



British Embassy
Astana



**A TRAINING MANUAL FOR
INDEPENDENT MONITORS OF
JUVENILE DETENTION FACILITIES**

**PRI TOOLKIT FOR
INTERVIEWING CHILDREN, THEIR GUARDIANS,
AND STAFF OF JUVENILE DETENTION FACILITIES**

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A Training Manual for Independent Monitors of Juvenile Detention Facilities. PRI Toolkit for Interviewing Children, their Guardians, and Staff of Juvenile Detention Facilities.

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A TRAINING MANUAL FOR INDEPENDENT MONITORS OF JUVENILE DETENTION FACILITIES



Module 1: Introduction to Inspections

“There shall be a regular inspection of penal institutions and services by qualified and experienced inspectors appointed by a competent authority. Their task shall be in particular to ensure that these institutions are administered in accordance with existing laws and regulations and with a view to bringing about the objectives of penal and correctional services.”

Standard Minimum Rules for the Treatment of Prisoners, Rule 55

States should: “establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment”

OPCAT, General Principles, Article 1

“Establish, support and strengthen independent national institutions such as human rights commissions, ombudspersons and commissions of parliamentarians, with the mandate to conduct visits to all places of detention and to generally address the issue of the prevention of torture, cruel, inhuman or degrading treatment or punishment, guided by the UN Paris Principles Relating to the Status and Functioning of National Institutions for the Protection and Promotion of Human Rights.”

African Commission on Human and Peoples’ Rights, Resolution on Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (The Robben Island Guidelines), 2002

Objectives of Independent Inspections

When the state deprives a person of their liberty the security and well-being of that person becomes the responsibility of the detaining authority. Because of this, they are often in a vulnerable position and at particular risk of having their human rights violated.

Inspections of detention facilities and continuous monitoring is vital in ensuring that standards of detention are in accordance with national and international standards, and prisoners human rights are upheld.

Inspections achieve these aims in a number of ways:

- Prevention. Sometimes just the knowledge that an institution will be inspected and reported on is enough to encourage authorities to improve the conditions in their facility.
- Documentation. By recording the conditions of different aspects of detention it is possible to compare between institutions, against international and national standards and against previous inspection records.
- Reporting. Effective reporting, recommendations and follow up to the correct level of authority – prison governors, local government, central government – can ensure that issues identified are addressed seriously.
- Serious incidents. Monitoring bodies should be allowed full access to evidence, records and be allowed to interview staff and detainees after a serious incident or riot to ensure that human rights are still being upheld and that reprisals are not occurring.

Key Principles for Inspecting Places of Detention

1. Do no harm. Often when inspecting a place of detention there is a conflict of interest between needing to obtain information and the safety of those detained, for example, the risk of reprisals for those detainees who may be interviewed. This is especially true for juveniles. When carrying out inspections, the safety of those in the facility must be kept in mind at all times and no action by the visiting body should jeopardize this.

2. Know the standards. It is important for all inspectors to have a good knowledge of the international and national standards, both those which give them their mandate to inspect, and those which set out the standards for conditions of detention.

3. Respect the authorities. Remember that your role is to ultimately get the authorities to change their behaviour – and this is best done by establishing a minimum basis of mutual respect. Inspectors should respect the functioning of the authorities and try to highlight the hierarchical levels and their responsibilities so that problems can be addressed at the right level.

4. Credibility. Credibility is crucial to monitoring successfully and therefore inspectors should not make any promises they cannot keep or any action they cannot follow through. When interviewing children, it is



especially important to ensure that the child knows the limitations of what an inspector can achieve and also that any information given is done anonymously and confidentially.

5. Confidentiality. Following from point 4. any information given to you must be treated confidentially as to do otherwise can have serious consequences for the person interviewed and inspectors' credibility and safety. Special measures should be taken to keep recorded information confidential, e.g. identities of victims etc, for example by using coded language.

6. Security. Inspectors must be aware of both their own security, the security of those they come in to contact with and the security of the institution as a whole.

7. Sensitivity. When interviewing juveniles in detention it is imperative that inspectors be sensitive to the traumatic effect that recalling certain events may have on them.

8. Objectivity. Inspectors should work to record actual facts and work to provide a report of the facility that is objective and free from feelings or preconceived ideas.

9. Visibility. Inspectors should be sure that the authorities know of their methodology and mandate for monitoring the institution. The work of inspectors should be publicised through their written reports and careful use of the media to inform local communities of their work.

Types of Independent Monitoring

Independent inspections should, by definition, be undertaken by a body that is not under the same administrative authority as the detaining institution. The inspection body should have the mandate to have full access to all parts of the institution, all available evidence, interview the detainees and report to a part of government who has the power to act on their recommendations and report.

- **Judicial Monitoring.** Often judges can have a formal role of prison oversight, visit places of detention and can hear prisoners' complaints.

- **Inspections.** They should have full access to all detention facilities and produce reports to an authority that can implement their recommendations. However, their reports can often be ignored, especially when prison reform is not a government priority.

- **Complaints mechanisms.** Prisoners should have the right to complain when they feel they have been ill-treated by authorities without reprisals. Complaints mechanisms should be at the prison level and, especially important in regards to children; they should be accessible regardless of literacy levels.

- **Civil society monitoring.** In some countries independent monitoring boards made up of members of the local community regularly make visits to a prison and report back to the authorities and the community. A good example of this is the UK's IMB.

- **Regional mechanisms.** Some regional bodies have the mandate to visit places of detention and report to governments on their findings. These can provide a standard against which newly established domestic inspection mechanisms can be measured. E.g. Special Rapporteur on Prison Conditions in Africa and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment.

- **International mechanisms.** OPCAT came into force in 2006 and is ratified by 56 states (as of 2011) and states that ratifying countries must set up independent national monitoring bodies to carry out inspections. It also has the authorities to visit places of detention in ratifying countries.

Further reading:

APT (2004) Monitoring Places of Detention, a practical guide [Chapter 1].

ICPS (2004) Guidance Notes on Prison Reform [Chapter 11]

ICPS (2009, 2nd ed) Human Rights Approach to Prison Management [Chapter 10]

UN (2001) Training Manual on Human Rights Monitoring [Chapter 5]

Module 2: International Guidelines

This section will introduce the international standards on the topic of independent monitoring mechanisms. Where possible, they will be taken from guidelines specifically on the detention of juveniles but where taken from general standards it is important to note that these also refer to all detainees under the age of 18.



Inspectors should have a good knowledge of all of the following and use them to guide how they undertake their inspections.

UN Rules for the Protection of Juveniles Deprived of their Liberty (JDLs)

This is the main international standard relating to the standards of detention for juveniles and the use of inspection.

- "Qualified inspectors or an equivalent duly constituted authority not belonging to the administration of the facility should be empowered to conduct inspections on a regular basis and to undertake unannounced inspections on their own initiative, and should enjoy full guarantees of independence in the exercise of this function. Inspectors should have unrestricted access to all persons employed by or working in any facility where juveniles are or may be deprived of their liberty, to all juveniles and to all records of such facilities."

- "Qualified medical officers attached to the inspecting authority or the public health service should participate in the inspections, evaluating compliance with the rules concerning the ... conditions of institutional life that affect the physical and mental health of juveniles. Every juvenile should have the right to talk in confidence to any inspecting officer."

- "After completing the inspection, the inspector should be required to submit a report on the findings. The report should include an evaluation of the compliance of the detention facilities with the present rules and relevant provisions of national law, and recommendations regarding any steps considered necessary to ensure compliance with them. Any facts discovered by an inspector that appear to indicate that a violation of legal provisions concerning the rights of juveniles or the operation of a juvenile detention facility has occurred should be communicated to the competent authorities for investigation and prosecution."

- "Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay."

(Articles 72, 73, 74, 76)

UN Committee on the Rights of the Child 'General Comment No.10'

"Independent and qualified inspectors should be empowered to conduct inspections on a regular basis and to undertake unannounced inspections on their own initiative; they should place special emphasis on holding conversations with children in the facilities in a confidential setting" (*Paragraph 89*)

UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders

- "In order to monitor the conditions of detention and treatment of women prisoners, inspectorates, visiting or monitoring boards or supervisory bodies shall include women members" (*Rule 25*)

Other international standards and rules that have articles on the independent inspections include:

- 1955 Standard Minimum Rules for the Treatment of Prisoners
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- 1966 International Covenant on Civil and Political Rights (ICCPR)
- 1985 UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)
- 1990 UN Convention on the Rights of the Child
- 1990 UN Basic Principles for the Treatment of Prisoners
- 2002 Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading treatment or punishment (OPCAT)
- Istanbul Protocol
- Robben Island Guidelines (regional)



Module 3: Preparing for an Inspection Visit

The following module looks at how to prepare for an inspection visit, including choosing which places of detention to inspect, frequency of visits, composing an inspection team and what information to gather before the visit.

Where to Inspect?

A visiting body has a number of criteria to examine to decide which are the places of detention that are most urgent to visit.

Firstly, the levels of risks to which juveniles are exposed. This can be ascertained by whether complaints or allegations of torture, cruel, inhuman or degrading treatment have taken place, or information gathered from other sources, such as NGOs.

Other criteria to look at when deciding where to visit include the number of detained juveniles in an institution, the levels of overcrowding believed to occur, and places deemed to be a representative sample of the conditions of detention for juveniles nationally.

A lack of any information on a juvenile facility may also be a reason to prioritise an investigation there.

Type of Visits

It is also important to decide what kind of inspections your team will undertake.

Announced or unannounced visits? Announced visits can allow for greater information gathering from the prison authorities and children before hand, but unannounced visits can ensure prison authorities won't have had time to possibly intimidate child interviewees or change any information to provide a more positive view of the conditions of detention.

Length of Visits: A visit should be an adequate length for the visiting team to talk with all necessary members of the prison authorities, staff and any children they wish to interview, and to fully inspect the detention facilities. Visits where little is known about the detention facility may take longer to inspect as basic information gathering (e.g. how many children are detained, what category of crime they are accused/convicted of, how many are on remand etc) will also need to be undertaken. Follow-up visits or visits to places that have been inspected relatively recently are likely to take shorter amounts of time.

Frequency: Frequent inspections are more effective at preventing ill-treatment and improving conditions. While it is important to ensure that the visits are not so frequent that they disrupt the running of the establishment, visits should take place more frequently to facilities where poor conditions or ill-treatment have either been witnessed by the visiting team or alleged by NGOs or other bodies.

Visiting Team

The composition of a visiting team can be important. It can be of great benefit to have a member of medical personnel on your team. This is especially important if you suspect, or there have been allegations, of torture. They can also be useful in inspecting the medical care and facilities provided for juveniles in detention and comparing them to conditions in the rest of the country.

It is also important for your team to contain both male and female members. Where girls are held in detention, a female team is especially important particularly when interviewing them. If a number of languages are spoken in your country, an interpreter or bilingual member of the team can also be a big benefit as interviewing minorities or foreign prisoners can identify if discrimination against them is occurring.

Members of the team should be fully trained in the national and international standards regarding prisoners and juveniles in detention, the key issues for juveniles deprived of their liberty, how to conduct interviews with children, what to inspect, how to address prison authorities and how to write up their findings.



Work to undertake before the Visit

Information Gathering

You should work to gather as much information as possible about the institution you are about to inspect. This can be information gathered by the visiting body on previous inspections or other sources including NGOs, the media, or ex-detainees. Information about the institution should include where possible:

- The number of children detained;
- The ages of the children;
- The category of crimes they are detained for;
- The status of detainees, e.g. pre-trial detention, convicted
- Who the senior officials in the detention facility are and the responsibilities of individuals;
- The capacity of the facility;
- Any allegations of torture or ill-treatment, or any complaints received (if a complaints mechanism is in place).

Visit Objectives

Is the visit a full inspection, a follow-up visit, or looking into a specific aspect of conditions or the regime?

Further Reading:

- APT (2004) Monitoring places of detention: A Practical Guide
- UN (2001) Training Manual on Human Rights Monitoring (Chapter 9)

Module 4: Aspects of Detention to Inspect

The following outlines the different aspects of detention to inspect and the international standards relating to juveniles that account for them. Inspectors should examine the following by both observation and by undertaking interviews with the juveniles and prison staff.

Material Conditions

Accommodation

“Sleeping accommodation should normally consist of small group dormitories or individual bedrooms, while bearing in mind local standards.” *JDL 33*

Every juvenile should, in accordance with local or national standards, be provided with separate and sufficient bedding, which should be clean when issued, kept in good order and changed often enough to ensure cleanliness. *JDL 33*

- Are cells properly ventilated?
- Is the temperature in the cells appropriate (for all seasons)?
- Do juveniles have access to daylight whilst in their cells?
- Can juveniles regulate the heat/light themselves (i.e. open windows, use electric lights)?
- Are cells cleaned and disinfected regularly?
- Does each juvenile have their own bed and bedding?
- Does every juvenile able to sleep on a mattress (or similar)?
- How often are juveniles blankets/pillows/bed sheets changed?

Food

Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time. *JDL 37*



- Are there any signs that children are malnourished?
- Do children have free access to clean drinking water throughout the prison?
- Is the kitchen clean and food preparation hygienic?
- Is the quantity of food sufficient?
- Who decides on menus and ensures children receive a balanced diet?
- What is the annual budget for food? (and therefore, the amount per detainee per day)
- Are considerations made for religious dietary requirements?

Clothing

To the extent possible juveniles should have the right to use their own clothing. Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating. Juveniles removed from or leaving a facility for any purpose should be allowed to wear their own clothing. *JDL 36*

- Is juvenile clothing appropriate for the climate and season?
- Are juveniles allowed to wash their clothing?

Personal Property

The possession of personal effects is a basic element of the right to privacy and essential to the psychological well-being of the juvenile. The right of every juvenile to possess personal effects and to have adequate storage facilities for them should be fully recognized and respected. Personal effects that the juvenile does not choose to retain or that are confiscated should be placed in safe custody. *JDL 35*

Hygiene

- Are juveniles supplied regularly with soap?
- How much access do they have to washing facilities, i.e. showers? Are these clean and sufficient in number?
- Is there a good sanitation system with suitable and clean toilet facilities for the number of residents?
- Do children have access to toilet facilities at all times of the day? And night?

Educational/Vocational Work

Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided outside the detention facility in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education. *JDL 38*

Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been institutionalized. *JDL 40*

- How much education for juveniles is on offer? Daily, weekly etc...
- Is the quality similar to that found in the community?
- Are the children able to work toward national qualifications?
- What percentage of juveniles/of school age juveniles participate in educational courses?
- Are teachers recruited from outside the prison?

Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment. *JDL 42*

- Is vocational training for juveniles offered in the facility? If so, what kind, how often and for how long?



Recreation

Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. *JDL 47*

Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination... Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination. *JDL 48*

What size is the area allocated for exercise and recreation?

Is there exercise/recreational equipment they can use in this area?

Does the area offer a sheltered part as well?

Does each juvenile receive one hour of physical recreation (in the open air) every day?

How many hours does a child spend out of his/her cell daily? (Observation of a timetable if possible)

Are a) sporting b) cultural c) other activities available and can all children take part?

When, how often, and where are religious services or meetings conducted? Are all children who wish to allowed to attend?

Contact with the Outside World

Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel. *JDL 60*

Every juvenile should have the right to communicate in writing or by telephone at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right. Every juvenile should have the right to receive correspondence. *JDL 61*

Do juveniles have free access to correspondence materials? (letters, telephone usage) Is this unrestricted? Is correspondence censored?

How often are juveniles allowed visits?

What is the length of these visits?

Are visits ever withheld as a disciplinary measure?

Where do visits take place, is there an allocated visiting area?

Is there a certain amount of privacy allowed?

Can juveniles correspond (via letter, telephone, visits) freely and in privacy with legal counsel?

Protection

Using restraint

Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time... to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. *JDL 64*

Is restraint only used in exceptional cases? What constitutes an 'exceptional case'?

How often do incidents of restraint occur? How long does each incident normally occur for?

Are all cases of restraint recorded?



Disciplinary measures

All disciplinary measures constituting cruel, inhuman or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour...should not be imposed as a disciplinary sanction. *JDL 67*

- Who is responsible for imposing disciplinary sanctions? What is the procedure for imposing them?
- What are the disciplinary measures available to prison staff/authorities?
- Are all cases where disciplinary measures used recorded?

Complaints mechanisms

Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay. *JDL 76*

Every juvenile should have the right to request assistance from family members, legal counsellors, humanitarian groups or others where possible, in order to make a complaint. Illiterate juveniles should be provided with assistance should they need to use the services of public or private agencies and organizations which provide legal counsel or which are competent to receive complaints. *JDL 78*

- How accessible is the complaints mechanism to juveniles?
- Is confidentiality of complaints ensured?
- Is a response to the complaint provided in a timely manner?
- Is the complaints mechanism used? How many complaints have been submitted in the last six months?
- How many have been responded to?
- Are there any allegations of juveniles facing reprisals for submitting a complaint

Medical Services

Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention. *JDL 50*

The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical or mental difficulties, should be examined promptly by a medical officer. *JDL 51*

- Do the detainees have access to medical care?
- Can sick detainees be taken to a hospital?
- Where do medical examinations of juveniles take place?
- How long does a juvenile wait to see medical personnel after asking?
- Is there access to a psychologist available? If so, how often? And how is access organised?
- Do medical personnel have appropriate qualifications (the same standards as for medical personnel working outside detention facilities)?

Gender Specific Aspects

Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall by no means receive less care, protection, assistance, treatment and training than young male offenders. Their fair treatment shall be ensured. *Beijing Rules 26.4*



The accommodation of women prisoners shall have facilities and materials required to meet women's specific hygiene needs, including sanitary towels provided free of charge and a regular supply of water to be made available for the personal care of children and women, in particular women involved in cooking and those who are pregnant, breastfeeding or menstruating. *Bangkok Rules, Rule 5*

If a woman prisoner requests that she be examined or treated by a woman physician or nurse, a woman physician or nurse shall be made available, to the extent possible, except for situations requiring urgent medical intervention. If a male medical practitioner undertakes the examination contrary to the wishes of the woman prisoner, a woman staff member shall be present during the examination. *Bangkok Rules, Rule 10*

- Do girls have the same access to education as boys? Is this of the same quality?
- Do girls have the same opportunities for vocational training as boys? Is this of the same quality?
- Are the special needs of pregnant girls addressed properly? Are they given appropriate medical care?
- Do girls have the same access (and same quality) of healthcare as boys?
- Do girls have access to female sanitary products free of charge?
- Are girls able to request medical examination by a female physician?

Preparation for Release

All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end. *JDL 79*

Personnel

Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists...Detention facilities should make use of all remedial, educational, moral, spiritual, and other resources and forms of assistance that are appropriate and available in the community, according to the individual needs and problems of detained juveniles. *JDL 81*

The personnel should receive such training as will enable them to carry out their responsibilities effectively, in particular training in child psychology, child welfare and international standards and norms of human rights and the rights of the child, including the present Rules. The personnel should maintain and improve their knowledge and professional capacity by attending courses of in-service training, to be organized at suitable intervals throughout their career. *JDL 85*

- How many staff are there? What is the ratio of staff (who are in contact with juveniles) to children?
- What is level of initial and continuous training is required?
- How many female members of staff are there? (especially in the girls wing/girls facility)
- Have all staff in contact with juveniles been given specialised training?
- Have staff in contact with female juveniles been given specialised training in gender issues?

Further Reading

- ICRC (2005) Water, Sanitation, Hygiene and Habitat in Prisons
- APT (2004) Monitoring Places of Detention: A Practical Guide
- AMIMB (2010) A Practical Guide to Monitoring Prisons
- HMIP (2009) Expectations: Criteria for Assessing the Treatment and Conditions for Children and Young People held in Custody



Module 5: Interviews with Children

Young children can provide useful information; however, often interviewers are unsure how to let them do it.

Interviewing detained children can give valuable insights into a prison regime and provide the inspector with additional, qualitative data to report on. However, working with children who are vulnerable is a delicate process and should be done following a set of guidelines. Where possible, the interviews should be done by someone with specific training in child issues.

There's some general agreement about the way to conduct an interview with a child to ensure that the inspector obtains unbiased information and that the child feels safe and able to express themselves fully.

Preparing for the Interview

- First decide which children you will be interviewing, they should be a representative sample including children of different ages and different category of prisoner. Should not just interview those who approach them or those proposed by the prison authorities.
- Choose a location where there is as much privacy as possible, there are few distractions and the child feels safe and comfortable.
- Choose how the interview will be recorded and how these records will be kept confidential – i.e. two interviewers (one notetaking), one interviewer taking notes, using recording device.
- If interviewing girls there should be a female inspector available to undertake the interviews where necessary.

Common problems

- Children answering questions to which they don't know the answer;
- Children telling the interviewer what they believe the interviewer wants to hear;
- Fear that any information they disclose will result in reprisals once the inspection team has gone;

Making the child feel safe:

- Introduce themselves properly before the interview.
- Explain the purpose of the interview, what the information they give will be used for and the limitations of the things you can change.
- Explain why you are taking notes/using a recorder during the interview and how it will be kept confidential.
- Start with conversational or non-controversial questions and work towards more sensitive issues.
- Use an informal and relaxed approach to help the child feel at ease. Understand that it may take some time for the child to become relaxed enough to be comfortable talking, especially if the events they are recalling are traumatic ones.

Getting unbiased information

- Explain that it is acceptable to tell the inspector if they do not know the answer to a question.
- Explain that they should correct the interviewer if s/he is mistaken or incorrect.
- Ask open-ended questions and encourage the child to tell the story in their own words.
- Avoid leading questions or comments that may make the child feel coerced or pressured into giving a certain answer.
- Avoid repeated questions as it may lead the child to believe their previous answer was 'wrong'.
- Use simple, age-appropriate language and ensure that the child understands the correct meaning of the question.
- Use short interviews (or multiple ones where necessary) to allow for a child's short attention span, dependent on their age/maturity.
- To get more detail use follow-up questions, e.g. "And then what happened?"

Finishing the Interview

- Ask the child if they have any questions for you or anything else they'd like to tell you.



- Explain again the limitations of your work and avoid raising false hopes.
- Complete your notes immediately after the interview has finished to ensure the most accurate representation of the meeting as possible.

Further Reading:

United Nations (2001) Training Manual on Human Rights Monitoring
APT (2004) Monitoring Places of Detention: A Practical Guide

Module 6: Following Up Inspection Visits

After completing the inspection, the inspector should be required to submit a report on the findings. The report should include an evaluation of the compliance of the detention facilities with the present rules and relevant provisions of national law, and recommendations regarding any steps considered necessary to ensure compliance with them. Any facts discovered by an inspector that appear to indicate that a violation of legal provisions concerning the rights of juveniles or the operation of a juvenile detention facility has occurred should be communicated to the competent authorities for investigation and prosecution. *JDL 74*

Following up an inspection visit correctly and in a timely manner can ensure that changes and improvements to a place of detention can occur. Sustained inspection and follow-up can lead to important action that can improve the lives of those children deprived of their liberty.

Finishing the Visit

The end of an inspection visit should finish with a meeting of the inspection team with the prison governor. This is to report back immediately on the concerns and findings from your visit and in order to create a greater dialogue and respect between the two parties.

Writing an Inspection Reports

Internal Report

Inspectors should keep their own internal records of detention facilities in good order so that future visits can be compared to previous ones. Information from each visit should be analysed, organised and filed properly so as to be used when needed.

The information collected should include the number of juveniles; their status (remand, convicted); their gender; their ages; the number of staff in contact with juveniles; the main concerns highlighted in the visit; and the recommendations mentioned in the visit report.

Visit Report

Visit reports should cover all concerns or issues identified in the visit and recommendations for their improvement. They should also include any improvements that have been observed since the previous visit.

They should be addressed to the authorities in charge of the detention facilities and should be sent as soon after the visit as is possible. The report should cover all aspects of detention that it feels improvements could be made in (following the JDLs and Module 3) and these should be ranked in an order that identifies the most serious areas of concern first.

Where information has been gathered from individual interviews with juveniles inspectors should ensure that it is not possible to identify the individuals from their report.

Annual Report

Inspection bodies can also choose to present an annual report to provide a more comprehensive review of its monitoring activity, often covering wide reaching issues that have been identified in more than one institution.



The recommendations in the annual report may be targeted at a different level of authority than that of the visit reports, perhaps highlighting thematic issues that need higher level action in order for improvements to be made.

If a country has ratified OPCAT then the inspecting body is required to produce an annual report which the State then makes public and disseminates.

Making Effective Recommendations

Publishing or preparing a report is not the final process of inspections. Once recommendations have been made it is important to follow these through and ensure that they are being implemented. Further reports should comment on the extent to which their previous recommendations have been/are being implemented.

Recommendations should be aimed at the level of authority that has the power to make the appropriate change or decision. Most recommendations should be made directly to the authority in charge of the prison but if the root cause of an issue lies outside their jurisdiction, the recommendation should be addressed to a different level of authority and in a separate report.

The way recommendations are written can often have an effect on how successfully they are implemented. Following these guidelines will help ensure that recommendations are met most effectively:

- Each recommendation should only refer to one specific issue, which will help the authorities to understand the suggestions and also assist follow-up at future visits. In turn, the recommendations should be specific solutions and not merely calls for 'change'.
- Recommendations should also be measurable. This is so that future inspections or follow-up by other agencies can assess for certainty if a recommendation has been implemented.
- Recommendations need to be achievable, although this doesn't include accounting for financial resource capacity as it is the State's responsibility to assign adequate resources to achieve it.
- Recommendations should include a realistic time-frame for completion. This will help the authorities in prioritising the recommendations.
- Recommendations should target the root cause of the issues and not just the symptoms of the problem.
- Recommendations should be targeted at the correct level of authority that has the power to implement the changes identified.

Going beyond the inspection process

Reports and information regarding the conditions of detention facilities should also be made available to the public and civil society groups who may be able to help monitor or influence the implementation of recommendations.

Depending on the position of the media, the report should also be made available to them.

Further Reading:

- APT (2004) *Monitoring Places of Detention: A Practical Guide*
- APT (2008) Briefing No.1: *Making Effective Recommendations*

Module 7: Examples of Good Practice

UNITED KINGDOM

Her Majesty's Inspectorate of Prisons (HMIP)

www.justice.gov.uk/inspectors/hmi-prisons/

HMIP is an independent inspectorate that reports on conditions in and treatment of those in prisons, Young Offenders Institutions (YOIs), and immigration detention centres. HMIP reports directly to the UK government.

It comprises of 6 inspection teams throughout UK, one of which specialises in the inspection of juvenile facilities. On the inspection team there includes healthcare inspectors, drug inspectors, researchers and admin-



istrative staff. It works alongside other inspecting bodies e.g. Ofsted (who inspect the privately run juvenile detention centres) and the Royal Pharmaceutical Society.

Some of their inspections are announced and the prison is informed in advance of the visit while others are unannounced and the inspection team visits without notifying the establishment beforehand. Inspectors cannot be refused entry by the established and have access to all relevant documents they may need and any prisoners they wish to interview.

Full Inspections occur at least once every 5 years and are announced visits. The Inspectorate collects information from, among others: staff; those imprisoned or detained there; and visitors or others with an interest in the establishment.

If the visit is announced prior to the full inspection an inspector will request a range of information from the institution and researchers will conduct a confidential survey or a representative sample of the prisoner population. The full inspection is then carried out and conducted against HMIPs published inspection criteria. Inspection findings are reported back to the prison authorities and reports are then published within 16 weeks of inspection. The establishment is then expected to produce an action plan, based on the recommendations made within the report, within a short period following publication.

Unannounced follow-up inspections are also carried out and assess progress made since the full inspection and carry out an in-depth analysis of any areas of serious concern that were raised in the original inspection.

Independent Monitoring Board (IMB)

www.justice.gov.uk/about/imb.htm

The UK also has legislation that states every prison must have an IMB. Until 2003 these were known as Board of Visitors. They are made up from members of the community who have applied and then undertake a full training programme. Like HMIP they have unrestricted access to the institution at any time and can talk to any prisoner or detainee they wish to and the Board produces an annual report on the establishment they oversee.

AFRICA

South Africa

South Africa is one of only two African countries that make reference to the state as provider for the welfare of detainees. Article 35 of the constitution notes

“Everyone who is detained, including every sentenced prisoner, has the right to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.”

The Judicial Inspectorate of Prisons

The Judicial Inspectorate of Prisons (JIP) is a statutory independent body under the control of the Inspecting Judge and separate from the Department of Correctional Services. They have access to any part of the prison estate and to any document or record they wish.

The Correctional Services Act (1998) also places statutory responsibility on Heads of Prisons to report to the Inspecting Judge all cases of solitary confinement, segregation, use of mechanical restraints and deaths in prison.

Independent Prison Visitors (IPVs)

Since July 2002 South Africa’s Judicial Inspectorate of Prisons (JIP) has had IPVs (similar to the UK’s Independent Monitoring Board) set up in each of its nine provinces, with 187 IPVs in total. They are there to facilitate the humane treatment of prisoners and the improvement of prison conditions.



Most IPV's have no prior knowledge of the prison environment and the Judicial Inspectorate has noted the need to increase resources and efforts in order to fully support the work of the IPV's. They have also highlighted how the support of Area Managers, Heads of Prisons and other officials of the Department of Correctional Services for the IPV's has been an important factor in ensuring the IPV's can work successfully for the humane treatment and improvement of conditions for prisoners.

Regional Coordinators have recently been appointed in each of the provinces from the ranks of IPV's to closer support IPV's as well as to improve auditing and accountability.

Since 2001 the JIP has attempted to introduce an online system for its IPV's where by the dispersed IPV's can submit electronic reports and prisoner complaints directly to the JIP. This speeds up the reporting and also allows for two way messaging between the JIP's office and IPV's.

Uganda

Uganda Human Rights Commission
www.uhrc.ug

The Commission was set up under the provisions of the Constitution of Uganda 1995. One of its functions is to visit all places of detention to assess the condition of inmates and make recommendations for its improvement.

The visits to places of detention are followed by reports and special letters to relevant authorities about the findings and recommending measures to improve the situation.

Even though the Commission has the constitutional right to visit any place of detention without notice, this is hampered by a requirement of the army of giving them prior notice. A further issue in Uganda is that the Commission has no access to 'safe houses', which house hard core criminals involved in terrorist activities before taken to court and where it is believed torture occurs unabated and human rights are frequently violated.

ASIA

Bangladesh

Roy, N. (2002) *Bangladesh Jail Visitor's Manual* (available on request from PRI)

The Jail Code of Bangladesh has incorporated provision for official jail visitors to inspect and monitor prisons. There is also a provision for the appointment of non-official visitors to oversee conditions in jails and to insure the human rights of inmates. These non-official visitors have the power to visit the jail at any time, talk to prisoners, see relevant documents and recommend actions to improve conditions.

In every jail a visitor's Minute Book is kept, which every official or non-official visitor must make any remarks they have about their visit in on completion of their inspection. The Superintendent notes this action and must forward copies to the Inspector General for any further orders that may be given on the remarks made.

India

www.nhrc.nic.in

India's National Human Rights Commission has developed a checklist for Lay Visitors inspecting prisons to ensure basic human rights of those detained are protected. One of the functions of the Commission is to visit the prisons and examine the living conditions of the inmates in order to ensure that they are consistent with human rights standards and make recommendations for their improvement. They are empowered to see any document that they may wish regarding the prison or prisoners

The Commission is a statutory autonomous body, with its functions and powers set out under the Protection of Human Rights Act 1993.



PRI TOOLKIT FOR INTERVIEWING CHILDREN, THEIR GUARDIANS, AND STAFF OF JUVENILE DETENTION FACILITIES



Background

Given the risks faced by juveniles in detention and its damaging impact on a child's development, PRI's work places considerable emphasis on juvenile justice reform and has done since its inception. Its activities focus on diverting children from the adult justice system, promoting alternative sanctions to imprisonment and, where imprisonment is used, improving conditions of detention. In order to do this, interviewing children who are deprived of their liberty is vital in getting a full understanding of the situation in a country.

Purpose of undertaking interviews: Obtaining inputs from children and their families allows PRI to better focus the training workshops we provide for professionals to properly reflect the context and conditions of detention in the country we are working with. Further, it allows us to identify where the legislation, guidelines or regulations regarding a certain aspect of detention is not being implemented. The exercise is also valuable in itself in generating data, which can be published as a report containing 'voices of children' in conflict and in contact with the law. Undertaking interviews with children is also essential for those who monitor the conditions of detention at institutions where children are held and for a full overview of this please also see PRI's document "A Training Manual for Independent Monitors of Juvenile Detention Facilities" (2011).

Method: The inputs and experiences of children can be obtained at four levels: one-to-one interviews with children in institutions; interviews with staff from the institutions; interviews with parents, guardians or relatives of children in institutions; and focus group discussions with children in institutions. The most comprehensive reports are those that use all of these methods to collect data.

Implementation: The interviews are carried out by external researchers, contracted to a project, and supervised by PRI. The researchers are required to agree to and comply with relevant child protection guidelines (PRI Child Protection Policy attached as Annex I) and also need to read and become familiar with the "Guidance Note for Interviewing Children", see below.

One-to-one interviews with children

Purpose: To get inputs from children on the performance of the justice system from their first contact with the system to their present point (either in an institution on remand or after conviction, or having finished a sentence) and to try and understand the process for resocialisation measures being offered. The questions are designed under 4 broad headings:

- Background of the child including family and social context;
- Treatment at first contact with the system (i.e. police);
- Experience of the system through arrest, pre-trial detention, trial and sentencing;
- Experience within the institution including educational, recreational, vocational and resocialisation programmes on offer.

Method: The interviews are administered by researchers selected and instructed by PRI and following a questionnaire format (Annex II). Interviewers are required to agree to PRI's Child Protection Policy (Annex I) and be familiar with the 'Guidance Note for Interviewing Children', see below. PRI ensures that permission has been sought from the relevant institution for the administration of the interviews. They ideally take place on a one-to-one basis in a dedicated space in the institution that is comfortable for the child. However, it is understood and accepted that if it is necessary for security or other reasons a social worker may be present. Each interview should take between 60 and 90 minutes to complete. Interviews should take place in at least more than one institution where children are held, to give a full picture of life for children deprived of their liberty in the country. The questionnaire (Annex II) is a guideline and can be adapted to get more focused information depending on the data required.

Selection of Participants: Children from the institutions should be selected with a view to interviewing



children from a mix of ages, ethnicities, religions, and category of offences. While children in some countries may be allowed to stay in the institutions over the age of 18 years, where a report is focused solely on children, interviews should only take place with those under the age of 18 years.

Interviews with Staff

Purpose: To cross-check the information provided by children in their interviews as well as to obtain additional insights from staff on the management of the institution and staff interaction with the children.

Method: Interviews are administered by researchers following a questionnaire, a sample of which is provided in Annex III. Ideally they should be conducted on a one-to-one basis with key members of staff, including where possible the head of the institution. However, where this is not possible group conversations based around the sections of the questionnaire should occur. One-to-one interviews are expected to take not more than 60 minutes.

Interviews with a parent, guardian or other relative

Purpose: To gain further insights into the reasons for a child's offending behaviour and how their families perceive the justice system. Also, to gain an understanding of a child's parental and family dynamics in order to begin to address and manage 'at risk' situations where children are living in dysfunctional families that may not be conducive to their development. The aim is to get a broad overview of the general characteristics of children in conflict with the law rather than specific characteristics of individual children. While we aim to get one-to-one matching between children in conflict with the law and their parents, guardians or relative, it is recognised that this may not always be achievable.

Method: Interviews are administered by researchers (as above) following a questionnaire, see Annex IV. Each interview should take between 60 and 90 minutes.

Selection of Participants: The selection of parents is done in two ways. Firstly, interviews should try to be organised on assigned visiting days within the institution to try and maximise the number of parents available for interview. However, often parents will not have the resources to either visit the institution to see their child or to take part in an interview and so an interviewer may have to travel to a parents home town or other convenient location in order to carry out the interview. In order to do this researchers will need support from the staff of the institution, and where possible the children, to help identify the child's parents and contact details.

Focus Groups

Purpose: To corroborate the data gathered from children in the one-to-one interviews to get a more rounded picture of children within institutions. Some children may be more willing to speak in a group setting and be less worried about reprisals and hence, it may be possible to get some better data. The questions should cover similar topics to that of the one-to-one interviews although should be adapted to allow for more discussion around specific, identified issues.

Method: Focus groups should contain children of broadly similar circumstance (e.g. children in conflict with the law who have committed similar offences or children at risk who are in institutions) with questions being adapted accordingly. This should ideally be administered with as few adults present as possible to allow the children to speak more freely. However, if for security or other reasons it is deemed necessary a maximum of 2 institution staff (including social workers) should be allowed to attend. The focus group should take 90



minutes. Interviewers should ensure key issues raised are noted for future focus groups. A sample of questions to ask at focus groups is attached as Annex V.

Selection of Participants: Focus groups should contain around 5 - 7 children per group and should be drawn, where possible, from the children who participate in the one to one interviews.

Guidance Note for Interviewing Children

Young children can provide useful information, however often interviewers are unsure as to how to let them do it. This toolkit provides in the Annexes sample questionnaires with which to interview children, however, to gain further details around certain issues you may have to ask a child to speak about a certain event, which is where free recall becomes an important tool. Where this is necessary, the less information the child gives in free recall, the sooner the interviewer may start using leading questions, which can influence the child and distort the story.

Young children may perceive the interview task differently from adults and as a result may try to tell the interviewer what they believe the interviewer wants them to say. Recounting their experiences may be upsetting or traumatic for a child and so communication and interviewing of children should be done in a sensitive and child-friendly manner. Incorrect interviewing techniques can be stressful for the child and all interviewers should be familiar with and have adhered to PRI's Child Protection Policy.

Preparing for the Interview

- Choose a location where there is as much privacy as possible, there are few distractions and the child feels safe and comfortable.
- Choose how the interview will be recorded and how these records will be kept confidential – i.e. two interviewers (one note taking), one interviewer taking notes, using recording device.

Be aware of common problems

- Children answering questions to which they don't know the answer.
- Children telling the interviewer what they believe the interviewer wants to hear.
- Fear that any information they disclose will result in reprisals once the interviewers have gone.

Making the child feel safe

- Introduce yourself properly before the interview.
- Explain the purpose of the interview, what the information they give will be used for and the limitations of the things you can change.
- Explain why you are taking notes/using a recorder during the interview and how it will be kept confidential.
- Start with conversational or non-controversial questions and work towards more sensitive issues.
- Use an informal and relaxed approach to help the child feel at ease. Understand that it may take some time for the child to become relaxed enough to be comfortable talking, especially if the events they are recalling are traumatic ones.

Getting unbiased information

- Encourage the child to give their information and tell their story in their own words.
- Explain that it is acceptable to tell the interviewer if they do not know the answer to a question.
- Explain that they should correct the interviewer if s/he is mistaken or incorrect.
- Avoid leading questions or comments that may make the child feel coerced or pressured into giving a certain answer.
- Avoid repeated questions as it may lead the child to believe their previous answer was 'wrong'.
- Use simple, age-appropriate language and ensure that the child understands the correct meaning of the question.



- To get more detail use follow-up questions, e.g. "And then what happened?"
- Plan one or two short breaks during the interview at appropriate points to allow for a child's short attention span.

Finishing the interview

- Ask the child if they have any questions for you or anything else they'd like to tell you.
- Explain again the limitations of your work and avoid raising false hopes.
- Complete your notes immediately after the interview has finished to ensure the most accurate representation of the meeting as possible.



Annex I

Working with Children: PRI's Child Protection Policy

Date: February 2011

1. Introduction

It is generally considered to be good practice for organisations working with vulnerable groups, such as children, to have a child protection policy that sets out the principles for their work in this field.

PRI's policy is set out below.

1.1 Rights of the Child (CRC)

"States parties shall protect the child from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation, including sexual abuse" (Article 19 UN Convention on the Rights of the Child).

1.2 Child abuse

"Child maltreatment, sometimes referred to as child abuse and neglect, includes all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitation that results in actual or potential harm to the child's health, development or dignity. Within this broad definition, five subtypes can be distinguished – physical abuse; sexual abuse; neglect and negligent treatment; emotional abuse; and exploitation" (WHO website).

1.3 Child Protection Policy

It is a commitment of PRI to safeguard all children involved in our work from harm. The policy stipulates that the welfare of the child is paramount and all children without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs.

All PRI staff and staff contracted by PRI who come into contact with children will adhere to these principles and ensure that they minimise all risks to children they encounter in the course of their work.

1.4 Direct and indirect contact with children

Direct: Being in the physical presence of a child, such as giving a talk to children or attending project sites where children are present.

Indirect:

1. Having access to children's personal details and/or photographs.
2. Providing funding for a project where children are involved – PRI must take responsibility for child protection issues.

2. How we will ensure children are protected

Awareness, prevention, reporting and responding are vital for ensuring children are protected.

2.1 Awareness

- All board members, staff, volunteers and consultants will sign a form to demonstrate understanding and acceptance of this policy
- Partners working with children will be made aware of this policy
- The policy will be published on our website
- Regional offices will translate the policy into local languages

2.2 Prevention

- Thorough and safe recruitment, selection and vetting procedures (including in the UK CRB checks for those staff whose work requires them to have direct contact with children)
 - All concerns, and allegations of abuse will be taken seriously by trustees, staff and volunteers and responded to appropriately - this may require a referral to children's services and in emergencies, the Police

2.3 Reporting and Responding

- Designate one person (executive director) and in regions (regional director) for reporting purposes



- Designated person(s) to undergo appropriate child protection training
- This policy will be reviewed every three years or whenever necessary

2.4 Taking Photographs

Photographs should only be taken with permission, particularly if inside prisons or other closed institutions. Where permission has been given by the institution, it will still be necessary to seek permission from anyone likely to be photographed. Where this is a child or young person, their identity should not be revealed in any event (for example, to ensure their faces are obscured).



Annex II

Sample Questionnaire: One-to-one interviews with children

SECTION A. GENERAL INFORMATION

- 1. Name of interviewer
2. Date and time of interview
3. Location

SECTION B. INFORMATION ON RESPONDENT

- 4. Respondent number
5. Age of Respondent
 <10 10 – 14 14-16 16-18 Unknown

- 6. Sex of the Respondent
 Male Female

- 7. Status of the respondent
 On Remand Convicted Other (elaborate)

- 8. Education of the respondent
 None Primary Secondary Education
 Secondary Vocational Education Higher Education

- 9. Have you completed this stage of education?
 Yes No Don't know

- 10. Who were you living with at the time of arrest?
 Parents (together) Single Parent Guardian (specify)
 Institution Independent

- 11. Source/Income earning activities of the respondent?
.....
.....

- 12. Source/Income earning activities of the household of the respondent
.....
.....

SECTION C. ADMISSION, REGISTRATION AND MOVEMENTS

Note – Information regarding questions 14/15 can be obtained from the institution register

- 13. Date and place of arrest
a. Date/month/year
b. Place



14. What was the first detention facility after being arrested?

.....
.....
.....

15. Who arrested you/brought you in the first facility?

.....
.....
.....

16. Were you able to contact your relatives or any other person about your arrest?

Yes No Don't know

17. If the first facility was a police facility, how long did you stay there before you were brought to the court or a second facility?

Less than 24 hours 1 – 2 days 3 – 4 days
 5 days + Don't know

18. Were you offered legal assistance while in police custody?

Yes No Don't know

18. a) If yes, did you accept?

Yes No

19. What were the reasons for being detained? (Probe)

.....
.....
.....

Specific for the current facility

20. Were you provided with any information upon entering this facility?

Yes No Don't know

20.a) If yes, what kind of information were you given?

.....
.....
.....

21. Were any special arrangements made for transportation of yourself from one place to the other, such as to a second facility, to the court or, retention homes?

Yes No Don't know

21.a) If no, how were you transported to these places?

.....
.....
.....



SECTION D. PHYSICAL RESTRAINTS USE OF FORCE AND DISCIPLINARY PROCEDURES

22. Has anyone ever hurt you while in this or in other detention facility?

- Yes No Don't know

If no, continue to Section E

23. Can you describe what happened?

.....
.....
.....

24. Who hurt you? (please don't mention names)?

- Warden Fellow detainee Other

25. How often did this happen?

- Once More than once Don't know

26. Did you tell any adult in the detention facility about this?

- Yes No

27. Was any disciplinary action taken against the person who hurt you?

- Yes No Don't know

27. a) If yes, what kind of disciplinary action was taken?

.....
.....
.....

SECTION E. PHYSICAL ENVIRONMENT AND ACCOMMODATION

28. In your opinion, does the dormitory you are currently staying have enough space for the number of persons in the room?

- Yes No Don't know

29. Are you provided with adequate clothing?

- Yes No Don't know

29. a) If yes, are these appropriate for season and climate?

- Yes No Don't know

30. How many meals are you provided with per day?

- One Two Three None

31. Is there special diet for the sick children?

- Yes No Don't know

**SECTION F. EDUCATION, VOCATIONAL TRAINING AND WORK**

32. Is there an education or training program in this facility?

Yes No Don't know

If 'No' or 'Don't Know', proceed to Section G

33. What type of education/training is offered?

Primary Secondary Vocational Other Don't know

34. Are you involved in an educational/training programme?

Yes No Don't know

35. Who are the teachers/trainers?

Institution Staff External teacher Other

36. Where does the classes/training take place?

Designated room Dormitory Outside the institution Other

37. Are you provided with learning/training materials?

Yes No Don't know

38. What is the frequency of classes/training?

Daily Weekly Other

39. Have you or your fellow student ever sat for national exams?

Yes No Don't know

SECTION G. CONTACT WITH THE COMMUNITY

40. Are visitors from outside allowed?

Yes No Don't know

40. a) If yes, what is the frequency of visits allowed?

Daily – Weekly Weekly – Monthly Anytime Unknown

40.b) What is the duration of time you are allowed to stay with a visitor?

Under an hour 1 – 2 hours No limit Other

41. What are the other means for communicating with outside world?

Telephone Letter Radio/TV Newspapers/magazines

42. Are you able to communicate freely with your legal counsel?

Yes No Don't know

SECTION H. RECREATION AND EXERCISE

43. Do you have time for exercise?

Yes No Don't know



44. Do younger children have the opportunity to participate in sports/ recreation equally to older children?
 Yes No Don't know

45. What are the other sports and cultural activities available to juvenile detainees?
 Sports TV/Radio Playing cards/games Others

SECTION I. RELIGIOUS PRACTICES

46. Are there religious services in this facility?
 Yes No Don't know

SECTION J. MEDICAL CARE AND SERVICES

47. Do you have access to medical care?
 Yes Some No Don't know

48. Are you provided with materials necessary to meet your hygiene needs (i.e. soap, toothpaste etc)?
 Yes No Don't know

49. If female, are you provided with special hygienic needs?
 Yes No Don't know

50. Is there specific care for children with mental and psychological needs?
 Yes No Don't know

SECTION K. PREPARATION FOR RELEASE

51. Have you been informed about any restrictions to be imposed upon your release?
.....
.....
.....

51. a) If yes please explain

52. Do you know if there is any probation time set upon your release?
 Yes No Don't know

52. a) If yes, please explain

53. Have you been informed about any system for assigning an officer to monitor you while on probation?
 Yes No Don't know

54. Is there an arrangement for schooling after your release?
 Yes No Don't know

55. What are your recommendations for improving the situation of children in this facility?
.....
.....
.....



Annex III

Sample Questionnaire: One-to-one interviews with staff of the institution

SECTION A. GENERAL INFORMATION

- 1. Name of interviewer
- 2. Date and time of interview
- 3. Location

SECTION B. INFORMATION ON RESPONDENT

- 4. Position of respondent
- 5. Sex of the Respondent
 Male Female

SECTION C. ADMISSION, REGISTRATION AND MOVEMENTS

- 6. In your opinion, what are the reasons for the detention of most children?
.....
.....
.....

- 7. Upon entering the facility, what kind of information or details do you register from a child?
.....
.....
.....

- 8. What kind of information do you provide children with upon entering this facility?
.....
.....
.....

- 9. Are there any arrangements for transportation of the juvenile from one place to the other, such as to a second facility, to the court or, back to their homes?
 Yes No Don't know

SECTION D. PHYSICAL RESTRAINTS USE OF FORCE AND DISCIPLINARY PROCEDURES

- 10. Are there any incidences of children being abused or abusing others in this facility?
 Yes No Don't know
If no, continue to Section E

- 11. What kind of abuse?
.....
.....
.....

- 12. Who are the perpetrators? (please don't mention names)?
 Warden Fellow detainee Other



13. Who are the mostly abused? (please don't mention names)?

- Younger children Girls Other Don't know

14. How often does this happen?

- Regularly Rare/not often Don't know

15. Is any disciplinary action taken against the perpetrators?

- Yes No Don't know

15. a) If yes, what kind of disciplinary action is usually taken?

.....

.....

.....

SECTION E. PHYSICAL ENVIRONMENT AND ACCOMMODATION

16. In your opinion, do the dormitories have enough space for the number of children in the room?

- Yes No Don't know

17. Do you provide the children with adequate clothing?

- Yes No Don't know

17. a) If yes, are these appropriate for season and climate?

- Yes No Don't know

18. How many meals are the children provided with per day?

- One Two Three None

19. Is there a special diet provided for sick children?

- Yes No Don't know

SECTION F. EDUCATION, VOCATIONAL TRAINING AND WORK

20. Is there an education or training program in this facility?

- Yes No Don't know

If 'No' or 'Don't Know', proceed to Section G

21. What type of education/training is offered?

- Primary Secondary Vocational Other Don't know

22. Who are the teachers/trainers?

- Institution Staff External teacher Other

23. Where does the classes/training take place?

- Designated room Dormitory Outside the institution Other

24. Do you provide the children with learning/training materials?

- Yes No Don't know



25. What is the frequency of classes/training?

- Daily Weekly Other

26. Do the children ever sit for national exams?

- Yes No Don't know

SECTION G. CONTACT WITH THE COMMUNITY

27. Are visitors from outside allowed?

- Yes No Don't know

28. If yes, what is the frequency of visits allowed?

- Daily – Weekly Weekly – Monthly Anytime Unknown

29. What is the duration of time the child is allowed to stay with a visitor?

- Under an hour 1 – 2 hours No limit Other

30. What are the other means for communicating with outside world?

- Telephone Letter Radio/TV Newspapers/magazines

31. Are the children able to communicate freely with their legal counsel?

- Yes No Don't know

SECTION H. RECREATION AND EXERCISE

32. Do the children have time for exercise?

- Yes No Don't know

33. Do younger children have the opportunity to participate in sports/ recreation equally to older children?

- Yes No Don't know

34. What are the other sports and cultural activities available to juvenile detainees?

- Sports TV/Radio Playing cards/games Others

SECTION I. RELIGIOUS PRACTICES

35. Are there religious services in this facility?

- Yes No Don't know

SECTION J. MEDICAL CARE AND SERVICES

36. Do the children have access to medical care and services?

- Yes Some No Don't know

37. Do you provide the children with materials necessary to meet their hygiene needs (i.e. soap, toothpaste etc)?

- Yes No Don't know



38. Are the girls provided with materials for their special hygienic needs?

- Yes No Don't know

39. Is there specific care for children with mental and psychological needs?

- Yes No Don't know

SECTION K. PERSONNEL AND STAFFING

40. What is the ratio of staff to children?

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41. How many members of staff have been given specific training on handling juvenile issues?

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SECTION L. PREPARATION FOR RELEASE

42. Are there any restrictions imposed upon the children on their release?

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42. a) If yes, please explain

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43. Is there any probation time set upon the child's release?

- Yes No Don't know

44. If yes, please explain

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45. Is there any system for assigning an officer to monitor the child while on probation?

- Yes No Don't know

46. Are there any arrangements put in place for the schooling of the child after their release?

- Yes No Don't know

47. What are your recommendations for improving the situation of children in this facility?.

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Annex IV

Sample Questionnaire: Interviews with a parent, guardian or other relative

SECTION A. GENERAL INFORMATION

- 1. Name of Interviewer
- 2. Date and time of interview
- 3. Location

SECTION B. INFORMATION ON RESPONDENT

4. Age of Respondent

- 18 – 30 31 – 45 46 – 65 66+ Don't know

5. Sex of the Respondent

- Male Female

6. What is your relationship with the child?

- Mother Father Guardian (specify) Spouse Other (specify)

7. Were you living with the child at the time of the arrest?

- Yes No

8. Household status of respondent?

- Two parent household Single parent household Other

9. Main income earning activities of the household of the respondent

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SECTION C. INFORMATION ON THE JUSTICE SYSTEM

10. In your opinion what are the common reasons which prompt juveniles to come into contact with the law?

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11. Who arrested your child?

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12. Were you informed when the child was arrested?

- Yes No Don't know

13. Can you remember how long the child stayed in the police station before being brought to a court of law?

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14. Was the child given legal aid?

- Yes No Don't know

15. During the court case, did you understand the procedure and why the court sentenced your child to detention?

- Yes No Don't know

SECTION D. COMMUNICATIONS AND RESOCIALISATION

16. Were you given a chance of communicating with your child?

- Yes No Don't know

17. Are you allowed to visit your child in the facility?

- Yes No Don't know

18. What is the frequency of your visits?

- Daily – Weekly Weekly – Monthly Anytime Unknown

19. What is the duration of time are you allowed?

- Under an hour 1 – 2 hours No limit Other

20. Have you ever attended seminars or trainings on preventing delinquency and treating young children with conduct problems?

- Yes No Don't know

20. a) If yes, was it a useful intervention to parents/guardians?

- Yes No

21. Do you think there good arrangements that are in place to facilitate successfully reintegration of the child in to community after finishing detention term?

- Yes No Don't know

21. a) If yes, please explain

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22. As a parent/guardian, what is your role in reintegration of the child in to the community?

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23. Do you have any other ideas on how to end the problem of juveniles being in conflict with law?

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Annex V

Sample Questions for Focus Group Discussions

Date and time of focus group

Name of the facility

Details of the discussion group

Introduction and aim of visit

Issues to be discussed

1. Children experience in arresting
2. Handling of detainee properties
3. Experience in police stations
4. Separation of cells and relationship between older and younger ones
5. Available mechanism to protect vulnerable groups
6. Kinds of disciplinary action and mechanisms for appealing in the facility
7. Abuse and incidences of using force
8. Situation of accommodation facilities
9. Availability of enough and appropriate clothing
10. Contact with the external community
11. Communication with legal counsel and Fair trial
12. Education and rehabilitation programmes offered
13. Available sports and exercise programmes and facilities
14. Access to religious practices
15. Observance of relevant laws and regulations in this facility
16. Preparation for release and reintegration to the community

