

WHO IS RESPONSIBLE FOR THIS PROJECT?

IMPLEMENTING PARTNERS

The Judiciary of the Republic of Trinidad and Tobago which has the constitutional responsibility for, inter alia, adjudicating and sentencing in criminal matters, including juvenile offences, is leading on project implementation and programme delivery.

United Nations Development Programme (UNDP) is providing project management and monitoring implementation, technical support, procurement and financial management, monitoring and evaluation, audit and quality control.

The United States Agency for International Development (USAID) is providing funding for the project in the sum of US\$4.5M over the project's three year life.

The National Centre for State Courts (NCSC), is the technical lead for the project and is providing specialised training and education programmes for justice sector leaders; cutting-edge solutions for court automation and ICT; business process re-engineering; assessment and evaluation of court processes; and supporting the modernisation of specialised court services in the area of juvenile justice.

THE UNITED NATIONS CONVENTION ON THE RIGHTS OF A CHILD (UNCRC)

"No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort for the shortest possible time."

Article 37 (b)

The UNCRC was the first international treaty to integrate all human rights in reference to children, allowing them to participate in family, cultural and social aspects of life. It emphasises the right to survival, development, and protection against abuse, neglect and exploitation. It also addresses issues with regard to education, health care, juvenile justice and the rights of children with disabilities. Trinidad and Tobago became a signatory to the UNCRC in 1990. The T&T Juvenile Court Project is one of many mechanisms by which this country ensures compliance with the UNCRC.

THE TRINIDAD AND TOBAGO JUVENILE COURT PROJECT

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THE TRINIDAD AND TOBAGO JUVENILE COURT PROJECT

TRANSFORMING SYSTEMS
EMPOWERING YOUTH
RESTORING LIVES

WHAT IS THE AIM OF A JUVENILE JUSTICE SYSTEM?

The juvenile justice system shall emphasise the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence. *UN Standard Minimum Rules on the Administration of Juvenile Justice (“the Beijing Rules”)*.

WHY IS A JUVENILE JUSTICE SYSTEM NECESSARY?

When our children come into conflict with the law, we must ensure that the justice system is responsive to their needs so that it:

- Operates as a “child-friendly” environment, using appropriate language and the minimum possible employment of physical restraint.
- Reduces the risk of abuse, violence, exploitation and health related concerns.
- Reduces the risk of our children becoming further isolated from society by ensuring that education and reintegration are part of the formal justice system.

PROJECT COMPONENTS

The project will be implemented over a three year period and has three components:

1. Support for the implementation of the provisions of the package of Children’s legislation inclusive of the development of a pilot juvenile court system.
2. Conduct a Pilot Juvenile Court, inclusive of a Youth Court which involves young people and has sittings in Trinidad and Tobago.
3. Implement a public education and sensitisation programme.

ABOUT THE PROJECT

The Trinidad and Tobago Juvenile Court Project is an important step in improving the juvenile justice system. Through this project the court system will consider the needs and best interests of the child and assist in addressing the root causes of conflict with the law. These courts are seeking to use a restorative justice framework by which assistance is offered with the healthy reintegration of our children into the community.

The project will build the institutional capacity of juvenile courts to enable effective and efficient case management in accordance with new laws and principles of Restorative Justice. It will assist in improving the capacity of state and non-governmental agencies to support the court by offering appropriate diversionary programmes and participating in the adjudicatory process in keeping with the philosophy of a restorative approach.

Some of the activities include:

- Training of judicial officers, police officers and other key stakeholders.
- Implementation of appropriate case management tools.
- Development of court annexed diversion programmes.
- Youth Courts which encourage youth participation.
- Close collaboration with key agencies to ensure that appropriate and effective delivery of services are available.

PROJECT MANAGEMENT

The project will be implemented by a team of seven experts including a Project Manager. The team will be supported by a Technical Steering Committee and sub committees comprising a wider range of critical stakeholders such as the Children’s Authority of Trinidad and Tobago, the Office of the Director of Public Prosecutions, the Criminal Bar, The Family Bar, Government Ministries and Agencies, the Trinidad and Tobago Police Service, and other members of the protective services, Civil Society Organisations, the private sector and other experts/ activists in Trinidad and Tobago.

There will be a Project Board comprising the implementing partners from the Judiciary, UNDP, NCSC and USAID will provide strategic management to the project team.

UN Standard Minimum Rules on the Administration of Juvenile Justice (“the Beijing Rules”)

Part 6: Scope of Discretion:

- 6.1 In view of the varying special needs of juveniles as well as the variety of measures available, appropriate scope for discretion shall be allowed at all stages of proceedings and at the different levels of juvenile justice administration, including investigation, prosecution, adjudication and the follow-up of dispositions.
- 6.2 Efforts shall be made, however, to ensure sufficient accountability at all stages and levels in the exercise of any such discretion.
- 6.3 Those who exercise discretion shall be specially qualified or trained to exercise it judiciously and in accordance with their functions and mandates.