

## **Report (16)**

# **Report on PDRC's Announced Visit to Dar Al Karama Homeless & Beggars Shelter 16 January 2019**

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## Introduction

In the performance of its functions, and as part of the efforts it expends to foster the respect of human rights in prisons, jails, detention centers and other places where persons may be detained, such as psychiatric hospitals and wards, and by inspecting the detention conditions of the internees and the treatment they receive, in order to ensure that they do not suffer torture, inhuman or degrading treatment; and in view of its jurisdiction and authority as provided in Decree No. (61) of 2013, the Prisoners and Detainees Rights Commission (PDRC) has decided to carry out an announced inspection visit to Dar Al Karama Homeless and Beggars Shelter – a social institution operating on the principle of community partnership, which provides various forms of care and services to beggars and the homeless - in order to assess its conditions, the treatment its internees receive, their living conditions, healthcare services provided to them, and their guarantees and legal rights, subject to the principles, standards and indicators as adopted by the PDRC, and the procedural and professional processes which are followed when conducting such visits, including: the PDRC’s team recording its notes during its visit, and subsequently making recommendations which contribute to the reinforcement, respect and adherence to human rights, in compliance with international principles and standards.

## Section 1: Background and Methods

The PDRC carries out comprehensive inspections, which are either announced in advance or unannounced, to prisons, jails, detention centers, and other care centers. During such inspections, the PDRC assesses the conditions of those places and the treatment of their internees and residents, and hears their statements, comments or complaints. In addition, PDRC's teams collect information using a precise approach, including:

### A. Interviewing Shelter Internees:

PDRC's members interviewed a random sample of mendicants and vagrants. This sample was selected by PDRC's team without any interference on the part of the Shelter's Management, in order to ensure that the various groups of internees are adequately represented by age, nationality, causes of internment, and medical condition. In addition, others were asked verbally. Their statements were written according to applicable standards. Moreover, the statements of those who expressed a given opinion or made a certain complaint to PDRC's members while they toured the Shelter, were also taken.

Meetings with the mendicants and vagrants were totally separate at places which allowed privacy, without any of the Shelter's staff being present. The inspection team members introduced themselves to the interviewees, and informed them of their functions and the purpose of the interviews. They also assured them that the interviews are being conducted in privacy and confidence. They listened to them attentively and meticulously, and all their answers and comments were recorded, taking into consideration the statements made by other Shelter mendicants and vagrants.

### B. Questions to the Shelter's Management

PDRC's team met with the Shelter's Management who gave a presentation on the condition of the Shelter, the procedures it follows, the services it provides, key data, figures and statistics related to its internees, as well as its supervisory staff. Major projects and programs implemented by the Shelter were introduced. Meetings with the Shelter's Management continued throughout the inspection visit, and questions were asked as to allegations made by the interviewees or discoveries noted by the inspection team during the direct inspection of the Shelter and its processes.

### C. Inspecting documents

The inspection team inspected documents related to the mendicants and vagrants interned at the Shelter and the standards based on which the Shelter was inspected, such as the internees' detention documents to ascertain the legality of their detention, as well as administrative documents showing the numbers of internees in detail, as well as the causes and terms of their internment, and assignment of their rooms. In addition, documents related to maintenance, food supply and medical care at the Shelter were also inspected.

#### **D. Direct Observation:**

Direct observation was carried out according to an organized action plan which included the assignment of tasks and identification of all subjects and indicators which were inspected, including: observation of the condition of the Shelter, description of the Shelter and observation of the interaction between the Shelter's staff and the mendicants and vagrants, and vice versa.

All comments were recorded, considered and verified. They included two types of comments:

- A.** Comments discovered by the team.
- B.** Comments made based on the statements of the mendicants and vagrants and staff members.

In both events, the inspection team revisited these comments with the Shelter's Management, and at times with the Shelter's mendicants and vagrants, as and when required.

## Section 2: Key Data and Statistics (\*)

(\*) This section contains figures and statistics related to the Shelter, such as: the total number of Shelter internees, their genders (male – female), nationalities, and classification (beggars – homeless) ... etc. This statistical data was collected during the visit on 16.1.2019G.

### I) Information on the Shelter.

- In accordance with Decree Law No. (5) of 2007G concerning the Combatting of Mendicancy and Vagrancy, Dar Al Karama Homeless and Beggars Shelter was established on 29 November 2007G under the supervision of the Ministry of Labor and Social Development. It is a social organization operating on the principle of community partnership, providing various care and services to first offender mendicants and vagrants. Several conditions must be satisfied for admission to the Shelter, including that the mendicant or vagrant is caught in the act of mendicancy or vagrancy. He/she must also be free of contagious diseases and mental illness. Dar Al Karama Shelter admits all nationalities.
- **The Shelter aims at:**
  - Contributing to the combatting of the phenomenon of mendicancy and vagrancy.
  - Receiving mendicants and vagrants of both genders who are caught in the act of mendicancy or vagrancy. They are interviewed by social workers and psychological support is provided to them.
  - Providing social, medical, psychological, living and recreational care and support throughout their internment.
  - Implementing various programs to help mendicants and vagrants refrain from mendicancy and vagrancy, and providing them with shelter-related services.
  - Acting to strengthen ties between the mendicant/vagrant and his/her family, and providing financial and moral support to the medicant/vagrant to help him/her refrain from mendicancy or vagrancy.
  - Intensifying counseling and guidance programs to eradicate mendicancy and vagrancy, using various communication media to achieve this objective, including coordination with family guidance workers to prepare lectures and develop awareness programs.
  - Cooperating with the authorities concerned to follow up, monitor and manage cases of mendicancy and vagrancy to prevent their spread.

- **Services Provided:**

**The social care program, including:**

- Implementing a daily time schedule for wakeup, personal hygiene, bathing, meals and social activity periods.
- Coordinating with the authorities concerned for referral of the legally incompetent, elderly or juvenile mendicant or vagrant to receive necessary care.
- Coordinating with the authorities concerned to find suitable employment for able-bodied mendicants and vagrants.
- Transferring elder orphans to nursing homes.
- Transferring children of broken families with severe problems to stay at Batelco Home, following the child's referral by Public Prosecution to ensure safeguarding his/her best interest.
- Arranging social insurance coverage and financial support for the mendicant or vagrant in accordance with the applicable law. This applies to Bahraini national.
- Providing an appropriate dispensary containing medicines and first aid supplies.

**The cultural program, including:**

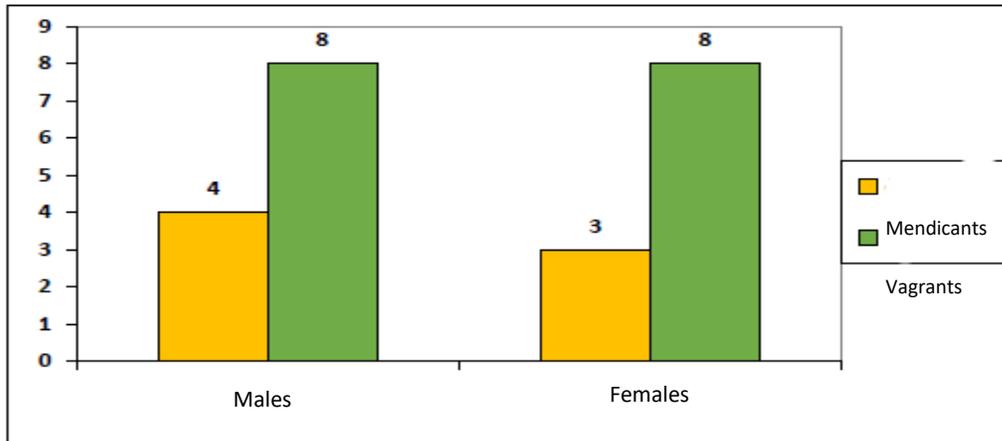
- Practicing religious rituals freely, and facilitating listening to religious guidance and counselling programs and religious lectures which urge the taking up of employment and refraining from mendicancy and vagrancy.
- Allowing mendicants and vagrants to read newspapers, magazines and books, and listen to radio and television programs, to utilize their free time.
- Organizing guidance lectures to urge mendicants and vagrants to refrain from mendicancy and vagrancy.

**Termination of the Relationship:**

The stay at the Shelter is limited to a maximum period of 10 days. However, when asking the internees, it was noted that the stay of some of them at the Shelter has exceeded several months. The Shelter's Management stated that they are taking necessary action to deal with these cases in accordance with the instructions of the Ministry of Labor and Social Development.

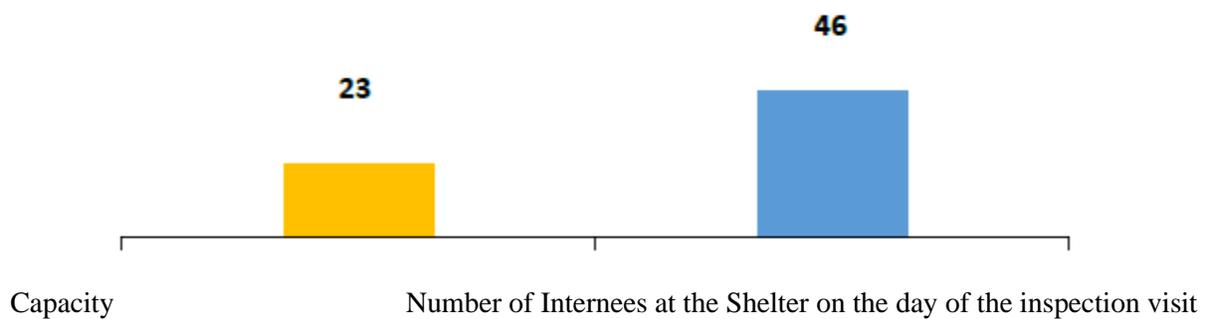
- The Shelter is comprised of several apartments. They are allocated for multiple purposes, including: administration offices, library, visitors' room, reception and living quarters, including bedrooms, toilets, mess hall, storage room and lounge.

## II) Key Statistics (\*):



	Male	Female	Total
*Mendicants	4	3	7
**Vagrants	8	8	16
Total	12	11	23

### Capacity of the Shelter



- Total capacity of the Shelter: (46) persons.
- Number of internees at the Shelter as at the date of the inspection visit: (23) persons.
- Occupancy rate: 50%.
- Number of Dar Al Karama staff: (18) staff members.

(\*). These statistics were collected on 16.1.2019G during the inspection visit.

### Section 3: Humane Treatment and Inspection Conditions

PDRC's team found that the mendicants and vagrants are treated by the Shelter staff with respect. Internees stated that they find the staff members trustworthy. It was also found that their detention at the Shelter is carried out in accordance with the law. Males and females are segregated in separate apartments. Families are also segregated from bachelors in separate apartments. The Shelter however occupies one floor, and apartments are separated by a small adjoining corridor. Apartment doors are not locked, and as a result, privacy is adversely affected. The mendicant or vagrant is examined by the nurse, social worker or psychiatric worker at the start of his/her stay. The Shelter is well within its capacity and not overcrowded, and the administrative procedures ensure the mendicant/vagrant easy access to their lockers, where their effects and belongings are securely kept. Their riles and records of possessions are also securely maintained. The reception room contains a library which they can use during their internment. In general, it was found that mendicants and vagrants are positively and exceptionally well-treated from day one.

It was also found that there is no discrimination against mendicants and vagrants on the basis of race, color, gender, language or religion. The religious beliefs and practices of the mendicants and vagrants are respected. The team noted that staff members understand the special needs of the mendicants and vagrants based on age groups and medical conditions. However the team found that the staff members are not aware of the responsibility for evaluating and managing the risks arising from dealing with the mendicants and vagrants, or from the interaction of the mendicants and vagrants with each other. They did not realize the potential risk posed by certain other mendicants and vagrants. They also did not know how to deal with those aspects because they did not receive training on risk management processes. Risk assessment, management and periodic follow up plans are non-existent.

The team noted that proper care is given to mendicants and vagrants with chronic illnesses and their stay at the Shelter is facilitated, the Shelter nonetheless is not equipped to accommodate persons with disabilities.

The team also verified the safety standards and condition of the Shelter where constant supervision is provided. However, there is no dedicated area where the mendicants and vagrants can gather. The emergency alarm is periodically checked to ensure that it is in good working condition. It was also found that fire alarms and fire extinguishers are periodically maintained. Staff members are capable of safely evacuating the Shelter in the event of an emergency. However, there are no buzzers in the rooms of the mendicants and vagrants, or any other way to call the Shelter staff when necessary. Moreover, there is no evacuation plan and designated gathering area in the event of a fire.

The team also found that there are surveillance cameras in the reception area and the corridor, and ascertained that they are in good working condition.

Concerning the legally justifiable use of force at the Shelter, the inspection team found that there are no rules or special training given to staff members on how to use legally justifiable force to handle mendicants and vagrants at the Shelter when necessary to avert dangers.

Concerning the condition of the Shelter, the mendicants and vagrants stated that they are housed in clean and safe rooms. The team noted that the toilets are in good working condition, but they are not equipped to accommodate persons with disabilities. The team also checked the condition of the rooms, ventilation and natural lighting, and found that the temperature of the rooms is appropriate.

The team also noted that access to the toilets and sanitary facilities is easy, and hygiene items are available for the mendicants and vagrants who acknowledged that personal hygiene items are provided to them at the beginning of their stay. Moreover, linen and bed covers are available and clean, and the Shelter's Management provides requirements, including clothing and personal hygiene items to those who cannot obtain them on their own. In addition, a laundry service is available, with a dedicated facility. In general, the Shelter satisfies all health and hygiene conditions, including tools, instruments, clothing and living requirements.

In respect of food served to the mendicants and vagrants, it is available in ample quantity and appropriate quality containing required nutrients. In general, there is a diversity of food and beverages. The Shelter has agreements with two different restaurants who provide all types of foods based on personal preferences. Moreover, potable drinking water is available and easy to obtain throughout the day.

On the other hand, the team found that there is no open space at the Shelter designated for exercise and exposure to sunlight. While vagrants are allowed to exercise and gain exposure to sunlight off premises, mendicants are not allowed to exit the Shelter.

PDRC's team also found that visits are not allowed at the Shelter, while telephone calls are permitted. Mendicants and vagrants are allowed to use their own mobile phones while at the Shelter.

Concerning escorting and transporting mendicants and vagrants, the PDRC team found that safe, clean and comfortable civilian vehicles are allocated. However, the vehicles are not equipped for emergencies. Suitable civilian vehicles are available to transport persons with disabilities, containing wheelchairs and crutches. The sick are transported to health centers and hospitals by ambulance. It was also found that mendicants and vagrants are not handcuffed during their transport, and they are informed of their destinations. In addition, a log is kept to record the daily movement of the mendicants and vagrants.

Mendicants and vagrants stated that they are allowed to contact their families when they are first admitted to the Shelter. They are also allowed to contact their families in the event they are transferred to the Police precinct.

PDRC's team found that mendicants, vagrants and their guardians are informed of the destination to which they are transported.

As for plans for rehabilitation and integration in society, mendicants and vagrants are enrolled in public community centers and children classes, such as swimming and tailoring for adults. Efforts are expended to coordinate with Ministry of Labor and Social Development community centers. They are allowed to attend classes at schools while interned at the Shelter. They are enrolled in public schools and private tutors are provided to them.

## Section 4: Individual Rights and Guarantees

The inspection team validated the administrative processes to ascertain the legality of the detention, and verified that all records and documents related to the legality of the detention are satisfied, as no mendicant or vagrant is received without official documentation, and provided he/she is transferred to the Shelter by the Police precinct, the Ministry of Labor and Social Development or Public Prosecution. Moreover, data concerning the mendicant/vagrant is updated while staying at the Shelter. He/she is allowed to inform his/her family of the place of his/her internment, although there is no specific and clear procedure to inform mendicants and vagrants of their right to notify their families of the place of their internment. A special file is kept for each internee containing documents on the legality of the internment. Mendicants and vagrants are also verbally provided with information on the Shelter's rules at the beginning of their internment. On the other hand, the PDRC team found that, at times, legal time limits are not adhered to in respect of bringing before the Public Prosecution, certain mendicants who are brought back to the Shelter after their discharge.

PDRC's team also found that information on rights and guarantees at the Shelter is provided to the mendicant or vagrant in written form upon admission to the Shelter. This written information is available in Arabic only. Mendicants and vagrants are also informed of the details and causes of their detention.

PDRC's team also found that the environment and conditions at the Shelter encourage the good behavior of the mendicants and vagrants. They are urged to maintain personal hygiene and to keep the place clean and tidy. They are also informed of the daily routine and the services made available to them.

Concerning the process of filing and handling complaints at the Shelter, PDRC's team found that awareness stickers showing that complaints can be filed are not available. There are no easily accessible complaint boxes to file complaints with the Shelter's Management. Some of the mendicants and vagrants acknowledged that they are not aware of the complaint filing process and stated that in the event they want to file a complaint, they communicate it verbally to the Shelter's receptionist. The Shelter's Management stated that complaints are forwarded to the Shelter's Manager for action. The team concluded that there are no written procedures and rules to organize the complaint filing process, and no relevant record is kept.

On a similar note, there is no written process for actions and penalties taken by the Shelter's Management against mendicants or vagrants who violate the Shelter's regulations.

## Section 5: Healthcare

### Medical Examination and Health Care:

The Shelter's nurse performs an initial medical examination of any medical condition at the Shelter. Remaining tests are done at the health center. The nurse prepares a report on each case. In the event the mendicant/vagrant has medications prescribed, the nurse ensures that the patient takes the right dosage of his/her medications, and signs a form to that effect. However, the Shelter does not include a separate dispensary. Medicines are kept in ordinary cabinets.

The nurse also books appointments for the Shelter's internees with health centers and hospital. He/she escorts them, along with their medical file, to facilitate their treatment at those hospitals and centers. In addition, the nursing staff perform daily examinations of the mendicants and vagrants at the Shelter, treat wounds and infections, make the first aid box available, receive the daily supplies of medicines, cleaning materials, gauzes, gloves, etc., assist the physician in treating patients during his/her visit to the Shelter to perform periodic checkups of mendicants and vagrants, and make available the medical file containing all patient related information.

Medical services assistants contact the families or relatives of the mendicants and vagrants, and inform them that the person concerned is present at the Shelter. They also provide the mendicant or vagrant with clothing and hygiene materials, ask for his/her daily meal preference, if any, ensure that he/she eats his meals, and bathe the mendicants and vagrants if their medical condition so requires based on daily instructions. They also clip the nails of mendicants and vagrants, ensure that the Shelter is clean and tidy, check individual personal hygiene and take the mendicants and vagrants to the barber.

### Psychiatric Evaluation:

The psychiatric worker conducts a psychiatric survey of the case, prepares a case file, refers those in need of psychiatric monitoring to the mental health hospital. He/she also monitors the mental health of the mendicants and vagrants during their stay at the Shelter and assesses their problems in collaboration with the Shelter's staff members. The psychiatric worker also informs the mendicant/vagrant and his/her relative of the law concerning the combatting of mendicancy and vagrancy, as well as future consequences. He writes a psychiatric report on the mendicant or vagrant showing the mental illnesses and symptoms the mendicant/vagrant suffers, the method of their treatment, and proposals and recommendations in this respect submitted to the Head of the Shelter for approval. In addition, he/she follows up on mendicants and vagrants after discharge from the Shelter until their conditions stabilize.

## Section 6: Recommendations

1. To allocate a resting area within the shelter, such as a garden or open area (equipped open areas) where no smoking is allowed.
2. To allocate equipped areas for persons with disabilities (living rooms – toilets) and designate an qualified person to handle them.
3. To train personnel on safety and first aid principles and skills.
4. To develop a specific administrative process to regulate receiving humanitarian cases at the Shelter which are not classified as part of the Shelter’s mandate.
5. To develop rules and provide special training for staff members on how to use legally justifiable force when dealing with mendicants and vagrants at the Shelter where necessary to avert dangers.
6. To develop a process to organize visits to mendicants and vagrants.
7. To issue resolutions governing compliance with legal deadlines for presenting to Public Prosecution mendicants who are returned to the Shelter, subsequent to their arrest and detention at the Shelter.
8. To develop procedures for complaints and grievances, including the provision of records of complaints, requests and offenses. A detailed record shall also be prepared on the cases which are received at the Shelter and their complaints, needs and offenses.
9. To develop an evacuation plan and designate a gathering area in the event of a fire, and carrying out periodic drills to train on implementation.
10. To develop a written system of reward and punishment, and organize procedures and penalties which are applied by Management in the event a mendicant or vagrant is found in breach of the Shelter’s Code of Conduct.

## Section 7: Appendices

### Appendix 1: References

- The Constitution of the Kingdom of Bahrain.
- The National Action Charter.
- The Penal Code, as amended.
- The Code of Criminal Procedure, as amended.
- Decree Law No. (5) of 2007G concerning the Combatting of Mendicancy and Vagrancy.
- Decree on the Formation and Functions of the Prisoners and Detainees Rights Commission.
- The Universal Declaration of Human Rights.
- The International Covenant on Civil and Political Rights.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol.
- The International Convention on the Elimination of All Forms of Racial Discrimination.
- The Convention on the Elimination of All Forms of Discrimination against Women.
- The United Nations Convention on the Rights of the Child.
- The Convention on the Rights of Persons with Disabilities.
- The Charter of the United Nations.
- The Arab Charter on Human Rights.
- United Nations Standard Minimum Rules for the Treatment of Prisoners (The Geneva Rules, 1955).
- The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules).
- The Ombudsman’s Standards for Visiting Prisons and Places of Detention.
- Inspection Standards of Her Majesty’s Inspectorate of Prisons in the United Kingdom.
- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules).
- The United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines).

## Appendix 2: Principles and Standards

### First Principle: Humane Treatment and Conditions

#### Includes the following standards:

- Respect.
- Safety.
- Legally justifiable use of force.
- Conditions of the shelter.
- Care of the internees.
- Provision of sufficient food and beverages for the residents.
- Other requirements (open air exercises – various reading materials – possible reception of visitors and making telephone calls).
- Escorting and transporting residents.
- Rehabilitation.
- Learning activities, skills and work.

### Second Principle: Individual Rights and Guarantees

#### Includes the following standards:

- Legality of the detention.
- Providing assistance to residents with communicative disabilities.
- Legal rights.
- Complaints.
- Mother and Baby Unit (MBU).

### Third Principle: Healthcare

#### Includes the following standards:

- Health services.
- Patient care.
- Dispensing prescribed medications to patients.
- Mental health

### Appendix 3: Reply of Dar Al Karama Homeless and Beggars Shelter

Based on the recommendations listed in PDRC’s draft report on its announced visit to Dar Al Karama Homeless and Beggars Shelter on 16 January 2019G, we clarify as follows:

- **Recommendation (1):** “To allocate a resting area within the shelter, such as a garden or open area (equipped open areas) where no smoking is allowed”  
**Reply:** Dar Al Karama building is temporary pending completion of the construction of Dar Al Karama building at the Comprehensive Social Services Complex Project in Hamad Town, at which time, a garden will be made available for the recreation of the internees and their children, in addition to other facilities.
- **Recommendation (2):** “To allocate equipped areas for persons with disabilities (living rooms – toilets) and designate an qualified person to handle them”  
**Reply:** This recommendation will be taken into consideration, and a request will be made to the building landlord to provide toilets with special specifications for persons with disabilities. A number of Shelter staff members will be trained on how to deal with persons with disabilities.
- **Recommendation (3):** “To train personnel on safety and first aid principles and skills”  
**Reply:** Staff members were already training on the Shelter evacuation procedures in the event of a fire. A request for re-training staff members on safety and first aid skills will be made.
- **Recommendation (4):** “To develop a specific administrative process to regulate receiving humanitarian cases at the Shelter which are not classified as part of the Shelter’s mandate”  
**Reply:** The cases received by the Shelter as classified as vagrancy (families whose homes are damaged by fire, or women who are evicted without violence). Thus, the same vagrancy regulations and procedures apply.
- **Recommendation (5):** “To develop rules and provide special training for staff members on how to use legally justifiable force when dealing with mendicants and vagrants at the Shelter where necessary to avert dangers”  
**Reply:** Staff members were previously enrolled in training sessions on how to deal with mendicants and vagrants. Additional training sessions will be organized for staff members in the future.

- **Recommendation (6):** “To develop a process to organize visits to mendicants and vagrants”

**Reply:** Shelter regulations allow visits by family members and relatives of the internees.

- **Recommendation (7):** “To issue resolutions governing compliance with legal deadlines for presenting to Public Prosecution mendicants who are returned to the Shelter, subsequent to their arrest and detention at the Shelter”

**Reply:** Dar Al Karama is in contact with relevant authorities (Ministry of Interior, Public Prosecution, and others if required) concerning the re-admission of mendicants to the Shelter and to ensure the implementation of the law against mendicancy.

- **Recommendation (8):** “To develop procedures for complaints and grievances, including the provision of records of complaints, requests and offenses. A detailed record shall also be prepared on the cases which are received at the Shelter and their circumstances”

**Reply:** The Shelter has a complaint box which is opened by the office of H.E. Minister of Labor and Social Development. The Shelter also maintains detailed records on the cases received by the Shelter and their circumstances.

- **Recommendation (9):** “To develop an evacuation plan and designate a gathering area in the event of a fire, and carrying out periodic drills to train on implementation”

**Reply:** The Shelter has an evacuation plan in place in the event of a fire. Staff members train on it periodically.

- **Recommendation (10):** “To develop a written system of reward and punishment, and organize procedures and penalties which are applied by Management in the event a mendicant or vagrant is found in breach of the Shelter’s Code of Conduct”

**Reply:** The Shelter has rules and regulations which are signed by the internee upon admission to the Shelter. They will include penalties in the event of any violation.

Concerning the comment made in the draft report that “the Shelter is not equipped for mendicants and vagrants with disabilities”, we would like to clarify that there is ongoing coordination on how to refer cases to Dar Al Karama or to social rehabilitation and persons with disabilities centers. Work is also in progress to construct the Social Services Complex, which is a comprehensive complex housing all social protection programs for all age groups.

[www.pdrc.bh](http://www.pdrc.bh)