

Summary of the visit to the Special Children's Home of the Károlyi István Children's Center (Report AJB-705/2016)

On July 21, 2015, the OPCAT National Preventive Mechanism (NPM) paid an unannounced visit to the Special Children's Home (approved accommodation capacity: 32 persons) of the Károlyi István Children's Center (Fót, Vörösmarty tér 2.).

The NPM was satisfied to learn that most of the children interviewed by the delegation had found a reference person among the staff whom they could accept. Since there are exclusively boys in this children's home, the NPM found the slight overrepresentation of males among the staff dealing with the children explicitly desirable. In addition to the tutors, developmental pedagogues and psychologists also participate in remedial education. The various types of therapeutic, leisure and sports activities notwithstanding, the NPM found that doing nothing was common among the children. The lack of meaningful engagement may lead to an increase in the number of cases of vandalism and to increased aggression, thus endangering the implementation of the ban on inhuman treatment and the enforcement of the right of the child to protection and care.

One of the groups did not have a tutor, and there was no staff member assigned, even temporarily, to the provisionally functioning "*reception group*", either. The prior preparation and the regular, systematic training and supervision of staff members are not ensured, which contributes to high staff turnover. The NPM found the inspected records' keeping and handling perfunctory. The registration system of minors permanently absent from the home is not transparent. It should not be allowed that certain provisions of the Home's house rules impose further restrictions on the guardianship authority' resolution on maintaining outside contact, and that the premises designated for receiving visitors are not adequate. The children are acquainted with their children's rights representative, which is an important element of exercising their right to complain; however, it raises particular concern that there is no complaint/suggestion box in the Home and there are some children who have no regular contact with their guardians: no efforts have been made to take all necessary and possible measures in order to remedy this situation.

The NPM found several elements, violating fundamental rights, in the reception procedure and in the application of a secure isolation room. In this connection, among others, the NPM made several recommendations to the management and the supervisory authority of the institution. He requested the head of the National Healthcare Service Center to take the necessary measures against the unlawful treatment of minors in the adult psychiatric ward. He made a legislative recommendation to the Minister of Human Capacities in connection with the deprivation of children of their personal liberty and with the need to match the professional qualifications of the staff to the age of the children with specific needs they take care of, and to hold special preliminary training to those to be employed.