



Government of St. Lucia

**Performance Audit
Report
of the
Director of Audit
on the
Boys Training Centre**

OFFICE OF THE DIRECTOR OF AUDIT



MISSION STATEMENT

The Office of the Director of Audit exists to assist Parliament in holding the Government to account for its management of the country's finances and Public Service. We do this by monitoring and reporting on whether monies appropriated by Parliament were applied as appropriated; whether expenditure conforms to the authority that governs it; and on the efficiency, economy, and effectiveness of Government operations.

Table of Contents

ACKNOWLEDGMENTS.....	1
EXECUTIVE SUMMARY.....	2
INTRODUCTION.....	3
BACKGROUND.....	4
AUDIT OBJECTIVES.....	5
AUDIT SCOPE AND METHODOLOGY.....	6
AUDIT FINDINGS AND RECOMMENDATIONS.....	7
Admittance process for wards	7
Financial, human and physical resources at the Centre	11
Security	16
Placement of wards within the national school system proved challenging for the Centre	20
Programme effectiveness	21
CONCLUSION.....	23
APPENDIX 1 - ABBREVIATIONS.....	24
APPENDIX 2 - Structure of a ward’s file.....	25
APPENDIX 3 – Comparison of BTC’s rehabilitation activities with International Standards.....	26
APPENDIX 4 - AUDIT CRITERIA.....	28
APPENDIX 5 – Photos (Taken August 2013).....	29

ACKNOWLEDGMENTS

The Director of Audit gratefully acknowledges the kind assistance, support and cooperation of the management and staff of the Ministry of Social Transformation and the Boys Training Centre (BTC).

The Director of Audit extends her sincere appreciation to the audit team and to other staff members who contributed towards this audit.

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this audit is to inform Parliament and management on the operations of the Boys Training Centre (BTC). This report includes our findings as well as specific recommendations aimed at improving operations at the Centre.
- 1.2 Our audit examined five areas of the BTC's operations namely admittance, human, physical and financial resources, security, vocational & remedial education and programme effectiveness. There were nine (9) audit criteria associated with our audit objectives (See appendix 4). We also used the United Nations Convention on the Rights of the Child and the Rules for the Protection of Juveniles Deprived of their Liberty. Management agreed to the suitability of our audit criteria as reasonable standards for assessment of the Boys Training Centre. Our audit covered operations from April 2011 to August 2013.
- 1.3 We found that there was no oversight during the audit period. The BTC had antiquated laws which were not in line with signed conventions regarding the treatment of juveniles in detention. Further, there was an absence of policy and procedures to help drive operations.
- 1.4 We found that the current organizational structure lacked key positions to function efficiently and effectively. Many of the staff did not possess the required training and competencies to effectively deliver the Centre's programmes.
- 1.5 The physical security at the Centre was deplorable. There was a high rate of security breaches and abscondments by wards. Further, the level of discipline among wards and staff was poor which led to constant conflicts.
- 1.6 Many of the vocational and remedial activities were not structured and the BTC's education programme did not meet national standards. The in-house educational programmes were not equivalent to those offered within the national school system.
- 1.7 We found that the Centre did not have an aftercare programme that supported the wards after their release. In addition, the Centre did not measure the impact of its activities.
- 1.8 The BTC is severely hampered by the lack of resources including the lack of input from key stakeholders such as the Ministry of Education, Ministry of Health and the Courts.
- 1.9 Our report contains a number of recommendations for improvement.

2.0 INTRODUCTION

- 2.1 For many years the BTC has been of concern to Saint Lucians and the government. Poor internal security, lack of resources, vague legislation and an increasing push for non-penal detention of juveniles from the international community, are issues that have been plaguing the Centre. A number of independent reviews, investigations and programme evaluations have been carried out on the operations of the BTC in the past, but they have not lead to significant improvements in the delivery of its services.
- 2.2 St. Lucia signed The UN Convention on the Rights of the Child on 30 September 1990 and ratified it on 16 June 1993. The BTC’s management has recognised that the Centre needs to comply with international standards governing the operations of detention centers because these laws are grounded in respect for the rule of law and human rights.
- 2.3 As it relates to complying with international standards and signed agreements, the BTC has met some of the requirements. However, there were a number of the standards where it fell short (See appendix 3). This was due to lack of funds, lack of trained personnel and expertise, very little technology to assist in its operations and deteriorating infrastructure. Consequently, the Centre was unable to proceed with certain key reform measures.
- 2.4 The budget of the Ministry of Social transformation (MOST) has increased every year from 2009/2010 through to 2013/2014. The BTC though, has been receiving a decreasing share of the budget. The BTC’s budget has fallen significantly over the last two periods and in the 2013/2014 financial year the BTC’s share of the Ministry’s budget was estimated at 6.9 per cent. Thus, the financial ability of the BTC to fully care for wards placed in its care has eroded year after year as the cost of maintaining a ward at the Centre has kept rising. This cost was estimated to be at \$13,047.85 per ward in the 2013/14 financial year. (See the table 1.1)

Table 1.1

Year	Ministry’s budget*	BTC’s share of budget*	BTC’s share as a % of total budget	Yearly cost of maintaining a ward
2009/10	\$11,958,000.00	\$1,333,798.00	11.2	\$9,349.09
2010/11	\$12,547,400.00	\$1,346,783.00	10.7	\$11,345.22
2011/12	\$13,230,500.00	\$1,998,136.00	15.4	\$12,460.29
2012/13	\$29,635,600.00	\$2,239,026.00	7.6	\$12,164.56

Source-* [figures from the yearly estimates of capital and recurrent expenditure]

- 2.5 For many years the BTC operated without effective oversight, that is, a functioning management committee. In 2012, a seven member committee was appointed but the committee remained non-functional since its inception. This was because members were concerned that there were no definite terms of reference (TOR). There was also the issue of stipends for the members. Cabinet conclusion No 438 of July 4, 2013 approved the committee’s terms of reference and stipends. The introductory meeting of the committee was held on 28/8/2013 at the Ministry of Social transformation.

3.0 BACKGROUND

- 3.1 The Boys training Centre, was established in 1960 under the name Massade Industrial School. The Centre was built to accommodate 40 boys on 18 acres of land. The BTC falls under the auspices of the Ministry of Social Transformation which is responsible for its budgetary allocations. The name was changed to “The Boys Training Centre” in 1976 under SR&O No. 23 of 1976. To date it is still the only residential centre for troubled boys. The Centre was originally constructed and managed as a penal centre. The BTC has made efforts to move away from the penal modus operandi to a rehabilitative centre.
- 3.2 The SR&O No. 23 of 1976, the Children and Young Persons Act, Chapter 3.09 of the Revised Laws of Saint Lucia and the Family Court Act, Chapter 2.03 of the Revised Laws of St. Lucia, guide the operations of the BTC.
- 3.3 Under the Children and Young Persons Act, Chapter 3.09, of the Revised Laws of Saint Lucia, a magistrate can order a young boy to be detained for the following reasons:
- **Care and Protection - Section 9 (d)** “the court may make an order for a juvenile, whose circumstances may be as a result of assault, ill treatment, needing Care and Protection or removal from the charge of guardians to be detained in “***a Government Industrial school***” for a period not exceeding 3 years”.
 - **Committing an offence - Section 16 (e)**, “where a juvenile is found guilty of any offence before a juvenile court, the court may commit the juvenile to be detained in “***a government training school***” for a stated period”.
 - **Remand pending trial – Section 21 (1)** “A magistrate’s court on remanding or committing for a trial a juvenile who is not released on bail shall commit him or her to custody in a place of safety named in the commitment, or to a ***Government Industrial School***, to be there detained for the period for which he or she is remanded or until he or she is thence delivered in due course of law”.
- 3.4 Since the BTC is the only residential facility for juveniles in St. Lucia, any juvenile committed under any of the above sections, can be placed at the BTC.
- 3.5 There was some difficulty in determining whether the ***training school*** and the ***industrial school*** referred to in the Children and Young Persons Act were separate centres or the same.
- 3.6 The Permanent Secretary in the Ministry of Social Transformation, in an interview with the audit team, indicated that it is the same place since “***only one exists***” and it catered to both industrial and training activities.
- 3.7 We found that there was no distinction of assignment of wards between the ***training (for offenders) and industrial (for care and protection and remand)*** portfolios. It was an all-in-one Centre irrespective of the section of the law under which the ward was admitted. The activities at the BTC catered more toward a care and protection environment.

- 3.8 The BTC's legislation has remained the same despite significant changes in the external environment. The old practices that were permissible under its legislation (SR&O No. 23 of 1976) for example, beating of a ward, are not permissible under the United Nations Rules to which St. Lucia is a signatory.
- 3.9 As indicated in Volume 1 of the St Lucia Estimates of Expenditure 2003/2004, (the most recent available information) the objective of the BTC was to provide an environment conducive to rehabilitation, through the use of remedial education, vocational training and counselling so as to redirect wards' behaviours, thereby affording wards the opportunity to develop into productive citizens.
- 3.10 The key responsibilities of the BTC are as follows:
- To manage the Centre in accordance with regulations;
 - To provide suitable accommodation, meals and clothing for wards;
 - To provide a rehabilitative counselling programme aimed at behaviour modification of wards;
 - To provide vocational training programmes aimed at preparing wards for self employment for the job market, as well as revenue generating programme;
 - To provide an appropriate remedial education;
 - To provide necessary recreational/sports programme;
 - To provide social activities appropriate to the development of the wards;
 - To establish a job placement system;
 - To develop a family intervention programme;
 - To provide aftercare service
 - To establish exchange programme with schools.
- 3.11 One major structural change to the BTC's operations involved the construction of an additional unit in 2011 to house the care and protection population. This was in an effort to make it compliant with the United Nations convention concerning separation of categories of wards. Despite the construction of this unit, the BTC is not up to the standard that is required for a detention centre. The present environment and layout of the buildings do not allow for proper rehabilitation. Presently, the level of contact between wards, staff, and the public does not meet best practice and the security measures are inadequate.
- 3.12 At the time of our audit there were twenty (20) wards admitted under care and protection and eighteen wards (18) admitted for committing offences.

4.0 AUDIT OBJECTIVES

- 4.1 The overall audit objective was to determine whether the BTC complied with the legislation governing its operations, and had the appropriate resources necessary to meet its objectives.
- 4.2 The audit focused on the following questions:

Admittance

- Did the BTC have an adequate admittance process?
- Did the BTC have measures for separation of wards and were those measures in accordance with the international standards promulgated by the United Nations Convention Rules for the Protection of Juveniles Deprived of their Liberty and other local laws and conventions?
- Was there communication between the Courts and the BTC with regards to the admittance of wards?

Resources

- Did the BTC have the required resources to enable it to achieve its objective and to meet international standards for operating a juvenile detention centre?

Resources for the purpose of this audit refer to:

- A well-structured organization with adequate and appropriately trained staff;
- A functioning management committee that oversees operations at the Centre;
- Security systems and protocols that provide a safe environment for boys, staff, property and the public;
- Proper physical structures, living and working conditions;
- A data capture system that provides management with instantaneous information to plan and make decisions.

Rehabilitation and aftercare

- Were the rehabilitation programs offered by the BTC able to allow wards to successfully reintegrate into society?

Rehabilitation for the purposes of this audit means:

- Remedial, vocational, counselling and recreational interventions that are responsive to the ward's behavioural circumstances and have created a positive impact on the individual;
- Interventions that are consistent with the signed conventions and international standards;
- An aftercare programme that supports the wards for two years after their release.

5.0 AUDIT SCOPE AND METHODOLOGY

- 5.1 This report presents the results of a performance audit conducted by the Office of the Director of Audit. The mandate which is enshrined in the Revised Laws of Saint Lucia Cap 15:19 (Audit Act), gives the Director of Audit the authority to perform this type of audit.
- 5.2 A performance audit is an independent, objective, and systematic assessment of how well government is managing its activities, responsibilities, and resources.

- 5.3 In conducting the audit we were guided by the International Auditing Standards for Supreme Audit Institutions (ISSAI) issued by the International Organization of Supreme Audit Institutions (INTOSAI). It was conducted by a qualified team of auditors who established audit objectives and criteria.
- 5.4 The audit covered the two year period April 2011 to August 2013. The audit focused only on the BTC and did not include any other institution where juveniles were detained.
- 5.5 In achieving the objectives we gathered sufficient, competent and appropriate evidence, reported findings, concluded against the established audit objectives and where appropriate, made recommendations for improvement.
- 5.6 The methodology involved:
- Examination of relevant documentation, including policies, procedures guidelines and internal reports;
 - Interviews with senior management of the Ministry of Social Transformation and the Manager of the BTC;
 - Interviews with counsellors, social workers, security personnel, wardens, house mother, vocational instructors and remedial teachers of the BTC;
 - Interviews with wards in the current population at the BTC;
 - Review of case files of wards constituting the current population and released wards on aftercare;
 - Physical inspection of the BTC's premises.

6.0 AUDIT FINDINGS AND RECOMMENDATIONS

- 6.1 Our audit examined five components of the BTC's operations namely admittance of wards, financial, human and physical resources at the centre, security, vocational & remedial education and programme effectiveness.

6.1.1 Admittance process for wards

- 6.1.2 Every centre that has the mandate to detain a juvenile must ensure that it has adequate documentation for each juvenile upon admission. Good documentation, among its many benefits, helps an institution to identify and meet the special needs of the wards entrusted in its care. It also protects the organization against possible legal, security, health and human violations including improper handling allegations.

- 6.1.3 The United Nations Rules for the Protection of Juveniles Deprived of their Liberty in Section IV B (21) states that in every place where juveniles are detained, a complete and secure record of the following information should be kept concerning each juvenile received:

- (a) Information on the identity of the juvenile;
- (b) The fact of and reasons for commitment and the authority therefore;

- (c) The day and hour of admission, transfer and release;
- (d) Details of the notifications to parents and guardians on every admission, transfer or release of the juvenile in their care at the time of commitment;
- (e) Details of known physical and mental health problems, including drug and alcohol abuse.

6.1.4 In conducting our audit we took a critical look at the admissions process for juveniles sent to the BTC by the Courts and found the following:

- **Information sharing between the courts and the BTC was minimal**

6.1.5 Juveniles admitted to the BTC were sent there by the courts via a court order. Our audit found that apart from the court order, there was hardly any information from the courts on the wards that were admitted to the BTC. The audit team noted a few instances where psychosocial reports were prepared by probation or social workers from the Division of Human Services.

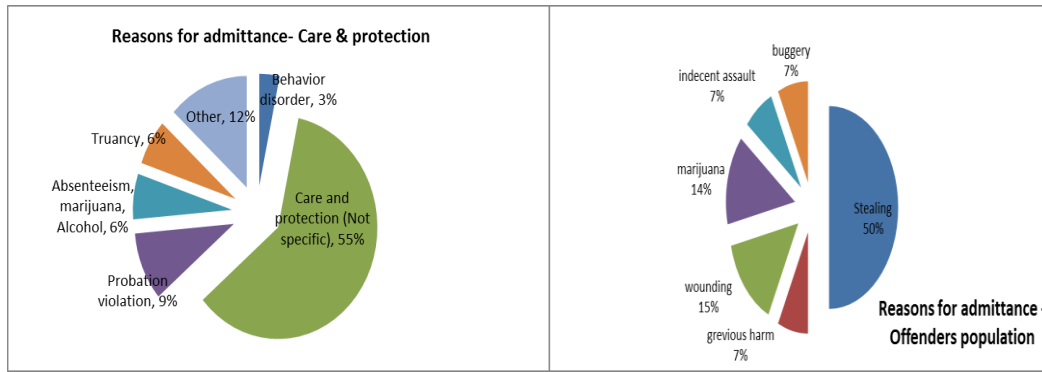
6.1.6 Although, the BTC counsellors were required to do an evaluation of every ward that was admitted, this was not possible as there was no information coming from the courts to assist them in carrying out those evaluations. The counsellors relied on the information obtained from their own investigations and from wards when they were interviewed upon admission. In some instances, the information obtained from the wards was not consistent or accurate.

6.1.7 It is imperative that there be open, timely and constant communication between the Courts and the BTC. The information received from the Courts would assist the BTC in encountering fewer problems in receiving the wards, identifying and meeting special needs where necessary, and providing adequate accommodation for the wards.

6.1.8 Another issue that impacted negatively on the admissions process was that the court orders for the care and protection population were not specific, in that, they did not stipulate the reasons for which the wards were committed to the BTC. Wards were sent to the BTC either for care and protection, for offending or on remand. Wards, sent for care and protection, were not expected to be offenders but rather those who needed protection from abusive situations, neglect or abandonment by parents/guardians.

6.1.9 From a sample of intake forms, we were able to determine the reasons for admittance for 47 wards that were admitted during 2011 and 2013. At least 9% of care and protection wards were committed for stealing, another 6% for absenteeism, marijuana and alcohol use.

6.1.10 Our analysis of the court orders for the offenders indicated that 55% of the offenders' population were committed for stealing, 15% for wounding and 14% for marijuana use as depicted in the following tables.



6.1.11 From this analysis we concluded that some wards who committed offences were sent to the BTC under the category of care and protection. This we found to be very concerning because by following the court order, the separation requirements between offenders and non-offenders served no useful purpose.

6.1.12 We were informed that the BTC recognized the implications of following the directives given by the court and, management took the initiative to place some of the wards sent for care and protection (but who were actually offenders) in the offenders' category. This was to protect those wards in the care and protection category that may be vulnerable to those offenders who were placed in that same category.

- **Case files were not updated**

6.1.13 A case file was maintained for each ward in a standardized format. The layout and structure made provision for a very comprehensive account of the ward from admittance to release (see appendix 2). It comprised the following sections:

Section 1 – Intake

Section 2 – Medical history

Section 3 – Safety plan

Section 4 – Treatment plan, progress notes/logs

Section 5 – Academics, schools, updates, accomplishments & awards

Section 6 – Release and closing out summaries

6.1.14 The format used was consistent with the requirements of Section IV B (21) of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Each section identified a number of activities to be monitored and documented.

6.1.15 We chose 20 files to examine for completeness. We found that the files were not updated. In many instances, the control cover sheet which was designed to inform the user of the contents of the sections of the file was often blank. In addition, pertinent information for each activity was not documented in the various sections of the files. The files contained mostly information from the counsellors who were the sole custodians of those files. Information with respect to the wards programme or treatment activities was not included in the files.

- 6.1.16 The counsellors explained that due to their insurmountable workloads, it was not always possible for them to complete the information in the various sections of the wards' files. The situation was further compounded by the fact that the BTC lacked equipment such as printers and computers that the counsellors needed to execute their duties. Subsequent to the commencement of the audit, the counsellors received a much needed printer.
- 6.1.17 One of the main purposes of admitting wards to the BTC is to get them into a rehabilitative programme. The programme should comprise activities that would allow the wards, once released to make a smooth transition back into society. Therefore, it is important for the BTC to assess the wards and to be able to identify and meet their needs, in terms of prescribing a treatment plan designed to remedy whatever issues they may have. This plan must be documented to allow for continuity, periodic monitoring, evaluation and corrective action.
- 6.1.18 Section, IV C (27) of The United Nations Rules for the Protection of Juveniles Deprived of their Liberty guides detention centres on the specifics of individualized treatment plans for detained persons. It states that ***“when special rehabilitative treatment is required, and the length of stay in the facility permits, trained personnel of the facility should prepare a written, individualized treatment plan specifying treatment objectives and time-frame and the means, stages and delays with which the objectives should be approached.”***
- 6.1.19 We verified that the files maintained by the counsellors and social worker contained the assessments and progress notes of sessions with the wards. They also contained telephone logs, visitors' logs, home and weekend visits logs but the files lacked individualized treatment plans for the wards.
- 6.1.20 We examined the intake forms for forty seven (47) wards to determine whether those wards had special issues that required treatment interventions. We found that 47% of wards upon admission (although not always the specific reason for commitment) had issues with drug use. Marijuana use accounted for 26%, alcohol 2%, marijuana and alcohol 17%, marijuana, alcohol and cocaine 2%. Many of the wards continued to use some of those substances even during their stay at the centre and up until their release.
- 6.1.21 In light of these findings, we conclude that the BTC did not provide the necessary individualized treatment plans to assist the wards with their problems of substance abuse. Because wards did not receive the necessary treatment interventions they continued to have issues with their self-esteem, and their peer resistance and refusal skills which are behaviours associated with adolescent drug use.
- 6.1.22 The counsellors and social workers held numerous sessions with the wards, during which time, some specific issues such as home visits, telephone conversations, and behaviour issues were discussed and documented (progress notes). In addition, direct care meetings were held every Tuesday with staff to discuss the status of each ward and general operations. However, these actions did not translate into an individualized treatment plan for the wards.

Recommendations

- **Management should request from the Courts pertinent information about the ward when they are committed to the BTC.**
- **Management should put systems in place in order that all required information for the case file is documented, complete and updated on a timely basis.**
- **The BTC should have a documented treatment plan for every ward. The plan should include an individual assessment of the ward's needs and risk level, specific goals, as well as determination of how these goals are to be achieved, and the method of evaluation goal achievement. Updates to the plan should be prepared regularly until the ward is released.**

MANAGEMENT'S COMMENTS

Management has requested the Social Enquiry Report from the Court on numerous occasions but to no avail.

Management has also requested that the Court order the parents to visit the wards on visitation day (regularly)

Management has requested the Court to order parents to attend the monthly parental meeting at BTC

Management of BTC has requested the Court to attach a medical report of wards before they are accepted at BTC but to no avail.

Management has identified a section near the Counsellors' office where the files can be centralized and secured with a proper door, accessible by card control.

6.2.1 Financial, human and physical resources at the Centre

- 6.2.2 For the purposes of this audit, resources refer to a well-structured organization with adequate and appropriately trained staff, proper physical structures, living and working conditions and an adequate information data capture system.
- 6.2.3 Persons admitted to detention centres, especially juveniles, should be provided with a safe and secure environment with the necessary professionals to give the wards the best care while ensuring that their rights are not violated.
- 6.2.4 The United Nations Rules for the Protection of Juveniles Deprived of their Liberty describes the type of atmosphere that should exist at juvenile detention facilities. These rules identify the professionals that should be employed as well as the training to be received by staff. Guidance is given on the most appropriate physical conditions that should exist, the types of information to be kept on each individual detained, as well as the care to be given to wards upon their release.

- 6.2.5 Our audit assessed the human, financial and physical resources to determine whether these resources were sufficiently provided given the mandate of the Centre and against the background of the UN requirements for detention centres.
- 6.2.6 The audit found the following:
- **The Centre lacked the appropriate personnel in the organizational structure**

The BTC changed its organizational structure to be more in line with its mandate. The objective was to replace the existing structure of the BTC with one that was more oriented towards effective service delivery.
- 6.2.7 We compared the old organizational structure with the changed structure to determine whether the new structure met the requirements of the UN rules. We found that some key positions which were included under the old organizational structure were omitted from the existing structure. For example, the positions of Chief Security, Chief Warden Officer, Building Maintenance Technician, Youth Treatment Officer and Nurse were included under the old structure but not in the existing one. We are of the view that these positions are vital to the successful delivery of the BTC's service.
- 6.2.8 The UN rules recommend that psychiatrists and or psychologists should be on staff in centres such as the BTC. In addition, we noted that several consultants had undertaken assessments of the BTC in the past and recommended that professionals such as psychiatrists, psychologists and other professional therapists should be on staff. One such report was the Singh and Porter report which was published in 2006.
- 6.2.9 Our audit found that the BTC failed to maintain professional therapists on its staff, despite the recommendations of the United Nations and the several consultants who were engaged to conduct assessments of the Centre.
- 6.2.10 The management of the BTC proposed another structure which took into account some of the recommendations. Unless the Centre has a proper organizational structure it will not be able to make any significant improvements in its operations.
- 6.2.11 In the meantime, there are continuing problems of security and maintenance. We noted that although additional security officers were employed, the positions of Deputy Chief of Security, Chief Warden, Nurse, Building maintenance technician and shift supervisors were yet to be filled.
- 6.2.12 The BTC amalgamated the roles of warden and security officer. Consequently, the roles and responsibilities between those two positions have become blurred. There were no major differences between the duties performed by persons in those positions.
- 6.2.13 The buildings were badly in need of repairs but the Centre did not have a building maintenance officer on staff.

The Centre relied on the instructor and wards in the woodwork department to carry out some of the required maintenance work.

- **Staff did not possess the specific skills and job descriptions**

- 6.2.14 Persons employed within certain professions should possess the requisite skills and training to allow them to effectively undertake their responsibilities. Apart from the baseline qualifications, personnel require specific on-the-job training to assist them in relating to juveniles at detention centres. Therefore, they should receive training in areas such as psychology and child welfare.
- 6.2.15 Also, staff should receive training in the requirements of international standards, norms of human rights and the rights of the child, including the present rules. These requirements were recommended in Section V (85) of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.
- 6.2.16 The recruitment policies of the Government of Saint Lucia (GOSL) made it very challenging for the BTC to have the necessary professionals on staff. The Ministry of the Public Service sets the benchmark qualifications for staff at the various grades within the public service. Some of the benchmark qualifications were very generic and applied to anyone at a certain grade irrespective of where the person was employed.
- 6.2.17 We reviewed the staff positions and found that 50% of the staff had the required qualifications as set by the Ministry of the Public Service. We were not able to verify the qualifications for the other 50% because their personal files did not contain such information.
- 6.2.18 We found that the majority of staff lacked training in child rights, child psychology, behavior analysis, behavior modification, psychotherapy and other clinical skills which are necessary for persons working directly with juveniles in detention centres.
- 6.2.19 We noted that most officers currently at the BTC were formally employed at the Ministry of Social Transformation and were transferred to the BTC. Some officers were employed under the St. Lucia Social Development Fund (Hope project). These employees did not receive training specific to the operations of a rehabilitation facility but they were expected to work with troubled juvenile boys.
- 6.2.20 Some staff members were working with very old job descriptions which in some instances did not reflect their current roles and responsibilities. There were instances where employees were unsure of the jobs that they were required to perform. In one case, the job description which was previously designed for wardens was redesigned to include security. Some officers were guided by the old job descriptions while others were guided by the amalgamated job descriptions and in some instances, both job descriptions. This left staff confused as to the exact roles and responsibilities that they were required to perform.

6.2.21 We learned that the BTC has undertaken an exercise to update the job descriptions in an effort to make them more in line with the international standards and to comprehensively capture the new roles and responsibilities of each position. These job descriptions are now at the Ministry of Social Transformation pending approval.

- **Greater need for staff development initiatives**

6.2.22 In April 2013, The Ministry of Social Transformation undertook an assessment of staff development training needs. The objective was to identify areas of skill and attitude strengthening. The report highlighted some factors which impeded operational effectiveness including:

- Poor Supervision
- Perceived inadequacies in leadership styles
- Poor working conditions
- Unresolved lateral and vertical conflicts
- High levels of absenteeism by staff

6.2.23 The Ministry, in recognition of these short comings, hired additional wardens and security officers. This initiative was funded by the St. Lucia Social Development Fund (SSDF). The Ministry hired those Workers on a contractual basis and their contracts were renewed based on their performance.

6.2.24 We saw evidence where some of these contractual workers were being cited for various work offences yet their contracts were religiously renewed. Such action, we believe, defeated the entire purpose of hiring them on contract.

6.2.25 Management indicated that the he BTC sourced training for its employees in the areas of conflict resolution, time and stress management, team building and communication. These training sessions were for very short periods.

6.2.26 We are of the view that although such training initiatives may have helped in enhancing and developing staff skills, it was not sufficient to enable the technical staff to carry out their responsibilities effectively at the Centre.

- **Poor supervision after normal working hours**

6.2.27 We found that the management and clinical staff all worked a 7.5 hour (day) shift from 8:00 am to 4:30 pm. When the day shift ended, all management, administrative, clinical and other direct-care staff left the centre. They only returned at the start of their next day or in case of an emergency during the night.

6.2.28 As a result, there was a 16½ hour gap when wards were left in the care of security and warden personnel who often were not trained to deal with wards personal circumstances and were always short on manpower. We noted that many cases of misconduct took place during that period.

6.2.29 This situation is not ideal and also not in line with international best practices. In most other jurisdictions, there is a night or resident manager, housemothers, and other clinical staff on hand to attend to situations which may arise during the night.

- **The BTC has inadequate resources to provide effective aftercare**

6.2.30 The BTC is mandated by the SR&O N0. 23 of 1976(Sec 14) to provide a released ward with the following:

- Assistance from the youth employment officer in gaining suitable employment;
- Sufficient outfit;
- Reasonable sums of money for subsistence and travel to residence;
- Assurance that the living and lodging conditions are conducive;
- Assignment of a social worker to supervise after care.

6.2.31 These requirements were in line with the international standards for juveniles once they are released, and were intended to assist the juveniles with their reintegration into the wider society.

6.2.32 The United Nations Rules for the Protection of Juveniles Deprived of their Liberty further supports the need for, ***“Competent authorities to provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration”.***

6.2.33 We determined that the BTC did not have the internal financial and human resources to effectively administer an aftercare programme. The Centre’s aftercare programme consisted of assigning one counsellor to follow up on released wards. The counsellor made follow up calls and house visits to the family of the released wards to check their progress when he or she was able.

6.2.34 The Centre lacked the necessary financial resources to take care of the wards after they were released. Given the circumstances, the Centre sought assistance from the SSDF and private sector agencies to help the released wards. The assistance comprised purchasing school materials, food, acquiring work placements and repairing or improving wards’ homes where necessary.

6.2.35 In the absence of a sustainable source of internal financing, if the Centre does not receive assistance from social partners and the private sector it would not be able to assist the released wards.

6.2.36 Another challenge facing the BTC is that the counsellor responsible for aftercare who is mandated to follow up on all released wards island-wide is not a travelling officer. Furthermore, the counsellor did not always have transport available as the one vehicle owned by the Centre was either in use when needed by the counsellor or not in a road worthy condition.

- **Inadequate data capture system**

- 6.2.37 The planning, coordinating and delivery of services to wards should be underpinned by an information and data collection system. Effective information systems are necessary to manage service delivery and to identify opportunities to improve strategic and operational planning as well as performance. Such systems aid those processes by generating reports through which the performance of all parts of the juvenile detention center can be judged.
- 6.2.38 We found that the BTC did not gather information effectively. The Centre did not have a system that would allow it to generate reports on the status of its core business. It is still using a manual system of record keeping that provides very limited analytical information or lacked a comprehensive system designed to retrieve instantaneous information such as number of wards admitted, length of admittance, personal and other historical data about the wards.
- 6.2.39 We noted that there was some attempt on the part of the individual counselors to compile data on the number of wards who absconded, to develop a committal register and to implement a behaviour management system.

Recommendations

- **The Ministry should make adequate financial and other resources available to the Centre in order to have an effective aftercare programme.**
- **Management should have a data capture and reporting system that is able to deliver the following output such as trends in the needs of the wards, statistical data such as total population, number per category, number enrolled in various vocational programmes, number at school (identify school), abscondment and recidivism, and status of wards after release.**
- **Management should implement a night shift comprising of a resident/night manager, administrative, clinical staff and house mother.**

6.3.1 Security

- 6.3.2 The BTC has approximately forty (40) staff and houses more than fifty (50) teens with some detained for penal reasons. Given that the BTC is a rehabilitation/detention centre for juveniles, it should provide safe and secure housing to the wards during their stay at the facility. There should be security systems and protocols that provide a safe environment for wards, staff, property and the public. The United Nations in its Rules for the Protection of Juveniles Deprived of their Liberty, Part 28 advocates that, *“The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.”*

6.3.3 The United Nations Rules further state that *“The design and structure of juvenile detention facilities should be such as to minimize the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of a fire, as well as formal and drilled procedures to ensure the safety of the juveniles. Detention facilities should be located in areas where there is no known health or other hazards or risks”*.

6.3.4 Rules and regulations governing physical security were lacking at the centre. A number of situations have developed which has posed severe security risks to wards, staff, property and the public. Dwindling financial resources, poor enforcement of rules and regulations by management, clear procedures and responsibilities to curb the negative behaviour of the security personnel were some of the factors we believe were responsible for the existing situation.

- **Lapses in physical security at the Centre**

6.3.5 We assessed the security measures at the BTC by performing physical inspections and observations. We observed that the security measures approved by the centre were not enforced. The gateways into the care and protection unit were never closed and there was no security personnel manning the gates. Wards constantly mingled with each other because they were able to move between care and protection and the offenders’ unit as they desired. The commingling of wards totally defeated the purpose of building a new unit to house the wards admitted under care and protection, to keep them separate and safe from those admitted as offenders.

6.3.6 We observed that there was a small gate which provided access from the care and protection unit into the agricultural area that swung free. Also, the gate facing the Gros-Islet area was constantly left opened resulting in undeterred access for wards, and any other person(s) wishing entry to or exit from the Centre. None of these gates had security personnel stationed near them.



Open and unsecured gates (photo taken August 5 2013)

6.3.7 Perimeter fences on the northern side of the compound were sagging due to the weight of weeds and bushes. The fence on the eastern side of the compound, along the main road, collapsed during the last tropical storm and has not yet been repaired. As a result, the premises remained freely accessible to anyone. This fence was right next to the basketball court and wards that played there were frequently seen walking over the fence to retrieve their ball when it went onto the road during a game.

6.3.8 There were a number of holes in the fences around the compound at strategic points. These holes allowed for easy and undiscoverable access into and out of the BTC's compound. Some of these holes were located near private homes on the outer side of the Centre's fence. (See appendix 5)

- **Very little progress made towards the construction of a new facility**

6.3.9 In 2009, the Government of Saint Lucia announced plans to construct a new 25-acre facility at Dennery and to relocate the BTC to this new facility. The new Juvenile Rehabilitation Centre was scheduled for construction as early as the following year at an estimated cost of eight million dollars. Between 2009 and October 2012 there was no progress made towards the construction of this new facility.

6.3.10 In the financial years 2010/2011 and 2012/2013, the GOSL allocated funds towards construction of the juvenile rehabilitation centre. However, in the 2013/2014 capital estimates, funds for the new juvenile rehabilitation centre were not approved. The grant funds earmarked for preparing the drawings and the project proposal were utilized for Hurricane Tomas recovery.

Recommendations

- **Management should develop a security policy outlining procedures for safety.**
- **The Ministry should allocate funds for the necessary rehabilitation works at the Centre including repairing the gates and perimeter fences.**

MANAGEMENT'S COMMENTS

It is the new proposed structure that contained the Chief Warden, Building Maintenance Technician, Youth Treatment Officer, and Nurse and not the old one as highlighted in the report. Chief Warden Position has been approved and funded but no appointment to date. Building Maintenance Technician and Nurse were not approved.

6.4.1 Vocational & remedial education

6.4.2 Counselling, remedial and vocational education are important components within any rehabilitation programme for juveniles. The right to education for every juvenile of compulsory school age is clearly articulated in Section 38 E of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

6.4.3 According to the UN Rules, the right to education must be suited to the wards needs and abilities and designed to prepare them 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.

- 6.4.4 Given this fundamental human right, the onus is on the BTC to ensure that wards receive the required level of education as stipulated by the United Nations Rules so as not to violate the rights of the wards while they are in the Centre's custody.
- 6.4.5 During our audit, we found a number of issues that impacted on the quality of education received by the wards. Some of these issues were serious enough to hamper the wards ability to even gain admission into an institution of learning. Every ward has a right to an education. Therefore, it the centre's responsibility to employ the necessary strategies to place the wards in the most appropriate programmes taking into account their physical needs and their capabilities.
- **Lack of interest by wards towards in-house activities**
- 6.4.6 Our audit revealed that the Centre provided in-house instruction to the wards. However, the level of this instruction and the programmes offered were not on par with the requirements of the national educational system of the country. The vocational activities were not structured and the programmes were not certified. This was because the Ministry of Education was not instrumental in the development, approval, monitoring and application of the vocational and remedial training activities provided at the centre.
- 6.4.7 According to the SR&O No. 23 of 1976, key agencies such as the Ministries of Health and Education should play an integral role in the services provided by the BTC. Unfortunately, the management of those ministries did not play the role that was expected of them and consequently, it was left up to the manager to propose, introduce and augment the learning programmes administered by the Centre.
- 6.4.8 Evidently, this was not a best practice for the Manager to be the most influential player in determining the education needs of a ward. A trained educational practitioner or an agency mandated with such a responsibly should be instrumental in crafting the educational programmes and assessing the educational needs of the wards. The involvement of the Ministry of Education would ensure that the wards received the same level of education as the national standard.
- 6.4.9 During the audit we found that the wards exhibited very little interest in the remedial and vocational programmes. We interviewed some wards to obtain their views on the programmes offered to them. Some of the wards viewed the agriculture programme as a form of punishment. The wards explained that they were required to go out in the fields to plant crops and to take care of the farm under conditions that were not pleasant. Consequently, some wards did not attend classes. The instructors also lamented about the poor attendance of the agriculture classes.

- 6.4.10 We believe that if the programme at the centre was structured like the agricultural programmes offered by other institutions such as the Sir Arthur Community College, the wards would have developed a more positive attitude to it. We examined the theoretical component of the programme and found that it was very weak.
- 6.4.11 Another key problem that plagued the BTC was that the learning capacities of many the wards at the Centre were remedial and in some instances were way below average. According to the remedial instructors many wards who were admitted to the Centre had learning disabilities and needed specialized treatment and instruction.
- 6.4.12 In December 2012, the remedial department of the BTC conducted a minimum standard assessment for 27 wards. This assessment was identical to one administered by the Ministry of Education to the national secondary schools. The objective was to determine the level of education based on the national standard. Only 30% of the wards scored over the pass mark (50%).
- **Placement of wards within the national school system proved challenging for the Centre**
- 6.4.13 Wards attended various primary and secondary schools within the national school system. The Centre provided the finances to cover fees, uniform, books, transportation etc.
- 6.4.14 We selected pertinent records (report books, correspondence from the school and BTC, counsellor/social worker notes) for fourteen (14) wards that were placed within the national secondary school system to determine whether any progress was made while they attended school outside the BTC.
- 6.4.15 We found that the wards' average academic performance ranged from 5.15% to 48.7%. There were many instances where the Principals of the schools where the wards attended, liaised often with the management of the Centre to resolve issues of bad attitudes, insubordination and ill-discipline displayed by the wards. These negative behaviours resulted in a number of suspensions and in some instances expulsion from the schools. There were instances where those same wards were placed in other schools but similar problems surfaced and again the wards were suspended or expelled.
- 6.4.16 We believe that the implementation of the national school placement initiative posed some serious challenges for the Centre. One of the counsellors expressed a similar sentiment and suggested that perhaps the wards should be "home schooled". Teachers should be assigned to the BTC and the programmes should be geared towards addressing issues of behaviours and attitudes and not focus only on the subject matter disciplines.
- 6.4.17 The remedial instructors also noted that there should be more open and frequent communication among the counsellors, instructors, and other key staff members to ensure that a holistic assessment is done for each ward upon admission to the Centre. They further noted that it was pointless to enrol those wards into the national school system without addressing the behavioural problems that landed them at the BTC in the first place.

Recommendations

- **The Ministry of Social Transformation should have closer collaboration with the Ministry of Tourism in developing, approving and implementing vocational programmes that are consistent with the wards' competence levels. These programmes should be delivered on the same level as the national education system so that wards can write exams and receive certification through the national education system.**
- **Management should institute a system to conduct initial educational assessments of literacy, numeracy and any particular learning needs of wards as soon as possible after they are admitted.**
- **Management should develop a learning plan to ensure that while the wards are detained, they benefit from education and training designated to meet their particular needs.**
- **Management should re-examine the strategy of school placements.**
- **The Ministry should employ instructors who are specially trained to deal with wards behavioural and or learning problems.**

MANAGEMENT'S COMMENTS

The Management of BTC has approved the use of the Auto skills programmes which addresses the literacy and numeracy skills of wards at all levels. Programmes are being used by wards at the centre.

Management of BTC is working closely with the CXC Second Chance programme which attends to the needs of at risk youths. The Management of BTC is working closely with the Juvenile Justice Reform Project funded by USAID

6.5.1 **Programme effectiveness**

6.5.2 The BTC provides a vital service to wards and therefore it should be able to measure the extent to which the services provided were efficient and effective in achieving the desired outcomes. With an approved framework in place to do that, the BTC should be in a position to determine whether its rehabilitation interventions met or exceeded the objectives.

6.5.3 **BTC does not have a framework in place to measure the effectiveness of its operations**

6.5.4 The audit team sought to ascertain whether there were systems in place to monitor and evaluate the operations of the Centre. We did not see reports, evaluations or impact assessments that would assist the Centre in programme measurement.

Recommendations:

- **Management should develop outcome indicators to better assess the effectiveness of the rehabilitation interventions.**

CONCLUSION

Admittance

We conclude that the BTC lacked oversight. It did not have a functioning management committee as required by its enabling legislation. Although the BTC has an admittance process for the wards however, the intake process that would assist in assessing and determining the treatment plan for the wards was weak. Communication between the Courts and the BTC was ineffective. An official communication framework was lacking and as a result the Centre did not always receive critical information pertinent to the individual wards upon admission. Consequently, every ward received the same treatment irrespective of the reasons for admittance.

Financial, human and physical resources

We conclude that the BTC did not have an appropriate organizational structure with employees that possess the required training and competencies to deliver the Centre's programmes. Vital positions such as Chief Security, Chief Warden Officer Building Maintenance Technician and nurse were not filled. This has led to inefficiencies in the delivery of the Centre's service to wards and society. The physical structure of the Centre is in a deplorable condition and in dire need of repairs. To date, the new rehabilitation Centre has not been constructed.

The Centre did not have adequate security systems and protocols to provide a safe environment for wards, staff, property and the public. The rate of abscondment, the level of defiance, marijuana use and misconduct by wards remained high. Further, the Centre lacked an adequate data capture system that would provide timely analytical information to allow management to plan and make decisions.

Rehabilitation and after care

We conclude that although the BTC's rehabilitation interventions involved vocational, remedial, counselling and recreational activities, those activities, in most instances, were not structured. The programmes did not have the desired impact that would equip the wards with the necessary skills and social abilities to successfully reintegrate into society. The in-house educational programmes were not equivalent to those offered within the national school system.

We further conclude that the Centre did not have an adequate aftercare programme that supported the wards after their release.

The BTC has no systems in place to measure its programme effectiveness.

We urge the various players to urgently consider the recommendations made in the Singh and Porter report of 2006 to the Government of St Lucia. The report contains a number of pertinent recommendations, if implemented, in addition to those recommended by the Office of the Director of Audit, will assist in remedying some of the issues at the centre.

APPENDIX 1 - ABBREVIATIONS

BTC	Boys Training Centre
GOSL	Government of Saint Lucia
INTOSAI	International Organisation of Supreme Audit Institutions
ISSAI	International standards for Supreme Audit Institutions
SR&O	Statutory Rules and Orders
TOR	Terms of Reference

APPENDIX 2- Structure of a ward's file

Section 1 – Intake

- Intake control cover sheet
- Court order, remand order& other temporary orders
- Psychosocial information
- Social enquiry
- Other reports where applicable

Section 2 – Medical history

- Medical history control cover sheet
- Wards known or stated medical condition at the time of admission
- Wards medical diagnosis after admission
- Wards medical interventions
- Psychiatric medication

Section 3 – Safety plan

- Safety plan control cover sheet
- Behavioural contract
- Contract to keep the peace
- Serious incidents and associated incident reports

Section 4 – Treatment plan, progress notes/logs

- Treatment plan control cover sheet
- Progress notes of counsellor sessions with the ward
- Telephone log
- Visitor log
- Home visit log
- Home weekend log.

Section 5 – Academics, schools, updates, accomplishments & awards

- Academics control cover sheet
- Current school
- Previous schools
- Current grades
- Report book
- Awards
- Personal accomplishments

Section 6 – Release and closing out summaries

- Release / closing out control cover sheet
- Date of release
- Closing out summary
- Aftercare visiting log
- Aftercare telephone log
- Aftercare progress notes
- Other aftercare items and updates.

APPENDIX 3 – Comparison of BTC’s rehabilitation activities with International Standards

<i>International Standard</i>	<i>The Boys Training Centre</i>
<p>Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.</p>	<ul style="list-style-type: none"> • BTC provides some form of activities, vocational, educational and recreational
<p>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.</p>	<ul style="list-style-type: none"> • Juveniles are afforded the opportunity to education through the in-house and national school system. • BTC offers in-house vocational training in woodwork, auto mechanics and agriculture but these programmes did not follow the requirements of the national school system.
<ul style="list-style-type: none"> • Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been Centralized. 	<ul style="list-style-type: none"> • No certification while in detention
<ul style="list-style-type: none"> • Every detention facility should provide access to a library that is adequately stocked with both instructional and recreational books and periodicals suitable for the juveniles, who should be encouraged and enabled to make full use of it. 	<ul style="list-style-type: none"> • No library at BTC

<i>International Standard</i>	<i>The Boys Training Centre</i>
<ul style="list-style-type: none"> • Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment. 	<ul style="list-style-type: none"> • vocational, educational and recreational activities: <ol style="list-style-type: none"> (1) Not structured (2) Not developed or approved by the Ministry of Education (3) They were not consistent with the Ministry’s education curriculum (4) No exams, No diplomas or certificates while at the BTC (5) Some Juveniles are afforded the opportunity to education through the school system however there is very little impact due to low grades and class averages, many reports of misconduct, high rate of suspension.
<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • BTC provides a computer lab, basketball court, activities coordinator and football coach
<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Wards attend religious activities in and outside of the Centre
<ul style="list-style-type: none"> • Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. 	<ul style="list-style-type: none"> • The BTC provides opportunities for family visits and access to computer equipment.

APPENDIX 4 - AUDIT CRITERIA

Admittance

1. The BTC should have a functioning management committee that sets policies and oversees operations according to SR&O # 23 of 1976.
2. The BTC should have an intake process that assesses and categorizes wards on upon admission.
3. The BTC should have a communication process which allows it to liaise with the court to obtain information when wards are sent to the Centre.
4. The BTC should have measures that prevent conmingling of wards from different categories.

Resources

1. The BTC should have an appropriate organization structure with staff that possess the required training and competencies to deliver the programmes.
2. The BTC should have security systems and protocols that provide a safe environment for wards, staff, property and the public.
3. The BTC should have the appropriate physical structure and conditions necessary to achieve its objectives.
4. The BTC should have an information system that allows management to plan and make decisions.

Rehabilitation and aftercare

The BTC should be able to administer rehabilitative interventions that meet international standards, are consistent with the signed conventions, are responsive to the wards behavioural circumstances and have created a positive impact on the wards.

The BTC should have an aftercare programme that supports the wards for two years after their release.

APPENDIX 5 – Photos (Taken August 2013)

		
Hole in fence	Track to hole in fence	Gate leading to Poly Clinic
		
Fencing facing the highway	Fencing facing the Poly clinic	Gate from care & protection to agricultural lot
		
Gate from care & protection to offenders units	Fencing with overgrown bush	Agricultural area at the BTC

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