

REPORT ON THE STATE OF HUMAN RIGHTS OF PERSONS PLACED IN THE CENTRE FOR CHILDREN AND YOUTH “LJUBOVIĆ”

Centre for Children and Youth “Ljubović”, Podgorica

(29 November 2011)

Summary report

No form of abuse has been established in the Centre and no such complaints have been received by the monitoring team. However, two staff members, against whom the criminal proceedings on charges of sexually abusing female residents of the Centre in 2005 are still in progress, have never been suspended in accordance with the law. They continue to work with children during the night shift.

In anticipation of additional accommodation facilities, the Centre is still in an emergency situation regarding the requirements for the accommodation of its residents. Facilities that will be occupied in 2012, with some delay, will provide suitable accommodation and spatial division of children within the Centre units (admission and treatment), but there is still a problem of accommodation of abused and neglected children who are not criminal offenders and who are in need of different psychotherapeutic environment. The competent Ministry of Social Welfare should find a solution to place these children in a separate social care facility and/or direct them to foster families. In this regard, it is necessary to develop a culture of non-kinship foster care in Montenegro.¹

In relation to the situation found and criticized by the CPT in 2008, the method of keeping records in the Centre has changed, so now there are clear records of admission and discharge of each resident of the Centre containing information about their treatment and activities as well.

The Centre should promote regular training for all employees and make an effort to always include proper professional staff in educational work with children.

Programme of activities offered to children (other than formal education and current activities, which are insufficient in the words of the children) should be improved in order to re-educate and prepare them for a healthy social life. It is necessary to improve the method of group

¹ According to UNICEF, there are only a few non-kinship foster families in Montenegro.



work in the form of workshops and allow all children to acquire skills that will enable them to find employment after leaving the Centre. This is especially important for girls, who, unlike boys who work in a metal workshop, are not offered anything similar in the Centre. Staff should not allow the use of tobacco products to children, but apply appropriate methods to teach children to give up this harmful habit.

The Centre should improve cooperation with faculties educating future psychologists and social workers in order to provide practice to students, in addition to helping Centre's current staff and providing wider selection of future staff. On the other hand, all interested representatives of civil society, NGOs protecting children's rights and human rights or faculties should be included in the Administration Board of the Centre.



RECOMMENDATIONS OF THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT)	RECOMMENDATIONS OF THE NGO MONITORING TEAM
<p>X Unfulfilled Recommendation</p> <p>✓ Fulfilled Recommendation</p>	
2. Legislative Framework for the Placement of Juveniles in the Centre	
	Define the procedural deadlines in the draft Law on Treatment of Juveniles in Criminal Proceedings
	Judges trying juveniles should spend one day in the Ljubović Centre and one day in the juvenile prison within the State Administration for the Execution of Penal Sanctions
	Ensure that only specially trained judges and prosecutors deal with juvenile cases
X The Committee recommends that the current mixing of different categories of juveniles, with different profiles and needs, be addressed in a coherent manner.	Provide a separate shelter for abused, neglected or abandoned children
3. Wards	
	Courts should consistently abide by the principle of urgently adjudicating juvenile cases to prevent the referral of adults to the juvenile centre.
	After the construction of the apartments for the wards is completed, divide into different categories juveniles with different profiles and



	needs
4. Wards' Living Conditions	
X The CPT would like to receive information on the precise timetable for the envisaged works.	Clearly designate the male and female rooms.
X The Committee recommends that the current mixing of different categories of juveniles, with different profiles and needs, be addressed in a coherent manner.	Provide separate accommodations for abused, neglected and abandoned children and establish an operational foster family (including a non-relative foster care) system in the capital and other larger municipalities, which these children will be referred to by the Reception Station in accordance with the Family Law.
	Buy toys and refurbish the Reception Station to make it children-friendly and facilitate their adjustment to new surroundings.
	Remove the bars from the Day Centre windows
	Remove the cameras from the Day Centre (day care facility) and install them at the Centre gate or at the entrance into the building.
	Separate the diagnostic reception ward from the other units.
	Buy recently published books fitting the age and interests of the children for the library.
	Ensure equal vocational training opportunities for the male and female male wards – provide the girls with the opportunity to learn crafts as well.
	Promote the products the children manufacture in the locksmith workshop and the future workshops.
	Ensure that the children always have access to fruit.
5. Centre Work Methods, Activities, Psycho-Social Development and Upbringing of the Children	



X 6 additional posts were expected to be added to the staff complement in 2009.	Increase the number of staff professionally trained to work with children.
	Design a work plan ensuring that all staff work in three shifts rather than having the same staff working the night shift all the time.
	Suspend staff against whom criminal proceedings have been instituted for a work-related crime until the final completion of the proceedings against them.
X The CPT recommends that steps be taken to develop the programme of activities offered at the Ljubović Centre, with a view to responding to the needs of the different groups of juveniles.	Provide funding for the training of staff in country and abroad, primarily those working with the children on a regular basis.
	Regularly acquaint the staff with the recommendations made by both international and domestic bodies/institutions charged with monitoring the respect for the human rights of juveniles.
	Organise workshops (group work with children) at least once a week and keep proper documentation on the workshops providing an overview of the work done in them, the objectives of the workshops and their ultimate results
	Enrich psycho-therapeutic work with the wards by introducing content they find acceptable and interesting (workshops, group work, psychodrama, et al).
	Organise work in workshops with instructors during the weekends, when the wards are not in school and have more spare time.
	Establish more meaningful communication with the juveniles' families and involve in these activities the Social Welfare Centres, which are to supervise the juveniles upon their release from the Ljubovic Centre



	Provide funds for the purchase of a van that will enable the Centre to take the wards out on field trips or attend other educational events (performances, concerts for children, cinema) more often.
	Establish cooperation with NGOs to provide both the wards with opportunities to attend additional educational and training programmes and the staff with opportunities to acquire new skills and knowledge through informal education
	Establish formal cooperation with the University of Montenegro Colleges of Political Sciences and Philosophy to facilitate the professional practice of the students of these Colleges in the Centre.
	Expand the Centre Management Board membership to include representatives of the civil society, academia, child and human rights organisations, et al.
	Ensure the capacity of the office of Ombudsman to regularly supervise the Centre.
6. Documentation	
✓ The CPT recommends that steps be taken at the Ljubović Centre to ensure that record keeping is up-to-date and accurate.	
7. Discipline and Disciplinary Measures	
X The CPT recommends that a clear disciplinary procedure be introduced at the Ljubović Centre and that juveniles be duly informed of it.	Post the House Rules in visible places in the common rooms to acquaint the wards with their rights and obligations during their stay in the



	Centre.
	Post the Rulebook on Disciplinary Penalties and Procedures in visible places in the common rooms.
	Post clear instructions in language children can understand next to the box in which they can leave their complaints to the Ombudsman.
	Post name plates on the doors of the offices of the Centre Director and other staff and other signs directing the children to other facilities they use to help them find their way around the Centre more easily and make the institution more user-friendly.
8. Health Care	
	Provide the wards with the opportunity to acquire more knowledge about health care and prevention, particularly at-risk areas (drug, alcohol and tobacco abuse, excessive use of pills and synthetic proteins, sex education, et al.)
	Strictly prohibit tobacco use among the wards and the staff from letting them smoke. Identify an appropriate pedagogical method to persuade the wards, particularly underage wards, of how detrimental tobacco use is to their health.

