

## Summary of Case Report No. AJB-2518/2020

On 24 April 2020, the Commissioner for Fundamental Rights of Hungary, who is responsible for performing the tasks of the OPCAT National Preventive Mechanism (hereinafter referred to as: the “NPM”), and two of his staff members paid a visit to group home No. 4 at Zirc and group home No. 6 at Lókút, which are the units of children’s home No. 3 of the Veszprém County Child Care Centre, Primary School, Vocational School, Skills Development School and Regional Child Protection Service. With regard to the state of danger declared by Government Decree No. 40/2020 (11 March), the Commissioner for Fundamental Rights announced his visit in advance. During the on-site inspection, the members of the visiting group inspected the two group homes wearing protective equipment, and they conducted interviews with the children and the staff members.

The purpose of the visit was to inspect the measures taken for the prevention of the spread of the coronavirus (COVID-19) pandemic.

The group homes provided integrated care for children with normal, special and additional needs. In both group homes, the number of children with additional needs was higher than the number stipulated by the NM (Minister of Welfare) Decree, which was objected to by the NPM. The requirements of the same decree on personal conditions were not met at the group homes either. No special education teachers were employed, unqualified child care assistants and child supervisors were hired and the 5 staff members required per group home were not ensured at Zirc either. The NPM made a proposal for the observance of the requirements set out in the NM (Minister of Welfare) Decree regarding the minimum professional staff headcount.

The physical conditions of the placement of the children were appropriate at both sites. The measures and restrictions ordered by the Chief Medical Officer of Hungary for the prevention of the spread of the epidemic, as well as measures reducing the risk of infection were put in place. Both sites were tidy and clean. Responding to the threat of pandemic, the staff members increased the frequency of washing the laundry and cleaning the premises, and they also ensured the conditions for isolation for any cases where infection was suspected. Those residents who had a job were moved closer to their workplaces, the number of shopping trips was reduced and meals for the children were prepared on the premises. Only four meals per day were indicated in the menu reviewed by the NPM and some of the meals and drinks that were offered included some that did not meet the requirements of healthy diets.

The visiting group inspected how the staff of the group homes was preparing for distance learning. They concluded that the conditions for participation in digital education were appropriate at both group homes. The carers helped the children master the learning material together with the other staff members. They also endeavoured to ensure the necessary development activities by solving the tasks sent by the schools or downloaded from the internet.

The pupils were well-informed about the pandemic and its prevention, they understood the factors contributing to the need for the introduction of the ban on visitation and the prohibition to leave the institution. Despite all this, the combined prohibition of attending school, leaving the institution and receiving visitors put a strong emotional burden on the pupils.

In one of the group homes, two girls who left the institution unauthorised were put in home confinement, during which period they were isolated from the other pupils residing in the group home. During the two weeks of monitoring, the daily one hour stay outside was not ensured to them, due to the isolation, which the NPM deemed a dangerous practice.

The measures taken for compensating the situation were accepted by the pupils, they made use of the possibility to make more frequent phone calls. Several of them also kept in touch with their relatives, the guardians and the child rights representative via the internet.