



**THE MINISTRY OF NATIONAL SECURITY**

**CORRECTIONAL SERVICES TECHNICAL WORKING GROUP (CSTWG)**

**REPORT ON THE JUVENILE CORRECTIONAL CENTRES**

**2021 – 2026**

**Date: October 20, 2021**

## **LIST OF ACRONYMS**

<b>CAT</b>	- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
<b>CCPA</b>	- Child Care and Protection Act
<b>CFNI</b>	- Caribbean Food and Nutrition Institute
<b>CISOCA</b>	- Centre for Investigation of Sexual Offences and Child Abuse
<b>CPFSA</b>	- Child Protection and Family Services Agency
<b>CRC</b>	- Convention on the Rights of the Child
<b>CSEC</b>	- Caribbean Secondary Education Certificate
<b>CSTWG</b>	- Correctional Services Technical Working Group
<b>DCS</b>	- Department of Correctional Services
<b>DRMA</b>	- Disaster Risk Management Act
<b>HTJCC</b>	- Hill Top Juvenile Correctional Centre
<b>ICC</b>	- International Code Council
<b>ICCPR</b>	- United Nations International Covenant on Civil and Political Rights
<b>ICESCR</b>	- International Covenant on Economic, Social and Cultural Rights
<b>ICPD</b>	- International Conference on Population and Development
<b>JCC</b>	- Juvenile Correctional Centres
<b>JCMS</b>	- Juvenile Case Management System
<b>JPS</b>	- Jamaica Public Service
<b>LPG</b>	- Liquefied Petroleum Gas
<b>MNS</b>	- Ministry of National Security
<b>MOEYI</b>	- Ministry of Education, Youth and Information
<b>MOHW</b>	- Ministry of Health and Wellness
<b>MOJ</b>	- Ministry of Justice

<b>MOU</b>	- Memorandum of Understanding
<b>MSDS</b>	- Material Safety Data Sheets
<b>MSSJC</b>	- Metcalfe Street Secure Juvenile Centre
<b>NFPA</b>	- National Fire Protection Association
<b>NGO</b>	- Non-Governmental Organization
<b>OCA</b>	- Office of the Children's Advocate
<b>RCJCC</b>	- Rio Cobre Juvenile Correctional Centre
<b>SCJCRC</b>	- South Camp Juvenile Correctional and Remand Centre
<b>SER</b>	- Social Enquiry Report
<b>SMR</b>	- Suicide Monitoring Room
<b>SOPs</b>	- Standard Operating Procedure
<b>SRC</b>	- Scientific Research Council
<b>UNICEF</b>	- United Nations Children's Fund
<b>UNODC</b>	- United Nations Office on Drugs and Crime

## 1. BACKGROUND TO THE CORRECTIONAL SERVICES TECHNICAL WORKING GROUP (CSTWG)

1.1. The Correctional Services Technical Working Group (CSTWG) was established on March 9, 2021 in response to several issues that were highlighted in the INDECOM Quarterly Report for the period July to September 2020 (see appendix 1). The convening of this working group was duly prompted by the Senator the Honourable Matthew Samuda, Minister without Portfolio in the Ministry of National Security (MNS), who committed to addressing the issues raised, with a focus on the *'duty of care'* to the wards, especially with respect to appropriate measures of discipline and timely access to education and psychosocial interventions. Key to the considerations for the establishment of the CSTWG was the fact that the individuals in custody are not usually viewed by society as being vulnerable which ultimately affects budget allocation and policy making in their interest.

1.2. The CSTWG was therefore mandated to provide for the improvement in the care and supervision of the wards housed in juvenile correctional centres (JCCs), by ensuring that the operations and management of these centres are in keeping with the human rights standards stipulated under the Constitution of Jamaica (1962) - Charter of Fundamental Rights and Freedoms, Child Diversion Act, Child Care and Protection Act and the Corrections Act *inter alia*.

1.3. The CSTWG, chaired by the Chief Technical Director, Crime Prevention Rehabilitation and Inspectorate Policy Division, was comprised of twenty-one (21) stakeholders representing the organizations mentioned hereunder:

- *Attorney-at-Law*
- *Centre for Investigation of Sexual Offences and Child Abuse (CISOCA)*
- *Combined Disabilities Association*
- *Child Protection and Family Services Agency (CPFSA)*
- *Department of Correctional Services (DCS)*
- *Family Courts – Court Administration Division*
- *Jamaica Psychiatric Association*
- *Ministry of Health and Wellness (MoHW) - Child & Adolescent Mental Health*
- *Ministry of National Security (Chair)*
- *Ministry of Justice (MOJ)- Legal Reform Unit*
- *Office of the Children's Advocate (OCA)*
- *Office of the Public Defender*
- *Senior Uniformed Officers' Association*
- *The Jamaica Federation of Corrections*
- *United Nations Children's Fund (UNICEF)*

1.4. In the selection of the stakeholders, careful thought was given to employing a working group that was all-encompassing, to ensure that agencies and groups that had direct roles in reviewing the state of juveniles in state care and custody were utilised, as well as other critical groups that were important to advise and drive the process in the right direction.

1.5. It should be noted that the process would not have been an academic exercise, but was undertaken with the view to craft the way forward in a manner that would have full stakeholder buy-in and

support. A key output of the CSTWG was therefore to develop a Road Map for Juvenile Rehabilitation, informed by priority policies, strategies, plans, programmes, projects and infrastructural changes that are to be implemented within the DCS' JCCs. This Road Map/Action Plan is to be implemented over prescribed short to medium term periods (see findings and action plan further in the document).

1.6. To achieve this, the CSTWG was divided into three (3) sub-working groups focusing on matters relating to: **1) Legal, 2) Psychosocial and Behaviour Management** and **3) Infrastructure**. These sub-working groups were assigned specific duties and responsibilities as outlined in the Terms of Reference (TOR) for the CSTWG (see Appendix 2), which includes developing standard operating procedures (SOPs) and proposals, and making recommendation to inform the development of an Action Plan for the CSTWG, including proposed strategies and achievable timelines.

1.7. The composition of the sub-working groups is reflected in the table below:

Sub-Working Groups	Composition
Infrastructure	<ul style="list-style-type: none"> <li>a. Ministry of National Security</li> <li>b. Department of Correctional Services</li> <li>c. National Works Agency</li> <li>d. National Housing Trust</li> <li>e. Kingston and St. Andrew Municipal Corporation</li> <li>f. Jamaica Federation of Corrections</li> <li>g. Combined Disability Association</li> <li>h. Ministry of Health and Wellness (Environmental Health)</li> <li>i. Jamaica Fire Brigade</li> </ul>
Psychosocial and Behaviour Management	<ul style="list-style-type: none"> <li>a. Ministry of National Security</li> <li>b. Department of Correctional Services</li> <li>c. Child Protection and Family Services Agency</li> <li>d. Ministry of Health and Wellness (Child and Adolescent Mental Health)</li> <li>e. United Nations Children's Fund</li> <li>f. Jamaica Psychiatric Association</li> <li>g. Jamaica Psychological Association</li> <li>h. Senior Uniformed Officers' Association</li> </ul>
Legal	<ul style="list-style-type: none"> <li>a. Ministry of National Security</li> <li>b. Department of Correctional Services</li> <li>c. Attorney-at-Law</li> <li>d. Office of the Public Defender</li> <li>e. Centre for Investigation of Sexual Offences and Child Abuse</li> <li>f. United Nations Children's Fund</li> <li>g. Ministry of Justice (Legal Reform)</li> <li>h. Office of the Children's Advocate</li> </ul>

1.8. In the deliberations by the sub-working groups, careful consideration was given to aligning discussions and outputs with established international binding instruments and guidelines and codes, as well as national laws, regulations, standards, and relevant handbooks and reports. These are namely:

1. International legally binding instruments:

- United Nations Convention on the Rights of the Child, (CRC, 1989) United Nations International Covenant on Civil and Political Rights (ICCPR, 1966) United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)
- International Conference on Population and Development (ICPD)
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984)
- Convention on the Elimination of All Forms of Discrimination Against Women, 1979
- Convention on the Rights of Persons with Disabilities, 2006
- United Nations for the Protection of Juveniles Deprived of Their Liberty (Havana Rules) adopted 1990
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), 1985
- International Code Council (ICC)
- National Fire Protection Association (NFPA) Codes and Standards

## 2. International Guidelines:

- United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990
- The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Revised 2015
- United Nations Office on Drugs and Crime (UNODC) Handbook on Prisoners with Special Needs, 2009

## 3. National Laws:

- Constitution of Jamaica
- Child Care and Protection Act (CCPA, 2005)
- Child Diversion Act, 2018
- The Corrections Act, 1985
- The Public Health (Food Handling Establishment) Regulations 1998
- The Disaster Risk Management Act (DRMA), 2020
- The Disabilities Act, 2014
- Probation of Offenders Act, 2000
- The Corrections (Juvenile Correctional Centres and Juvenile Remand Centres) (Boards of Visitors) Regulations, 2013

## 4. National Regulations, Codes and Standards

- National Building Code of Jamaica
- OCA Child Justice Guidelines, July 2013

## 5. Handbooks and Reports

- The Report of the National Task Force on Crime (Wolfe Report)
- The Report of the Mental Health (Offenders) Enquiry Committee
- DCS’ Existing Policies, Procedures & Guidelines:
  - SOPs on Dietary for Inmates, Remandees & Wards, Information on Deaths, Incidents and Rules on Suicide Prevention
  - Draft Framework for a Juvenile Admission Policy
  - Wards’ Orientation Handbook

- Task Force on the New Regime for Juveniles in Remand and Correctional Facilities in Jamaica
- SOPs on Security Duties at Rio Cobre JCC
- SOPs on Permissible Items in Cells and Dormitories
- Procedural Manual for Educational Programmes
- SOPs on the Management of Outbreak of Malaria
- SOPs on Incident Reporting, Hygiene, Sanitation and Children in Lockup

## 2. METHODOLOGY

### 2.1. Infrastructure Sub-Working Group

In order to capture the relevant infrastructural components of the juvenile correctional facilities, a checklist was developed (see appendix 2). The focus areas on the checklist were guided by the relevant international and local standards and laws.

Focus Areas:

- |  |  |
|--|--|
| <i>a. General Information</i>            | <i>i. Security</i>                               |
| <i>b. Accommodation</i>                  | <i>j. Catering</i>                               |
| <i>c. Structural Soundness/Integrity</i> | <i>k. Infrastructure</i>                         |
| <i>d. Ventilation and Lighting</i>       | <i>l. Water Supply, Storage and Distribution</i> |
| <i>e. Health and Safety</i>              | <i>m. Garbage Collection and Disposal</i>        |
| <i>f. Rehabilitation Programmes</i>      | <i>n. Electricity Supply</i>                     |
| <i>g. Contact with the outside world</i> | <i>o. Fire Suppression System</i>                |
| <i>h. Administrative spaces</i>          |  |

This checklist was used to guide the infrastructural assessment conducted at three (3) juvenile correctional centres as indicated below. During the site visit, and acting on the advice of the Jamaica Fire Brigade personnel, the checklist was amended to read as “Fire Prevention System” instead of “Fire Suppression System”. The sub-working group decided to omit Hill Top Juvenile Correctional Centre from these assessments, due to future plans for the relocation of the institution.

#### ***Overview of the Site Visits***

Three (3) site visits were held over three (3) days as indicated below:

- Metcalfe Street Secure Juvenile Centre - Wednesday, June 23, 2021
- South Camp Juvenile Correctional and Remand Centre - Thursday, June 24, 2021
- Rio Cobre Juvenile Correctional Centre - Tuesday, June 29, 2021

To capture the relevant findings, a blank checklist document was provided to each working group member who was present at the site visits. Debriefing sessions were held at the end of each visit to allow for the

congruence of notes. This was therefore used to prepare a compiled document with the findings and recommendations reflected further in this document. Scheduled sub-working group meetings allowed for further discussions.

## **2.2. Psychosocial and Behaviour Management Sub-Working Group**

Psychosocial intervention and Behavioural Management for residential wards is recognized as one of the key components in the provision of services within the juvenile correctional centres. A situational analysis model was used to gather data on the staff capacity in relation to the care and treatment of wards, as well as its successes and challenges.

The International Standards (Havana Rules) were reviewed; and gaps highlighted in the delivery of services as it relates to the: (i) Admission protocols for juvenile correctional and remand centres (ii) Mental Health Providers/Services (iii) Rehabilitation and Reintegration Programmes (iv) Medical Care Providers/Services and (v) Human Resources.

The findings were circulated among sub-working group members and were discussed at the sub-working group meetings. Additional data was requested from the DCS for the compilation of the report. The report entails proposals for the relevant programmes and professional services which are essential for the advancement of the centres to be within the range of international standards.

## **2.3. Legal Sub-Working Group**

The Legal Sub-Working Group sought to review the various International Conventions, Local Legislations, Policies and Reports in the context of how the juveniles in the juvenile correctional centres are to be treated and cared for, with a specific emphasis on the best interest of the child at all times. The review was guided by fifteen (15) carefully identified thematic areas, as listed below:

- Admission, Prison File Management, Classification, Separation & Placement
- Accommodation & Infrastructure
- Internal & External Inspections
- Education & Recreation (Exercise & Sports)
- Religion & Spiritual Life
- Healthcare Services, Hygiene & Sanitation Practices
- Special Needs & Disabilities
- Diet/Food
- Disciplinary Procedures & Sanctions
- Rules on Suicide Prevention
- Safety, Security & Search
- Information on Death of Juvenile and Incident reporting
- Information & Complaints
- Social Relations, Conditional Release & Aftercare & Transfer from Juvenile Centres to Adult Centres
- Human Resources

The documents reviewed by the sub-working group include but are not limited to:

- United Nations Convention on the Rights of the Child, 1989
- United Nations International Covenant on Civil and Political Rights, 1966
- United Nations for the Protection of Juveniles Deprived of Their Liberty (Havana Rules) adopted 1990
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), 1985
- United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990
- The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Revised 2015
- Constitution of Jamaica – Charter of Fundamental Rights and Freedoms
- Child Care and Protection Act (2005)
- Child Diversion Act, 2018
- The Corrections Act, 1985
- The Disabilities Act, 2014
- Probation of Offenders Act, 2000
- The Corrections (Juvenile Correctional Centres and Juvenile Remand Centres) (Boards of Visitors) Regulations, 2013
- OCA Child Justice Guidelines
- The National Task Force on Crime (Wolfe Report)
- The Report of the Mental Health (Offenders) Enquiry Committee

DCS’ Existing Policies, Procedures & Guidelines:

- SOPs on Dietary for Inmates, Remandees & Wards, Information on Deaths, Incidents and Rules on Suicide Prevention
- Draft Framework for a Juvenile Admission Policy
- Wards’ Orientation Handbook
- Task Force on the New Regime for Juveniles in Remand and Correctional Facilities in Jamaica
- SOPs on Security Duties at Rio Cobre JCC
- SOPs on Permissible Items in Cells and Dormitories
- Procedural Manual for Educational Programmes
- SOPs on the Management of Outbreak of Malaria
- SOPs on Incident Reporting, Hygiene, Sanitation and Children in Lockup

The information for this review was gathered as follows:

- Consultations by sub-working group members by way of virtual meetings to discuss varying issues relating to juvenile correctional centres;
- The compilation of existing: Legislations, International Conventions, Local Reports and Standard Operational Procedures concerning the operations at the Department of Correctional Services (see above);
- The assignment of the aforementioned documents for review among group members; and
- The submission of Key Findings and Recommendations to inform the thematic areas listed (see sections 3.3 and 4.3 below).

### 3. SUMMARY OF FINDINGS

This section provides a summary of the findings provided by the three (3) sub-working groups as illustrated in the tables below:

#### 3.1. Infrastructure

Juvenile Correctional Centre	Total Capacity of the institution (current / overall)	Wards per Dorm	Area of Building (per floor)	Years Institution was Built
South Camp	51 / 144	7	354m2 & 337m2	1970's
Metcalfe	70 / 208	8	74 m2	1980's
Rio Cobre	40 / 120	10	177m2 & 144m2	1950's

International Conventions/Best Practice/National Law	FINDINGS
<b>ACCOMMODATION</b>	
<p>Mandela Rule 11(b) and 17;</p> <p>Havana Rules 17; 18; 28; 33 and 53;</p> <p>The Public Health Act 1985 and its attendant Regulations;</p> <p>Disaster Risk Management Act, 2020; and</p> <p>Convention on the Rights of the Child Article 3:3</p>	<ul style="list-style-type: none"> <li>• The institutions were properly maintained to the most extent, with Metcalfe Street observed as being the least maintained of the three visited centres.</li> <li>• Separation of different categories of wards was observed.</li> <li>• Sleeping accommodation consisted of small group dormitories or individual bedrooms in keeping with international/local standards.</li> <li>• Each ward had sufficient and clean bedding.</li> <li>• With respect to storage areas for personal effects for the wards, the Superintendents confirmed that each child is issued with a locker and additional items are kept in the House Mothers' quarters.</li> <li>• There was limited provision for individuals with disabilities.</li> <li>• At Metcalfe Street single isolation cells housing wards with mental illnesses were observed.</li> <li>• A Suicide Monitoring Room (SMR) is established at Rio Cobre to cater to special cases referred (by doctors or Superintendents) from the three male juvenile facilities (HTJCC, RCJCC and MSSJC). The doctor assesses the wards and makes the necessary arrangements for treatment.</li> <li>• At South Camp there were separation areas based on referral from the doctors.</li> <li>• Leaking plumbing fixtures were observed in the kitchen and on the quarantine dormitory at Metcalfe Street.</li> </ul>

International Conventions/Best Practice/National Law	FINDINGS
<b>STRUCTURAL SOUNDNESS/INTEGRITY</b>	
<p>National Building Code of Jamaica;</p> <p>The Public Health Act 1985 and its attendant Regulations;</p> <p>Disaster Risk Management Act, 2020; and</p> <p>Convention on the Rights of the Child Article 3:3</p>	<ul style="list-style-type: none"> <li>• The construction of the institutions seemed to be in keeping with the standards of the local building code. This was evident at Rio Cobre (i.e. construction of block and steel) and the use of pre-fab construction at South Camp and Metcalfe Street. Further assessment to be made by a structural engineer to confirm compliance with the new codes.</li> <li>• Signs of weathering and structural defects were partially evident at Metcalfe Street, South Camp and Rio Cobre. These included: <ul style="list-style-type: none"> <li>- At South Camp, there were cracks in the ceiling in the medical station, as well as cracks in the flooring of the dormitories. Minor cracks were also observed on walls and ceiling.</li> <li>- At Metcalfe Street there were mainly flaking concrete (spalling, i.e. breaking away of the concrete) caused by water. There were also leaking roofs in the dorms, kitchen and dining area. There was also evidence of water damage to walls in the medical post and offices.</li> <li>- At Rio Cobre cracks were observed on the exterior of the old dormitory as well as the flooring of the dormitories; leaking pipes were observed in some bathrooms; damaged railing and floors were also observed upstairs the administrative common area.</li> </ul> </li> </ul>
<b>VENTILATION AND LIGHTING</b>	
<p>Mandela Rule 14;</p> <p>The Public Health Act 1985 and its attendant Regulations;</p> <p>Disaster Risk Management Act, 2020; and</p> <p>Convention on the Rights of the Child Article 3:3</p>	<p>Lighting and ventilation were sufficient at South Camp. However, at Metcalfe Street there were insufficient natural lighting and ventilation entering the dormitories. The team was informed that installation of electrical lighting was in progress to give more lighting to the dormitories. Lights were placed externally on walls to prevent vandalizing by the wards. In addressing the matter of poor ventilation, the team felt that more vents (windows and shutters) were needed to allow the entrance of more fresh air and natural light in the dormitories. More ventilation and lighting were observed at Rio Cobre, however, there is room for improvement to increase ventilation. It was a general observation that an increase in occupancy level will result in the need for more ventilation at Metcalfe Street and Rio Cobre. There is also a need for more ventilation within the context of the COVID-19 pandemic.</p> <p>It was also evident at South Camp and Rio Cobre, but to a lesser extent at Metcalfe Street, that the sleeping quarters and work areas were constructed to allow for the circulation of fresh air.</p>
<b>HEALTH AND SAFETY</b>	
<p>The Nelson Mandela Rules 15 and 16;</p> <p>Havana Rule 31; 34 and 51;</p> <p>The Public Health Act 1985 and its attendant Regulations;</p> <p>Disaster Risk Management Act, 2020; and</p> <p>Convention on the Rights of the Child Article 3:3</p>	<p>It was observed by the team that there were adequate bathroom facilities (toilets and shower installations) at all centres which were mostly clean. However, a few of the toilets were observed to be in need of repairs in which the team was informed that this was a work in progress. At Metcalfe Street, some of the toilets were not flushing properly while at South Camp and Rio Cobre, some toilets had missing doors which did not allow for privacy for the wards. The team was advised that the doors at South Camp were constantly damaged by the girls during a fit of rage. At Rio Cobre, some shower areas were also observed to be in need of repairs.</p> <p>Based on the special needs of the female wards, they are issued with sanitary napkins routinely or on a needs basis. Two (2) SANITACT waste bins are placed in each bathroom to allow for the proper disposal of sanitary napkins.</p> <p>During the visits, the team did not observe any soap or towels in the bathrooms. Checks with the Superintendents revealed that the wards are provided with soap and wash rags every two weeks, or on a needs basis. These are kept by the wards for their own personal uses. In light of the COVID-19 pandemic, automatic hand sanitizer dispensers were placed at the entrance, and strategically on each block/section, to aid in routine sanitization.</p> <p><i>Medical Facilities</i></p> <p>Immediate access to adequate medical facilities was evident at South Camp, but mostly at Metcalfe Street and Rio Cobre.</p>

International Conventions/Best Practice/National Law	FINDINGS
	<p>At Metcalfe Street the medical post was not outfitted for its purpose and there was no examination bed. Also while there was a bed in the room for consulting with psychologists, there were no hand washing station available. Findings at Metcalfe Street and Rio Cobre include the following:</p> <ul style="list-style-type: none"> <li>- High level of clutter and disorganization</li> <li>- No privacy screen</li> <li>- Unused/unnecessary items stored in medical post</li> <li>- No seating in medical area and waiting room</li> <li>- Hand washing stations in medical post used for washing of utensils</li> <li>- Medicine refrigeration used to store food items for staff</li> <li>- No separation of medication for the different wards</li> <li>- Area at Rio Cobre is small and not easily accessible</li> <li>- Unsuitable furnishing</li> </ul> <p><i>Storage of Hazardous Materials</i> In terms of storage for hazardous materials and substances, generally, chemicals were observed to be stored at a location that was considered inappropriate.</p> <p><i>Pest Control</i> In relation to insect and pest control, inspection of Metcalfe Street, Rio Cobre and South Camp revealed evidence of insects on the compound and areas to foster harbourage and breeding of insects and rodents. Additionally, the floors, walls and other surfaces did not facilitate easy and effective cleaning and disinfection. In the prevention of mosquito borne-diseases, each centre has on staff - groundsmen who conduct routine de-bushing, as well as inspect the compound for any containers or areas that could cause the breeding of mosquitos. Routine fogging is also conducted by the MOHW, however, in instances where the centres may be experiencing an increased presence of mosquito infestation, a request for fogging is made to the MOHW. The use of mosquito meshes on the dorms is avoided, as they can be damaged by the wards and possibly used as a weapon.</p>
<b>REHABILITATION PROGRAMMES</b>	
<p>Havana Rule 12; 32; 41; 47; and Convention on the Rights of the Child, Article 23:3</p>	<ul style="list-style-type: none"> <li>• Resource centres (libraries and computer rooms) were evident at all institutions. However, at Metcalfe Street, the library was infested with termites and was out of use.</li> <li>• Green space for recreational and physical training in the open air was observed at South Camp and Rio Cobre, and to a greater extent at Metcalfe Street. The green spaces were also used at all three centres to carry out agricultural and academic programmes. At South Camp, a multi-purpose play area for netball was observed. An indoor recreational area was also available and seemed adequate by the team.</li> <li>• The institutions had the physical infrastructure in place to provide opportunities for wards to learn vocational skills or other academics. This was evident at South Camp and Rio Cobre, and to a larger extent at Metcalfe Street. General vocational areas observed were: computer lab; mechanical workshop; woodwork shop; barber shop; home economics; agriculture and academic classrooms.</li> </ul>
<b>CONTACT WITH THE OUTSIDE WORLD</b>	
<p>Havana Rule 18; 59; 60; Constitution of Jamaica: The Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act, 2011</p>	<p>Adequate spaces were observed at all centres for wards to receive visits. Visits were conducted in clear view and ear shot of the Correctional Officers on duty. Due to the COVID-19 pandemic and associated suspension of visits within the institutions, the computer rooms were being used to facilitate zoom sessions (virtual meetings/visits).</p>

International Conventions/Best Practice/National Law	FINDINGS
(Section 14: 2 (a); and the Beijing Rules: Rule 26:5	
<b>ADMINISTRATIVE SPACES</b>	
National Building Code of Jamaica	<p>Adequate space for staff to perform their administrative duties were observed at Rio Cobre and to a greater extent at South Camp and Metcalfe Street. More office space was observed to be required for staff at Metcalfe Street (especially for Case Managers) and the teachers at South Camp.</p> <p>In relation to the sheltering of staff to protect them from the elements, at South Camp this was found to be inadequate at the entrance to the compound. At Metcalfe Street, the stairwell and ground floor in the main administration block floods when it rains which is a safety hazard. There was also inadequate sheltering between buildings. At Rio Cobre, renovation works were in progress to accommodate new staff from Hill Top Juvenile Correctional Centre, however there are inadequate facilities for sheltering of staff at the entrance to the compound and for guards at the entrance of the dormitories.</p> <p>Storage areas for personal items and changing rooms/restrooms for staff were evident at South Camp, partially at Metcalfe Street and to a larger extent at Rio Cobre. However, at Metcalfe Street and South Camp, renovation works were needed for officers' quarters and restrooms. Also at Metcalfe Street, there were inadequate welfare areas for workers - the sink in the medical area was used for regular utensils and the refrigerator was used to store food and medical supplies.</p> <p><i>Record-Keeping</i> Individual, confidential records are kept securely and at designated areas within the centres. Confidential records related to healthcare are stored at the medical stations and are managed by the medical personnel, while other confidential records relating to the child are stored in the case managers' offices (hard copies or electronically).</p>
<b>SECURITY</b>	
Convention on the Rights of the Child, Article 3:3	Security fencing, sentry posts & surveillance systems were evident to varying extent at all three (3) centres. Findings revealed that South Camp had adequate security fencing, sentry posts and a surveillance system. There were two (2) sentry posts, however one pole needed fixing for the fencing between the new academic block and adult facility. However, there were no CCTV cameras at South Camp, while additional cameras were requested for Metcalfe Street to cover more areas of the compound. The internal/intercom systems also needed revamping for all three (3) centres. While the internal/intercoms were present, they were inactive.
<b>CATERING</b>	
<p>Havana Rule 31;</p> <p>The Public Health Act 1985 and its attendant Regulations;</p> <p>Disaster Risk Management Act, 2020 and</p> <p>The Public Health (Food Handling Establishment) Regulations 1998</p>	<p>The requisite facility and equipment for the preparation of meals (kitchen) and dining space for wards were evident at South Camp, Metcalfe Street, and Rio Cobre. However, a number of concerns (infrastructural and food safety) were identified which included:</p> <ul style="list-style-type: none"> <li>- At South Camp, there were cracks in the tiles and damage to the dry wall partition in the dining area. Food safety issues were noted in the kitchen area which included storage of food items and solid waste, furnishing in disrepair, no self-closing devices on doors. There were outer openings (i.e. external face of windows and doors) not adequately screened, flies seen in kitchen; tap at wash basin leaking; and greasy exhaust fan and screen.</li> <li>- At Metcalfe Street, chemical containers were not properly labelled; outer openings were not adequately screened, flies were seen in kitchen; the tap at meat preparation sink was leaking; waste water pipe at ware wash sink needed repairs; there were pitted (small concrete breakage or holes) floors and missing tiles; hand washing station not fully equipped with hand drying device (disposable/paper towel) and bin; defective lighting fixtures in kitchen; and open drain on the outside near ware wash sink.</li> </ul>

International Conventions/Best Practice/National Law	FINDINGS
	<ul style="list-style-type: none"> <li>- At Rio Cobre, it was observed that repair works were needed to be done to the cupboards (in the food and nutrition room and kitchen); as well as the tap and ware wash basin, counter tops table tops; sections of the walls and floor tiles in the kitchen area. Poor food handling practices were also observed and chemicals not properly stored.</li> </ul> <p>As it relates to Food Handling establishments/entities certified, the MOHW found that the kitchen and tuck shops at South Camp, Metcalfe Street and Rio Cobre were not certified by the Ministry.</p>
<b>INFRASTRUCTURE</b>	
<p>The Public Health Act 1985 and its attendant Regulations and</p> <p>Disaster Risk Management Act, 2020</p>	<p>At <i>Rio Cobre</i> there were unpaved access roads in poor condition. Also, the drainage system was in poor condition and the storm-water was not channelled to an approved drainage system.</p> <p>At <i>Metcalfe Street</i>, there were leaking roofs in the kitchen and dining areas; water intrusion in the conference/meeting room; evidence of water damage to walls in medical post and office of the supervisor. Additionally, safety was compromised due to the type of steps constructed which become dangerously slippery when wet (throughout the foyer areas at Metcalfe Street).</p> <p>At <i>South Camp</i>, the drainage system for the kitchen and laundry areas was found to be inadequate. Food particles from the main kitchen were allowed to run freely from grease trap, resulting in the harborage for cats. Drainage issues included: wastewater not properly channeled to approved drain; waste water running freely on land creating stagnant pools, uncovered drains from dormitories and improper design of drains.</p> <p>In terms of parking space and emergency vehicle access, this was found to be partially adequate at South Camp and Rio Cobre and sufficient at Metcalfe Street. At South Camp, the parking space and area for emergency vehicle access seemed partially adequate and the gate for emergency vehicle access need to be repaired.</p>
<b>WATER SUPPLY, STORAGE AND DISTRIBUTION</b>	
<p>International Code Council (ICC)</p>	<p>There was sufficient water pressure, storage and distribution capacity to mitigate against drought periods at all institutions. However, at Metcalfe Street there was no separation of domestic water from fire water supply. Also, the plastic tanks needed to be connected. The pumping system which includes pressure tanks was evident at South Camp and Rio Cobre and partially at Metcalfe Street. At Metcalfe Street there was inadequate water pressure for the fire hose reel indicating that it needed to be serviced. Fire hydrants were also observed to be in need of maintenance.</p>
<b>GARBAGE COLLECTION AND DISPOSAL</b>	
<p>The Public Health Act 1985 and its attendant Regulations and</p> <p>Disaster Risk Management Act, 2020</p>	<p>Proper rubbish skip and arrangement to collect and dispose of garbage to appropriate dump was evident at South Camp and Metcalfe Street, but mostly at Rio Cobre. Inspections at Metcalfe Street and South Camp revealed the following findings which needed to be addressed:</p> <ul style="list-style-type: none"> <li>- Drums were used for outdoor storage and while the numbers were adequate they were all uncovered;</li> <li>- Overflow of garbage was observed in some drums while others were empty; and</li> <li>- The garbage storage area was not secured or properly maintained.</li> </ul> <p>Inspection at Rio Cobre revealed the following findings:</p> <ul style="list-style-type: none"> <li>• Concrete containment storage area for garbage in need of repairs;</li> <li>• Garbage not containerized. Drums were used for outdoor storage and while the numbers were adequate they were all uncovered; and</li> <li>• No garbage bin was observed in or close to dormitories.</li> </ul>

International Conventions/Best Practice/National Law	FINDINGS
<b>EMERGENCY PREPAREDNESS AND MANAGEMENT</b>	
<p>Havana Rule 32;</p> <p>The Public Health Act 1985 and its attendant Regulations and</p> <p>Disaster Risk Management Act, 2020</p>	<ul style="list-style-type: none"> <li>• Findings revealed that there was no specific plan documented for the facilities as it relates to emergency preparedness and management. Drills were conducted at South Camp and Rio Cobre, but no recent drills were found to be conducted at Metcalfe Street due to COVID-19 concerns. Emergency supplies seemed adequate at the facilities, however, during the inspections, no isolation area was identified for staff.</li> <li>• At Rio Cobre, directional signs were needed. Assembly area inside the facility required signage, while at South Camp, the assembly area sign was not visible.</li> <li>• At Metcalfe Street, it was identified that there was insufficient staffing to respond effectively in case of an emergency in the night, as the night shift has only one guard for each three floor block.</li> </ul>
<b>ELECTRICITY SUPPLY</b>	
<p>Havana Rule 32; International Code Council (ICC); The Public Health Act 1985 and its attendant Regulations; and the Disaster Risk Management Act, 2020</p>	<p>At all institutions, electricity was provided by the Jamaica Public Service (JPS). There was also a generator available as an alternative source of electricity, and there was also adequate supply of battery-operated flashlights for emergency use. However, at South Camp the electrical panel area was observed without cover to some panels and the panel room door was made of timber which is flammable; the use of a metal door is more ideal.</p>
<b>FIRE PREVENTION SYSTEM</b>	
<p>Havana Rule 32;</p> <p>International Code Council (ICC);</p> <p>National Fire Protection Association (NFPA) Code 58; 72;</p> <p>National Building Code of Jamaica, section 3.2;</p> <p>The Public Health Act 1985 and its attendant Regulations and</p> <p>Disaster Risk Management Act, 2020</p>	<p>There were a number of concerns found as it relates to fire safety and prevention across all centres. The fire extinguishers were also found to be in need of servicing. Based on an inspection at <i>Metcalfe Street</i> by the Jamaica Fire Brigade, a number of breaches were observed. These were namely:</p> <ul style="list-style-type: none"> <li>- A fire alarm system was in place, but not fully functional;</li> <li>- Hose reels were seen strategically placed and functional, however the pipes were constructed of PVC;</li> <li>- Fire extinguishers were seen in place and were fully functional;</li> <li>- All LPG lines were painted yellow;</li> <li>- Storage was regulated and goods were seen on shelves and pallets</li> <li>- Loose electrical wirings were seen;</li> <li>- Exit signs were seen;</li> <li>- No bund blast wall was seen at the LPG tank; and</li> <li>- Bund wall seen around the generator tank has cracks and the drain pipe was left open and debris was seen inside.</li> </ul> <p>There were also inadequate pull stations (none at entrance guard area). It was also evident that the staff needed additional training in first aid and fire-fighting equipment. The key for the fire extinguisher was also not distinguishable from the other keys. Overall, the fire extinguishers needed servicing.</p> <p>At <i>South Camp</i>, the following breaches were also observed by the Jamaica Fire Brigade.</p> <ul style="list-style-type: none"> <li>- A fire alarm system was in place, but not fully functional;</li> <li>- Fire extinguishers were seen in place;</li> <li>- Storage was regulated and goods were seen on shelves and pallets;</li> <li>- Loose electrical wirings were seen;</li> </ul>

International Conventions/Best Practice/National Law	FINDINGS
	<ul style="list-style-type: none"> <li>- Exit signs were seen, while additional signs were recommended;</li> <li>- No blast wall was seen at the LPG tank;</li> <li>- The LPG line in the kitchen was not painted yellow for ease of identification.</li> </ul> <p>Additionally, the existing alarm system was observed to not fully cover the facility (needed to be extended to chapel, new building and home economics area):</p> <p>At <i>Rio Cobre</i>, there were some sections of the facility that had a single entrance and exit. Based on the inspection conducted by the Jamaica Fire Brigade, the centre was not found to be operating in full compliance with standard Fire Prevention practices. The following findings were noted:</p> <ul style="list-style-type: none"> <li>- A fire alarm system was observed, however, it was not audible throughout the entire premises.</li> <li>- Two (2) 450 Lbs liquefied petroleum gas cylinders were seen in front of the main guard room.</li> <li>- Sixteen (16) Fire Extinguishers were observed throughout the premises, however not all are in good working condition.</li> <li>- One (1) Fire Hydrant was observed on the premises.</li> <li>- Panel boxes were properly covered and switches were correctly labeled, throughout the premises.</li> <li>- No Exit signs were seen throughout the premises.</li> <li>- Motor vehicles parked on the premises were not all parked facing out to allow for emergency exit.</li> <li>- Fire hose reels were seen on the compound and in good working condition.</li> </ul> <p>It was also noticed that there was only one exit in place, from the Administrative building, first floor &amp; ground floor, and the Multi-Purpose Room.</p>

### 3.2. Psychosocial and Behavioural Management

International Conventions/Best Practice/National Law	Findings																																																																		
<b>HUMAN RESOURCES</b>																																																																			
<p>The Havana Rule V. (81) and (82) on personnel</p>	<p><b><u>Full Time Residential Staff</u></b></p> <p>The findings show that staff capacity in relation to the care and treatment of children comprise of over four hundred (400) employees. The breakdown is as follows:</p> <p style="text-align: center;"><u>Table 1</u> <u>Staff Complement as at September 10, 2021</u></p> <table border="1" data-bbox="1131 618 2174 1032"> <thead> <tr> <th>POSITION</th> <th>SCJCRC</th> <th>MSSJC</th> <th>RCJCC</th> <th>HTJCC</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>Superintendent, Juvenile Services</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>4</td> </tr> <tr> <td>Assistant Superintendent and Superintendent B</td> <td>2</td> <td>2</td> <td>1</td> <td>0</td> <td>5</td> </tr> <tr> <td>Overseer</td> <td>5</td> <td>10</td> <td>3</td> <td>5</td> <td>23</td> </tr> <tr> <td>Staff Officer</td> <td>7</td> <td>25</td> <td>6</td> <td>7</td> <td>45</td> </tr> <tr> <td>Corporal</td> <td>17</td> <td>35</td> <td>13</td> <td>8</td> <td>73</td> </tr> <tr> <td>Correctional Officer 1</td> <td>62</td> <td>74</td> <td>49</td> <td>27</td> <td>212</td> </tr> <tr> <td>House Mother</td> <td>2</td> <td>2</td> <td>5</td> <td>1</td> <td>10</td> </tr> <tr> <td>Welfare Case Manager</td> <td>2</td> <td>3</td> <td>1</td> <td>1</td> <td>7</td> </tr> <tr> <td>Teacher</td> <td>5</td> <td>3</td> <td>8</td> <td>7</td> <td>23</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>103</b></td> <td><b>155</b></td> <td><b>87</b></td> <td><b>57</b></td> <td><b>402</b></td> </tr> </tbody> </table> <p>Staff complement also includes: cooks, laundry attendants, groundskeepers, and drivers. It was noted that uniformed staff work across 3 shifts. House Mothers work across 2 shifts between 6am and 6pm and other civilian staff complete a standard work day. It was also noted that there is no central skills inventory with the actual skill level of current staff members. Each position however has minimum entry requirements and formal job descriptions.</p> <p><b><u>Non-Residential Staff</u></b></p> <p>The findings show that the following staff members are assigned to multiple centres including adult centres: Medical Doctors, Dentist, Psychologists, Psychiatrists (see sections on Mental Health Providers and Medical Care below), Rehabilitation Officers and Chaplains.</p> <p><b><u>NOTES:</u></b></p> <p>(i) Table 1. above reflects the staff complement per institution: SCJCRC (103); MSSJC (155); RCJCC (87); HTJCC (57) = 402 Staff</p>	POSITION	SCJCRC	MSSJC	RCJCC	HTJCC	TOTAL	Superintendent, Juvenile Services	1	1	1	1	4	Assistant Superintendent and Superintendent B	2	2	1	0	5	Overseer	5	10	3	5	23	Staff Officer	7	25	6	7	45	Corporal	17	35	13	8	73	Correctional Officer 1	62	74	49	27	212	House Mother	2	2	5	1	10	Welfare Case Manager	2	3	1	1	7	Teacher	5	3	8	7	23	<b>TOTAL</b>	<b>103</b>	<b>155</b>	<b>87</b>	<b>57</b>	<b>402</b>
POSITION	SCJCRC	MSSJC	RCJCC	HTJCC	TOTAL																																																														
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**International Conventions/Best Practice/National Law**

**Findings**

- (ii) Table 2 below reflects the staff-ward ratio per institution. This is based on the total staff complement as previously mentioned, as well as the total number of wards, as at September 10, 2021: SCJCRC (55); MSSJC (82), RCJCC (37), HTJCC (17) = 191 Wards
- (iii) Total staff-ward ratio: 402/191 = 2.1

**Table 2  
Staff-Ward Ratio at September 10, 2021**

<b>STAFF - WARD RATIO</b>						
<b>POSITION</b>	<b>SCJCRC 55 Wards</b>	<b>MSSJC 82 Wards</b>	<b>RCJCC 37 Wards</b>	<b>HTJCC 17 Wards</b>	<b>TOTAL PER EMPLOYEE TO WARD RATIO (ROUNDED) 191 Wards</b>	<b>PROJECTED STAFF- WARD RATIO IF FULL CAPACITY IS REACHED (ROUNDED) 570 Wards</b>
Superintendent, Juvenile Services	1:55	1:82	1:37	1:17	1:48	1:143
Assistant Superintendent and Superintendent B	2:55	1:41	1:37	0	1:38	1:114
Overseer	1:11	5:41	3:37	5:17	1:8	1:25
Staff Officer	7:55	25:82	6:37	7:17	1:4	1:13
Corporal	17:55	35:82	13:37	8:17	1:3	1:8
Correctional Officer 1	62:55	37:41	49:37	27:17	1:1	1:3
House Mother	2:55	1:41	5:37	1:17	1:19	1:57
Welfare Case Manager	2:55	3:82	1:37	1:17	1:27	1:81
Teacher	1:11	3:82	8:37	7:17	1:8	1:25
<b>TOTAL:(Staff-Wards)</b>	<b>103:55</b>	<b>155:82</b>	<b>87:37</b>	<b>57:17</b>	<b>1:2</b>	<b>1.1</b>

*Column 7. above is a PROJECTION. That is, if staff-ward, ratio was to reach full capacity the number per institution would be accordingly.: SCJRCC-144, MSJCC-208, RCJCC-120 and HTJCC-98 = 570 wards. If the 570 wards were to be divided by current staff number, which is 402, then the ratio would be 1:1.42 or (1.1)*

NOTE: Mental Health Providers should be adequate per institution based on Havana Rules, under Medical Care: H (51)

International Conventions/Best Practice/National Law	Findings
<p>Havana Rule K (64) (66) (68) (70) (72) (73) (74) (78): Limitations of Physical Restraints and the use of Force</p>	<p>Variables to be considered in analysing the ratios above include:</p> <ol style="list-style-type: none"> <li>1. Uniformed officers work across 3 shifts. As a result, the ratio presented above is further distributed across shifts to determine the actual number of a specific category of employee to child on a specific shift.</li> <li>2. Not all uniformed officers are assigned to direct ward care or ward interaction. They may be detailed to administrative duties, security functions, among other essential operational functions.</li> </ol> <p>Not all uniformed officers are present at a centre throughout their shifts. Offsite duties such as ward escort for medical care is routinely conducted.</p> <p><b><u>Correctional Officers</u></b></p> <p><b>A. Situational Analysis</b></p> <p><u>New Recruits</u></p> <p>Recruits selected to progress to the Correctional Officer training are engaged in a 12-week intensive residential training programme at the Carl Rattray Staff College. Units taught to new recruits that assist them in preparing to meet the psychosocial needs of the inmates and wards include:</p> <ul style="list-style-type: none"> <li>- Work with Cultural Diverse Offenders and Colleagues</li> <li>- Apply Minimum Standard Rules to the Reception and Rehabilitation of Offenders. This includes the laws and international standards governing children to include the Havana Rules</li> <li>- Identify and Respond to At-Risk-Behaviour. This includes Suicide and Self-Harm Prevention.</li> <li>- Comply with Legal Framework of the Correctional, Penal and Court Procedures (This includes the Childcare and Protection Act)</li> <li>- Respond to and Maintain the Health, Security and Welfare of Offenders (Ward Management).</li> <li>- Deliver Service to Customers</li> <li>- Security (This covers types of security that can be employed e.g. dynamic security)</li> <li>- Develop Skills for Life Support (First Aid and CPR)</li> <li>- Develop Effective Communication Skills (including voice command)</li> <li>- Apply Language and Communication Skills</li> <li>- Report Writing</li> </ul> <p>It was noted that no specialized training is given to new recruits assigned to juvenile centres during basic training. These new recruits undergo on-the-job training and orientation once they commence work. This was not found to be the most effective methodology.</p>

International Conventions/Best Practice/National Law	Findings
	<p><u>Correctional Staff</u></p> <p>The DCS's Training Department offers capacity development via training programmes to a limited number of civilian and uniformed staff members in the following areas:</p> <ul style="list-style-type: none"> <li>- Cognitive Behaviour Therapy</li> <li>- Understanding the Mentally Ill and Sex Offenders</li> <li>- Mental Health</li> <li>- Suicide and Self-Harm Prevention</li> <li>- Mediation (Probation Officers)</li> <li>- Psychological First Aid</li> <li>- Control and Restraint</li> </ul> <p>Currently, courses are not widely offered and have been hampered by COVID-19 restrictions. To increase the training capability of the Department and develop a sustainable training model, a Train-the-Trainer approach has been adopted for some courses. Efforts are made to include all categories of staff, including ancillary staff, in an in-service training such as Suicide and Self-Harm Prevention. It was noted however that support staff would benefit from additional in-service childcare specific training.</p> <p>Professional civilian staff members are required to meet minimum qualification requirements in respect to the care of children; Correctional Officers on the other hand were not required to have any prior training or experience in child care.</p> <p>It was also noted that officers being promoted within or transferred to JCCs are not required to have specialized training or interest in working with children.</p>
<b>ADMISSIONS PROTOCOL</b>	
<p>Havana Rule B. (24) and (25) Admission, Registration, Movement and Transfer</p>	<p><b>Situational Analysis</b></p> <p><u>Correctional Order, Remand Order, and Writ</u></p> <p>Among the duties and responsibilities of the Probation Aftercare Officers (see section on 'Reintegration' below) is attending court and making recommendations that will assist the court in arriving at sentencing decisions. They also provide on the spot counselling and or mediation to children upon request. These officers also process Social Enquiry Reports (SERs) and make recommendations that will assist the court to arrive at sentencing decisions.</p> <p>Children are ordered to be placed in the care of the DCS at Juvenile Remand and Correctional Centres by the Court via a Correctional Order or Remand Order. A Child who will become 18 years old while servicing his/her sentence, also receives a Writ from the Court, to facilitate transfer to an adult correctional centre at the appropriate time.</p>

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	<p><b><u>Admission</u></b></p> <p>The protocol for receiving the wards from the police and admitting them to the remand or correctional centre is guided by a dated Reception and Admission Procedures for Juveniles Standing Order, which is currently being reviewed.</p> <p>The ward first interacts with the Reception Officer, who, reviews the documents accompanying the ward, receives the child from the police, conducts search, and other required processes. A Body Receipt Form is issued to the police verifying that the ward was received and the physical condition of the ward upon receipt. Correctional/Remand Centre Rules are read to each ward. Each ward should receive a personal copy of the rules; however, it was noted that this was not always done due to occasional shortage of printed rule sheets.</p> <p>Each ward undergoes a medical and psychological screening and meets with his/her assigned Welfare Case Manager.</p> <p>Other admission activities include, but are not limited to:</p> <ul style="list-style-type: none"> <li>- Centre orientation and tour of the facility.</li> <li>- Assignment of house mother and big brother or sister.</li> <li>- Review of admission documents that accompany the ward.</li> <li>- Wards' parent(s) or legal guardian(s) are notified of pertinent details of the ward's admission to the Remand or Correctional Centre. Parental contact with the child is facilitated.</li> <li>- Superintendent meets with the child</li> </ul> <p><b><u>Classification</u></b></p> <p>Wards are classified as low, medium or high risk based on their risk levels. SCJCRC and MSSJC are the only reception institutions for all wards on Correctional or Remand Orders. Classification is done using the Juvenile Case Management System (JCMS).</p> <p><b><u>Placement</u></b></p> <p>Wards are then placed in juvenile correctional centres based on their classification level and nature of offenses. Placement is done by a Juvenile Placement Committee. They are further grouped based on variables such as; type of court order, age, security risk, nature of offense, mental health state, and disabilities. It was noted that the layout and physical space within the facilities do not readily facilitate adequate placement of children in dorms or cells across all institutions. Irrespective of the classification of girls, they all remain at SCJCRC; it being the only centre that accommodates females. This is not ideal in supporting treatment plans for children due to the high risk of intermingling and exposure to increased stressors and potential negative influences.</p> <p><b><u>Record Management - Juvenile Case Management System (JCMS)</u></b></p> <p>A computerized record of each ward admitted to each centre is maintained on the electronic JCMS. This system captures real time information on the ward from reception to release and is updated by, and accessible to, DCS employees directly involved in the child's care. This includes the Commissioner and Deputy Commissioners, Director of Juvenile Services, Corporate Planning and Research, JCMS Technical Officer, System Manager, Superintendents, Welfare Case Managers, Teachers, Psychologists and Medical Doctors. The JCMS is so designed to protect the wards' privacy; therefore, not all information can be accessed by all users. The system includes the following tools:</p> <ul style="list-style-type: none"> <li>- Youth Admission Interview (includes personal information and picture)</li> <li>- Superintendent's Interview (admission information verified and Welfare Case Manager assigned thereafter)</li> </ul>

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	<ul style="list-style-type: none"> <li>- Risk/Needs Assessment and Analysis Rating Tool (risk level rating determined)</li> <li>- Individual Development Rehabilitation Plan</li> <li>- Review of Individual Development Rehabilitation Plan</li> <li>- Medical Admission Questionnaire</li> <li>- Medical Record</li> <li>- Risk of Serious Harm Form</li> <li>- Summary of Case Management</li> <li>- Community Release Plan</li> <li>- Psychological Assessment</li> <li>- Psychological Summary</li> <li>- Outcome (report of all activities done with the child, responsible team member and timeline)</li> </ul> <p>It was noted that some users of the JCMS were not comfortable with the use of the online platform resulting in its underutilization, misuse and information gaps. A centralized Technical Officer is available to provide system support and training; however, the following were noted as possible variables contributing to the wider misuse or underutilization of the platform:</p> <ul style="list-style-type: none"> <li>- Time. Sessional practitioners for example, may not have adequate time to see the required number of children and log updates on the JCMS.</li> <li>- Staffing shortage. Priority is often given to pressing staffing needs such as escorting children for external medical treatment, security and general ward supervision. There is no dedicated person to focus on JCMS updates at each centre.</li> <li>- Competence. Not all users are competent in utilizing a computer based management system.</li> <li>- Resistance to change.</li> <li>- Internet instability and inadequate band width.</li> </ul>
<b>MENTAL HEALTH PROVIDERS/SERVICES</b>	
<p>Havana Rule V (81) Personnel</p> <p><b>i. Welfare Case Managers</b></p>	<p><u><i>Case Management</i></u> A physical case file is generated for each child by the Director of Juvenile Services.</p> <p>Welfare Case Managers are responsible for the following processes:</p> <ul style="list-style-type: none"> <li>- Reviewing the ward's Correctional Order and Social Enquiry Report (SER), or Remand Order. It was noted that in some cases a SER does not accompany the child on admission. Meeting with wards and completing the relevant forms and assessments;</li> <li>- Maintaining contact with parents and promoting continued family relationship. This includes facilitating family visits, preparing home releases, planning special family events, and preparing communication regarding the child's physical and mental health status;</li> <li>- Creating case management teams for the wards;</li> <li>- Developing Case Management Reintegration Plans;</li> <li>- Monitoring and documenting wards' progress;</li> <li>- Facilitating monthly case management meetings with teams and wards;</li> <li>- Facilitating the behavioural modification process. This includes taking statements from children when incidents occur;</li> <li>- Conducting community release meetings and developing Community Release Plans; and</li> </ul>



International Conventions/Best Practice/National Law	Findings
<b>MEDICAL CARE PROVIDERS/SERVICES</b>	
<p>Havana Rule H. (49): Medical Care</p>	<p><b><u>Medical Care</u></b>  Six (6) full time and three (3) sessional Medical Doctors supported by Medical Orderlies (Correctional Officers) tend to the institution based primarily on the medical needs (not preventative check-ups) of the adult and juvenile population. One doctor is routinely assigned to cover all juvenile centres (ratio 1:191). Each juvenile centre has a medical unit. Children are taken to external medical facilities for diagnosis and treatment as needed. The DCS has ambulances, assigned mini buses per institution and other vehicles used to transport children to external medical facilities, where they remain under the supervision of correctional staff.</p> <p>It was noted that there is a gap with the provision of preventative dental care. One Dentist is currently assigned responsibility for all adult and juvenile institutions. As a result, priority is often given to Dental treatment versus preventative care. Approval has been granted for a second Dentist to be employed.</p> <p>Optical care is provided only if vision issues are reported and suspected.</p> <p>The ward's medical information is maintained on the JCMS using the following tools:</p> <ul style="list-style-type: none"> <li>- Medical Admission Questionnaire</li> <li>- Medical Record</li> </ul> <p>Superintendents are authorized to provide consent for medical treatment of the children. Where possible however, the parents or legal guardians are first invited to provide consent mainly for major and/or invasive procedures. Where a parent is not available or interested, the Superintendent proceeds as per the best advice of the medical team. Where parents and guardians request and fund private external healthcare for their child, the DCS may facilitate.</p> <p><b><u>Medical and Mental Health Care on Release</u></b>  Welfare Case Managers incorporate continued care requirements in the child's case management plan and community release plan. Referrals are made where necessary by the psychologist, physiatrist and medical doctor for external care upon release. It is however the responsibility of the individual or organization to whom the child is released to continue care. Children Released on Licence and Statutory Order are monitored by Probation Aftercare Officers in an effort to maintain required mental health care.</p>
<p>REHABILITATION: Education and Vocational Training Programmes</p> <p>Havana Rules E(38), (39) (40) and (41) on Education, Vocational Training and Work.</p>	<p><b>A. Situational Analysis</b>  <b><u>Rehabilitation Programmes</u></b></p> <p>(i) Academic Programme:</p> <ul style="list-style-type: none"> <li>- Remedial: English, Mathematics, Social Studies, Information Technology, Art and Craft, Music and Life Skills</li> <li>- Caribbean Secondary Education Certificate (CSEC): Mathematics, English A, Social Studies, Human and Social Biology, Electronic Document Preparation Management, Principles of Business, and Principles of Accounts</li> </ul> <p>(ii) Vocational training</p> <ul style="list-style-type: none"> <li>- CSEC: Food, Nutrition and Health, and Home and Family Management</li> <li>- Tailoring, Barbering, Auto Mechanic, Woodwork, Art &amp; Craft, Agriculture, and Cosmetology</li> </ul> <p>(iii) Personal development and behaviour modification:</p> <ul style="list-style-type: none"> <li>- Life Skills</li> </ul>

International Conventions/Best Practice/National Law	Findings
	<ul style="list-style-type: none"> <li>- Mentoring</li> <li>- Religious activities</li> <li>- Reward and recognition activities</li> </ul> <p>It was noted that the DCS has partnered with private organizations and Non-Governmental Organizations (NGOs) to facilitate some of its personal development activities</p> <ul style="list-style-type: none"> <li>(iv) Clubs and societies</li> <li>(v) Sports and recreation (football, netball, board games etc.)</li> <li>(vi) Family engagement activities including family days and virtual parent-child interaction which entails video calls.</li> </ul> <p>The following were noted:</p> <ul style="list-style-type: none"> <li>- Both academic and vocational areas are guided by the National Standard and CSEC Curricula.</li> <li>- Twelve (12) of the twenty-three (23) or 52% of the children passed at least one (1) subject.</li> <li>- JCCs do not have a Special-Education Programme to address the academic and cognitive learning difficulties of wards.</li> <li>- JCCs do not have a library, adequately stocked with educational, recreational books and periodicals suitable for the wards.</li> <li>- There were inadequate numbers of teachers employed to serve the JCCs. As a result, Correctional Officers assist with teaching functions as needed.</li> </ul>
<b>REHABILITATION &amp; REINTEGRATION PROGRAMMES</b>	
Havana Rule N(79): Return to Community	<p><b>A. Situational Analysis</b></p> <p><b>Release</b></p> <p>The following are the release options available to wards:</p> <ul style="list-style-type: none"> <li>(i) Conditional Release <ul style="list-style-type: none"> <li>- Release on Licence. This is early release, which places the ward under the supervision of a Probation Aftercare Officer.</li> <li>- Home Leave. Approved wards may return home for 2 weeks during the Christmas holidays and 4 weeks during the summer break.</li> </ul> </li> <li>(ii) Release upon completion time to be served.</li> </ul> <p>Wards who attain the age of 18 years before release are transferred to an Adult Correctional Centre.</p> <p><b>Probation and Aftercare Services</b></p> <p>Probation Aftercare Officers supervise child offenders who are placed on Community Based Orders, wards released on Licence and those requiring Statutory Supervision, along with ex-wards who have received Rehabilitation Grants from the Department. They support parents and guardians with the reintegration of the child into the community, including school, family and community based programmes. They also assist with ongoing counselling to effect behaviour changes and foster rehabilitation.</p> <p>Probation Aftercare Officers are required to prepare License and Home – Leave Reports, and make recommendations to determine wards’ suitability to return to the community.</p> <p>Based on the other duties of Probation Aftercare Officers, they are often challenged in:</p> <ul style="list-style-type: none"> <li>- Assisting with the re-engagement of ex-wards in schools. It was noted that it is particularly challenging to reattach students who were expelled or suspended from school prior to being in the care of the DCS. No Memorandum of Understanding (MOU) exists with the MoEYI or other critical stakeholders to facilitate the smooth reintegration of wards in the formal education system upon release.</li> </ul>

International Conventions/Best Practice/National Law	Findings
	<ul style="list-style-type: none"> <li>- Monitoring children on Licence and forwarding reports to the juvenile centre in a timely manner.</li> <li>- Monitoring children who received rehabilitation grants and reporting on their progress.</li> </ul> <p>It was noted that there was no team dedicated to facilitating reintegration of wards in communities. It was also noted that there was no wholesome reintegration programme, strategy or policy and partnerships to facilitate the smooth reintegration of wards.</p>

### 3.3 Legal

International Conventions/Best Practice/Reports/National Law	FINDINGS
<b>ADMISSION &amp; PRISON FILE MANAGEMENT, CLASSIFICATION, SEPARATION &amp; PLACEMENT</b>	
<p>-Constitution of Jamaica   Charter of Fundamental Rights and Freedoms</p> <p>-The Corrections Act (1985) – Section 30 (c) and Subsidiary Legislation</p> <p>-The Child Care and Protection Act (2005) -Section 66.</p> <p>-Havana Rules - A. Records: - III. Juveniles under arrest or awaiting trial Rules 17, 19, 20 &amp;28;</p> <p>B. Admission, registration, movement and transfer: Rules 21. (a), (b), (c), (d) &amp; (e); 25 &amp; 28</p> <p>-Beijing Rules - Objectives of institutional treatment - 26.3</p> <p>-Mandela Rules Prisoner File Management Rule 6, 7, 8, 9 &amp;11 b &amp; d;</p> <p>The Report of the Task Force on the New Regime for Juveniles in Remand and Correctional Facilities in Jamaica</p>	<p><b>Admission</b></p> <ul style="list-style-type: none"> <li>- No provision in the <b>Corrections Act</b> which speaks to rules and procedures for admission and file management in the juvenile correctional centres, including special needs (physical, mental of the wards).</li> <li>- A Guidelines/Framework has been crafted by the DCS pertaining to the development of an <b>Admission Policy</b> The Framework includes the following outline/guide: <ul style="list-style-type: none"> <li>• A brief statement of the problem the policy is intended to alleviate.</li> <li>• Background – a brief outline of the current situation and gap/challenges that have led to the development of the policy.</li> <li>• A strategy outlining key priorities or activities for organisational action to achieve the objectives.</li> <li>• Admission.</li> <li>• Intake: the intake assessment process is comprised of the following stage.</li> <li>• Provision for way to measure the present situation and progress towards the objective and goals.</li> <li>• Provision for periodic review of the policy to make necessary adjustments.</li> </ul> </li> <li>- A review of the <b>Juvenile Correctional Centre Wards Orientation Handbook</b> has identified numerous gaps including it may not have been created with the goal of supporting the rehabilitation of youth offenders in mind.</li> <li>- The orientation handbook is considered to be lengthy and arguably may not appeal to the average juvenile reader. There are key areas that the handbook does not address. For example, how wards with disabilities should be read to and sensitized on the contents or even the duties and responsibilities of the ward whilst in custody.</li> </ul>

	<ul style="list-style-type: none"> <li>- The handbook lacks proper structure and does not adequately represent and/or address the societal issues of today. Notwithstanding the position of the writer and the lack of experience in child rehabilitation, the following areas were highlighted as major concerns, all of which must be considered on the review of this handbook.</li> <li>- The Havana Rules informs that on admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, and for those juveniles who are illiterate or who are unable to understand the language in the written form, the information should be conveyed in a manner enabling full comprehension.</li> <li>- The DCS currently has an Electronic Case Management System in place to manage the records of the wards.</li> </ul> <p><b><u>Classification, Separation &amp; Placement</u></b></p> <ul style="list-style-type: none"> <li>- No provision in the <b>Corrections Act</b> which speaks to rules and procedures for the classification and placement in the juvenile centres, including special needs (physical, mental of the wards). The provisions related to the separation of wards by categories is limited, as the Act only addresses separation of young inmates (wards) from adults (inmates) see below. <ul style="list-style-type: none"> <li>• <i>Section 30. Separate provision shall be made for the detention of- (c) young inmates; and no young inmate shall be detained in the same part of any adult correctional centre as any other kind of inmate.</i></li> </ul> </li> <li>- The <b>Orientation Handbook</b> is silent on how wards are classified for separation at entry. It is believed that this gap may create an avenue for intermingling between low and high risk wards.</li> <li>-</li> </ul>
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**ACCOMMODATIONS AND INFRASTRUCTURE**

<ul style="list-style-type: none"> <li>-The Corrections Act (1985) and attendant legislation</li> <li>-Disabilities Act, 2014   Part IX - Premises and Housing</li> <li>-Mandela Rules – Accommodations - Rule 12: 1&amp;2; 13, 14, 15 &amp; 17 - Clothing &amp; Bedding Rule 19: 1&amp;2</li> <li>-Havana Rules – D. Physical Environment &amp; Accommodation 32, 33, 34, 35 &amp; 36</li> <li>-UN Convention on the Rights of the Child – Article 27:1</li> <li>-The Report of the Task Force on the New Regime</li> </ul>	<ul style="list-style-type: none"> <li>- No provisions in the <b>Corrections Act</b> relating to accommodations for wards or infrastructural requirements for juvenile centres including considerations for wards with disabilities.</li> <li>- There is currently no system in place which accounts for the classification of wards and their living arrangements.</li> <li>- There are no clearly established infrastructure guidelines within the Department to inform the building of juvenile correctional centres, including special consideration for wards with disabilities.</li> </ul>
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**INTERNAL AND EXTERNAL INSPECTIONS**

<p>-The Corrections Act – Part VII. Standards &amp; Inspections – Sections 66 &amp; 67 (1) (2) (3) &amp; (4)</p> <p>-The Corrections (Juvenile Correctional Centres and Juvenile Remand Centres) (Boards of Visitors) Regulations, 2013 – Section 5 (1)</p> <p>-Mandela Rules - Internal &amp; External Inspections - Rule 83:1 &amp; 2</p> <p>-Havana Rules – M. Inspection and Complaints – Rules 72 &amp; 73</p>	<p>- There is provision in the <b>Corrections Act</b> which provides for Standards and Inspections (see below)</p> <p><i>PART VII. Standards and Inspections</i></p> <p><i>Section 66. The Minister may from time to time by direction in writing (a) establish standards for the maintenance and operation of correctional institutions; (b) provide for the inspection of correctional institutions; and (c) require such changes at such correctional institutions as are necessary to ensure that such institutions are in conformity with established standards.</i></p> <p><i>Section 67.(1) The Commissioner and any person designated by the Minister as an inspector may enter at any time any correctional institution and examine any part thereof; examine all papers, documents, records, books and other things belonging to such institution; question any person confined in such institution and examine any papers, documents or thing in his possession; investigate the conduct of any person employed in and about the correctional institution; by order summon any person before him and examine that person under oath concerning any matter relating to any breach of the rules of a correctional institution or any matter affecting the interest of such institution; and by the same or like order, compel the production of books, papers and writing before him. (2) The Commissioner may, in respect of any correctional institution, enforce such disciplinary procedures as may be prescribed in relation to the non-observance of standards established for the maintenance and operation of the institution. (3) The Superintendent or, as the case may be, the person in charge of the correctional institution and every person employed in such institution shall give an inspector such information and assistance as the inspector may require in the performance of his functions under this Act. (4) The Commissioner and any person designated by the Minister under subsection (1) shall, if the Minister so requests, submit to the Minister a report in writing describing the condition of the correctional institution inspected, and may make such observations and recommendations as he thinks fit.</i></p> <p>- Inspections by the <b>Boards of Visitors</b> for the juvenile centres. The Corrections (Juvenile Correctional Centres and Juvenile Remand Centres) (Boards of Visitors) Regulations, 2013 provides for the inspection of the facilities as reflected below:</p> <p><i>Section 5 (1) The Board of a specified juvenile centre shall:</i></p> <p><i>Cause members, in accordance with the regulations 6, to visit the specified juvenile centre to observe and make assessments on –I) the diet, health, maintenance, recreation, conditions of detention, supervision, discipline, treatment and other matters relating to the safety and well-being of the children in the centre; and ii) the state of the premises.</i></p> <p><i>Each Board is comprised of five (5) to nine (9) members and must consist of at least one Medical Doctor, Attorney-at-law and Psychologist.</i></p>
<p><b>EDUCATION EMPLOYMENT AND RECREATION (ACCESS TO EXERCISE &amp; SPORTS)</b></p>	
<p>-Corrections Act – Second Schedule – Section 6 (1)</p> <p>-UN Convention on the Rights of the Child – Article 28:1, 31:1</p> <p>-Mandela Rules - Exercise &amp; Sport – Rule 23:1 &amp; 2; Education and Recreation - Rules 104:1 &amp;2 and Rule 105</p> <p>-Beijing Rules - 26. Objectives of institutional treatment Havana Rules – III. Juveniles under arrest or awaiting trial</p> <p>-Riyadh Guidelines – B. Education – Rules 20, 21, 28, 29, 30 &amp; 31</p> <p>-Havana Rules – Rule 47</p>	<p><b><u>Education and Employment</u></b></p> <p>- The provisions in the <b>Corrections Act</b> in relation to Education &amp; Employment for wards within the juvenile centres lacking (see below).</p> <p><i>Second Schedule</i></p> <p><i>6.-(1) If a person under the care of the managers of the juvenile correctional centre conducts himself well, the managers of that centre may, with his written consent and with the written consent of the Minister, apprentice or place him in any trade, calling or service.</i></p> <p>- <b>The Procedural Manual for Educational Programmes</b> (as regards juveniles)</p> <p>The DCS bases its authority regarding the establishment of Educational Programmes on Section 5 of the Corrections Act (see below).</p> <p><i>Section 5. Subject to the orders of the Minister, the Commissioner shall be responsible for the general administration of the Correctional Services and may, as he thinks fit issue orders (in this Act referred to as standing orders) and any instrument made thereunder, for the management and operation of correctional institutions and the direction of any person employed in the Correctional Services.</i></p> <p>This power however does not extend to the establishment of an Educational Programme, as such a programme is not connected to the management and operation of correctional institutions or the direction of the employee of the Correctional Services. Express provision therefore should be made for this purpose.</p>

<p>-The Report of the Task Force on the New Regime</p>	<p><b><u>Recreation (Sports &amp; Exercise)</u></b></p> <ul style="list-style-type: none"> <li>- No provisions in the <b>Corrections Act</b> or any existing policies and procedures relating to any form of recreation for wards in the Juvenile Centres.</li> </ul>
<p><b>RELIGION AND SPIRITUAL LIFE</b></p>	
<p>-Constitution of Jamaica   Charter of Fundamental Rights and Freedoms</p> <p>-Corrections Act – Second Schedule (Section 50 (3)) 2. &amp; 8. Section 51 (3)</p> <p>-UN Conventions on the Rights of the Child – Article 14:3</p> <p>-Mandela Rules – Religion – Rules 65:1, 2 &amp; 3 and Rule 66</p> <p>-Havana Rules – G. Religion - Rule 48</p>	<ul style="list-style-type: none"> <li>- The provisions in the <b>Corrections Act</b> pertaining to religion for wards in the juvenile centres are inadequate. There are no provisions concerning how juvenile centres include religion as part of their regular diet (see below).</li> </ul> <p><i>Second Schedule (Section 50:3)</i></p> <p><i>2. A minister of the religious persuasion to which a person in a juvenile centre belongs may visit him at the centre on such days, at such times and on such conditions, as may be fixed by rules pursuant to Section 81 for the purpose of affording him religious assistance and instructions.</i></p> <p><i>8. Section 51 (3) of this Act (which relates to religious persuasion) shall apply in relation to the transfer of persons to juvenile correctional centres.</i></p> <ul style="list-style-type: none"> <li>- The current <b>Orientation Handbook</b> does not address how the juvenile centre should include religion as part of the regular diet or makes no mention of the wards having the freedom to attend religious services of their choice. It is important that the handbook instructs how the freedom of religion is exercised as it is a constitutional right and possibly a tool to rehabilitation.</li> </ul>
<p><b>HEALTHCARE SERVICES, HYGIENE AND SANITATION PRACTICES</b></p>	
<p>-Corrections Act – Second Schedule 3 (a) (b)</p> <p>-UN Convention on the Rights of the Child – Article 24 (1)</p> <p>-Mandela Rules – Healthcare Services – Rules 24:1, 25:2, 30, 31, 33: B. Prisoners with Mental Disabilities and/or health conditions – Rule 109:3</p> <p>-Beijing Rules – Commentary – Rule 26</p> <p>-Havana Rules – H. Medical Care – Rules 49, 50, 51, 52, 53, 54 &amp; 55</p> <p>-Wolfe Report   Chapter 11: TOR XI</p>	<p><b><u>Healthcare Services</u></b></p> <ul style="list-style-type: none"> <li>- Inadequate provisions in the <b>Corrections Act</b> to address the healthcare services for wards in the juvenile centres (see below).</li> </ul> <p><i>Second Schedule</i></p> <p><i>3.If it appears to the managers of a juvenile correctional centre-</i></p> <p><i>A) that a person who has been ordered to be sent to that centre requires medical attention before he can properly be received into the centre; or</i></p> <p><i>b) that a person detained in the centre requires such attention, they may make arrangements for him to be received into and detained in any hospital, home or other institutions where he can receive the necessary attention, and while so detained that person shall be regarded as being under the care of the managers at the centre.</i></p> <ul style="list-style-type: none"> <li>- The existing <b>SOP on Precautionary Measures to be taken to Prevent the Outbreak of Malaria</b> within the Department seems to be in reaction to a particular malaria outbreak in 2006 in Kingston and St. Catherine.</li> <li>- The Department currently has no existing <b>Health Service Policy</b> in place that governs the treatment of wards.</li> <li>- The Department currently has no existing policy documents addressing <b>Mental Health</b>.</li> </ul> <p><b><u>Hygiene &amp; Sanitation Practices</u></b></p>

	<ul style="list-style-type: none"> <li>- The <b>SOP on the Maintenance of Hygiene and Sanitation Practices</b> within the Adult and Juvenile Correctional Institutions in accordance with the Corrections Act, 1985; the Correctional Institution (Adult Correctional Centre Rules, 1991; the Public Health Regulations, 1998; The Public Health Act, 1981; The Food Storage and Prevention of Infestation Act and the SOP, Manuals Volumes 1 &amp; 2. Speaks to: <ul style="list-style-type: none"> <li>• Sanitation duties</li> <li>• Bakery, Kitchens. Stores and Tuck shop</li> <li>• Garbage collection and disposal</li> <li>• Sanitation of the general compound</li> </ul> </li> </ul>
<b>SPECIAL NEEDS AND DISABILITIES</b>	
<p>-The Corrections Act</p> <p>-Disabilities Act, 2014   Part IX - Premises and Housing</p> <p>-UN Conventions on the Rights of the Child – Article 23:2 &amp;3</p> <p>-Mandela Rules – Basic Principles – Rule 5 :2 and B. Prisoners with Mental Disabilities and/or health conditions – Rule 109:1</p> <p>-Beijing Rules – Objectives of Institutional Treatment – Rule 26:4</p> <p>-Havana Rules – H. Medical Care – 50</p>	<ul style="list-style-type: none"> <li>- No provisions in the <b>Corrections Act</b> to treat with wards in the juvenile centres with special needs or disabilities.</li> <li>- There are no clearly established <b>infrastructure guidelines</b> within the Department that specifically considers disabled persons notwithstanding that they are very much a part of the juvenile population.</li> </ul> <p>This is in contravention of the Disabilities Act and the listed Conventions.</p>
<b>DIET/ FOOD</b>	
<p>-The Corrections Act</p> <p>-Havana Rules - D. Physical environment and accommodation - Rule 37</p> <p>-Mandela Rules – Food -Rule 22:1 &amp; 2</p>	<ul style="list-style-type: none"> <li>- No provisions in the Corrections Act on Diet/Food for the wards in the juvenile centres.</li> <li>- There are no existing written policies and procedures on the provision and preparation of balanced meals, or concerning special diets for wards with health conditions. In keeping with the Havana Rules – Rule 37 and the Mandela Rules - Rule 22:1 &amp; 2</li> </ul> <p>The content of the existing SOP is highlighted below.</p> <p><i>Commissioner of Corrections Standing Order - Standard Operational Procedures - Dietary for Inmates/Remandees and Wards</i>  <i>The Diet scale per inmate or remandee or ward was prepared on the recommendation of the Caribbean Food and Nutrition Institute (CFNI) and the Scientific Research Council (SRC).</i></p> <p><i>The following instructions shall be carefully observed:</i></p> <ol style="list-style-type: none"> <li>1. <i>No variation in this diet scale is to be made except when substitutes are necessary to replace items that are not available.</i></li> </ol>

	<ol style="list-style-type: none"> <li>2. <i>Diets are to be altered only on the recommendation of the Institution Medical Officer for patients who are located in the Department's Hospitals and for inmates in the condemn cells.</i></li> <li>3. <i>Where the Medical Officers order a special diet for an inmate/remandee who is hospitalised, this inmate/remandee shall be relocated to the hospital area in order for this special diet to be obtained through the hospital's requisition.</i></li> <li>4. <i>Special diets shall not be minced or crushed as ordered by the Medical Officer but the ingredients of these diets should not be altered.</i></li> </ol> <p><i>Any deviation(s) from these instructions will provoke disciplinary actions against the offender(s)</i></p>
<b>DISCIPLINARY PROCEDURES AND SANCTIONS</b>	
<ul style="list-style-type: none"> <li>-Corrections Act</li> <li>-Child Care &amp; Protection Act – Capital Punishment – Section 78 (1)</li> <li>-UN Convention on the Rights of the Child – Article 37 (a) &amp; (c)</li> <li>-Mandela Rules – Restrictions, Discipline &amp; Sanctions – Rules 37, 39, 43, 45 &amp; 57</li> <li>-Beijing Rules – Rule 17:1 &amp;3</li> <li>-Havana Rules – K. Limitations of physical restraint and the use of force – Rules 64, 65, 67, 68, 69 &amp; 70</li> <li>-Riyadh Guidelines – Rule 21 (h) and V. Social Policy – Rule 54</li> <li>-Havana Rules (1990) Page 3, Part IV: The Management of Juvenile Facilities</li> <li>-UN Special Rapporteur against Torture</li> </ul>	<ul style="list-style-type: none"> <li>- No provisions in the <b>Corrections Act</b> to treat with Disciplinary Procedures, Sanctions or Capital Punishment pertaining to wards. However, the <b>Child Care and Protection Act (2004)</b> speaks to Capital Punishment as follows: <i>Section 78. -(1) Sentence of death shall not be pronounced on or on recorded against a person convicted of an offence if it appears to the court that at the time when the offence was committed he was under the age of eighteen years, but in place thereof such person shall be liable to be imprisoned for life.</i></li> <li>- The section in the <b>Orientation Handbook</b> which addresses the disciplinary process also outlines the possible violations for which the ward may be sanctioned, but has failed to outline the methods available to seeking information or make complaints and all such other matters as are necessary to enable the wards to understand their rights and obligations fully during detention as recommended by the Havana Rules.</li> <li>- One of the main punishments outlined for infractions in the <b>Handbook</b> is isolation it is apparent that this form of punishment does not align with international best practices and has been specifically addressed in the Havana Rules and the UN Special Rapporteur against Torture.</li> <li>- The <b>Handbook</b> outlines the different stages of punishments, however there are apparent gaps as there is currently no procedure indicating that staff members should inform the wards of their infractions and the sanctions to be applied. This it is believed creates avenues for the arbitrary use of power. The need has arisen for the implementation of a procedural document outlining the different steps taken in disciplinary procedures.</li> </ul>
<b>RULES ON SUICIDE PREVENTION</b>	
<ul style="list-style-type: none"> <li>-The Corrections Act</li> <li>-International Conventions (aforementioned)</li> </ul>	<ul style="list-style-type: none"> <li>- The <b>Corrections Act</b> and the <b>International Conventions</b> consulted are silent on the topic of suicide prevention. However, international best practices, emphasizes the need to have a robust Suicidal Prevention Programme/Protocol in place to identify and treat children with suicide tendencies.</li> </ul>

	<ul style="list-style-type: none"> <li>- The DCS Juvenile Centres have in place a <b>Suicide Monitoring Room (SMR) Basic Rules</b>, each institution has designated suicide watch areas/cells/dorms depending on the facilities.</li> <li>- The DCS has no Suicide Prevention Policy/Guidelines in place.</li> </ul>
<b>SAFETY, SECURITY AND SEARCH</b>	
	<ul style="list-style-type: none"> <li>- A draft <b>Disaster Management Plan</b> has been developed by the DCS in collaboration with MNS and other key entities, and is being reviewed by external stakeholders.</li> <li>- The existing SOP outlines the policy/rationale for lawful searches, when searches should take place (including strip search), exemptions to search guidelines and procedures on completion. It however lacks sufficient details to properly guide the reader.</li> <li>-</li> </ul>
<b>INFORMATION ON DEATH OF A JUVENILE AND INCIDENT REPORTING</b>	
-Havana Rules, Rule 57	<ul style="list-style-type: none"> <li>- In keeping with the Havana Rules – Rule 57, the DCS currently has a one-page Procedure documents that speaks to the death of an inmate/ward (see below).</li> </ul> <p><b>Incident Reporting and Authorization</b>  <i>This is a memo (dated 2005) outlining incident reporting and authorization with reference to Standing Orders 3/78 – Reports on Escapes (June 8th, 1978) and Inmates’ Deaths, fights and altercations (February 18th 1998).</i></p> <p><i>The procedure captures the following in relation to the documentation of the death of an inmate/ward:</i></p> <ul style="list-style-type: none"> <li>- <i>The registration # of the inmate</i></li> <li>- <i>The age of the inmate</i></li> <li>- <i>Name of the inmate</i></li> <li>- <i>Court tried</i></li> <li>- <i>Date tried</i></li> <li>- <i>Offence</i></li> <li>- <i>Cause of death</i></li> <li>- <i>Date death was reported to the Coroner</i></li> <li>- <i>Date of inquest</i></li> <li>- <i>Date of burial and by whom</i></li> <li>- <i>Date and place of death</i></li> </ul> <ul style="list-style-type: none"> <li>- The <b>Orientation Handbook</b> states that the Centre will inform the ward's parents when their child undertake educational pursuits, however, the Handbook is silent on notifications regarding illnesses, emergencies or even where there are serious institutional breaches involving the ward. It would be useful to include provisions that clearly establishes the process under which each unique circumstances.</li> </ul>
<b>INFORMATION AND COMPLAINTS</b>	
-The Corrections (Boards of Visitors) Regulations -The Child Care and Protection Act, Section 62	<ul style="list-style-type: none"> <li>- There are no provisions in the <b>Corrections Act</b> or existing policies and guidelines within DCS relating to rules and procedures to treat with the provision of information and the management of complaints by wards in the juvenile centres.</li> </ul>

<p>-Mandela Rules – Information on Complaints by Prisoners – Rules 54, 55:2 &amp; 56</p> <p>-Havana Rules – B - Admission, registration, movement and transfer – Rules 24 &amp; 25 &amp; M. Inspection and Complaints – Rules 75, 76 &amp; 78</p> <p>-Wolfe Report   Page 67, Chapter 9: TOR IX</p>	<p><b>Information</b></p> <ul style="list-style-type: none"> <li>- The Juvenile Correctional Centre Wards <b>Orientation Handbook</b> does not represent (though it is practiced to various degrees) whether wards can access materials other than for educational purposes and as such consideration must be given for the inclusion of these resources at the detention centres. In keeping with the international conventions, juveniles should have the opportunity to keep themselves informed regularly of the news by reading newspapers, periodicals and other publications, through access to radio and television programmes and motion pictures, and through the visits of the representatives of any lawful club or organization in which the juvenile is interested.</li> </ul> <p><b>Complaints</b></p> <ul style="list-style-type: none"> <li>- There are currently bodies in place to hear and address the complaints of wards, these include the Boards of Visitors, Inspectorate and OCA. However, the current systems and procedures do not facilitate ease of access to these bodies.</li> </ul>
<b>SOCIAL RELATIONS, CONDITIONAL RELEASE AND AFTERCARE &amp; TRANSFER FROM JUVENILES CENTRES TO ADULT CORRECTIONAL CENTRES</b>	
<p>-Corrections Act – Second Schedule – Section 4 &amp; 5 (1) -UN Convention on the Rights of the Child – Article 9:3</p> <p>-Mandela Rules – A Prisoners Under Sentence Rules 87, 88 &amp; 108</p> <p>-Beijing Rules – Provision of Needed Assistance – Rule 24:1; Frequency and Early Recourse to Conditional Release – Rule 28: 1 &amp;2 And Semi-Institutional Arrangements – Rule 29:1</p> <p>-Havana Rules – J. Contact with the Wider Community – Rules 59, 60 &amp; 61 and N. Return to the Community – Rules 79 &amp; 80</p>	<ul style="list-style-type: none"> <li>- The provisions in the <b>Corrections Act</b> pertaining to Social Relations with family, Conditional/Early Release and Aftercare are lacking (see below). <i>Second Schedule</i> <i>4. At any time during the period of a person’s detention in a juvenile correctional centre, the managers of the centre may grant leave to him to be absent from the centre in the charge of such person and for such period as they may think fit, but during such leave he shall, for the purposes of this Act, be regarded as being under the care of the managers of the centre, and the managers may at any time require him to return to the centre.</i> <i>5-1) At any time during the period of a person’s detention in a juvenile correctional centre the Minister may, by licence in writing, permit him to live with his parent or with any trustworthy and respectable person (to be named in the licence) who is willing to receive and take charge of him. (3) For the purposes of this Act, a person who is out on licence from a juvenile correctional centre shall be regarded as being under the care of the managers of the centre.</i></li> <li>- The DCS currently does not have a robust <b>Reintegration Programme and Plan</b> in place to address the reintegration of wards back into society. There is currently a partnership with the Ministry of National Security to enhance, monitor and evaluate the rehabilitation and reintegration programmes offered to wards.</li> </ul>
<b>HUMAN RESOURCES</b>	
<p>-Corrections Act</p> <p>-Mandela Rules – Institutional Personnel – Rules 74:3, 75:3 &amp; 78:1</p> <p>-Havana Rules – V. Personnel – Rules 81, 83, 85 &amp; 86</p> <p>-The Report of the Task Force on the New Regime</p>	<ul style="list-style-type: none"> <li>- No provisions within the <b>Corrections Act</b> in respect of teachers. However, reference is made to the other categories of staff within the facilities.</li> <li>- The DCS does not have a <b>Performance Evaluation Policy</b> or a <b>Personnel Policy Manual</b> for the juvenile centres.</li> </ul>

We hereby acknowledge the work and contribution of the members of the Correctional Services Technical Working Group and confirm that the deliberations and findings are accurately recorded in this report. It is our recommendation that the proposals be utilized to inform the strategies, policies and operational standards of the correctional facilities, especially in regards to the care and treatment of the wards.

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October 22, 2021