

– NATIONAL PREVENTIVE MECHANISM –

Site visit report

ZAVOD ZA VZGOJO IN IZOBRAŽEVANJE LOGATEC (LOGATEC EDUCATION AND TRAINING INSTITUTION)

Explanatory note: In carrying out the tasks and exercising the powers under the Act Ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uradni list RS [Official Gazette of the Republic of Slovenia] No. 114/2006), the Human Rights Ombudsman (hereinafter: the Ombudsman) visits places of deprivation of liberty in the capacity of the National Preventive Mechanism (hereinafter: the NPM). As a rule, the group carrying out a visit includes, in addition to one or more of the Ombudsman's representatives, one or more representatives of contractual non-governmental organisations, and occasionally also independent medical and other experts and interpreters. The legal basis for NPM inspections is published on [Ombudsman as the NPM](#).

The present report only contains main findings regarding the visit and proposals for improving the conditions or remedying irregularities. It was produced on the basis of the report on the NPM visit and the response report of the competent authorities. It is intended for publication on the Ombudsman website.

Basic information about the facility:

- **Type of facility:** Public education and training institution¹
- **Categories of persons placed in the institutions:** young persons aged 14 to 21 with emotional and behavioural disturbances. Young people are admitted to the institution on the basis of decisions of responsible social work centres or court decisions²

Course of the visit and preparation of the report:

- The visit was announced. It was carried out on 1 December 2011 between 13:00 and 17:15 and on 13 December 2011 between 15:00 to 16:30.
- Visiting group: two Ombudsman representatives (Deputy Ombudsman and the Ombudsman's Adviser), one representative of non-governmental organisations (Primus Institute) and a contractual expert on pedagogy and psychology.
- Content of the visit: interview with the principal, followed by an inspection of the premises, interview with the education staff and young people, and the final interview.

¹Logatec Education and Training Institution (hereinafter: the ZVIL) carries out two main activities: the teaching and training activity in lower vocational school programmes and educational activity in three educational groups and a dwelling community. The ZVIL home unit is in Logatec and the dwelling group is in Ljubljana. The ZVIL is intended for young people aged 14 to 21 with emotional and behavioural disturbances. Only boys participate in the ZVIL home unit, while the dwelling group also has female members. The dwelling group in Ljubljana admits adolescents who are mature enough to attend the school or got to work through their own motivation. The most frequent reasons for placement in the institution are the following: absence from home and fleeing from home, dropping out of school, conflicts in the social environment, offences and frequently also criminal acts. One of the important conditions for the inclusion of young people in the institution is also their readiness to attend school.

²The admission procedure starts when the expert service of the responsible social work centre (hereinafter: CSD) turns to the ZVIL head office with a formal application for the admission of a young person. The young person concerned and his/her parents participate actively in the process of placement in the institution. Based on the documentation and discussions upon the visit, the expert team confirms the admission and the CSD issues a decision, which has to become final.

► **Reporting:** a report on the visit was submitted to the Ministry of Education and Sport, with a copy to the institution for their information, on 23 December 2011, including a proposal that the Ministry consider the report and within thirty days communicate their observations and measures, if any, regarding the findings highlighted in the said report. The Ministry's response was received on 18 January 2012, i.e. on the 26th day following the dispatch (and within the set deadline).

THE NPM's MORE IMPORTANT FINDINGS AND PROPOSALS AND RESPONSE OF THE RESPONSIBLE AUTHORITIES

► The NPM commended in particular:

- The orientation of Logatec Education and Training Institution (hereinafter: the ZVIL) and the efforts of its staff to deal with behavioural deviations and breaking the cohabitation rules in a direct confrontation, by formulating agreements and monitoring their implementation.
- The method of sending information to parents³
- The approach to the preparation of an individualised programme⁴
- The expert team that, apart from being intensely engaged in dealing with the young persons, manages the documentation in a very transparent manner.
- An educational worker – a social pedagogue – for her expertise and motivation in working with the young people.

³The majority of young people are placed in the ZVIL by a court measure ordering the placement into an educational institution, and some of them also by a decision of the responsible social work centre. In exceptional cases, the admission to the institution is also possible without a previous visit, but only if the latter cannot be arranged for objective reasons. However, in such cases it is more difficult to provide the optimal start in a new environment. A leaflet containing the main information on the ZVIL is available to everybody and the information is also accessible on their website. Upon their admission, the young people sign their consent on being placed in the institution. The parents then receive a special notice on admission, which contains all the necessary information: name and surname of their child's teachers and education workers, their main class teacher, psychologist and social worker, teaching schedule, procedure on the young person's going home, information on health insurance and transport costs.

⁴The contents of an individualised education and training programme in the ZVIL are defined in detail and include data on the young person, his/her parents or custodians, reason for treatment, anamnestic data, observations and analysis of the young person's condition, planning the treatment, goals and contributions of all participants in the implementation of the plan – of the institution, young person, parents and CSD social worker. It is rounded off with agreements and conclusions.

► NPM's proposal

The NPM recommends to the Ministry of Education and Sport to provide the financial resources for the refurbishing of living units and learning workshops and for the construction of an appropriate gym facility as soon as possible.⁵

NPM: Recommends that the ZVIL concludes proper cooperation agreements with the participating secondary schools and defines the rights and obligations of external providers of education and training programmes.⁶

NPM: Recommends that the principal includes a chapter on the values to which everybody in the ZVIL is committed into the LDN part dedicated to education.⁷

► Response of the responsible authorities

Ministry of Education and Sport: With reference to providing better living conditions for two groups, we inform you that financial resources were already earmarked, but it has not been possible to implement this investment yet owing to budget revisions.

Ministry of Education and Sport: Shortly, an agreement on cooperation with the secondary schools cooperating with education and training institutions will be concluded which will define the respective rights and obligations.

⁵In our inspection of the spatial and living conditions in the ZVIL, we were accompanied by a social worker and a psychologist. The visit to education groups and the dwelling community took place in the afternoon. However, the organisation of work in the ZVIL is such that theoretical lessons and practical workshops are intertwined both in the morning and in the afternoon, because young people cannot stay engaged in one type of activity for a longer period of time. According to the NPM, the classrooms for theoretical lessons are appropriate. In the premises dedicated to education groups, all furniture should be refurbished according to the NPM's opinion. During the inspection, we noticed that several pieces of furniture were in a very poor condition and some doors were badly damaged, all of which should be repaired on an ongoing basis.

⁶ Practical skills are obtained in the ZVIL workshops. Education and training is intensive because it is carried out in small groups of up to max. 8 young people in theoretical lessons and 6 in practical lessons. Knowledge and vocational skills are important values. By attaining these values, the young people are able to get back a positive attitude towards themselves, towards their environment and school, and are able to consolidate their self-confidence and positive self-image. The staff help the young people with learning and preparation for exams, which should be particularly commended. After the finished education and training, the certificates do not bear the stamp of the ZVIL but the stamp of the school which cooperates with the ZVIL in its implementation of lower vocational school programmes. Education and training programmes are carried out in the home institution and partly in cooperation with other secondary schools. Young people from the dwelling group in Ljubljana are integrated directly into other secondary schools whose enrolment conditions they fulfil.

⁷ In the interview, the principal called attention to the fairly unregulated legal basis for the functioning of education and training institutions, which in practice means that every institution creates its own "legal basis" for "legitimate" functioning in everyday life situations. The LDN contains all the necessary components and information for both the teaching and education parts of the institution.

NPM: Recommends to the Ministry of Education and Sport to consider a separate law or independent provisions within the existing legislation that would separately regulate the area of organisation and operation of these institutions.⁸

Ministry of Education and Sport: You were acquainted with the initiative for the preparation of a separate law that would regulate the area of education and training institutions; we were also acquainted with this initiative on the part of the principals' meeting. We agreed that they determine the areas which they believe are poorly defined or are not defined at all in the existing legislation and which such law should regulate. We invited the experts from the Social Education Department of the Faculty of Education in Ljubljana to participate in this project.

NPM: We suggest that, considering the differences in educational measures applied in individual institutions when the rules are broken, the social educational expert branch study the possibilities for setting up guidelines to prepare an educational plan (as is determined for primary schools in compliance with the Elementary School Act) and the ensuing house rules in institutions, including the possibilities and paths for making complaints.

Ministry of Education and Sport: See above.

NPM: We suggest to the Ministry of Education and Sport to amend the existing legislation in this context or to draft a separate law on the functioning of "education" institutions.⁹

Ministry of Education and Sport: See above.

NPM: We recommend to the ZVIL to set up systemic education for young people on the effects and consequences of

⁸The NPM agrees with the principal that the institutions for the placement and treatment of children and young people with emotional and behavioural disturbances are, in comparison with other institutions, specific also due to their mission (a much greater emphasis on education which is closely associated with schooling and training) and that they also differ considerably from each other (some are purely educational, while others are also dedicated to schooling and training – they also have an internal school).

⁹In the interview, the principal called attention to the fairly unregulated legal basis for the functioning of education institutions, which in practice means that every institution creates its own "legal basis" for its "legitimate" functioning in everyday life situations.

consuming illegal drugs and alcohol, smoking, and high-risk behaviour (e.g. use of dirty needles and unprotected sexual intercourse), on preventing HIV and hepatitis infections, and on how to give up smoking.¹⁰

NPM: We suggest to social educational expert branches (e.g. penology and law) to consider setting up a kind of sorting diagnostic centre (in the past, this used to be a “transit youth home”) where young people would be placed for a short period of time in the first stage of their placement into the institution, i.e. from three to four months. After intensely working with them and observing their emotional world, the decision into which institution an individual should be placed would be easier to make and also more professional.¹¹

NPM: We recommend to the ZVIL to appropriately furnish individual locations (the dwelling community in Ljubljana and the future dwelling community in Postojna) with the inscriptions of “ZVI Logatec”.

¹⁰The principal expressed his concern over the data that 90% of young people have a drug problem. The ZVIL has no strategy developed on the treatment of addiction, which would appear necessary considering the magnitude of the problem. Individuals are included into the out-patient clinic treatment of addiction in the Logatec Health Centre or are sent directly to the Centre for the Treatment of Drug Addiction in Ljubljana. In the ZVIL, the house psychologist discusses addiction with the young people within the framework of a special programme, which, however, does not seem enough to cover such issues. The young people's urine is tested. If a test is positive, the young person is punished by not being allowed to go home for the weekend. The urine test is also applied to young people who are candidates for the admission to the ZVIL. If a young person is addicted to hard drugs, he/she is not admitted. In a self-critical manner, the principal in his presentation commented on this inadequately regulated problem, whose tackling is even illegal and disputable in professional terms as far as urine tests are concerned.

¹¹The educational worker in particular called attention to an important professional fact: that education workers should know the young people better already on their admission. By this she emphasised the problem of diagnostics which is now lacking. She said that it would be useful to set up a kind of sorting diagnostic centre where young people would be placed for a short period of time in the first stage of their registering into the institution, i.e. from three to four months. After intensive work with a young person and observation of his/her emotional world, the decision into which institution he/she should be placed would be easier to make and also more professional.