



The Advocate's VOICE



OCA Launches Additional Advocacy and Public Education Tool

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Persons needing information on the work of the Office of the Children's Advocate, and other child related issues are now able to obtain this information from the agency's website www.ocajamaica.com which was launched recently.

Speaking at the launch, Mrs. Mary Clarke, Children's Advocate noted that having a website which would serve as an additional advocacy and public education tool was important given the nature of the work of the Office.

"As an agency with a wide constituency and only one office, the website will afford us the opportunity to reach significantly more persons who need to access our services," she further explained.

According to Mrs. Clarke, users will find the website useful due to the fact that it not only has information on the agency but also information and links to other agencies working with and for children.

Continuing, she pointed out that in the near future more activities will be created for children as well as materials for parents and teachers to use to teach children about their rights and responsibilities and how to protect themselves.

Forms, she added, will also be uploaded for persons wishing to make reports to the Office. The website was designed and constructed through the financial assistance of the United Nations Children's Fund (UNICEF).

- May is Child Month...theme for 2010: "All I want is a Chance to Grow Up"
- **Teacher's Day:** May 5
- **Mothers Day:** May 9
- **Father's Day:** June 20

Decision to Fast Track Facility to house Children on Remand Welcomed

The Children's Advocate has welcomed the decision to fast track the retrofitting and refurbishing of a facility to house children on remand in light of the increasing reports of children being housed in police lock-ups.

Citing the move as a step in the right direction, Mrs. Clarke stated that **"for far too long our children continue to be housed in police lock-ups under unsuitable and inhumane conditions."**

Pointing to the ideal, she noted that children on remand should be in

remand centres not lock-ups and should be separated from children who have received Correctional Orders.

In addition to the retrofitting and refurbishing of the facility, Mrs. Clarke emphasized that structured programmes **need to be put in place for the wards'** rehabilitative, educational and recreational needs as well as staff with the necessary qualifications.

In February, the OCA submitted a special report to Parliament on children in lock-ups. The report came out of a **number of visits made by the Children's Advocate** and an investigation officer from the OCA to several police stations islandwide.

Some of the findings from the visits

to lock-ups revealed that the minimum standards set out by the United Nations are not being observed and the Child Care and Protection Act 2004 are not being complied with. These include:

- Children were placed together irrespective of the reasons for being detained.
- Children were being held with adults in the case of one station.
- There is no provision for the children to continue their education when they are in custody.
- There is no provision for the children to have recreational activities.
- Some of the children were not taken to court within the time period prescribed by the CCPA.

Persons in the Criminal Justice System Should Undergo Training in Children's Rights

Persons in the criminal justice system should undergo a period of **orientation at the Justice Training Centre says the Children's Advocate.**

Mrs. Clarke who was speaking recently at a OCA sensitization workshop for law enforcement officers and clerks of the court in the western region, explained that based on reports and observation, many persons in the system do not understand child rights issues nor the trauma children face when they are abused.

The training, she noted, would ensure that they are exposed to areas relating to the rights of the child, special needs of children in conflict with the law and those who have been abused and the relevant laws impacting children.

The workshop was the first in a series of islandwide sessions aimed at sensitizing key personnel in the child protection sector about their role and functions under the Child Care and Protection Act (CCPA) in light of the findings of a study conducted by the OCA which showed a high level of non compliance with the CCPA in the criminal Justice system.

Based on the of study: *Experience of Children in State Care Who Appeared before the Court*, 32.5 % of children were detained for 15-31 days before appearing before the court and 7.5% were held for up to a year while the CCPA states that they should appear within 48 hours.

It was also revealed that some 17% of children appeared 6-10 times before the court before a decision was made due in part to a lack of available reports from the various agencies or because of the absence of one party.

The research also showed that many of the related staff were unaware of the required procedures and of the need for children to receive special treatment under the CCPA or the Convention on the Rights of the Child.

OCA Seeks Collaboration to Tackle Issue of Children on the Street

The Office of the Children's Advocate has sought to collaborate with various stakeholders to tackle the problem of children living, selling and begging on the streets, which has been of profound concern to the Office over the years.

Some of the areas being explored are:

- how to remove children off the streets and return them to their parents and guardians.
- Identifying a central holding area for children while they are being processed.
- How best to mobilize other stakeholders such as the Police, PATH, RGD and relevant agencies to assist in this effort.
- Updating the draft policy on street children.

According to Mrs. Clarke, Children's Advocate a concerted effort must be made to remove children from **the nation's streets, as far too many were making the** streets their home. Efforts to remove these street children, she stressed, will not succeed without the will and determination to make it happen.

New Approach To Handling Child Abuse Cases

As the Government moves to provide greater protection for the nation's children, a model is to be put in place to improve the way child sexual abuse cases are handled.

Coming out of the 2008 Child Protection Audit, a more integrated approach to the investigation of child abuse cases will be undertaken to reduce the gap between the reporting of the incident and the trial, improve the quality of evidence provided, and ease the trauma on the child.

"Within a matter of weeks, you can guarantee that if you or your parents or your school counsellor makes a complaint of child sexual abuse you will not be interviewed several times before the police gets involved," said Child Protection Consultant, Dr. Tony Butler, who conducted the audit.

Addressing a press conference on Thursday (March 18) at the Offices of the Children's Advocate in Kingston, Dr. Butler explained that through the new approach, which will involve increased collaboration among stakeholder entities, "there will be fewer opportunities for evidence to be lost". "You will be immediately referred into a system that will not just involve a police investigation, but will involve the social worker being actively involved in your welfare," he stated.

The integrated process, he said, will also identify other options to ensure the



Children's Advocate, Mary Clarke, addressing a press conference at her Kingston office on Thursday (March 18) to give an update on the progress of recommendations of the 2008 Child Protection Audit. Looking on at right is Child Protection Consultant, Dr. Tony Butler, who conducted the audit.

safety of the child, rather than for he/she to be placed in a child care facility.

"Because of that process, the chances of you being taken to a place of safety for your own protection are going to be significantly reduced because social work activity will help to identify other members of the family or friends, who can foster you or look after you if you need to be removed from the household, so there will be less children going into institutions," he pointed out.

In the meantime, Dr. Butler is urging the government to move quickly to put the legislative framework in place to provide for the video recording of evidence in child sex abuse cases.

The move, he noted, "will make a dramatic difference in reducing the trauma

on children at the time they make the interview. It would dramatically change (the experience of the child) and dramatically improve the quality of evidence that can be put before the court, and when the child gets to court, again reduce the trauma at the trial process."

He informed that the equipment needed to facilitate the process is already installed at the Centre for the Investigation of Sexual Offences and Child Abuse in the Corporate Area (CISOCA) and 24 members of that arm of the police force have received the requisite training in the proper use of the equipment.

"I hope that the (amendments to the Evidence Act) will be passed by Parliament by summer because everything is ready to go and the only thing that is missing is the legislative framework," Dr. Butler said.

Funded by the British High Commission at a cost of \$12.5 million, the Child Protection Audit examined existing procedures to identify areas for improvement, which would help to reduce the trauma experienced by victims of abuse, especially sexual abuse, during the investigation and trial. It also looked at ways to improve the quality of evidence available to the court.

The overall project is being spearheaded by the Office of the Children's Advocate, the Child Development Agency, the Community Safety and Security Branch of the Jamaica Constabulary Force, and the Family and Parenting Centre. - JIS

News in Brief

- **OCA prepares report for US Department of Labour on "Child Labour, Forced Labour, and Forced or Indentured Child Labour in the Production of Goods in Foreign Countries and Efforts by Certain Countries to Eliminate the Worst Forms of Child Labour."**
- OCA drafted Terms of Reference for a National Coordinating Committee for Children in consultation with MoJ .
- OCA submitted recommendations on minimum standards for juvenile remand facilities to Ministry of National Security and the Jamaica Defence Force.

Next Issue

- OCA Undertake Activities in Observance of Child Month
- UNICEF Donates Motor Vehicle to OCA
- OCA to commence project aimed at Strengthening Private-Social Sector Coordination and Collaboration
- Emerging Trend: Cyber Bullying



your comments and questions to
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