

Quarterly Programme Report: TT Juvenile Court Project

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Quarterly Progress Report: January to March 2017

The Trinidad & Tobago Juvenile Court Project is an important step in improving the juvenile justice system. This project is supporting the creation of a justice system in Trinidad and Tobago that is responsive to the needs and best interest of juveniles and children while assisting in addressing the root causes of conflict with the law. Transformation is based on international best practices, a restorative justice approach and in accordance with the UN Convention on the Rights of a Child. The following is the Quarterly Progress Report for the period January to March 2017. For more information on this project please visit our website on www.tt.undp.org.



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The views expressed and opinions contained in this report are those of United Nations Development Programme (UNDP) and are not intended as statements of policy of USAID.

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1. INTRODUCTION

The Trinidad and Tobago Criminal Justice System specifically relating to juveniles required significant transformation to meet international best practices and compliance with the UN Conventions on the Rights of a Child. There has been increasing incidents of young persons in conflict with the law and judicial officers have noted that in many cases these young offenders re-appear on progressively serious offences. Additionally, there is also an increase in the number of young persons in detention, both on remand and following conviction. The Trinidad and Tobago Juvenile Court Project is a crucial step towards reforming the Criminal Justice System. One of the key principles of this project is that of restorative justice. The focus would be placed on rehabilitation of juveniles by seeking to address the root-cause that propelled them to commit the offence as opposed to a strictly penal approach of awarding sanctions. This project would also ensure that the United Nations Convention on the Rights of a Child and internationally accepted best practices are embedded in the new system. Trinidad and Tobago has made attempts to reform the Juvenile Justice System by enacting two key pieces of legislation, the Children Act 2012, the Children Authority Act and the Community Residences, Foster Care and Nurseries Act. This project will seek to implement the core areas of these pieces of legislation.

2. PROJECT STATUS

2.1 Component 1: The Children Court

Component 1 was established to create specialised court facilities at two locations in Trinidad and to find an appropriate solution for Tobago to support the implementation of provisions of the Children Act 2012 and treat with children in conflict with the law. Key activities under this output include the identification, customization and refurbishment of space, development of enabling legislation, development of policies and procedures, identification and support for diversionary programmes, development of an appropriate ICT solution, training for juvenile justice actors and building capacity to support the court to manage juvenile cases. The following provides a status update on the progress over the reporting period:

❖ Create Specialised Court Facilities:

Customisation of South Location

- Tender evaluations continued for secondary supplies for the South building and work continued.
- Twice weekly building meetings were held to oversee construction works.
- Weekly meetings were held to review procurement and discuss other project-related matters.
- Preparation of reports for donor.
- Site visits and management of the on-site work continued.

Customisation of North Location

- Cabinet Note for the proposed Court location awaiting approval.

Integrated Information Communication Technologies (ICT) Solution

- Discussions continued with key stakeholders (agencies under the Ministry of National Security), to complete ICT process flows.
- ICT project plan continued to be reviewed and updated with input from stakeholders.
- Children Court Process Flows continued to be refined.
- Codes and data fields for Court Case Management System (CCMS) identified and testing of CCMS commenced with the assistance of the National Center for State Courts (NCSC).

Human Resource Capacity Development

- Discussions continued on staffing of the Family and Children Division (FCD) of which the Children Court is a part.
- Draft recruitment and selection plan and draft compensation study for unique positions in the FCD completed and submitted to the Judiciary.
- Recruitment activities commenced for statutory positions.
- Preliminary discussions continued with the Office of the Chief Personnel Officer (CPO) re Terms and Conditions for positions to be recruited for the Courts.

❖ Development of Court Rules, policies and procedures for handling juvenile matters

- Refinement of workflow processes for the Children Court continued.
- Criminal offences and numerical codes for criminal offences were categorised and documented and the Trinidad and Tobago Table of Equivalencies for the International Classification of Crime for Statistical Purposes (ICCS) was completed.
- Court's responsibilities were documented in completed Multi-Agency Protocols.

❖ Referral Mechanisms between Judiciary and Diversionary Programmes:

- Feedback sessions with Level 1 programmes that were assessed were completed.
- Assessment of Level 2 programmes commenced.

❖ Capacity building of Juvenile Justice Actors

- Commenced train-the-trainer training sessions with the Police on how to operate within the new child justice system.
- Review and updating of the Child Rehabilitation Centre Regulations and Children's Community Residences Regulations continued.
- Drafting of the Principles and Representation of Standards of Children was completed.
- Multi-Agency Protocols and Inter-Agency Protocols documenting responsibilities of agencies with responsibility for children who are arrested, charged or who otherwise come to the attention of the Courts were completed and the Cabinet Note recommending adoption of the Protocols by agencies within the criminal justice system were completed.
- Trinidad and Tobago Table of Equivalencies (TOE) which categorise local offences according to the classification structure provided by the UN Office of Drug and Crime's International Classification of Crime for Statistical Purposes completed and Cabinet Note recommending the adoption of the TOE by agencies within the criminal justice system were completed.
- Conducted a 2 week long training session with Police trainers and prepared lesson plans for trainers.
- Sensitisation sessions were delivered to law students at Hugh Wooding Law School.

2.2 Component 2 Peer Resolution (PR)

During this quarter, the following activities were executed under Peer Resolution:

- Vetting of PR adult volunteers from Tobago commenced and vetting reports of PR adult volunteers reviewed.
- PR training plan for judicial officers and staff commenced.
- Tobago Youth Forum completed.
- 22 youth PR volunteers and 10 adult PR volunteers in Tobago were trained.

- Provided support to enable the Division with responsibility for schools in Tobago to conduct its first School-based PR Hearing in Tobago.
- PR Component Manager participated in a radio interview.
- Conducted a session in 2-week long training session with Police trainers and prepared lesson plans for trainers.
- Participated in a sensitization session with Hugh Wooding Law School

2.3 COMPONENT 3 Public Education and Sensitisation

During this quarter, the Component 3 team executed the following activities:

- MY Story Social Media Campaign launched and completed:
 - Over 1m in reach.
 - Over 385K video and blog views.
 - Over 7K reactions to stories.
- Online Ad placed for 6 vacancies within the FCD.
- Employment form developed for FCD recruitment exercise.
- Produced the PR Educational video series.
- Produced School-based PR brochure for the Division with responsibility for schools in Tobago.
- Produced and disseminated 8 e-letters.
- Completed 4 school outreach sessions with 4 schools in Tobago.
- Coordinated 1 radio interview.
- Maintained the JCP website and social media pages inclusive of the creation of 22 types of social media content.
- Copywriting for Children Court website commenced.
- Added 200 contacts to the JCP mailing list.

2.4 Technical Lead for JCP: National Centre for State Courts (NCSC)

The National Centre for State Courts (NCSC) continued to provide technical assistance to the JCP on various activities including court operations, diversions programmes, youth court (Peer Resolution Centers), Monitoring and Evaluation (M&E) and Human Resources (HR).

In this quarter, the NCSC continued to work on the Court Case Management Software (CCMS) as well as the cloud solution for the CCMS. GoTo Meetings continued to be held to demonstrate the new software and specific features including Case Add Screen, dynamic drop-down fields, searches, workflow, captions, multiple charges and accused, etc. continued to be developed by NCSC. During this quarter, the software was demonstrated to the Chief Justice and IT Director, who were pleased with the development to date. It is expected that the finished product will be well documented and that the software developed will be placed in a repository from which it can be shared.

NCSC also continued discussions with College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT), on the training of the transcriptionist for the Court and the best approach for the selection of candidates and procurement of equipment, software, and services required.

JCP and NSCS also engaged in discussions on on-site training of Level I Auxiliary Programs and Stakeholders. Draft agendas for the training were developed during this period. Proposed dates to conduct the training are 1-4 May and 19-22 June 2017. It was suggested that both NCSC and a representative from the JCP team conduct the training so that parts of the project would be sustainable in the future.

In addition, the youth forum planned for Tobago was executed on 13 January 2017. Fifty- six children attended from the nine existing schools. The forum generated a lot of interest and resulted in a boost in the number of applications received for the Court-annexed Programme. The training of youth participants, judicial officers, attorneys, and social workers in court management is partially completed. Capacity building is ongoing and once the court is implemented, two PR sessions will be held. NCSC is also working on training 150 judicial officers, attorneys, and social workers in peer resolution roles and operations. This activity is also partially complete, with training being planned for judicial officers, attorneys and other stakeholders during this period.

3. PROGRAMME MANAGEMENT

- During this period a new Programme Manager assumed duty at UNDP.
- In early January a USAID project monitoring visit was held. Arising from this recommendations were made for cost cutting measures as indicated below:
 - Relocation of the JCP office from rented premises to Judiciary premises.
 - Incorporating two consultants who worked on the project as part of the NCSC team into the JCP project team.
 - Reduction of the size of the staff of the JCP team.
- USAID approved a no-cost project extension from April 22 – July 21, 2017.

4. IMPLEMENTATION CHALLENGES

- There was a delay in Judiciary's leasing of the North Court facility as Cabinet approval remained outstanding.
- Arrangements for lease of South Facility did not include basement space which limited work that could be assigned to property owner. The relevant national authority with responsibility for the negotiation had not included this space in the negotiations. Discussions were held and arrangements made to proceed with the necessary work to ready the Court building.
- While the project prepared and drafted the Family and Children Division (FCD) Bill timeously, Parliament's delay in debating and passing the FCD Bill hindered the ability of the Supreme Court Rules committee to in turn pass the Children Court Rules although the Court Rules were drafted in good time. The Bill has been passed and the Rules are still being addressed.
- Potential level 2 auxiliary programme providers were not timely in their response to submit information thus causing delays in the assessment process.
- Delays in reviewing staffing proposal by the Public Management Consulting Division impacted negatively on the time in which the proposal could have been forwarded to Cabinet for approval. This in turn affected timely recruitment of staff.
- Approval by project partners of communications material (specifically videos) are sometimes untimely.

5. RISKS

- Delays in Cabinet approval for the staffing of the courts and for the North Court building could impact readiness of the courts by July 21, 2017
- Unforeseen delays in building works on the South Court building could affect the delivery date of the Court.

6. NEXT STEPS: UPCOMING QUARTER

- Judiciary to obtain Cabinet approval to lease building identified for North court facility.
- Finalisation of preparation of last part of building brief which requires clear identification of North building.
- Continue customisation work on the South Facility.
- Continue work on ICT Process Flow.
- Continue testing of CCMS software.
- Continue the documentation of major workflow processes for Children Court.
- Complete compensation study for unique positions in FCD.
- Continue recruitment for FCD and Children Court positions.
- Submit Multi-Agency and Inter-Agency Protocols to Cabinet for approval to adopt.

- Submit Trinidad and Tobago Table of Equivalencies to Cabinet for approval to adopt.
- Complete assessment of Level 2 Auxiliary programmes.
- Commence online engagement of PR volunteers.
- Finalise PR framework and send for Chief Justice's signature.
- Finalise PR forms.
- Formally accept Adult PR Volunteers into programme.
- Coordinate of media interviews.
- Continue e-letter updates.
- Continue JCP social media and website management.
- Continue copywriting for Children Court Website.
- Complete Children Court education and conversational video series.
- Plan for special events (launch of Protocols and Table of Equivalencies).
- Engage residents and key personnel around South Court Facility.
- Facilitate requests for educational outreach.

Prepared by: UNDP Trinidad and Tobago