

## **Report (17)**

# **Report on PDRC's Announced Visit to the Child Welfare Home (Batelco Home)**

**16 January 2019**

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## Introduction

In performance of its functions, and as part of the efforts it expends to foster respect of human rights in prisons, jails, detention centers and other places where persons may be detained, such as psychiatric hospitals and wards in order to examine the conditions of detainees and the treatment they receive and 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 Batelco Welfare Home (Batelco Home) in order to assess its conditions, the treatment children receive, their living conditions, educational and social conditions and healthcare services provided to them, as well as their legal rights and guarantees, 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 team recording its notes during its visit to the Home, and subsequently making recommendations which contribute to the reinforcement, respect and adherence to human rights.

## Section 1: Background and Methods

The PDRC carries out comprehensive inspections, which are either announced in advance or unannounced, to prisons, jails, juvenile care centers, detention centers and other places where persons may be detained, such as psychiatric hospitals and wards. 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 Children at the Home:

PDRC's members interviewed a random sample of the children – male and female – at the Home. This sample was selected by PDRC's team without any interference on the part of the Home's Management, by selecting names at random with a specific sequence from the lists of children provided by the Home's Management, in order to ensure that the various groups of residents are adequately represented by age, nationality and medical condition. In addition, others were asked verbally, and 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 Home, were also taken.

Meetings with the children were totally separate at places which allowed privacy, without any of the Home'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 their comments attentively and meticulously, and all their answers and comments were recorded, taking into consideration the statements made by other children at the Home.

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

PDRC's team met with the Home's Management who gave a presentation on the condition of the Home, the procedures it follows, the services it provides, key data, figures and statistics related to its residents, as well as its supervisory staff. Major projects and programs implemented by the Home were introduced in detail. Meetings with the Home'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 Home and its processes.

### **C. Inspecting documents**

The inspection team inspected documents related to the children at the Home. It was found that all children were admitted in accordance with properly documented legal standards and requirements, as well as administrative documents detailing the numbers of children, reasons and periods of their stay at the Home, and their room assignments. In addition, documents related to maintenance, children food supply and documents related to medical care at the Home 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 Home, description of the Home and observation of the interaction between the Home's staff and residents, and vice versa.

All comments concerning the Home 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 Home's children and staff.

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

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

(\*) This section contains figures and statistics related to the Home, such as: the total number of children, their genders (male – female), nationalities, and classification (children with unknown parents – children of shattered families and without guardian – children of other nationalities who are admitted on a temporary basis pending issue of a decision concerning their cases) ... etc. This statistical data was collected during the visit on 16.1.2019G.

### I) Information on the Home

Batelco Child Welfare Home was established in 1984G under the name of “Child Welfare Home”. It was reopened in 2010G under the name of “Batelco Child Welfare Home”, as a Ministry of Labor and Social Development community institution for the care of children of unknown parents, orphans and children of shattered families up to the age of 15.

Batelco Home and Ministry of Labor and Social Development officers stated that the Home has clear and well implemented objectives, as follows:

- To house children of unknown parents, children of shattered families and without guardian, and children of other nationalities who are admitted on a temporary basis pending issue of a decision concerning their cases.
- To provide educational, psychological, medical and living care for the residents of the “Home” without discrimination until foster care is arranged for them.
- To endeavor to encourage families to foster these children, and monitor the child’s acclimatization with his/her foster family, and disbursement of social security for orphan children in foster care, in accordance with Law No. (18) of 2006G, to financially assist foster families, knowing that the assistance bank account is opened in the name of the child.

### Care provided by Batelco Home is divided as follows:

A. External care (follow up of foster families) through field visits during the first months of foster care to assess the child’s emotional well-being and adjustment to the foster family.

B. Internal care:

- Internal housing care for the purpose of accommodating the child at the Home and providing all living services.

- Family social care, including:
  - Instilling in the children positive habits and behavioral patterns which are acceptable to the Bahraini society.
  - Giving the children a form of independence in their affairs and study, particularly children older than 15.
  - Rehabilitating child victims of family violence and children of shattered families, helping restore their self-confidence and integrate in their families, particularly children of shattered families.

#### The Home is comprised of several facilities, including:

- **Ground Floor:** Administration offices, library, visitors' room, reception and external garden.
- **First Building – First Floor:** Comprised of two apartments for orphan children without guardian, and children of shattered families (newborns to 7 years old).
- **Second Floor:** Comprised of two apartments for female children without guardian and children of shattered families (8 years to 18 years old).
- **Second Building – First Floor:** Comprised of two apartments for boys.
- **Second Floor:** Comprised of two apartments.

## II) Key Statistics:

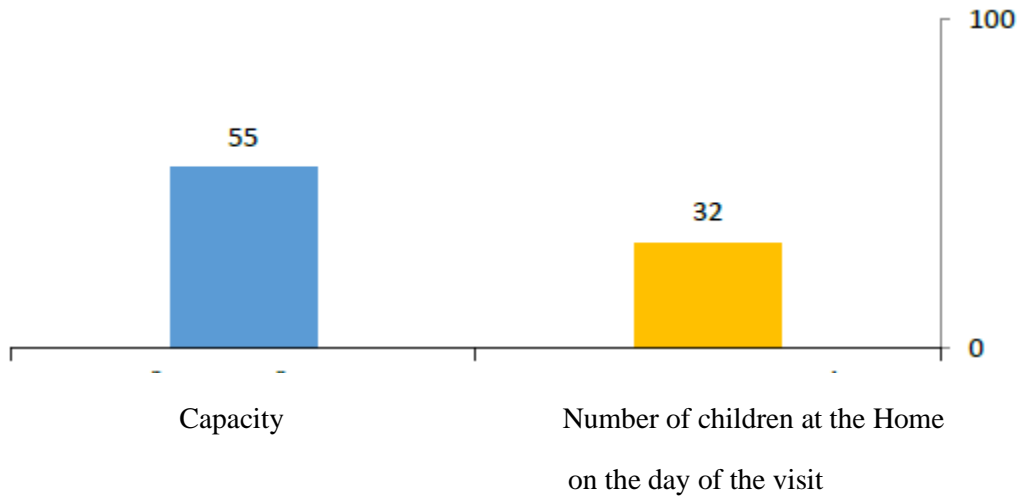
### Total Number

	Males	Females
* Orphans and Children Without Guardian	4	0
** Children of Shattered Families	20	8
Total	24	8
Total: 32		

\* Children of unknown parents or unknown father: Without Public Prosecution decision.

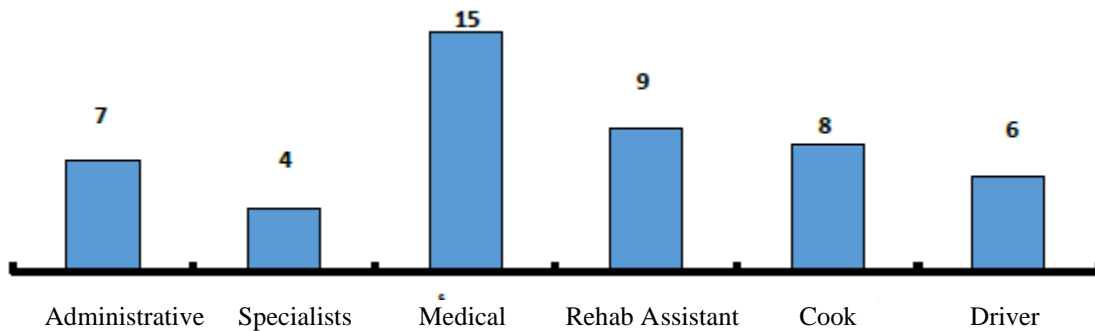
\*\* Children of shattered families: With Public Prosecution decision.

### Capacity of the Home



- Total capacity of the Home: 50-55 children.
- Number of children at the Home on the day of the visit: 32 children
- Occupancy rate: Approximately 58%.

### Child Welfare Home (Batelco Home) Employees



**Total number of Home Employees: 49 employees**



### Section 3: Humane Treatment and Inspection of Home Conditions

PDRC's team found that the children at the Home are treated by the Home staff with respect. The children stated that they regard staff members as family and feel comfortable and secure with them. It was found that the children's living conditions at the Home are in line with the law, customs, traditions and age group requirements. A comprehensive medical examination is made to the child before accommodating him/her at the Home. The child is interviewed by the social worker. The Home is appropriately divided to provide the required family atmosphere and ensure emotional and social comfort for its residents. The team found that the effects and possessions of the children are securely kept. Every child has his own box. In addition, children's records and records of safekeeping of their possessions were available. It was found that the child is treated positively and exceptionally well from the start of his/her stay at the Home. These services continue to be provided until the child leaves the Home, whether to the care of a guardian or foster family, or until he/she is discharged from the Home.

It was also found that there is no discrimination against children on the basis of race, color, gender, language or religion. The religious privacy of the children is respected. The team noted that staff members understand the special needs of the children's age group, and are aware of their responsibilities for the assessment and management of risks arising from dealing with the children, or from the interaction of the children with each other. They also know how to deal with these aspects. However, they do not receive ongoing training on the management safety and security related risks, and there are no plans for evaluating, managing and periodically monitoring risks. Staff members - with the exception of social workers – do not participate in specialized training sessions on child psychology and how to deal with the child.

On the other hand, although proper care is given to children with chronic illnesses and their stay at the Home is facilitated. Nonetheless, the Home is not equipped to accommodate persons with disabilities.

The team also verified the safety standards and condition of the Home, with constant supervision of the areas where the children gather, in three shifts throughout the day. The fire alarms and fire extinguishers are periodically maintained. However, their locations are not easily accessible for the children in the event of fire, while staff members are capable of safely evacuating the Home in the event of an emergency, but there is no specialized periodic training is provided. Moreover, there are no buzzers in the children's rooms or any other way to call the Home staff when necessary.

The team also found that there are surveillance cameras in all the building and corridors. The monitors at the Home Manager's office are turned off after business hours. As for the monitor is in the nurses' room, they were not working at the time of team's visit.

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

Concerning the condition of the Home, the team found the rooms to be clean, tidy, secure, ensure privacy and well-furnished. On the other hand, the team noted that the toilets require periodic maintenance. The team also checked the condition of the rooms, ventilation and natural lighting, and found that the temperature of the rooms is appropriate.

It was also found that the room are free of items which may cause self-injury. Access to the toilets and sanitary facilities is easy. Children personal hygiene items are available. In addition, bed sheets and linen are available and clean. Clothing is allowed to be brought in for children of shattered families, while the Home's Management supplies these requirements free of charge to all children residing at the Home. Laundry service is available and has a dedicated facility. In general, the Home satisfies health and hygiene requirements, including tools, clothing and all living necessities.

In respect of serving balanced meals to children commensurate with their ages and special needs, it was found that food is provided in sufficient quantity and quality and contains the appropriate nutritional value. In general, there is a diversity of food and beverages. Moreover, potable drinking water is available and easy to obtain throughout the day. A monthly menu is prepared for all meals. children are consulted on a monthly basis to provide input when preparing the menu.

On the other hand, the team found that children up to the age of 18 have an organized daily program which takes into consideration their education and rest times. Moreover, there are recreational programs, various events, educational games and off-premises trips year-round on different occasions. The team also noted that there is a high level of effective collaboration by volunteers and civil society organizations to entertain the children residing at the Home.

As for rehabilitation plans, the children stated that they participate in general training workshops and courses. In terms of learning activities, skills and work, PDRC's team found that children are allowed to continue their education and are encouraged to do so. Children receive education up to the high school level by providing them with school books and teachers and making study areas available.

School progress of children residing at Batelco Home is monitored, with constant and direct communication with school administrations, as well as through periodic visits and participation in the open day.

## Section 4: Rights and Guarantees

The inspection team validated the administrative processes to ascertain the legality of the admission, verified that all records and documents related to the legality of the admission are satisfied, and ascertained that the child is not admitted to the Home except after satisfying requisite legal conditions and ensuring that the child is of good health as proven by a medical report. Data concerning each child is updated while staying at the Home. The child of a shattered family is allowed to inform his/her parents of his/her location. Moreover, there is a specific and clear process to inform the children of their right to notify their parents of their location. A special file is maintained for every child containing legal admission documents. There is also a special file for each child containing the child's official papers, where the name of the child of unknown parents or father is kept. All files are maintained in tightly locked cabinets at the Management's office. Private and confidential digital files are electronically kept to maintain information for the future of the children and prevent tampering with family names, as well as to ensure the continued confidential operation of the Home in such a manner as to safeguard the rights of the children. Medical records for children under 6 are also kept at the Home under the supervision of nurses. Medical records for children older than 6 are kept at the relevant health center. Children are also verbally provided at the start of their stay, with information on the Home's regulations.

In addition, the Home endeavors to complete all formalities for issue of the child's identification documents, and follow up with various government departments concerned to complete requirements.

PDRC's team also found that information on rights and obligations at the Home is provided in the form of bulletin boards and announcements posted on walls. The child however does not receive a written copy. Children are also informed by Batelco Home's psychiatrist of the details and causes of their admission.

PDRC's team also found that the encouraging environment and conditions at the Home reinforces the good behavior of the children. Children are urged to maintain personal hygiene and to keep the place clean and tidy. The team noted that certain children who are without guardians are not segregated from children of shattered families. Management justified this by stating that the age and social compatibility between them helps them forge friendships. This integration is done upon the recommendation of the psychological or social worker.

Concerning the process of filing and handling complaints at the Home, PDRC's team found that awareness stickers are available showing that complaints can be filed. The team noted that there are no complaint boxes available for the children at the Home. However, there were boxes for visitors at the new administration building. While children are encouraged to amicably resolve their problems before filing a formal complaint, some children stated that they had no knowledge of the complaint filing process, as they relay their complaints verbally to the social worker. The team reviewed the complaints records and asked about the process of resolving them, concluding that there are no written procedures and rules to organize the complaint filing process.

Moreover, there is no written process for actions and penalties taken by the Home's Management against children who behave abnormally.

On the other hand, the Home's Management stated that it is intensifying efforts under the supervision of the Ministry's Department of Social Welfare to find foster families for the children of shattered families, such that they are cared for in their natural environments, with the foster parent selected from among the child's own relatives (paternal uncle, grandfather, maternal uncle, etc.), and paying them the social security allowance.

## Section 5: Healthcare

### Healthcare includes:

When new children arrive at the Home, medical examinations are performed prior to their admission. Children are inoculated as required, in coordination with the health center, to protect them against contagious diseases. Sick children are treated at the Home or transferred to a hospital or medical center, if required. Periodic medical examinations are made for the children residing at the Home. Newborns and bottle-fed infants are cared for by two nurses on shift. Medicines are stored in a medicine cabinet at the apartment designated for newborns under the care of the two nurses on shift. The medicine cabinet is locked, and the key is stored out of the reach of the children.

### Psychiatric care includes:

The psychiatrist is consulted to care for children with problems. They are informed of the required care. The Home's Management considers the children's psychiatric care requirements commensurate with their development stages, and gives them psychiatric guidance throughout those stages. A behavioral modification program is implemented, particularly for the children of shattered families, and their psychiatric treatment is monitored. A psychiatrist is under contract with the Home's Management, to continuously examine cases at the Home and receive patients who require extensive follow up at his clinic. The psychiatrist visits the Home on Fridays to monitor the development of cases and provide advice and guidance to residents and staff members. Family guidance workers conduct visits and follow up cases which require assistance, as recommended by the Home's Management.

## Section 6: Recommendations

1. Organizing specialized courses for Home staff on child psychology and how to deal with children. This should not be limited to social workers.
2. Training Home staff on the use of legally justified force at the Home.
3. Involving guardians of children of shattered families in their rehabilitation plan, whenever possible.
4. Increasing the number of staff who are qualified to help the children face complex problem: legal, psychological, social, moral, behavioral, educational.
5. Without undermining confidentiality of child related information, increasing awareness of Batelco Home's achievements, at the local or international levels, as outstanding efforts and services from human and professional perspectives.
6. Periodically providing specialized training to Home staff on emergency evacuations.
7. Organizing specialized periodic training sessions for management staff.
8. Designating and equipping rooms at the Home to accommodate children with disabilities.
9. Segregating children without guardians and orphans from children of shattered families.
10. Developing written procedures and rules to organize the process of complaint filing.
11. Developing a written process for reward and punishment, and organize procedures and penalties which are applied by Management in the event a child is found in violation of the Home'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 on the Formation and Functions of the Prisoners and Detainees Rights Commission.
- Decree Law No. (22) of 2000G on Fostering, Resolution No. (26) concerning the Implementing Regulations of the Law on Fostering, and Resolution No. (60) of 2007G concerning the Implementing Regulations of the Law on Fostering.
- Decree Law No. (22) of 2000G on Fostering.
- 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 Inspection of Home Conditions

#### Includes the following standards:

- Respect.
- Safety.
- Legally justifiable use of force.
- Condition of the Home.
- Care of the residents.
- 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: 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: Response of Child Welfare Home (Batelco Home)

Upon review of PDRC's draft report on its announced visit to the Child Welfare Home (Batelco Home) on 16 January 2019, we would like to clarify the following:

#### D) Concerning certain comments mentioned in Section (3) on Humane Treatment and Inspection of Home Conditions, replies to the comments were as follows:

- **Comment:** "Staff members do not receive ongoing training on the management safety and security related risks, and there are no plans for evaluating, managing and periodically monitoring risks"  
**Reply:** Staff members are being trained on risk management. A list of names of another group will be approved in collaboration with the Ministry's department concerned to receive training.
- **Comment:** "Staff members - with the exception of social workers – do not participate in specialized training sessions on child psychology and how to deal with the child"  
**Reply:** All social workers are enrolled in specialized sessions year-round. Practical on-the-job training is also given with Batelco Home's psychiatrist to improve the performance of staff members.
- **Comment:** "The Home is not equipped for persons with disabilities"  
**Reply:** The Home's system is based on admitting healthy children. There are no places which are designated for the care of children with disabilities.
- **Comment:** "The locations of fire extinguishers are not easily accessible by children in the event of fire"  
**Reply:** Fire extinguishers are placed at locations as instructed by Civil Defense. Moreover, staff members are constantly on shift. The Ministry's department concerned will also be contracted to take necessary action in respect of safety and security developments.
- **Comment:** "No periodic specialized training is provided emergency evacuation"  
**Reply:** Staff members were training on evacuation in the event of fire. This is done periodically. A request will be made to re-train staff members on safety and first aid skills.
- **Comment:** "There are no buzzers in the children's rooms"  
**Reply:** Staff members are available round the clock 24 hours a day near the cameras which are distributed throughout the Home.
- **Comment:** "The monitors in the nurses' room were not working at the time of the team's visit"  
**Reply:** There was a fault in them on the day of the visit. It was repaired.

- **Comment:** “There are no rules and special training for staff members on how to use legally justifiable force to handle children at the Home when necessary to avert dangers”

**Reply:** Staff members were training on how to handle the children’s difficult behaviors. This comment will also be taken into consideration, and the Ministry’s department concerned, as well as the Board of Directors will be asked to organize additional training sessions for staff members in this field.

- **Comment:** “Toilets require periodic maintenance”

**Reply:** The home undergoes maintenance periodically. A request was filed with the Ministry for the maintenance of the toilets.

#### **D) Concerning certain comments mentioned in Section (4) on Rights and Guarantees, replies to the comments were as follows:**

- **Comment:** “Children without guardians are not segregated from children of shattered families, resulting in adverse effects in some instances”

**Reply:** A special building was dedicated for this purpose, and the apartments in the large building were separated in order to segregate children, however taking into consideration the integration of children of the two categories having similar characters and behavior, knowing that the majority of the residents of the Home are children of shattered families.

- **Comment:** “There are no complaint boxes available for the children at the Home, and there are no rules and regulations to organize the process of filing complaints”

**Reply:** Management continuously and openly communicates with the children at the Home. We have prepared forms for the children to evaluate available services, and there is a complaint box at the Home which is opened by the office of H.E. the Minister. A request will be made to the department concerned to install a box for the children and procedures will be developed specifying how complaints are filed by residents of the Home. Moreover, the findings of the Home’s services evaluation forms which were completed by the children were positive and satisfactory.

- **Comment:** “There is no written process for actions and penalties taken by the Home’s Management against children who behave abnormally”

**Reply:** There are therapeutic programs to modify the negative behaviors of the children. Children are also examined by Batelco Home’s psychiatrist. Weekly visits are made, and individual and group therapy administered.

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