipulated period for which the resident has been referred in the Reflection Unit. The referral of a resident to the Reflection Unit shall not amount to solitary confinement.		
	PART XVI **VOCATIONAL OR ACADEMIC TRAINING**		
53	(1) Subject to regulation 56, where a resident who has attained a particular level of rating, possesses the necessary academic qualification and requests to pursue any trade or educational pursuit not available at a Rehabilitation Centre, the Commissioner may grant permission for that resident to attend any educational or vocational institute for the purpose of receiving training and instructions not available at a Rehabilitation Centre. (2) Notwithstanding subregulation (1), the Commissioner may grant a permission under subsection (1) to a resident for the purpose of completing the current course of study or taking an examination related to courses taken prior to his placement at a Rehabilitation Centre. (3) Proof of the resident's prior enrolment, progress and satisfactory attendance at an educational or vocational institute shall be required before a permission is issued for the purpose of completion of a current course of study under this regulation. (4) A resident shall report to a Rehabilitation Centre as soon as possible after each day's session at the educational or vocational institute that he attends and shall not participate in curricular or extra-curricular activities of any such institute that necessitates	YES YES YES YES	

	late return to, or overnight absence from, a Rehabilitation Centre, without prior approval of the Commissioner. Schedule 4 (5) Where permission is to be granted pursuant to subsections (1) and (2), it shall be in the form set out as Form "A" in Schedule 4.		
	PART XVII **PAYMENTS FOR WORK**		
54	A resident who is sixteen years of age and over shall be eligible to be paid for work engaged in outside of a Rehabilitation Centre, at the prevailing rates.	YES	
55	(1) Monies earned by a resident shall be deposited in a bank account, which account shall be for the sole use and benefit of the resident. (2) A resident may use his monies to purchase items from the Rehabilitation Centre. (3) The resident, on his discharge is entitled to the monies in the account referred to in subregulation (1) and any interest which may have accrued.	YES YES	
	PART XVIII **LEAVE FOR RESIDENTS**		
56	Permission for a resident to leave a Rehabilitation Centre pursuant to section 12A of the Act shall be in the form set out as Form "A" in Schedule 4.	NO	Forms have not been received from the Government Printery
	PART XIX **SAFETY AND SECURITY**		
57	(1) It shall be the responsibility of the Commissioner– Safety and security plan		

	(a) to ensure that there is a safety and security policy at a Rehabilitation Centre to ensure the safety of all residents, staff, volunteers and visitors; and (b) that staff receive periodic training in the safety and security policies and procedures. (2) The safety and security plan shall include policies and procedures on - (a) the control and use of, and access to keys; (b) the conduct of searches of the housing areas; (c) the conduct of searches of residents; (d) the possession, use and disposal of weapons and illegal substances in the Rehabilitation Centre; and (e) the periodical training of staff in the safety and security policies and procedures of the Rehabilitation Centre. (3) The Commissioner shall ensure that the requisite fire and public health certificates are obtained with respect to a Rehabilitation Centre.	YES YES YES	
58	It shall be the responsibility of the Commissioner to conduct annual security risk assessments to – (a) identify potential security risks; (b) recommend measures to address security risks; and (c) stipulate time frames to implement measures.	YES	
59	(1) The Commissioner shall ensure that dormitories at the Rehabilitation Centre are – spontaneously inspected; and (b) periodically inspected. The Commissioner shall ensure that –	YES NO	

	there is a written policy on the use of audio-digital, video-digital or any electronic or other devices for the purpose of the surveillance of the Rehabilitation Centre; there is a destruction policy with respect the data obtained from the devices referred to in paragraph (a) and such destruction is certified by the Commissioner or Superintendent; and (c) staff are trained in the use of the devices referred to in paragraph (a). The Commissioner shall be responsible for ensuring that any devices referred to in subregulation (2)(a) are not located in any areas where residents may be undressed.		Need for a new CCTV System
60	It shall be the responsibility of the Commissioner to - (a) develop and implement an evacuation plan for all children and staff of the Rehabilitation Centre; (b) ensure that effective steps are taken to familiarise all residents and staff of the Rehabilitation Centre with the means of escape, their use and the routine to be followed in case of fire; and (c) record the number and frequency of evacuation drills and to present those records on demand for inspection by the Fire Service Division and the Authority.	YES	
	PART XX **SEARCH OF A RESIDENT AND TAKING A SAMPLE**		

61	(1) A Supervisor of the Rehabilitation Centre may carry out a non-intimate search of a resident where he has reasonable grounds to suspect that – (a) the resident needs to be protected from himself; (b) the resident poses a harm or threat to others; (c) it is necessary to preserve evidence or property; or (d) the resident is committing, is about to commit, or has committed an offence.		IMPRACTABLE
	(2) A non-intimate search of a resident shall be conducted by a Supervisor of the Rehabilitation Centre in the presence of the Infirmary Officer.	YES	IMPRACTABLE
	(3) A Supervisor of the Rehabilitation Centre referred to in subregulation (2) shall be of the same sex as the resident unless-	NO	
	(a) a Supervisor of the Rehabilitation Centre who is the same sex as the resident is unable to arrive at the Rehabilitation Centre within a reasonable time of being contacted or is unavailable and it is an emergency; or	NO	
	(b) the resident requests otherwise stating reasons.		
	(4) Notwithstanding subregulation (3)(b), the Supervisor of the Rehabilitation Centre referred to in subregulation (3) need not be of the same sex as the resident where there are circumstances involving- (a) matters of national security; (b) the security and order of the Rehabilitation Centre; (c) the security of the resident, other residents or staff of the Rehabilitation Centre; or (d) any other relevant issue.	YES	Yet to receive forms from government printry
	(5) Before carrying out a non-intimate search of a resident a Supervisor shall immediately inform the resident and the Infirmary Officer -	NO	

	(a) of the reason for the search; (b) of the grounds for the suspicion; (c) of the resident's entitlement to a copy of the record of the search which shall be placed on the resident's file; (d) that a copy will be given to the Infirmary Officer, and the resident's parent, guardian or person with responsibility for him or appropriate adult or next friend; (d) that a copy will be sent to the Authority and the Probation Officer; and (e) of the resident's right to his Attorney-at-law. (6) A Supervisor shall make a record of the search in the resident's file and in the log book of – (a) a situation referred to in subregulation (3)(a); (b) a request with reasons made pursuant to subregulation (3)(b); and (c) the names and sexes of the persons present during the search, and both of which shall be signed by the persons present. (7) Reasonable force may only be used where the resident refuses to cooperate with a Supervisor of the Rehabilitation Centre conducting the non-intimate search. (8) Where a Supervisor of the Rehabilitation Centre has carried out a non-intimate search of a resident, he shall immediately after the search, make a record in the file of the resident and the daily log of - (a) the authorisation to carry out the non-intimate search; (b) the place where the non-intimate search took place; (c) the time when the non-intimate search took place; (d) the grounds for giving the authorisation for the non-intimate search; (e) the grounds for believing the article could not be removed without a non-intimate search; (f) whether before the non-intimate search, the resident and the Infirmary Officer were informed of the details contained in subregulation (5);	YES YES NO	Yet to receive forms from government printry (for resident file)

	(g) the parts of the resident's body that were searched without the removal of clothing; (h) whether force was used before, during or after the search; (i) where force was used and the circumstances surrounding its use; (j) the persons present during the non-intimate search when force was used; (k) the name and registration number of the officer of the Rehabilitation Centre conducting the non-intimate search; (l) the persons present during the search; and (m) the results of the non-intimate search, and both of which shall be signed by the persons present.		
62	(1) An intimate search of a resident shall be conducted by a registered medical practitioner at a public health care facility or public hospital and in accordance with these Regulations. (2) Body orifices of a resident, other than the mouth, may be searched only if authorised by an officer of the Rehabilitation Centre of, or above the rank of Superintendent. (3) A Superintendent or officer of the Rehabilitation Centre above the rank of Superintendent shall not authorise an intimate search of a resident's bodily orifice unless he has reasonable grounds for believing that the resident may have concealed on himself- (a) anything which he could and might use to cause physical injury to himself or others at the station; Chap.11:25 (b) a dangerous drug in accordance with the Dangerous Drugs Act, which he intended to supply to another or to export; or (c) a prohibited article,	NO NO NO	No intimate search is conducted

	and the officer has reasonable grounds for believing that an intimate search is the only means of removing those items. (4) Before the intimate search commences, the following persons shall be present during the search: (a) a Supervisor from the Rehabilitation Centre who is the same sex as the resident; (b) the parent, guardian or person with responsibility for the resident or appropriate adult; and (c) a registered medical practitioner who is of the same sex as the resident. (5) A Supervisor of the Rehabilitation Centre and a registered medical practitioner shall be the same sex as the resident unless- (a) the Supervisor or registered medical practitioner is unable to arrive at the public health care facility or public hospital within a reasonable time of being contacted or the registered medical practitioner or the Supervisor of the Rehabilitation Centre who is of the same sex as the resident is unavailable and it is an emergency; or (b) the resident requests otherwise stating reasons. (6) Notwithstanding paragraph (b), a Supervisor of the Rehabilitation Centre or a registered medical practitioner need not be of the same sex as the resident where there are circumstances involving- (a) matters of national security; (b) the security and order of the Rehabilitation Centre; (c) the security of the resident, other residents or staff of the Rehabilitation Centre; or (d) any other relevant issue.	YES NO	

	(7) A Supervisor shall make a record in the resident's file and in the log book of – (a) a situation referred to in subregulation (5) or (6); (b) a request with reasons made pursuant to subregulation (5)(b); and (c) the names and sexes of the persons present during the search, and both of which shall be signed by the persons present. (8) Notwithstanding subregulation (4), where the resident has a disability, an appropriate professional may also be present. (9) Before an intimate search of a resident is carried out, a Supervisor shall immediately inform the resident and the parent, guardian or person with responsibility for the resident or appropriate adult or appropriate professional - (a) of the name and rank of the person who authorised the search and the fact that authorisation has been given to carry out the search; (b) of the grounds for giving the authorisation and for believing that the item cannot be removed without an intimate search; (c) of the resident's entitlement to a copy of the record of the search; (d) that a copy will be given to the resident, and the resident's parent, guardian or person with responsibility for him or appropriate adult or next friend and that a copy will be placed on the resident's file; (e) that a copy will be sent to the Authority and the Probation Officer; and (f) that the resident has a right to his Attorney-at-law. (10) When an intimate search is carried out in accordance with these Regulations -	NO	

	(a) no person of the opposite sex other than a registered medical practitioner or a Supervisor of the Rehabilitation Centre in circumstances permissible under subregulations (5) and (6) shall be present; (b) a minimum of two persons, other than the resident and the officer from the Rehabilitation Centre shall be present during the search; and (c) no person whose presence is deemed unnecessary shall be present. (11) In the case of an intimate search, a Supervisor shall, immediately after the search, make a record in the resident's file and in the log book of the following particulars and both which shall be signed by the persons present during the search: (a) the authorisation to carry out the intimate search; (b) the grounds for giving the authorisation; (c) the place where the intimate search took place; (d) the time when the intimate search took place; (e) the grounds for believing that an intimate search was necessary; (f) whether before the intimate search the requirements of subregulation (9) were observed; (g) the parts of the body that were searched; (h) the name of the person who carried out the intimate search; (i) the persons present; and (j) the result of the intimate search.		
63	(1) A special search of a resident may be carried out only if authorised by an officer of the Rehabilitation Centre of, or above the rank of Superintendent. (2) A Superintendent or officer above the rank of Superintendent shall not authorise a special search of a resident unless he has reasonable grounds for believing that a resident may have concealed on himself-	YES	

	(a) anything which he could and might use to cause physical injury to himself or others at the station; or (b) a dangerous drug in accordance with the Dangerous Drugs Act, which he intended to supply to another or to export; or (c) a prohibited article, and the officer of the Rehabilitation Centre has reasonable grounds for believing that a special search is the only means of removing those items. (3) A special search of a resident shall be conducted by a Supervisor of the Rehabilitation Centre in a private room at the Rehabilitation Centre in accordance with these Regulations. (4) Before a special search commences, the following persons shall be present during the search: (a) a Supervisor of the Rehabilitation Centre who is the same sex as the resident; and (b) an Infirmary Officer who is the same sex as the resident, unless- (c) the Supervisor of the Rehabilitation Centre referred to paragraph (a) or the Infirmary Officer referred to in paragraph (b) is unable to arrive at the Rehabilitation Centre within a reasonable time of being contacted or is unavailable and it is an emergency; or (d) the resident requests otherwise stating reasons.	YES NO NO	

	(5) Notwithstanding subregulation (4)(d), a Supervisor of the Rehabilitation Centre need not be of the same sex as the resident where there are circumstances involving- (a) matters of national security; (b) the security and order of the Rehabilitation Centre; (c) the security of the resident, other residents or staff of the Rehabilitation Centre; or (d) any other relevant issue. (6) A Supervisor shall make a record of a special search in the resident's file and in the g book of the following particulars– (a) a situation referred to in subregulation (4)(c); (b) a request made pursuant to subregulations (4)(d) and (6); and (c) the names and sexes of the persons present, and both of which shall be signed by the persons present during the search. (7) Notwithstanding subregulation (4)(b), a special search may take place in the absence of the Infirmary Officer if the resident signifies in the presence of the Infirmary Officer that he does not want the Infirmary Officer present during the search and will prefer an appropriate adult and the adult agrees. (8) A Supervisor shall make a record of the resident's decision made under subregulation (7) and which shall be signed by the appropriate adult. **(9)** Notwithstanding subregulation (4)(a) and (b), where the resident is a resident with a disability, an appropriate professional may also be present. (10) Before the search begins, the officer from the Rehabilitation Centre conducting the special search shall- (a) inform the resident and the Infirmary Officer -	NO	

	(i) of the name and rank of the person of the authority who authorised the search and the fact that authorisation has been given to carry out the search; (ii) of the grounds for giving the authorisation and for believing that the item cannot be removed without a special search; (iii) of the resident's entitlement to a copy of the record of the search; (iv) that a copy will be given to the resident and the Infirmary Officer, and that a copy will be placed on the resident's file; and (v) that a copy will be sent to the Authority and the Probation Officer; and (b) remind the resident and the Infirmary Officer of the resident's right to his Attorney-at-law. (11) Reasonable force may only be used where a resident refuses to remove his clothing on the invitation so to do. (12) Where articles are found during a special search, a resident shall be asked to hand them over. (13) When a special search is carried out in accordance with these Regulations - (a) no person of the opposite sex, other than persons permissible in the circumstances outlined in subregulations (4)(c) and (d) and (5), shall be present; (b) a minimum of two persons, other than the resident shall be present during the search; and		

	(c) no person whose presence is deemed unnecessary shall be present. (14) A Supervisor of the Rehabilitation Centre conducting the special search shall, immediately after the special search record the following in the resident's record and the log book and both of which shall be signed by the persons present: (a) the authorisation to carry out the search; (b) the place where the search took place; (c) the time when the search took place; (d) the grounds for giving the authorisation; (e) the grounds for believing the article could not be removed without a special search; (f) whether the requirements of subregulation (10) were observed; (g) the parts of the resident's body that were searched; (h) whether force was used before, during or after the search; (i) where force was used and the circumstances surrounding its use; (j) the persons present during the special search when force was used; (k) who carried out the search; (l) the persons present during the serach; and (m) the results of the special search.		
64	(1) A special search of a resident shall take place at the Rehabilitation Centre with proper regard to the sensitivity and vulnerability of the resident and in such a manner so as to safeguard the privacy and dignity of the resident. (2) Every reasonable effort shall be made to secure a resident's cooperation and minimise embarrassment. (3) A special search of a resident shall not be carried out where there is no reason to suspect that articles or substances are concealed.	YES YES YES YES NO	

	(4) A special search of a resident shall be conducted by an officer of the Rehabilitation Centre who is of the same sex as the resident, unless the resident requests otherwise and subject to conditions in these Regulations. (5) A special search of a resident shall be done in a private area in the presence of the Infirmary Officer and an officer of the Rehabilitation Centre. (6) Notwithstanding subregulation (5), in the case of a resident with a disability or mental disorder, in addition to the Infirmary Officer, an appropriate professional of the same sex (if possible) shall be present. (7) Except in cases of urgency, where there is a risk of serious harm to the resident or to other persons, there shall be at least two persons present during the special search other than the resident, the Infirmary Officer and the officer from the Rehabilitation Centre**.** (8) A special search of a resident shall be conducted as quickly as possible and the resident must be allowed to dress as soon as the procedure is completed. (10) The officer of the Rehabilitation Centre who has conducted the special search all make a record of the special search in the resident's file and in the log book and which shall signed by the persons present during the search.	YES YES YES	
65	(1) Before the intimate sample or a non-intimate sample of a resident is taken from a resident, pursuant to the Administration of Justice (Deoxyribonucleic Acid) Act, apart from those persons permitted under that Act, a Supervisor from the Rehabilitation Centre who is the same sex as the resident shall be present. (2) Notwithstanding subregulation (1), a Supervisor of the Rehabilitation Centre who is required to be present during the taking of the sample may be of the opposite sex where -		

	(a) a Supervisor of the Rehabilitation Centre who is the same sex as the resident is unable to arrive at the Rehabilitation Centre within a reasonable time of being contacted or is unavailable and it is an emergency; or (b) the resident requests otherwise stating reasons in writing. (3) Notwithstanding subregulation 2(b), a Supervisor of the Rehabilitation Centre need not be of the same sex as the resident where there are circumstances involving- (a) matters of national security; (b) the security and order of the Rehabilitation Centre; (c) the security of the resident, other residents or staff of the Rehabilitation Centre; or (d) any other relevant issue. (4) A Supervisor shall make a record of the following in the resident's file and log book: (a) a situation referred to in subregulation (2)(a); (b) a request made pursuant to subregulation (2)(b); and (c) the names and sexes of the persons present during the taking of the sample. (5) Notwithstanding subregulation (1), where the resident is a resident with a disability, an appropriate professional may also be present. (6) Before the taking of the intimate sample or a non-intimate sample of a resident commences, the Supervisor of the Rehabilitation Centre shall- (a) inform the resident and the representative of - (i) the name and rank of the person of the authority who authorised the taking of the sample and the fact that authorisation has been given to so do; and		

	(ii) the grounds for giving the authorisation and for believing that the taking of a non-intimate sample or intimate sample was necessary; and (b) remind the resident and the representative of the resident's right to his Attorney-at-law. (7) When an intimate sample or a non-intimate sample of a resident is being taken in accordance with these Regulations – (b) a minimum of two persons, other than the qualified person and the officer of the Rehabilitation Centre shall be present during the search; and (c) no person whose presence is deemed unnecessary shall be present. (8) On the completion of the taking of an intimate sample or a non-intimate sample from a resident, a Superintendent shall immediately record the following in the resident's file and the log book and both of which shall be signed by the persons present: (a) the authorisation for the taking of the intimate sample or a non-intimate sample ; (b) the place where the intimate sample or a non-intimate sample took place; (c) the time when the taking of the intimate sample or a non-intimate sample took place; (d) the grounds for giving the authorisation for the taking of the intimate sample or a non-intimate sample; (e) the grounds for believing the taking of the intimate sample or a non-intimate sample was necessary; (f) the parts of the resident's body from which the intimate sample or a non-intimate sample was taken; (g) whether force was used before, during or after the taking of the intimate sample or a non-intimate sample; (h) where force was used and the circumstances surrounding its use;		

	(i) the persons present during the taking of the intimate or a non-intimate sample when force was used; (j) who carried out the taking of the intimate sample or a non-intimate sample; (k) the persons present during the taking of the sample; and (l) where applicable, whether the relevant consent was obtained. (9) For the purposes of this regulation "representative " has the meaning assigned to it under section 4 of the Administration of Justice (Deoxyribonucleic Acid) Act.		
	PART XXI **RECORDS**		
66	(1) The Commissioner shall ensure that all records required to be kept and maintained under the Act and by the Authority are kept and maintained. (2) A Superintendent shall keep and maintain any records required to be kept under the Act and these Regulations and by the Authority. (3) In addition to the Register of Residents, a Superintendent shall also keep - (a) a journal to record the property belonging to a resident stating- (i) the description and quantity of items; (ii) the arrangements for storage of items; and (iii) the steps taken to determine and implement disposal of items; (b) a disciplinary log stating- (i) the name of the resident against whom any disciplinary action was taken; (ii) the date and time of the incident; (iii) the names of any persons who were present to witness the incident; (iv) the name of the person who administered the disciplinary measure; (v) a description of the incident that gave rise to the disciplinary measure; and (vi) the type and duration of the disciplinary measure administered at the Rehabilitation Centre;	YES YES YES YES YES YES YES	

	(c) a file detailing any serious incident including security breaches which occurred at a Rehabilitation Centre and any corrective measures taken to rectify the incident;	YES	
	(d) a visitor's log specifying the following details: (i) the name and contact information of the visitor; (ii) the date of the visit; (iii) the length of the visit; (iv) the purpose of the visit; and (v) any other detail of the visit that the Superintendent may see fit;	YES YES	
	(e) a daily perimeter inspection log;	YES	
	(f) a dormitory surveillance log specifying the following details: (i) the times surveillance was conducted; (ii) the name of the officer of the Rehabilitation Centre who conducted the surveillance; (iii) any unusual behaviour or complaints; and (iv) any significant event that may involve a resident;	NO	
	(g) a complaints log specifying the following details: (i) a description of the incident, issue or concern; (ii) the date and time of the incident; (iii) the persons involved; (iv) any action taken; and (v) any other relevant details;	YES YES	
	(h) a search record log specifying the following details: (i) the resident's name; (ii) the type of the search; (iii) the reason for search; (iv) the results of the search;	YES	

	(v) the names of officers of the Rehabilitation Centre conducting the search; (vi) the date of the search; and (vii) the times of the commencement and termination of the search; (i) a log recording announced and unannounced evacuation and fire drills specifying the following details: (i) the date and time of drills; (ii) the time taken for complete muster; (iii) the persons present and challenges observed during the drills; and (iv) the recommendations to address the challenges identified with respect to subparagraph (iii). (2) A Superintendent shall keep and maintain a record of – (a) the policies and procedures; and (b) a log of the training provided for staff. (5) A Superintendent shall keep a file on each resident which shall contain the resident's history, including - (a) a photograph of the resident; (b) a list of the educational institutions and vocational training attended by the resident prior to admission and during his placement at a Rehabilitation Centre; (c) the names, addresses and contact information of persons with whom the resident previously resided;	YES YES YES	

	(d) a description of the physical appearance of the resident, including any distinguishing marks; (e) a medical history of the resident; (f) any order of the Court that was made in respect of the resident; (g) any report made to the police in respect of the resident; (h) the resident's individual care plan; and (i) any incident in which the resident was involved that necessitated the intervention of any agency of the State. (6) Where a resident in the care of a Rehabilitation Centre has died, the Commissioner shall ensure that any particulars in relation to the death of the resident are recorded. (7) The Commissioner shall ensure that all registers, books and records in respect of residents in his care at a Rehabilitation Centre are securely stored and kept confidential. (8) The Commissioner may destroy any record with respect to a resident after a period of twenty years from the time of the commencement of the record of the resident.		
	PART XXII **CONFIDENTIALITY**		
67	(1) The Commissioner and a Superintendent shall ensure that all records of residents of a Rehabilitation Centre are kept confidential. Act 13 of 2011 (2) Notwithstanding subsection (1) and subject to sections 42 to 46 of the Data Protection Act or any other written law, information about a resident may be revealed to the Authority or any other person or entity required by law, and in particular in order to-	YES YES	

	(a) protect the resident from harm; (b) protect others who may be harmed; or (c) secure evidence.		
	PART XXIII **NOTICES TO THE AUTHORITY**		
68	(1) A Superintendent shall notify the Commissioner in writing, immediately, of- (a) the admission of a child in accordance with section 54 of the Children Act, 2012; (b) the discharge of the resident; (c) a threat made by a visitor to a Rehabilitation Centre; (d) the death of a resident; (d) a serious injury sustained by a resident; (e) the escape from legal custody of a resident; (f) any incident of a resident contracting an infectious disease; (g) the outbreak of any infectious disease at a Rehabilitation Centre; (h) any illness or injury of a resident which requires that the resident be hospitalised; (i) any outbreak of fire at a Rehabilitation Centre, where that fire results in the relocation of residents and any serious incident which affects the operation of a Rehabilitation Centre; and	YES YES	

	(j) any other serious incident. (2) The Commissioner shall notify the Authority in writing, immediately, with respect to the occurrence of any events referred to in paragraphs (a) to (j).		
	PART XXIV **MISCELLANEOUS RULES**		
69	Where any resident who is to be discharged from a Rehabilitation Centre is in need of clothing the Rehabilitation Centre shall supply him with adequate clothing.	YES	
70	A Rehabilitation Centre shall be open to visitors on the order of the Commissioner of Prisons.	YES	
71	Residents shall behave with the greatest respect towards the officers of a Rehabilitation Centre.	YES	
72	Officers shall treat residents and their families with respect, courtesy and dignity and encourage efforts at rehabilitation.	YES	
73	No resident shall bring any prohibited article into a Rehabilitation Centre	YES	