



Annual Report 2009-2010

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FOREWORD



This Report presents an update on the work, achievements and challenges of the Office of the Children's Advocate in its continuing drive to establish and protect the rights of children in Jamaica.

To provide a comprehensive background to these critically important activities, we begin the document with a concise analysis of the current situation of children in this country. The analysis is broken down into sections relevant to children's Rights to Provisions, Protection and Participation.

Important aspects of the analysis include high levels of crime against and also by children, the urgent need for the government to ratify the United Nations Optional Protocol on the sale of children, child prostitution and child pornography, signed on behalf of Jamaica in 2000, and a pressing need for a promised audit of state institutions housing children in care.

While commending government efforts such as those to monitor and prevent child labour, to try and reduce the impact of the current global economic crisis on children, and to provide free birth certificates for babies born in hospitals, the OCA is deeply concerned about the continuing budgetary shortfall affecting its own work and that of many other state funded child care services.

The Report proper, documents dedicated work by the OCA in the areas of monitoring & review of laws and services, practical legal and other assistance to children and families, research, sector-wide consultations and public education. Of particular interest is the publication of a report entitled "Children in Jamaica: Twenty Years after the Convention on the Rights of the Child". Its production was supported by UNICEF, and it was tabled in Parliament with a significant list of recommendations.

Despite a number of encouraging advances and a year of extremely hard work by the OCA team, this review period will long be remembered for one of the most heartbreaking tragedies to affect the Jamaican child care sector. The May 2009 fire at the Armadale Juvenile Correctional Centre in St. Ann cost seven young Jamaican girls their lives, and left several others seriously injured.

The Enquiry which followed served to highlight many of the systemic inadequacies against which the OCA has been advocating vigorously for the past four years, and which stakeholders in the child care sector have been struggling for decades to have righted. It is our fervent hope that this will bring about significant improvements, representing at least one positive legacy of the tragedy.

Meanwhile, the OCA takes the opportunity provided by this Report to offer praises where due, and recommendations where urgently needed, in easy-to-access boldface sections throughout the text. And once more, we re-dedicate our team's continuing efforts to the health, happiness and inalienable rights of all Jamaica's children.

CHAPTER 1

THE ROLE OF THE CHILDREN'S ADVOCATE

In keeping with the Child Care and Protection Act, 2004 (CCPA), the Parliament of Jamaica commissioned the establishment of the Office of Children's Advocate to ensure that the provision, protection and participation rights of children are promoted, enforced and protected.

The Office of the Children's Advocate (OCA) was established in January 2006 as a commission of Parliament, under the leadership of Mrs. Mary Clarke, the country's first Children's Advocate.

The OCA operates with a staff complement of 17 (see Appendix 1).

The Vision

Children in Jamaica enjoy their rights to survival, development, protection and participation, as well as consideration of their best interests at all times.

The Mission

We are committed to promoting the rights and best interests of children through vigilance, strategic partnerships and the provision of timely, efficient and quality service to all our clients.

The Responsibilities of the OCA

The OCA was established in 2006 by Section 4 of the Child Care and Protection Act, which reads:

Section 4(1) For the purpose of protecting and enforcing the rights of children, there is hereby established a commission of Parliament which shall be known as the Children's Advocate.

- 4(2) *The provisions of the First Schedule shall have effect with respect to the constitution and functions of the Children's Advocate.*
- 4(3) *Where in any proceedings a child is brought before the court and it appears that the child is in need of legal representation in those proceedings, the court shall—*
- (a) refer the case to the Children's Advocate or, if the court thinks fit, grant legal aid certificate in such circumstances as may be prescribed;*
 - (b) if the court thinks fit, adjourn the proceedings until such time as the court considers sufficient to allow for, as the case may be—*
 - (i) the Children's Advocate to consider the case; or*
 - (ii) the necessary arrangements to be made for the child to obtain legal representation pursuant to the legal aid certificate; and*
 - (c) cause to be delivered to the Children's Advocate a notice of its determination under this section.*

The functions of the Children's Advocate are set out in Part II of the First Schedule to the Act. They are to:

- (a) Keep under review the adequacy and effectiveness of laws and practices relating to the rights and best interest of the child*
- (b) Keep under review the adequacy and effectiveness of services provided for children by relevant authorities*
- (c) Give advice and make recommendations to Parliament or any ministry or relevant authority, on matters concerning the rights or best interest of children.*
- (d) Take reasonable steps to ensure that children are aware of the functions and location of the Office of the Children's Advocate and also that they are aware of the ways in which they may communicate with the Children's Advocate*
- (e) Take reasonable steps to ensure that the views of children and persons having custody, control or care of children are sought concerning the exercise by the Children's Advocate of her functions under this Part.*

Other provisions in Part II include—

- (a) *The Children's Advocate may provide assistance (including financial assistance) to a child in making a complaint to or against a relevant authority*
- (b) *The Children's Advocate may conduct an investigation into a complaint made by a child, his or her parent, guardian, or any other individual who has the child's best interest in mind*
- (c) *The Children's Advocate may after consultation with relevant bodies issue guidance on best practice in relation to any matter concerning the rights and best interests of children*
- (d) *The Children's Advocate may in any court or tribunal bring proceedings, other than criminal proceedings, involving law or practice concerning the rights and best interests of children*
- (e) *The Children's Advocate may intervene in any proceedings before a court or tribunal, involving law or practice concerning the rights and best interests of children*
- (f) *The Children's Advocate may in any court or tribunal act as a 'friend of the court' in any proceedings involving law or practice concerning the rights and best interests of children.*

The Guiding Principles of the OCA

The core values that guide the operation of the Office of the Children's Advocate are:

1. Respect for all
2. Professionalism
3. Transparency and Integrity
4. Excellence
5. Cooperation and Partnership.

CHAPTER 2

THE SITUATIONAL ANALYSIS OF CHILDREN IN JAMAICA

CHAPTER 2:

This analysis of the situation of children in Jamaica is intended to highlight areas of achievement, violation, and gaps in the fulfillment of the rights of the child. It is by no means exhaustive and is a compilation of secondary data obtained from desk review. The analysis consists of key indicators that measure important aspects of children's life. These include child demographic data and an examination of the rights of children under three main categories of rights:

1. **Provision:** life, name and nationality, education, health and dental care.
2. **Protection:** freedom from abuse, violence, neglect and child labour.
3. **Participation:** to be heard, to express one's self and to provide information.

This section also offers very important recommendations which are highlighted in bold text.

DEMOGRAPHIC PROFILE

According to the 2009 Economic and Social Survey of Jamaica (ESSJ) the country is at an intermediary stage of a demographic transition. Pointing to a decline in the 0 – 14 age group,¹ the editors note that this change in Jamaica's population is consistent with the changing age structures of any population at this stage.

The Survey reports that movements in fertility and mortality rates have further resulted in declines in the rate of natural increase. This was 9.8 per 1000 in 2009, the lowest ever reported here.

The population at the end of 2009 was reported at 2,698,800 with 44,000 live births in the same year decreasing from 44,800 in the previous year². The ESSJ reports that of the total Jamaican population, children accounted for 34.9%, with 483,200 males and

¹ Planning Institute of Jamaica (PIOJ), ESSJ (2009) pg. 20.1

² PIOJ, ESSJ (2009) pg. 20.2

459,700 females. The Crude Birth Rate had also decreased since 2000, falling from 21.7 to 16.3 in 2009.

In 2009, the sex ratio for the 0-14 age group was 104.9 males to every 100 females. This age group had gradually declined from 28.3% of total population in 2007 to 27.4 % in 2009. Figures indicated that 24.7% of this population group was to be found in Kingston and St. Andrew, 18.5% in St. Catherine – the two parishes with the highest concentrations of this age group. Hanover had lowest proportion of 0-14 year olds of all 14 parishes, at 2.6 %.

In light of the spatial distribution of this demographic group, the issue of urbanization and its negative impact becomes a necessary consideration for the government. **The OCA therefore joins the call for the adequate provision of basic infrastructure and service for children and families. Such provisions must include safe places for leisure and play, quality health services, education and training, poverty eradication and the reduction of crime and violence.**

It must also be noted that during 2009, the net external movement³ was 20,000 up from 17,600 in the previous year⁴. This has serious implications for children who are left behind.

THE CHILD’S RIGHT TO PROVISION, PROTECTION AND PARTICIPATION

The rights of children as enshrined in the Convention on the Rights of the Child (CRC) are expressed in 54 Articles and two Optional Protocols to the Convention, on the sale of children, child prostitution, child pornography and involvement of children in armed conflict. They are based on the following five core principles:

1. Universality
2. Non-discrimination
3. Best interests of the child
4. Participation by, and respect for the views of, the child
5. The right to life, survival, development.

It must be noted that despite much advocacy on the part of the Office of the Children’s Advocate and the United Nations Children’s Fund, Jamaica Office, Jamaica has not yet ratified the Optional Protocol on the sale of children, child prostitution and child pornography which it signed on September 8, 2000. The OCA is calling on the government, urgently, to do so.

Articles 1-41 of the CRC articulate the spectrum of children’s rights and are conveniently summarized as the “3 P’s”, namely Provision, Protection and Participation.

³ Based on net arrivals and departures of Jamaicans whether travelling temporarily or permanently.

⁴ PIOJ, ESSJ (2009), pg. 20.1

The Government of Jamaica ratified the Convention on the Rights of the Child in 1991. With the dramatic shift in focus on children that came with the Convention, Jamaica was required to revolutionize its approach to children⁵.

According to the United Nations Children's Fund (UNICEF), governments have a responsibility to take all available measures to make sure children's rights are respected, promoted, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are met. They must help families to protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not externally imposed, but come about through the legislative process⁶.

A child rights approach requires that data be disaggregated by such groupings as age, sex and geographical location as this allows for more detailed analysis. In this way there can be better targeting of intervention and utilization of scarce resources.

⁵ OCA/UNICEF (2009) Children in Jamaica: Twenty Years after the CRC.

⁶ http://www.unicef.org/crc/files/Protection_list.pdf

A CHILD'S RIGHT TO PROVISIONS

According to Intellectuals for Human Rights,⁷ provision rights recognize the rights of children to the provision of assistance for their basic needs⁸. Some of the important provision rights of children are enshrined in the Convention and include the right to an adequate standard of living, the right to free education, the right to adequate health resources and the right to a name and nationality and legal and social services.

Provision for Health Resources

The Ministry of Health has sought to sustain gains made in some areas and intensified efforts to improve health status in other areas. Table 2.1 shows some key health indicators for 2001 and 2005, compared to more current figures.

The immunization of children showed fluctuating levels as vaccinations against tuberculosis (BCG) decreased from 96.4% in 2001 to 94.1 % in 2009 while those against polio (OPV) declined from 91% in 2001 to 83.6 % in 2005 and increased to 88.6% in 2009.

The maternal mortality rate (MMR) showed an encouraging decrease from 106.2 to 94 per 100,000. Low birth weight fluctuated between 9.1% in 2001 and 11.1% in 2005. This then decreased significantly to 5.3 in 2007.

The statistics for children being born in hospitals show that almost all children are reportedly being born in hospital. It is imperative that adequate services and facilities and the right environment be provided for maternal and neo-natal care.

According to the Ministry of Health (MOH) there are approximately 1300 children in Jamaica known to be living with Type 1 Diabetes. According to Professor Jean Claude Mbanya⁹, current President of the International Diabetes Federation (IDF), many children with this condition die undiagnosed, and others die due to lack of insulin and/or expert care. In some countries expert care is available but resources are limited, and so early and serious complications frequently lead to death in young adulthood. It was as a result of this issue, that the IDF launched the Life for a Child Programme in Jamaica in 2009, to provide insulin and other testing materials for 200 Jamaican children.

The OCA notes that children with Type 1 Diabetes can access discounted medication through the National Health Fund. However, other kinds of support are needed for these children and their families to cope with the disease. The OCA also acknowledges the

⁷ An international non governmental organization based in Sri Lanka for the purpose of promoting and protecting human rights in and outside Sri Lanka through awareness raising, advocacy and united actions with similar interested individuals, groups and organizations.

⁸ http://www.i-hr.org/Index_files/ProvisionRights.htm

⁹ Presentation at the launch of Life For a Child, Jamaica, in 2009.

work of Bustamante Hospital for Children and the Camp Yellow Bird for their efforts to raise public support for these children and their families.

Table 2.1: Some Health Indicators

Indicator	2001	2005	More Recent
Infant Mortality Rate (per 1000 live births)	24.5 (MOH)	19.9 (MOH, 2005)	N/A
National Immunization Level	BCG 96.4, OPV 91.0, MMR 84.6 (ESSJ, 2001)	BCG 94.5, OPV 83.6, MMR 84.0 (ESSJ, 2001)	BCG 94.1, OPV 88.6, MMR 88.1 (ESSJ, 2009)
Maternal Mortality Rate (per 100,000 Live Births)	106.2 (ESSJ, 2001)	94.8 (MOH, 2005)	N/A
Low Birth Weight Rate (less than 2.5 kg)	9.1 (MOH, 2005)	11.1 (MOH, 2005)	5.3 (MOH, 2007)
Live Birth Registration and Occurrences	53,659 Registered Birth 48,065 Birth Occurrences (RGD)	51,065 Registered Birth 45,790 Birth Occurrences (RGD)	45,672 Registered Birth 41,956 Birth Occurrences (RGD, 2009)
Hospital Birth as a Percentage of Total Births	96.8 (MOH, 2005)	98.2 (MOH, 2005)	N/A

Sources: ESSJ, 2005, 2009, MOH, 2005, RGD, 2010

(Note: BCG refers to the vaccine against tuberculosis; OPV to the oral polio vaccine, and MMR to the vaccine against measles, mumps and rubella or German measles.)

Name and Nationality

Children have the **right to a name and nationality**. Implicit in this is the need for all children to be registered with the particulars of both parents, and that they be given legal residency in a country. Table 2.1 shows that there were 51,065 registered birth¹⁰ in 2005 compared to 45,672 in 2009. At the same time, there were 45,790 births in 2005¹¹ compared to 41,956 in 2009. From this, one can make the assumption that many children are being registered late. It has been argued that some parents only register their children when a birth certificate is needed, usually for school. This violates the child's basic rights, and makes it difficult to protect such children.

The drive of the government to provide birth certificates, at no cost, to all mothers whose children are born in hospitals, is commendable.

¹⁰ Total number of children registered during the year, which may include births from previous years.

¹¹ Total number of live births in a given year.

The government, through the Registrar General's Department (RGD), is also on a drive to ensure that fathers' particulars are included on their children's birth certificates. This has been reaping significant success. Figure 2.1 presents a clear picture of the increasing numbers (from 23,193 in 2005 to 29,661 in 2009) of fathers' particulars that are being placed on their children's birth certificates.

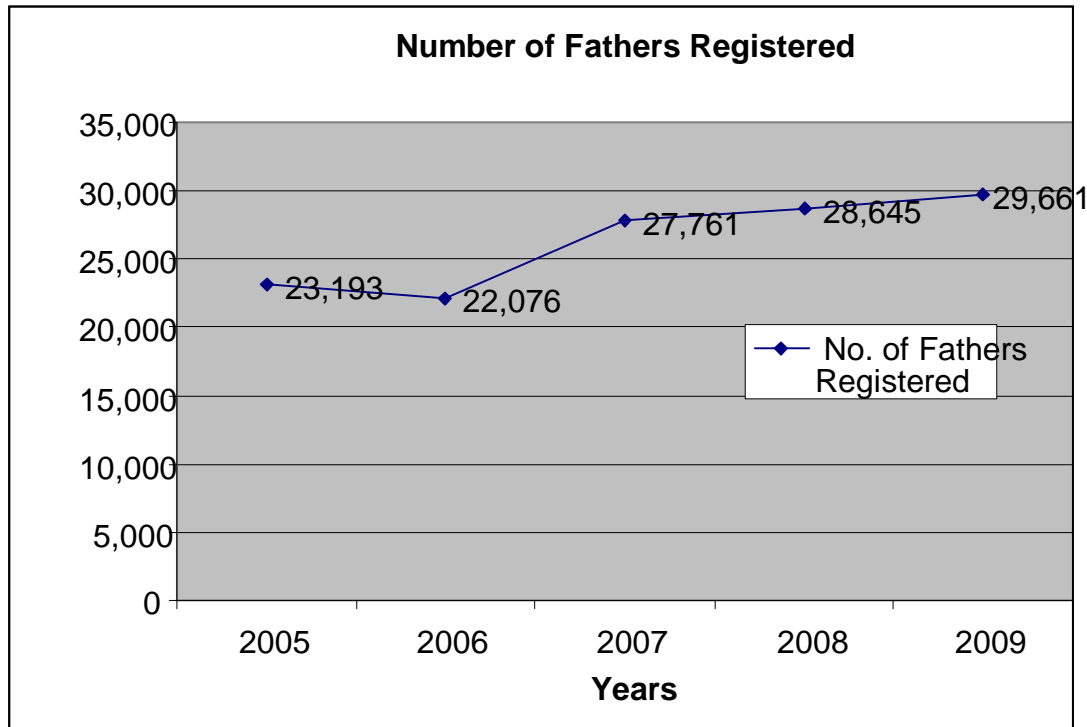


Fig. 2.1

Source: RGD

A further examination of the increase in fathers' registrations is shown in Table 2.2. This indicates that 70.7% of the children born in 2009 had their fathers' particulars on their birth certificates. At the regional level, it is noted that only 58% of the children born in the North East Region during the same period had their fathers' particular on their registrations. **Attention is needed in the North East Region to increase the registration of fathers.**

The fathers in the parish of St. Andrew must be commended for ensuring that their particulars were placed on their children's registration as 93.7% did this. **Some of the strategies used in this parish should be replicated in other parishes.**

Table 2.2: Birth Occurrence and Father Registration Per Parish

2009						
	Total Births	Birth in Wedlock	Fathers Registered on Signature	Fathers Registered on Declaration	Total No. of Fathers Registered	Father Registration as % of Total Births
South Eastern Region						
Kingston	8,626	801	4,426	46	5,273	61.1
St. Andrew	3,393	1,489	1,673	16	3,178	93.7
St. Catherine	5,947	710	3,363	48	4,121	69.3
St. Thomas	1,286	137	822	24	983	76.4
Sub total	19,252	3,137	10,284	134	13,555	70.4
North Eastern Region						
Portland	745	92	428	1	521	69.9
St. Mary	1,425	118	720	14	852	59.8
St. Ann	3,561	567	1,356	34	1,957	55
Sub total	5,731	777	2,504	49	3,330	58
Western Region						
Westmoreland	2,453	341	1,552	5	1,898	74.6
Hanover	471	36	310	3	349	74.1
St. James	4,452	702	2,724	32	3,458	77.7
Trelawny	574	62	333	9	404	70.4
Sub Total	7,950	1,141	4,919	49	6,109	76.8
Southern Region						
Clarendon	2,900	317	1,885	16	2,218	76.5
Manchester	4,582	815	2,511	47	3,373	73.6
St. Elizabeth	1,527	184	883	9	1,076	70.5
Subtotal	9,009	1,316	5,279	72	6,667	74
National Total	41,942	6,371	22,986	304	29,661	70.7

Source: RGD

Children with Disabilities

Children with disabilities need to be provided with an enabling environment, stimulation and other resources to promote the development of each child to his/her maximum potential.

Findings of a 2008 study conducted for the Early Childhood Commission by MaCaw-Binns and Paul of the Department of Community Health and Psychiatry at the University of the West Indies show that 37,000 or 4% of Jamaican children live with one or more forms of disabilities. They include those affecting sight, hearing, and speech, and physical, mental and learning disabilities¹². Only 10% of these children were enrolled in formal school based programmes. The study identified several barriers to expanding screening, all of which must be addressed in order to effectively treat children with disabilities. These include:

- Lack of equipment and training to conduct screening
- Not enough time or staff to conduct screening
- Insufficient places to make referrals to for assistance
- insufficient facilities providing diagnostic tests.

The study also identified that there was more equipment available to measure growth than that used for measuring development.

Growth measurement equipment available, as a percentage of that needed:¹³

- Infant scales - 93%
- Length boards - 73%
- Stadiometers - 47%
- Measuring tapes - 92%.

Equipment available to measure development available, as a percentage of that needed:

- Ophthalmoscopes - 80%,
- Occluding eye patches - 47%,
- Colour vision charts - 47%
- Snellen charts - 59%.

The planned implementation of the Child Health and Development Passport by the Ministry of Health is a welcome start. However, the OCA supports the call for the development of a written protocol for the detection and management of growth and development problems, with the accompanying human and financial resources to effectively screen, detect and treat children with disabilities.

¹² McCaw-Binns, A et. al. (2008) Comprehensive Assessment of existing service delivery options, 0-3 years: Early Childhood Sector Implications for Scaling up. Prepared for the Early Childhood Commission

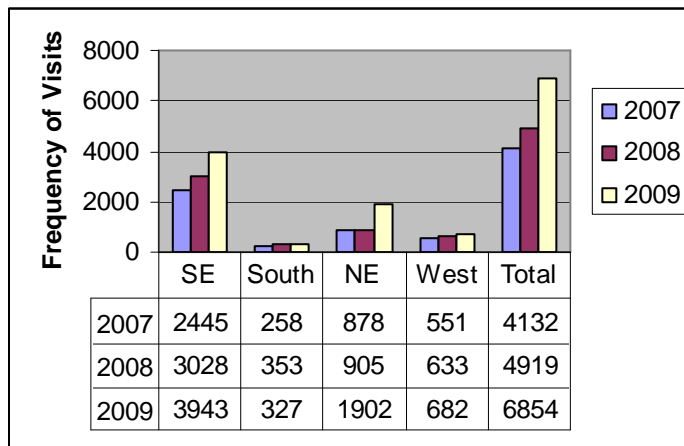
¹³ MaCaw-Binns, A and Paul, T (2008) Comprehensive Assessment of Existing Service Delivery Options within the Early Childhood Sector and Implication for Scaling-up, prepared for the Early Childhood Commission.

At its 2010 Annual Review held in Mandeville, the Child and Adolescent Mental Health Division of the Ministry of Health¹⁴ reported that since 2007 there had been a 60% increase in the number of children being seen at child guidance clinics (CGC). Figure 2.2, shows that the number had increased from 4,132 in 2007 to 6,854 in 2009. This figure suggests an increase in access to mental health services, and the OCA commends the Health Ministry for this.

At the regional level however, the South East Regional Health Authority (SERHA) which includes St. Catherine, St Thomas, Kingston and St. Andrew, account for more than half the number of visits between 2007 and 2009 with a significant increase over those three years. The Southern and Western Regions have both seen a decrease in the number of children seen in 2008 and 2009.

It was noted that at the parish level, some clinics were held only once per month. These therefore usually have long waiting lists as well as a problem of access to them. For example, in the Western Region (St. James, Hanover, Trelawny and Westmoreland), 82% of the visits were to the clinic in St. James while only 2% were in Trelawny.

Figure 2.2: Visits to Child Guidance Clinic 2007-2009



The OCA is recommending that serious consideration be given to strengthening the capacity of the CGC to enable them to meet more regularly. The establishment of pediatric mental health wards in hospitals and day clinics for children with mental health and behavioural problems is also needed. The OCA further recommends that there be increased parenting support and family group therapy in the treatment regime for children with mental health and behavioural problems.

Children living with physical, sensory or cognitive disabilities also need occupational therapy treatment as it focuses on helping people achieve independence in all areas of

¹⁴ Ministry of Health Child and Adolescent Mental Health Annual Review Meeting at Golf View Hotel, March 11, 2010.

their lives. It can help children with various needs; improve their cognitive, physical, and motor skills, and can enhance their self-esteem and sense of accomplishment.

According to the American Occupational Therapy Association (AOTA), in addition to dealing with someone's physical well-being, occupational therapy (OT) practitioners address psychological, social and environmental factors that can affect functioning in different ways. This approach makes OT a vital part of health care for some children.

It has come to the OCA's attention that the Sir John Golding Rehabilitation Centre, the only one of its kind in Jamaica, is without an occupational therapist. The Centre which tends to an average of 24 children per month, is in dire need of such a professional.

Provision for Education

All children in Jamaica have the right to an education. Failure to provide access to quality education for any child is a violation of Articles 28 and 29 of the UN Convention on the Rights of the Child. Additionally, the Child Care and Protection Act (2004) makes it mandatory for children ages 4-16 to be enrolled in and attending school. These, and the drive to achieve the Millennium Development Goal (MDG) of universal primary education by the year 2015, taken together, provide a context for analyzing the country's progress in this provision.

Article 28:

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
 - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
 - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Source: United Nations Convention on the Rights of the Child, 1989

Currently, children in Jamaica are not required to pay tuition at either primary or secondary levels of the school system. While this is commendable, secondary schools impose auxiliary fees which in some cases are higher than the tuition fees charged in the past. In many instances this poses a challenge for some parents..

Table 2.3 shows some key indicators relevant to the Jamaican education system.

The increase in the enrolment rate at all three educational levels is worthy of note. For example, secondary school enrolment moved from 71.1 % in 1990 to approximately 80% in the 2008/09 period.

There continues to be concern about the quality of education received by children at all levels of the system. Table 2.2 shows that passes in Mathematics and English Language (the two main subjects) at the CXC level are less than 44% and 63 % respectively. The achievements were somewhat similar at the primary level as the mean score for Mathematics decreased from 55.0% in 2008 to 53.0% in 2009 but showed an increase in Language Arts from 53.0% in 2008 to 57.0% in 2009. Girls continue to outperform boys in all subject areas. **The underlining issues contributing to this must be identified, analyzed and addressed to ensure that boys' right to an education is not neglected.**

In its Education Statistics 2008/09¹⁵, the Ministry of Education reported that there were 11,118 primary level students who repeated a grade in the 2008/09 academic period. Of this amount 1,798 males and 2003 female repeated grade six. There were 6515 males' and 4603 females' repeaters at this level. The figures were less at the secondary high school as only 2813 students repeated a grade in the same period. Of this amount 2007 were males and 806 were females. **Males at both levels are more affected and as such there needs to be further analysis of the data and research to understand the reasons for boys underperformance and the necessary recommendations made to ensure that the needs of the male student is catered for.**

¹⁵ Jamaica Education Statistics, 2008-2009; Annual Education Review of the Education sector, Ministry of Education

Table 2.3: Some Education Indicators

Indicator	1990	2005	Current	Gaps/Concerns
Pre-School Enrolment Rates (3-5)	77.0%	99.4%	98.8%	Need for adequately trained human resources in early childhood institutions (ECIs).
Net Primary Enrolment Rates	95.6% (MOE)	91.9% (90.8% boys, 93.0 girls)	94.5% (2008)	Enrolment at the Primary level is commendable but more needs to be done to ensure full enrolment.
Primary School Attendance	77% (MOE)	75.8% (KMA 80.3, other towns 82.6, rural 70.6))	83.1% 2007/08	Attendance improving.
Survival to Grade 5	1989/90: 90% (87.9% boys, 92.2% girls)	88.8% (87.2% boys, 93% girls)	N/A	
Secondary School Enrolment	71.1% (63% boys, 71% girls)	84.8% (97.9% grades 7-9, 82.4% grades 10-11)	2008/09: 79.8% (77% boys, 82.8% girls)	Enrolment at the upper level is low.
Secondary School Attendance	N/A	2006/07: 82% (79.3% boys, 84.6% girls)	2007/08: 82.6 (80.4% boys, 84.7% girls)	More needs to be done to improve the attendance rates at the secondary level, especially for boys.
CXC Passes (Main Subject Areas)	English A:28.8% Math:25.7%	English A: 60.2% Math: 34.9%	2009: English A: 62.8% Math:40.9%	Too many children fail to pass these two import subjects at the CXC level.

Adapted from OCA/UNICEF (2009) Children in Jamaica: 20 years after the CRC
Sources: ESSJ 2009

Provision for A Social Safety Net

Social protection efforts were centred on reducing social risks, particularly in light of the global economic crisis, as well as on reducing poverty and facilitating expanded social security opportunities. With assistance from the International Development Bank (IDB), the Programme for Advancement through Health and Education (PATH) was expanded with a view of maintaining gains in health and nutrition, particularly among the young and vulnerable groups¹⁶.

The OCA welcomes the increase in the number of registered beneficiaries to 340,284 during the 2009 period. This represented 95% of the targeted figure. In December 2009, 298,289 of the persons registered received PATH benefits, representing a 7.8% increase over the corresponding period the year before. Of this number 51,713 children under six years old received health benefits while 171,491 children between 6-17 years old received educational benefits.

In addition, as at the end of December 2009, the Ministry of Labour and Social Security had registered 513 children (of whom 262 were males) as independent beneficiaries (i.e. registered in their own names) and 3,714 children (of whom 1,892 were males) for Poor Relief. This is a welcome initiative as the OCA has always expressed continued concerns about the exclusion of children not in families from such benefits.

During the 2009/10 school year, the Ministry of Education received \$2 billion for students' nutrition, which represented a \$0.3 billion increase over the previous year. This was shared between the Traditional Cooked Lunch component of the School Feeding Programme and Nutrition Products Limited. The 2009 ESSJ notes that nutritional provisions were made for 119,000 PATH beneficiaries.

In light of these changes, the OCA commends the efforts of the government to minimize the effects of the global economic crisis on children. **It is anticipated that these efforts will continue, and other efforts will be made to reduce any further negative impact on the country's children and families.**

Provision in State Care

Children in State care are the responsibility of the Government of Jamaica and their provision rights are guaranteed just as much as are those of children who live with their parents or guardians.

Table 2.4 shows the number of children in care, by gender and region, as at December 31, 2009. It must be noted that of all the categories, child care institutions had the most children.

¹⁶ ESSJ, 2009, PIOJ

The table also shows that at the end of 2009, there were 5,772 children in the care of the state. Of this number 3,440 (59.6%) were in the Living In Family Environment (LIFE) Programme which includes foster care, family reintegration and home on Supervision Order. The OCA commends this move and hopes that this trend to reduce the number of children in institutions will continue.

The OCA also notes with optimism that during the 2008/09 academic year, 114 children in state care who sat the Grade Six Achievement Test were placed in high schools following their successful performance. Another 83 students who sat external examination at the secondary level were successful in one or more subjects¹⁷.

However, the promised audit of state institutions housing children in care is still urgently needed, as is the budgetary allocation for upgrading of physical infrastructure, equipment, etc.

¹⁷ ESSJ, 2009, PIOJ

Table 2.4: Children in Care by Gender and Region as at December 31, 2009

Region	Foster care		Family Reintegration		Children's Homes		Places of Safety		Under Supervision Orders		Total		Grand Total
	M	F	M	F	M	F	M	F	M	F	M	F	
South East	172	191	220	257	684	514	46	127	189	381	1311	1470	2781
North East	108	126	58	51	90	51	34	33	96	144	386	405	791
Southern	77	88	77	78	149	119	44	53	59	80	406	418	824
Western	205	216	123	89	194	120	27	47	159	196	708	668	1376
Total	562	621	478	475	1117	804	151	260	503	801			
Grand Total	1183		953		1921		411		1304		2811	2961	5772

Source: Child Development Agency, 2010

In carrying out its mandate to review services provided for children, the OCA commissioned a study of the Foster Care Programme¹⁸ in Jamaica in 2009, to gather empirical data to support and improve the Programme. The main objectives of the study were to:

1. Determine the effectiveness and efficiency of the Foster care Programme;
2. Assess the treatment of children in foster care;
3. Assess the adherence to child rights in the provision of foster care; and
4. Provide policy directions for the enhancement of the Foster Care Programme.

The Study found that almost all of the 217 foster children surveyed (98.6%) liked their current foster parents and that 95.1% of them wanted to live permanently with their current foster parents. The study also found that foster parents had no preference to having male or female foster children.

Of special note is the high rating that the foster parents gave to the Child Development Agency. The majority (84.8 per cent) gave a good or very good rating to the relationship between foster parents and the CDA. Some (13.7 %) had problems with the CDA related to lack of visits/communication (16.1%), limited support from the CDA (6.5 %), lack of psychological support for children (29%), the lengthy placement process (19.4%), and lack of sufficient and timely monetary support (29%).

The Study recommended the following:

1. **Development of a Plan of Action for the Foster Care Programme (to be implemented by the CDA)**
2. **Increased support for foster parents and families to include public education and training, as well as monitoring and psychological support for families. (To be implemented by CDA)**
3. **Development of National Minimum Standards for Foster Care. (To be implemented by the Ministry of Health)**
4. **Improved monitoring and evaluation systems within the Foster Care Programme. (to be implemented by CDA)**
5. **Increased financial support for foster children. (Ministry of Finance/Ministry of Labour and Social Security)**
6. **Establishment of procedures for addressing school-related problems. (CDA)**
7. **Improved recruitment procedures including one or more of the under mentioned activities:**
 - a. Promote the love for children and the need to protect and provide for them as an important ingredient for sustainable development;
 - b. Expand the Christmas Programme
 - c. Make Foster Care Week more effective with focused targeting of potential foster parents
 - d. More involvement of the community and the local authorities in targeting more prospective foster parents

¹⁸ Henry-Lee, Aldrie et. al (2009) A Study of the Foster Care Programme in Jamaica, Office of the Children's Advocate.

- e. A more active role by churches in the direct targeting of potential foster parents
 - f. Direct appeal by CDA personnel to persons who may qualify to be foster parents
 - g. Use of a quick pre-registration form at the public education sessions
 - h. More public education programmes on the positive aspects of fostering
 - i. Foster parents themselves to take part in the public education and marketing sessions
 - j. More advertisements needed on the radio and television
 - k. Appeal to the conscience of the middle and upper classes: Promotion of the slogan "Foster a child today -- build your community for the future"
 - l. Appeal to the private sector to provide more support for foster parents
 - m. Target more non-governmental organizations, voluntary organizations, community groups and churches in the outreach
8. **Determination of parental rights and responsibilities (Ministry of Justice)**
9. **Increased opportunities for graduates of the Foster Care Programme**
10. **Future Research:**
- 1. Longitudinal studies to identify the elements of the Foster Care Programme
 - 2. Impact of kinship and non-kinship foster care
 - 3. Long term impact of foster care. This could include an in-depth examination of the living conditions of the graduates of the Programme.

In addition, the OCA is recommending that the government through the Child Development Agency establish a Foster Care Coalition for youth who have graduated from the Foster Care Programme. Such a model has achieved significant success in Hawaii (Hawaii Foster Youth Coalition).

A CHILD'S RIGHT TO PROTECTION

Protection rights cover those pertaining to all forms of child exploitation, cruelty, arbitrary separation from family, and abuses in the criminal justice system¹⁹. Articles 32-34 of the CRC, shown in the box below, set out the rights that must pertain to all children in this regard.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Source: United Nations Convention on the Rights of the Child, 1989

¹⁹ <http://library.thinkquest.org/C004104/protection.html>

Protection from Child Labour, Force Labour and Street Children

The International Labour Organization defines “child labour” as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development²⁰. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by:

- Depriving them of the opportunity to attend school;
- Obliging them to leave school prematurely; or
- Requiring them to attempt to combine school attendance with excessively long and heavy work.

The Ministry of Labour and Social Security (MLSS) reported that during 2009, its inspectors made announced and unannounced visits to 1,215 factories and 188 construction sites to conduct inspection²¹. From these visits, no incident of child labour was found in the formal production sector. *The OCA commends the Ministry for these visits that were conducted and anticipates that the continuing work of the Ministry will help to stamp out child labour from the formal production sector.*

In the informal and service sectors the situation is much different and the evidence suggests that children are involved in trafficking, armed conflict, prostitution and hazardous work such as domestic service, street vending or begging. The Office of the Children’s Registry received 11 reports of child trafficking in 2008 and 16 in 2009, as indicated in Table 2.4. The Trafficking in Persons Unit of the JCF has also indicated that since 2005 there have been five reported cases of child trafficking and sexual exploitation of children involving eight children²². These include the attempted sale of a child by two foreign nationals, two children employed in night clubs, three children involved in pornography, and two children solicited for sexual favours by a foreign national. The two foreign nationals who were attempting to sell the Jamaican child were arrested, convicted and sentenced to two years imprisonment. The other cases were still before the court at the time of writing.

²⁰ <http://www.ilo.org/ipec/facts/lang--en/index.htm>

²¹ Ministry of Labour and Social Security Performance Review October – December 2009

²² Interview conducted by the OCA with officials at the Trafficking in Persons Unit at the Jamaica Constabulary Force on March 27, 2010.

Table 2.5: Reported Cases of Child Trafficking Received by the OCR by Year

Year	Number of Reports
2007	1
2008	11
2009	16
Total	28

Source: OCR, 2010

The OCA is recommending that there be more spot checks in night clubs, bars and massage parlors by the Police to ensure that children under 18 are not employed in these entities. The setting up of these businesses should also go through a registration process.

The Government of Jamaica, in collaboration with the European Union is implementing a project entitled Tackling Child Labour through Education (TACKLE).

The project has been staging a series of consultations across the island to assess the implementation and enforcement machinery to combat child labour in Jamaica. Another series of consultations are due to be undertaken to review the legislative framework to address this phenomenon. **The OCA is recommending the early finalization of the review and passage of the new Occupational Health and Safety Act with the appropriate regulations to address all the issues of concern.**

Sports is also being used by the project as one avenue for preventing child labour. In this regard, mentoring and football clinics were held in certain inner city communities of Kingston, Spanish Town and Montego Bay during the summer. Three hundred children ages 12 to 16 were targeted to participate in these clinics. Over 1000 adults have been sensitized on the detrimental impact of child labour. Through these clinics, some degree of capacity building has been provided for teachers, students and parents to combat child labour.

With the global economic crisis, it appears that even more children are living and/or working on the streets. Available information on street children is outdated. **The OCA recommends that the relevant authorities act speedily to ensure that current and reliable data is produced, using the International Labor Organization's (ILO's) International Programme on the Elimination of Child Labour (IPEC) and its Statistical Information and Monitoring Programme for Child Labour (SIMPOC) methodology. This information is critical for effective planning.** The SIMPOC provides an array of data collection techniques which is extended to help countries raise awareness and understanding of child labour, child labour trends, factors underlying child labour, the special situation of the girl-child, and the linkages between child labour and other development issues.

The Possibility Programme implemented by the government in 2001 is recognized for its efforts to target children living and working on the streets and to provide them with skills, residential care, re-socialization activities and a care centre. In the Programme's September 2009 update, it was noted that in its St. Andrew Care Centre 10 boys were registered and participating in its daily activities. This model is commended for its rights based approach.

However, the Programme is limited and confined to Kingston. **It is strongly recommended that the plans to expand the programme island wide be expedited. It is also being recommended that there be an evaluation of the residential option of the programme.**

Protection from Cruelty, Violence and Abuse

Children continue to suffer cruelty, violence and abuse in Jamaica. Data from the police shown in Table 2.6 indicates that there were over 80 reported cases of children murdered, and over 500 cases of child abuse in 2009.

The **missing children** phenomenon continues to be a frightening one as many children go missing weekly. The ESSJ (2009) reports that in 2009, there were 2,449 persons reported missing. This figure represents a 169.4% increase (1003 persons) over the previous year. Of this number, 1,839 (75.1%) were children with 1302 (70.8%) being girls. Only 1,133 children were returned or found and 694 were unaccounted for. Thirteen of the children were found dead.

The OCA is recommending that the Social Development Commission, the agency with the widest reach at the community level be used to mobilize communities to become more vigilant in the protection of children. This should include bringing to the attention of the relevant authorities and community groups, any suspicious actions in the communities. There is also more need for public education in schools and civil society organizations to teach children how to protect themselves.

The OCA lauds the work of the Ananda Alert System being led by the Department of Local Government in the Office of the Prime Minister and welcomes the move to assess the advances of the system since its inception. Efforts to announce the return of missing children by the Constabulary Communication Network (CCN) is also commendable.

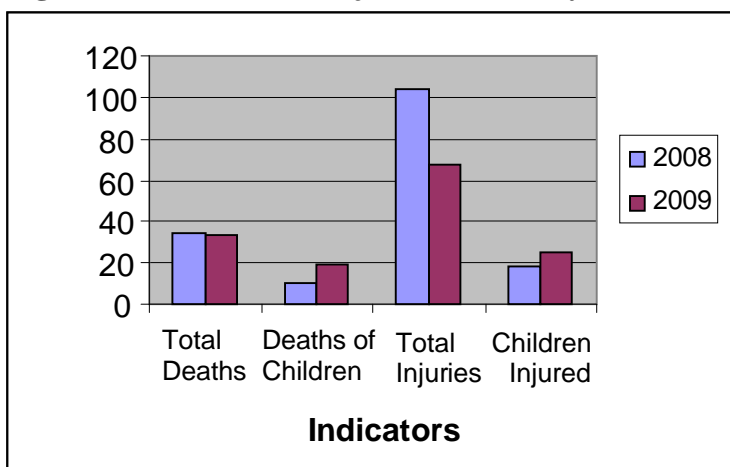
Parents and guardians have the responsibility to inform the authorities when a formerly missing child returns home or has been located. The police have indicated that children continue to leave home for various reasons including pressure at home, improper parenting and discipline, looking for love and care, not coping with school work and poverty. **The reasons for children running away from home need to be addressed.**

Fire continues to affect children and families causing death, injuries and displacement. Figure 2.3 shows that many times children suffer from the effects of fires in the home. In 2009, 19 of the 33 persons who died by fire were children. Also, it must be noted that fire-related child deaths and child injuries increased in 2009 over the previous year.

Between January and March 2010 12 persons died as a result of fires, 5 of whom were children.

It is recommended that there be a national public education campaign on safety in the home.

Figure 2.3: Deaths and Injuries Caused by Fire, 2008 - 2009



Source: Jamaica Fire Prevention Headquarters, 2010

The number of **crimes committed against and by children** remains very high. The Corporate Planning and Research Unit of the JCF reports that there were 1,411 and 1,228 reported cases of major crimes²³ against children in 2008 and 2009 giving a total of 2,639 for the two year period. It is noted that the actual numbers could be significantly higher than those reported.

Table 2.6 compares major crimes committed against children in 2008 and 2009. In 2008, two children as young as one year old were murdered, one shot and another carnally abused. Also in 2008, 40 seventeen year olds were murdered, compared to 28 in 2009. A total of 88 children were murdered in 2008 compared to 81 in 2009. There were also 346 child victims of rape and 550 victims of carnal abuse in 2009 down from 464 and 604 such victims respectively, in 2008.

The decrease in sexual abuse and murder in 2009 is noted and it is hoped that this is the start of a continued downward trend.

²³ Major crimes are classified by the police as including murder, shooting, rape, carnal abuse, robbery, break-ins and larceny.

Table 2.6: Child Victims of Major Crimes for Years 2008 & 2009

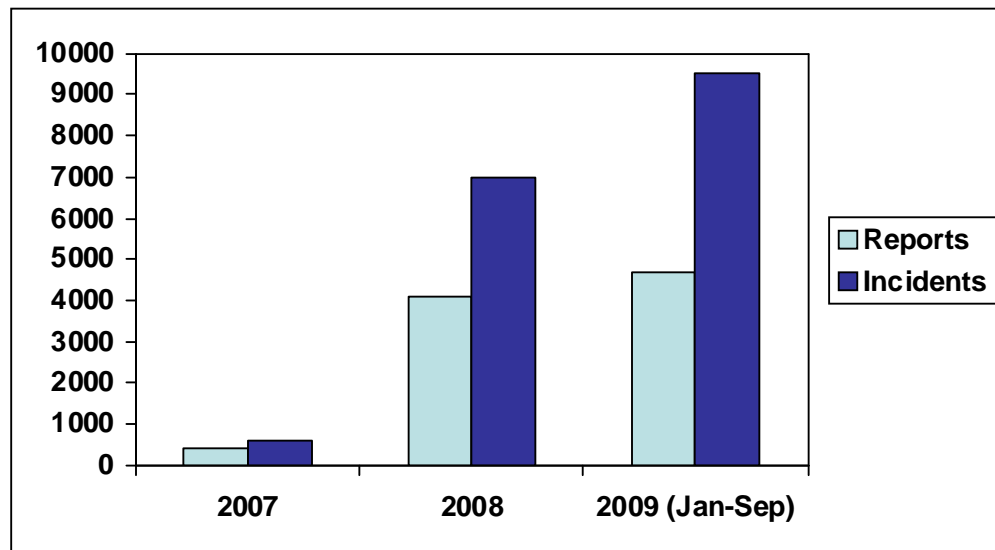
	Murder		Shooting		Rape		C/Abuse		Robbery		Break-in		Larceny		
AGE	YEARS														
	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	Total
1	2	0	1	0	0	0	1	0	0	0	0	0	0	0	4
2	2	3	0	0	0	0	0	0	0	0	0	0	0	0	5
3	0	2	1	0	0	0	0	0	0	0	0	0	0	0	3
4	0	0	2	0	1	1	0	0	0	0	0	0	0	0	4
5	0	1	1	2	2	3	3	1	0	0	0	0	0	0	13
6	0	0	0	2	1	0	2	3	0	0	0	0	0	0	8
7	0	1	1	1	3	2	2	6	1	0	0	0	0	0	17
8	0	2	0	3	2	5	7	5	0	0	0	0	0	0	24
9	2	0	0	1	3	3	11	6	0	0	0	1	1	0	28
10	1	2	0	0	14	3	9	7	1	1	1	0	1	0	40
11	2	1	1	1	26	6	23	14	2	2	1	1	0	1	81
12	0	2	3	1	39	31	62	43	2	7	2	1	2	1	196
13	3	1	2	3	67	63	115	94	7	15	0	1	1	2	374
14	11	8	6	7	97	69	168	148	23	21	1	0	1	4	564
15	6	9	10	5	85	72	178	204	35	26	4	5	3	4	646
16	19	21	10	16	50	41	22	16	24	36	3	2	2	5	267
17	40	28	24	21	74	47	1	3	60	42	12	7	3	3	365
Totals	88	81	62	63	464	346	604	550	155	150	24	18	14	20	2639

Source: Corporate Planning and Research Unit, JCF, 2010.

In 2007, the Office of the Children's Registry was established as the central repository for reports of child abuse. Data from the OCR indicates a high level of citizen cooperation in the report of child abuse. **Every effort must be made to sustain this cooperation from citizens.**

Figure 2.4 shows that there were 4,695 reports representing 9,500 incidents²⁴ of child abuse from January to September in 2009 compared to 4,101 reports representing 6,978 incidents of child abuse in 2008. The Registry has attributed this increase in reporting to its intensified public education efforts and to extended working hours.

Figure 2.4: Reports & Incidents of Abuse Received by the OCR, 2007 - 2009.



Source: Office of Children's Registry, 2009.

As at September 2009, a total of 16,996 incidents were reported to the OCR. A breakdown of the incidents reported to the OCR indicates that care and protection accounts for most of the reports since its inception in January 2007.

Table 2.7 indicates that care and protection (4514) accounts for most of the incidents reported. Neglect (3681) and sexual abuse (3321) accounted for the second and third highest numbers of reports received for this period, respectively.

More data are needed on cases outcomes such as arrests made and convictions in the courts of perpetrators which would encourage citizens to report suspected and known cases of child abuse.

²⁴ One report may represent multiple abuses to one child (neglect, physical, emotional abuse or otherwise).

Table 2.7: Breakdown of Abuse Cases Reported to OCR, 2007-2009

TYPE OF ABUSE	2007	2008	2009 (Jan-Sep)	TOTAL
Care & Protection	104	1666	2744	4514
Neglect	81	1378	2222	3681
Sexual Abuse	114	907	2300	3321
Physical Abuse	64	949	1168	2181
Behavioural Problem	39	1378	1018	2435
Emotional Abuse	36	215	613	864
TOTAL	438	6,493	10,065	16,996

Source: OCR, 2009

Children are not only victims of major crimes but are also **perpetrators of major crimes**. In Table 2.8 it is shown that over a two year period children were arrested for a total of 803 major crimes.

Except for carnal abuse, the number of children arrested for major crimes decreased during 2009. However, the OCA is still concerned that in 2009 there were 36, 82 and 93 children arrested for murder, carnal abuse and break-ins respectively. The OCA has initiated a study on the profiles of children in trouble with the law so that the necessary prevention and intervention strategies can be developed and implemented. Findings will be released in the next financial year.

Table 2.8: Juveniles Arrested for Major Crimes in 2008 & 2009

	Murder		Shooting		Rape		C/Abuse		Robbery		Break-ins		Larceny		
AGE	YEARS														
	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	Total
12	0	0	0	0	2	1	0	1	0	0	3	4	0	0	11
13	0	0	0	0	1	1	6	1	1	2	15	5	1	1	34
14	2	1	3	1	12	7	7	8	7	3	18	14	4	2	89
15	8	6	3	2	18	6	17	16	10	14	14	28	6	2	150
16	12	8	8	6	24	10	21	27	21	20	22	14	3	3	199
17	22	21	26	17	14	16	31	29	49	28	27	28	6	6	320
Totals	44	36	40	26	71	41	82	82	88	67	99	93	20	14	803

Source: Corporate Planning and Research, JCF, 2010

A CHILD'S RIGHT TO PARTICIPATION

The child's right to participation is guaranteed to all children by the Convention on the Rights of the Child, as indicated by Articles 12, 13 and 14 (show in the box below).

According to a report published by the OCA and UNICEF²⁵, this area has received the least attention over the years. **In order for there to be effective child participation, there needs to be a formal mechanism that is institutionalized to allow children to be involved in the conceptualization, formulation, implementation, monitoring and evaluation of policies and programmes that affect them.**

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others; or
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Source: UNCRC., 1989

The OCA/UNICEF (2009) noted that there have been some safe spaces created for children and youth to participate in Jamaica. Of note are the Youth Information Centres in Portland, Kingston, St. Catherine, St. Mary and St. James operated by the National Centre for Youth Development with the financial assistance of UNICEF. These are youth-friendly spaces where children and youth can discuss and access information on issues affecting them.

Children's views are also being expressed in court, as indicated by Clarke, Cargill and Fraser-Binns (2009), and on some government and school boards. A study conducted by

²⁵ OCA/UNICEF (2009) Children in Jamaica: Twenty Years after the CRC

the OCA, Clarke et. al. noted that while in court, children are consulted (42% of the time) on matters concerning their best interests. It is hoped that this figure will be increased.

Through the National Secondary Student Council, children are selected by their peers to be Student Councillors and to represent the student population on their school boards. Through the National Centre for Youth Development, some children are also placed on government boards to represent the voice of children and youth.

The OCA also uses various methodologies to encourage child participation. Since its inception in 2006, the OCA has created safe spaces for children to participate in the development and implementation of policy recommendations and has held consultations with children in primary schools across the island. Consultations are held with children and caregivers or teachers in an environment free from adult dominance where children are encouraged to speak freely. They are provided with information through various presentations, including videos and live drama. They are then given the chance to speak on issues that affect them, and things they want the OCA to do, and to make recommendations.

From its consultations with children, the OCA has also developed a checklist for child participation. **In facilitating child participation, the following ought to be considered by the adults involved:**

- **What are the reasons for, taking an action/participation?**
- **How will the safety and protection of the children be ensured?**
- **What outcome is expected?**
- **Who informed the children about their participation?**
- **Who will mobilize the children?**
- **Who else will be involved in the participation?**
- **How else can they participate?**
- **What will be in place to ensure peaceful assembly?**
- **Is there an age limit for participants?**
- **Was permission from parent sought?**
- **What time will the activity start and when will it end?**
- **Was appropriate permission sought from the police and other relevant authorities?**
- **Were the children briefed on how to behave?**
- **Have provisions been made for all the children to participate?**

The OCA has also held consultations with children in the development of its policy recommendations for its Annual Report to Parliament.

The OCA welcomes the initiative of the Social Investment Initiative Working Group with the assistance of the UNICEF to utilize participatory budgeting in the development of the Child Development Agency budget for 2006/07. The use of children's voices in the preparation of the Jamaica Third and Fourth Report to the UN Committee on the Rights of the Child being coordinated by the CDA is also of note.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

In spite of the level of child representation in some areas, there are still inadequate parks, play areas and green spaces for children in our communities. There should be enough spaces for children to be engaged in physical activities, social interaction and the promotion of enquiry.

Government and civil society need to hold developers accountable for building without creating the necessary spaces for children to play. **A review of and better monitoring of the zoning and Town and Country Planning regulations are required to identify and correct any such failings.**

The OCA is recommending an audit of all new developments, play areas and community parks for children, with a view to ensuring their safety with respect to lighting, status of equipment, access to and from (including for children with disabilities), security, water and sanitation, and supervision at the community level.

Any upgrading to be undertaken should allow for the involvement of children in the planning and execution of changes. In all physical planning and decision making, the child's best interests should be considered at all times.

CHAPTER 3

THE ACHIEVEMENTS OF THE OCA: APRIL 2009 – MARCH 2010

Introduction

The Office of the Children's Advocate (OCA) was established as a Commission of Parliament for the purpose of protecting and enforcing the rights of children. The provisions of the First Schedule of the Child Care and Protection Act, 2004 outlines the mandate and functions of the OCA.

In its Annual Planning Retreat, the OCA set targets to be achieved for the financial year April 2009 to March 2010. In keeping with the Child Care and Protection Act, 2004, five (5) strategic objectives were identified to facilitate the fulfillment of the mandate of the Commission. These were:

- 1. To fully implement an efficient and effective system of organizational governance and management*
- 2. To review and monitor existing laws and services to ensure their relevance and effectiveness in protecting the rights and upholding the best interests of children in Jamaica and make recommendations to Parliament and relevant authorities*
- 3. To provide legal assistance/advice/representation as requested or as identified*
- 4. To promote awareness of rights and best interests of children, and role and functions of the OCA and to undertake consultations*
- 5. To receive complaints and conduct investigations on behalf of children, and to seek redress on their behalf.*

IMPLEMENTATION OF AN EFFICIENT AND EFFECTIVE SYSTEM OF GOVERNANCE AND MANAGEMENT

The OCA continued its effort to maintain a **governance and management system** which sought to ensure good working relations among those who do the day to day work of the organization, promote welfare policies in the interest of the staff, ensure financial soundness, monitor the direction of the organization and ensure legal compliance. In an effort to achieve this strategic goal, the OCA embarked on a number of initiatives.

During the year further attempts were made to strengthen the staff capacity. Several proposals were made to enhance the capacity by expanding the establishment. Approval to increase the establishment was given by the Corporate Management Division of the

Cabinet Office but was turned down by the Public Sector Establishment Division of the Ministry of Finance and the Public Service. Appeals were made to other relevant authorities but with no success.

With the workload increased by the need to carry out investigations with respect to the Armadale Fire and to be present at the related Commission of Enquiry, approval was granted for the employment of temporary staff. However severe difficulties were encountered in seeking approval for the employment of a Senior Legal Counsel for the Enquiry, and planned programmes had to be curtailed to source funds for payment of this officer.

The Revolving Miscellaneous Loan Scheme introduced in the previous financial year proved to be of tremendous benefit to members of staff. Disbursement of loans began in October 2009 and at March 31, 2010 seven members of staff had received benefits.

A Group Life Insurance Scheme was instituted and 13 members of staff accepted coverage.

Performance evaluation was conducted for 15 staff members during the period under review. Quarterly Performance Review meetings were also held as a means of monitoring the direction of the organization and to ensure that its objectives were being achieved.

Staff development was carried out through various training initiatives, in an effort to enhance capacity and improve competency levels, as shown in Table 3.1.

Table 3.1: Staff Training/Conference Participation

Training Initiatives	Participants
Records Information Management (Level 2)	1
Government Accounting	1
Training Programme Administration	1
Child Labour Legislation Workshop	1
JCF Video Interview Recording Training	2
Writing for Manager	1
Events Planning	1
TOTAL	8

REVIEW AND MONITORING OF EXISTING LAWS AND SERVICES

The OCA continued to review laws, services and practices affecting the rights of children in keeping with its stated role and its 2009-2012 Corporate and Operational Plan.

The Children's Advocate and staff were extremely vigilant and proactive in their approach to Strategic Objective 2. They:

- Monitored and reviewed the implementation of the CCPA and identified gaps
- Reviewed new and existing legislation and provided technical comments
- Conducted research on similar legislation regionally and internationally
- Visited children's homes
- Reviewed services in the Foster Care Programme
- Continued with the Child Protection Audit and monitored implementation of recommendations
- Prepared policy advice to Parliament and other relevant authorities
- Held consultations with stakeholders
- Prepared proposals and accessed funding to undertake research on one critical issue affecting children
- Provided advice and technical comments at inter-sectorial meetings.

The OCA made several recommendations to the Prime Minister's Taskforce on the review of legislation regarding the Child Care and Protection Act, 2004. The OCA also continued its internal monitoring of the implementation of the CCPA and made submissions to Parliament, and to the Ministries of Health and Justice on areas which needed to be reviewed.

Technical comments were made on draft legislation and policy for the National Parenting Support Commission.

A Study of the Foster Care Programme in Jamaica, initiated by the OCA in the previous financial year, was finalized during the period under review. A report with findings and recommendations was *tabled in Parliament in October 2009*. The findings were also shared with the Honourable Prime Minister and officials of the Child Development Agency. A meeting was scheduled with the Prime Minister to discuss the findings however, it was not held. It is hoped that this meeting will be held in the next financial year.

The study highlighted many successes of children in the Programme and the love children expressed for their foster families. While there were many praises for the Programme, some gaps were identified, including the need for:

- More financial and emotional support for foster parents
- More frequent visits from CDA Foster Care Officers
- Changes in the legislation to make it easier for foster parents to adopt their foster children.

The OCA wishes to thank the UNICEF Jamaica Office for its assistance in publishing this study.

A study on **Experiences of Children in State are who Appear before the Court** was also reviewed and finalized. It was tabled in Parliament in October 2009.

One of the recommendations from the study was the development of a “Kids in Court Programme”. The OCA therefore continued its efforts to review children’s interactions with the court system. A proposal was submitted to the CUSO/VSO Jamaica Office for technical assistance to develop the programme. The proposal was accepted and a CUSO/VSO co-operant joined the OCA’s team during the review period, to develop and implement a **Pilot of the Children in Court Programme** designed to prepare children for court. This is expected to be replicated throughout Jamaica. Several meetings were held with key stakeholders including the Chief Justice, Victim Support Unit (VSU) and the Ministry of Justice, to fully develop the Programme and plan the required training. The Programme will be implemented by the Ministry of Justice through the VSU. Implementation and training will be undertaken in the next financial year.

Two major pieces of **research** were conducted during the review period. These were the **Needs Assessment of the Children of the Portland Crash Victims**, and a joint OCA and UNICEF publication entitled **Children in Jamaica: Twenty Years after the Convention on the Rights of the Child (CRC)**.

The **Needs Assessment of the Children of the Portland Crash Victims** was done in collaboration with the Ministry of Labour and Social Security. It identified all the needs of the children and gaps in the services being provided by the government through the Department of Local Government. The study highlighted issues related to special health and educational needs of some children, and the need for housing and bedding for families. The report was submitted to the Minister of Local Government and to the Committee in charge of the Portland Crash Victim Fund. It was used to further advance the best interests of the beneficiaries of the fund.

Children in Jamaica: Twenty Years after the Convention on the Rights of the Child (CRC) was a comprehensive study of the progress of Jamaican children since the adoption and ratification of the CRC. It was undertaken in commemoration of the 20th anniversary of the Convention on the Rights of the Child, and of Jamaica’s ratification of the Convention 18 years ago. The study examined the provision, protection and participation rights of children in Jamaica, and highlighted successes and gaps in the child care sector. The final report was presented to over 100 stakeholders at the Jamaica Pegasus Hotel. At the presentation ceremony, children as well as adults had the opportunity to ask questions, make comments and put forward recommendations. Some 20 children from schools in St. Catherine, Kingston and St. Andrew and Clarendon attended and participated.

The Report identified threats to child rights such as the economic recession and poverty, violence and abuse, migration, inappropriate use of media and technology

and weakening communal support. The final document which was tabled in Parliament included the following recommendations:

1. Accelerate the protracted process of developing and implementing key legislation and policies. The lengthy delays in this process severely impede progress for children. As a matter of urgency:

» Expedite the implementation of the National Plan of Action on Child Justice, which would enable greater focus on restorative justice for juveniles and community-based diversion programmes; the finalization and implementation of the National Plan of Action for an Integrated Response to Children and Violence, and the finalization and enactment of the Disability Act.

2. Conduct a comprehensive review of the social welfare system for children, with a view to making sweeping reforms that will better safeguard and serve children in need of care and protection and do this as a matter of urgency:

» Provide appropriate resources for the strengthening of key institutions for children, including the Office of the Children's Advocate and the Child Development Agency, and ensure greater support for NGOs providing services for children living and working on the streets and children with disabilities.

3. Establish mechanisms to support and strengthen services for parents at the community level, in tandem with current efforts to operationalize the National Parenting Policy.

4. Improve data collection, analysis and reporting on child-specific data (age 0-17 plus) to provide a stronger evidence base for policies and programmes.

5. Implement the recommendations of the Child Protection Audit (2008), focusing on reporting and handling of child abuse cases, particularly sexual abuse.

6. Improve the quality and relevance of education, making schools child-friendly, student-centred, with more interactive learning environments that are more attractive for all children, and for boys in particular.

7. Improve the quality of health care for children, with an urgent focus on increasing immunization coverage and addressing the causes of the persistently high infant and maternal mortality rates.

8. Establish mechanisms designed for early detection and referral of children who are at risk.

9. Undertake urgent reforms to ensure compliance with international standards on children who are deprived of their liberty.

10. Invest in and expand programmes addressing conflict resolution, anger management, safety in the homes and community safety, particularly among youth.

Relevant authorities with which the information was shared for their action included the Ministries of Education, Health, Labour and Social Security and National Security, the Child Development Agency and the Department of Correctional Services.

The OCA participated in several meetings, and served on a number of committees, taskforces and working groups. The Children's Advocate and staff served on the following in various capacities including attending and chairing meetings, providing technical and legal advice, reviewing policies and programmes, preparing reports, planning and coordinating activities and conducting field visits:

1. Prime Minister's Taskforce on Child Abuse Prevention
2. Prime Minister's Taskforce on Children in Care of the State and Sub-committees
3. Portland Crash Victims Fund Management Committee (Chair)
4. Child Month Committee
5. Caribbean Information Poison Prevention Education Sub-Committee
6. Community Intervention and Parenting Sub-Committee of the Early Childhood Commission
7. UNICEF Global Child Study Working Group
8. Creating Safe Place for Learning (Ministry of Education)
9. Safe School Committee
10. Consultations on Alternative Methods of Discipline in School
11. National Parenting Support Commission Working Group
12. Trafficking in Persons Taskforce
13. Residential Child Care Facilities Review Committee
14. School's Health Enhancement Committee of the Ministries of Health and Education
15. Ministry of Education Policy and Legal Reform Work Group on School Security and Safety
16. Violence Prevention Alliance
17. Development of Jamaica's Consolidated Third and Fourth Report to the United Nations Committee on the Rights of the Child
18. Ministry of Youth, Sport and Culture Multi-Functional Teams:
 - a) Safe Living Environment
 - b) Youth Participation and Empowerment.
19. Ministry of Education Committee for the Development of a Service Directory for Children
20. Programme for Children of the Incarcerated
21. Coordination Committee of the Child Protection Workshop (Chair)
22. Inter-Sectorial Committee on Child Justice
23. National Labour Day Planning Committee (focus on children)
24. Caribbean Child Research Conference Planning Committee

In the preparation of Jamaica's Third and Fourth Report to the UN Committee on the Rights of the Child, the Children's Advocate and staff attended consultations, provided technical comments and information, met with the consultant twice, submitted a summary of OCA's Achievements since its inception. The Children's Advocate attended and shared twice at the Technical Consultations on:

1. Her experiences when she appeared before the Committee in Geneva in 2003
2. The comments, recommendations and observations of the Committee.

The Children's Advocate met with the United Nations Human Rights Commission's Special Rapportuer on Torture during his visit to Jamaica, and provided information on her work and experiences with children in institutions.

The OCA provided technical comments and information to the Child Development Agency in the preparation of its Special Report on Children's Homes and Places of Safety to the Inter-American Commission on Human Rights (IACHR)

Field visits, most of which were unannounced, were made to schools, child care facilities, remand facilities, lock ups and correctional institutions where children were housed or attended.

Table 3.2 shows that the Children's Advocate and staff visited 12 police lock-ups, 9 child care institutions, five correctional institutions and three remand centres during the review period. In compliance with the CCPA, the Children's Advocate prepared reports, issued best practice guidelines and brought the pertinent issues to the attention of the relevant authorities.

Table 3.2: Field Visits by Children's Advocate and Staff

Child Care Institutions	Correctional/Remand Institutions	Police Lock-up
1. My Father's House 2. New Beginning Boarding School 3. West Haven Children's Home 4. Homestead Place of Safety 5. Alpha Boys Home 6. Sunbeam Boys Home 7. Strathmore POS 8. Hanbury Children's Home 9. Clifton Boys Home	1. Horizon Remand Centre 2. Metcalfe Street Remand Centre (under construction) 3. Stony Hill Remand Centre 4. Hill Top Juvenile Centre 5. Montpelier (not allowed to enter) 6. Armadale Juvenile Correctional Centre 7. Diamond Crest Villa* 8. Fort Augusta Adult Correctional Centre 9. Rio Cobre Juvenile Correctional Centre	1. Free Port 2. Half Way Tree 3. Castleton 4. Portmore 5. Admiral Town 6. Central 7. May Pen 8. Hunts Bay Police Station 9. Riversdale 10. Newport 11. Duhaney Park 12. Bridgeport

*Children from Armadale were re-assigned to this location

The OCA's visits to schools highlighted the need for a holding area for children on the second shift, especially in one primary school where young children were seen loitering on the street, shopping from vendors and with no authorized supervision. A report was done and submitted to the Ministry of Education highlighting the Children's Advocate's concerns and later was forwarded to the Minister through the head of the Guidance and Counseling Unit (see Appendix 2). This will be followed up in the next financial year.

After visiting police lock-ups across the island, the OCA prepared a report to Parliament highlighting the many problems children faced in those situations. The OCA highlighted issues relating to children being held without the knowledge of their parents, lack of activities for the children and unsanitary conditions. In its report to Parliament, the OCA noted that **children in lock-ups have now become an issue of national concern and the OCA is calling on the relevant authorities to immediately identify a facility for children on remand. The full cooperation of the criminal justice system is needed to reduce the number of children being detained in lock-ups across the island. Related ministries and agencies also need to take immediate action.**

The OCA welcomed the announcement of the government's intention to provide a facility to re-locate the children in lock-ups, and the new initiative by the Ministries of Health and National Security to screen all children in police lock-ups to better cater to their medical and mental needs.

The OCA investigated reports of children who suffered medical problems while in the lock ups. Medical certificates relevant to each child affected were collected to be used for negotiation with the Attorney General or for instituting legal proceedings.

During the review period, the OCA prepared and submitted reports to the Ministry of Health and the Child Development Agency, highlighting gaps and making relevant recommendations. The Office made a report to the Ministry of Education on the state of the New Beginnings Boarding School, where children had been found with unsatisfactory supervision. The OCA is still awaiting a response regarding the Ministry's action to safeguard the best interests of the children.

With respect to the Time Out Facilities proposed by the Ministry of Education for children with behavioural problems in school, the OCA raised several concerns relating to the best interests of these children, based on complaints received (see Appendices 6 and 7). Communication was made to the Ministry regarding issues of the selection criteria, diagnostic screening/testing for these children, the competencies and credentials of the personnel involved, agenda for transformation, measurements for progress during and after the 'time out', risk reduction strategies for recidivism and the therapeutic approaches/orientations of the project, the plans for reintegration.

In response the Ministry acknowledged that all these concerns had been considered. The OCA continued to liaise with the unit responsible for the implementation of the project, to ensure that the concerns are fully addressed (see Appendix 8). The OCA will conduct

field visits in the new school year to ensure that the rights and best interests of the children are upheld.

The Children's Advocate brought to the attention of the Minister of Health the potential issue of Haitian children seeking refuge in Jamaica (see Appendix 9). The relevant United Nations Conventions, and Jamaica's responsibility to such children if they arrive in the island, were pointed out.

In a letter to the Minister of Health dated December 10, 2009 (See Appendix 10) the Children's Advocate highlighted current policy and legislation needs with respect to the rights of the child. She **recommended that the following be dealt with speedily and with inter-sectorial collaboration:**

- 1) Review of the Child Care and Protection Act, 2004**
- 2) Review of the Regulations accompanying the Child Care and Protection Act, 2004**
- 3) Development of Regulations with Standards for Juvenile Correctional Institutions**
- 4) The establishment of a National Independent Care Inspectorate to drive quality, promote safety and accountability in child care institutions**
- 5) Inadequacy of Places of Safety to accommodate all the children coming into the system.**

In his response on December 30, 2009, the Minister acknowledged receipt of the OCA's correspondence and noted that the Ministry was examining the issues raised and would communicate the way forward shortly.

In the interest of promoting and protecting the rights of Jamaican children, the OCA sought to identify and deal with a number of relevant systemic issues.

The Office contributed to the preparation of two major reports by the United States Government. A technical review was provided, through the Ministry of National Security, for the draft Annual Report of the US Human Rights Department. The second report was in relation to the US Department of Child and Forced Labour. A questionnaire was completed in consultation with the Child Labour Unit of the Ministry of Labour and Social Security, and submitted through the Ministry of Foreign Affairs and Foreign Trade.

The Child Protection Audit

The 2008 Child Protection Audit was conducted with a view to improve the quality of related evidence available to the court. The OCA continued chairing the Audit's Steering Committee during the year under review. The project was moved into the

implementation phase, with progress made towards ensuring its integration with other reforms being undertaken of the criminal justice system.

A Strategic Development Plan for the Child Protection System was developed to effect the recommendations of the Audit. The Plan covered the following areas:

- Responding to disclosures of abuse from children
- Interviewing the child and parent or guardian and immediate risk assessment
- Procedures for medical examinations and scenes of crime investigations
- Reviewing the existing care arrangement and the role of the Family Court
- Preparing the evidence file and the initial appearance at court
- Preparing the prosecution
- The criminal trial process
- Continuing welfare and support for child victims, and monitoring and evaluation of the child protection services.

The OCA's leadership included coordinating the return of the foreign Consultant to develop the action plans which formed the basis for the Strategic Development Plan. The related workshops were well supported. They included participants from the Ministries of National Security, Education, Health and Justice, the justice system and courts, the Child Development Agency the Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) and some NGO's.

Workshops were also held with a view to establishing a multi-agency approach to child protection.

Following the workshops in September, a draft report was prepared by the Consultant and circulated for review by stakeholders. Some areas identified for short, medium and long term attention included:

- Standards and procedures for recording and responding to disclosures of sexual abuse
- Standard procedures for child and family background enquiries
- Standard procedures for a multi-agency approach to interviewing of child victims.

Discussions also focused on the challenges facing the Family Court. Issues included the physical environment, placement of child victims, perpetrators interacting with victims, timeliness of the social enquiry report, the child victim, attendance at court hearings, and the separation of victims from children in conflict with the law.

Six workshops were held in November 2009 to further refine the draft Strategic Development Plan. Activities included field visits to organizations directly involved in the child protection process. The following areas were covered in the workshops:

- Collaboration between key decision makers on the implementation plan
- Drafting of a memorandum of understanding (MOU) for the initial response to the disclosure of abuse

- Drafting of the MOU for the trial of certain carnal abuse cases outside of the main criminal justice system
- Review of child abuse case files to identify the ideal elements for the evidence file
- Reducing the number of appearances by child victims at the Resident Magistrate's Court for mentions and preliminary hearings.

At the conclusion of the workshops the Project Implementation Group met to discuss and review the MOU and next steps in the Programme. At this meeting, the feedback and recommendations were:

1. Improve inter-agency communication and information sharing
2. Ensure clear communication on the fit of the proposed Child Protection Development Plan with the relevant aspects of the Justice Reform agenda
3. Increase the number of children's officers for the CDA.
4. Establish referrals link to current reproductive health programmes
5. Review the laws pertaining to sexual offences and child pornography. With respect to teen sex which was not forced, Section 8 of the CCPA, 2004 must be changed as soon as possible to add minors to the care and protection section. Such a change would allow for the children to get support from (a) the welfare sector (b) mandatory counseling (c) sexual reproductive health programmes.
6. Clerk of Court to recover files at an earlier time than is now the practice.
7. Re. the above, it might be necessary to constitute a mandatory hearing to confirm:
 - § Status of a case file
 - § Its outstanding components, such as forensic or medical report
 - § A timeline on when any outstanding forms will be received.

Based on the approval of the Strategic Development Plan for Child Protection by the stakeholders in 2009, the Consultant returned in March 2010 to undertake further work to operationalize its recommendations This visit focused on the following issues:

- Implementation of a multi agency response to the initial disclosure of sexual abuse and the investigation
- Establishing a pilot project to divert certain cases of carnal abuse from prosecution
- The early introduction of the use of video recording of the testimony of child witnesses in criminal trials
- Raising awareness among criminal justice practitioners, judges, Resident Magistrates and prosecutors, of the specific requirements of child victims and witnesses.

Once the Strategic Development Plan for Child Protection is implemented in Jamaica, it is expected that the re-traumatization of child abuse victims by the criminal justice system will be reduced and that the investigation and trial of child sexual abuse cases will be more effective.

However, this cannot be achieved without **the finalization of the Evidence (Amendment) Bill** to allow for video recorded statements of child victims of abuse to be used as evidence in chief during the trial.

The OCA participated in **national and international conferences** including the 21st Annual National Youth At Risk Conference, Savannah, Georgia, Jamaica Council of Churches Children at Risk Conference and the Caribbean Child Research Conference. These provided opportunities for knowledge sharing and networking. New and emerging issues such as 'sexting' (sending sexually explicit messages or photographs, mainly between mobile phones), cyber-bullying and other ways that social media can impact negatively on children, were addressed. Public education was carried out in collaboration with the Computer Science Department at the University of the West Indies (UWI).

The OCA was a partner of the UWI's Sir Arthur Lewis Institute of Social and Economic Studies *Caribbean Child Research Conference, 2009* which was funded by UNICEF and Environmental Foundation of Jamaica. The October 2009 event provided a safe space for children to participate in the policy arena, and ten of them made presentations on research conducted by them about issues affecting them. Other partners included the Ministry of Education, CDA, OCR and the PIOJ.

The Children's Advocate and staff also participated in the Caribbean Probation Conference, the Caribbean Poison Information Network Scientific Conference and the Knowledge Management Summit. The CA made a presentation to over 200 Probation Officers across the Caribbean on the role of media in protecting the right of children.

PROVIDING LEGAL ASSISTANCE, ADVICE, AND REPRESENTATION

Paragraphs 14 and 15 of the First Schedule of the Child Care and Protection Act, 2004 give the OCA the powers to intervene in legal proceedings and provide legal assistance for children in Court.

Section 14. - (1) Subject to the provisions of this paragraph, the Children's Advocate may in any court or tribunal –

- (a) bring proceedings, other than criminal proceedings, involving law or practice concerning the rights or best interests of children;*
- (b) intervene in any proceedings before a court or tribunal, involving law or practice concerning the rights or best interests of children;*
- (c) act as amicus curiae in any such proceedings.*

Section 15. - (1) This paragraph applies to proceedings –

- (a) involving law or practice concerning the rights or welfare of children, which a child has commenced or wishes to commence; or*
- (b) in the course of which a child relies, or wishes to rely, on such law or practice.*

(2) Where a child applies to the Children's Advocate for assistance in relation to proceedings to which this paragraph applies, the Children's Advocate may, subject to sub-paragraph (3), grant the application if he is satisfied that –

- (a) the case raises a question of principle;*
- (b) it would be unreasonable to expect the child to deal with the case without assistance because of its complexity, the child's position in relation to another person involved, or for some other reason; or*
- (c) there are other special circumstances which make it appropriate for the Children's Advocate to provide assistance.*

(3) The Children's Advocate shall not grant an application under sub-paragraph (2) unless it appears to him that there is no other person or body likely to provide such assistance.

(4) Where the Children's Advocate grants an application under sub-paragraph (2), he may arrange for the provision of legal advice or representation and any other assistance which he thinks appropriate.

(5) Arrangements made by the Children's Advocate for the provision of assistance to a child may, if the Children's Advocate thinks it reasonable in the circumstances, include provision for the recovery of expenses from the child, or the child's parent or guardian.

During the period under review, the legal team:

- Received requests for assistance
- Reviewed complaints
- Interviewed clients and other witnesses
- Undertook relevant research
- Prepared case briefs
- Made court appearances
- Provided assistance to children as required
- Provided legal advice for children and other stakeholders on issues impacting the rights and best interests of the child.

For the period under review the legal team established jurisdiction²⁶ in **472** cases. One hundred and ninety cases were assigned to the investigation team. The 472 cases received included matters involving children in need of legal representation, educational matters, custody, children in need of financial assistance, children in need of counseling services and missing children. Table 3.3 shows the distribution of complaints by parish.

Table 3.3: Complaints Received by Parish or Other Location

Parish	No.	Percentage
Kingston	138	29.2
St. Andrew	87	18.4
St. Catherine	94	20
Clarendon	14	3
Hanover	2	0.4
St. Ann	12	2.5
St. Elizabeth	10	2.1
St. James	21	4.4
St. Mary	7	1.5
St. Thomas	14	3
Portland	12	2.5
Manchester	10	2.1
Trelawny	12	2.5
Westmoreland	9	2
Overseas	6	1.3
Unknown	24	5.1
Total	472	100

The two Legal Officers represented 75 children in court and accounted for 112 court appearances. Figure 3.1 shows the type of courts attended by the Legal Officers. Of the 75 children represented, 58% were in the Children's Court/Corporate Area Family Court.

²⁶ This is where the OCA makes a determination as to whether a compliant received can be properly investigated by the OCA or if it is to be referred to another agency.

It must be noted that there were some children whose cases were heard at all levels of the court system.

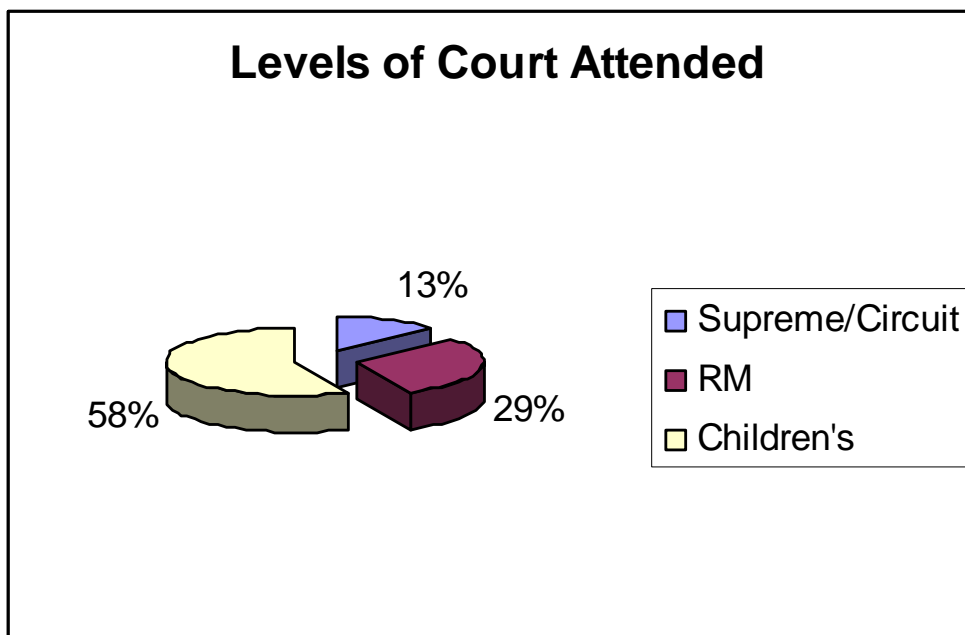


Figure 3.1

No=75

Table 3.4 shows the level of representation in court by parish. The majority of children represented in court were from Kingston and Andrew and St. Catherine (54.2 per cent). The lowest representation was for the parish of Hanover. No child was represented in the parishes of St. James, Westmoreland, Manchester and St. Elizabeth. As a result of the limited number of legal officers in the OCA, the team was at times unable to provide legal assistance to some children when more that three courts were in session on the same day. Prioritization of cases had to be done at all times, even though the OCA only appears in matters where there are specific requests by the children involved or where the Courts ask for assistance.

Table 3.4: Level of Representation in Court by Parish

Parishes	Number of matters	Percentage
Kingston/St. Andrew	20	27.8
St. Catherine	19	26.4
Portland	4	5.5
St. Thomas	8	11.1
Trelawny	3	4.2
Clarendon	5	6.9
St. Ann	9	12.5
St. Mary	3	4.2
Hanover	1	1.4
Total	72*	100

*One matter may include more than one child.

Several successful interventions were made for children during the year. Table 3.4 shows some of the accomplishments of the legal team. The team was called upon by judges in Children's Courts to assist children who were in need of legal representation in relation to matters in which their rights were at risk of being infringed. The OCA was also successful in preventing the Child Development Agency from varying the Order of 14 children with a behavioural problem from a Fit Person Order to a Correctional Order. As a result the child remained in the care of the Agency instead of being placed in the custody of the Department of Correctional Services.

Table 3.5: Successful Outcomes Achieved by the Legal Team

Indicator	Number
Bail application	4
Supervision Orders	12
Custody Orders	4
Fit Person Orders	4
Fit Person Order continued despite request for variation by CDA	14
Proceedings watched in criminal matter	10
Criminal matters placed on priority Preliminary Examination List	3
Number of Children for whom legal aid counsel was secured	15
Case for child to return to parent overseas	1
Child removed from juvenile remand centre to place of safety	1
Total	68

The OCA was also successful in ensuring that 10 child witnesses were not inconvenienced, and that their educational rights were upheld, by avoiding unnecessary court attendance when they were not required to give evidence. Successful applications were made on behalf of these children to judges to have them excused from court until they were required to give evidence.

Outside of the court setting, the OCA intervened in a matter before the board of a high school in St. Catherine, where a teacher allegedly sexually harassed female students. These students had no legal representation and the OCA's legal team assisted the children in this matter.

On a regular basis, the Legal Team gave advice and/or information to approximately 20 members of the public weekly. These requests spanned the Child Care and Protection Act, rights of children, role and function of the OCA, legal rights of parents in custody and maintenance matters, and referral matters.

Some clients who called or walked in were referred to various relevant agencies. These agencies included the Child Development Agency (CDA); CISOCA and the Victims Support Unit (VSU).

In compliance with the CCPA, the OCA also provided a total of \$35,500.00 to assist children in making complaints.

CONSULTATIONS AND PROMOTING AWARENESS OF RIGHTS AND BEST INTERESTS

In keeping with its mandate to promote and protect the rights of the nation's children, the OCA intensified its public education outreach by engaging in seminars, consultations and presentations islandwide, throughout the year under review. Appreciation is expressed to the media for facilitating discussions on child right issues and on the functions of the OCA, and for focusing attention on other important issues.

Seminars with Children in State Care

The OCA continued its public education activities with children in state care under the Government of Jamaica/UNICEF Country Programme, by hosting four seminars in the parishes of Kingston, St. Catherine and Manchester. Some 170 children between the ages of 6 and 18 years at the Alpha, Hanbury and Sunbeam Child Care Facilities and at Strathmore Place of Safety participated. They were introduced to different aspects of the Child Care and Protection Act, taught their rights and responsibilities, and advised of the role and function of the OCA and how they could contact the Office.

Consultations with Stakeholders

The OCA participated in a series of consultations organized by the OCR with members of the Jamaica Constabulary Force in eight divisional headquarters in St. Elizabeth, Clarendon, Manchester, Trelawny, Kingston, St. James and St. Ann. The consultations sought to create a better understanding of the roles of the various child protection agencies, to outline areas where the work of these agencies overlapped and to identify areas for greater collaboration.



Members of the JCF listen attentively at a consultation hosted by the OCR in St. Elizabeth

The consultations were also designed to provide a space for stakeholders to express themselves, share any difficulties with child rights issues and collaborate for problem solving.

The OCA organized three regional consultation sessions for stakeholders working in the criminal justice system, however due to financial constraints only one was held. They targeted police, clerks of the court and social workers.

The consultation was held in Montego Bay and attended by some 50 stakeholders from all four police divisions in St. James, Trelawny, Hanover and Westmoreland, and clerks of the courts from all Children's Court in these parishes. Participants were sensitized about relevant areas of the Child Care and Protection Act and issues relating to some children in the justice system. They had the opportunity to express concerns relating to their work and the rights of the child, and discussed possible solutions.

Several concerns were raised regarding the inadequacy of space for children who come in contact with the law, lack of support for some parents unable to cope with their children and court cases being dragged out because of incomplete case files. The OCA continues to have dialogue with the relevant authorities towards having these issues resolved.

Presentations

The OCA made presentations at several public fora. Topics included, on its work, the Convention on the Rights of the Child, the Child Care and Protection Act, and critical issues affecting the rights of the child. Such presentations are often requested by stakeholders, and are used as advocacy tools. Table 3.6 indicates public fora, meetings and other events in which the OCA participated in during the review period.

Table 3.6: Events in which the OCA Participated

At Schools	At Churches	With Other Stakeholders
§ Islington Basic School Graduation § St. Anne's Infant School Parenting Workshop § Bridgeport Primary School visit § St. Michael's Primary School Girl's Day § St. George's Primary School Girl's Day § Hastings Primary School Parenting Seminar § St. Michael's Primary School Girl's Day § Our Lady of the Angel Preparatory School Girls' Day § Glen Hope Prep School Graduation § Clan Carthy High School Girls Day § Manchester High School teachers' meeting. § Woolmer's Boys Student Council meeting § UTECH Food and Health Group Parenting Seminar 2009 § UTECH Child Care and Development Programme § UWI Secondary School Teacher's Workshop § UWI Primary School Teacher's Workshop § UTECH 52nd Anniversary Celebration and Public Lecture § Holy Family Infant and Primary School visit § Morant Bay Primary School visit § Denham Town Primary School visit	§ Strong Tower New Testament Church § Bethel Untied Church § Love Worship Centre Child Month service § Strong Tower New Testament Church Parenting Workshop § Testament Church Children's Convention § Christiana Ministers' Fraternal Public Forum § Higholborn Street Church of God § St. Mathews Anglican Church § Portmore Gospel Assembly	§ SDC Community Month Symposium at Duhaney Park Primary School § Police Civilian Oversight Authority Youth Forum § Kingston Restoration Company § Ministry of National Security Child Month Exhibition Panel Discussion § FIMI Wireless Fathers Day Exhibition § Liberty Hall Summer Camp § Jamaica Police Academy/Staff College § Office of the Children's Registry Staff Orientation § Liberty Hall Summer Camp § CUSO/VSO International Knowledge Sharing Workshop § UWI, Medical Science 18 th Research Conference § Child Month Launch (presentation of main address) § Ministry of National Security § Guidance Counselors' Prayer Breakfast § Regional Workshop on Disaster Management § ICD Credit Union Award Ceremony for GSAT students § Police Staff College

§ Jamaica Theological Seminary visit § Holy Childhood High School PTA § Graduation of Mustard Seed Community at School of Public Health and Technology		
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The OCA held two press briefings highlighting its work in the area of children in lock-ups, children who are brought before the courts, the Foster Care Programme, child victims and witnesses of child abuse.

Over 2000 brochures with information on the role and functions, location and contact information of the Office of the Children's Advocate were distributed to children and adults at schools, churches, public fora and child care facilities. Brochures developed by other children's agencies were also distributed at these events.

The office also interacted with the media over 100 times through press releases, responses to queries from the media and public and interviews.

Launch of OCA Website

In February 2010, the Office launched its website, www.ocajamaica.com, which serves as an additional public education and advocacy tool. The website was designed with funding and technical assistance from UNICEF, and provides a mechanism for persons to present their complaints and feedback electronically. It also features information on the role and functions of the OCA, publications and studies undertaken, as well as links to other agencies working with and for children. The website is to be expanded to include activities parents and teachers can use to educate children about their rights and responsibilities, and how they can protect themselves.

The opportunity was used to educate the public on the use and abuse of the internet especially social networks and the need to educate parents and children on the appropriate use of these sites.

OCA Media Appreciation Breakfast

In recognition of the media's positive contribution in highlighting and promoting the rights of children, the OCA hosted a media's appreciation breakfast in June 2009. Twelve print and electronic media houses were recognized for their work in highlighting issues affecting children.



Speaker of the House of Representatives, Delroy Chuck (2nd left), converses with (from left), Children's Advocate, Mary Clarke; Gender and Development Consultant, Dr. Glenda Simms and Chairman of the Broadcasting Commission, Dr. Hopeton Dunn. Occasion was the inaugural OCA Media Appreciation Breakfast, at the Alhambra Inn, in Kingston, on June 11. Dr. Simms was the guest speaker.

As part of its **annual Christmas activities**, the OCA hosted a luncheon for over 20 children and staff at the Reddies Place of Safety in St. Andrew. The children were feted and entertained by officers of the OCA.

Child Month Activities

Child Month 2009 was observed in May under the theme **Preserve the Environment: Protect Our Children**. As a member of the National Child Month Committee (NCMC), the OCA played a supporting role in the coordination of the activities. The Children's Advocate was the keynote speaker at the official launch of Child Month 2009 as well as at the NCMC Poster and Essay Competition Awards Ceremony. She also presented greetings at the launch of Child Month Action Day. The latter is similar to Labour Day: schools and service clubs are encouraged to undertake projects to improve the life of children, and to allow children to take part in the projects.

The Office participated in several parenting workshops, church services and expositions, and made presentations to civic organizations throughout the Child Month.

RECEIVING COMPLAINTS, CONDUCTING INVESTIGATIONS AND SEEKING REDRESS

The Child Care and Protection Act, 2004 gives the Children's Advocate powers to receive and investigate complaints in circumstances where the rights of the child are being infringed. During the period under review, the OCA held firm on its mission to carry out these functions, as set out in Section 13 of the First Schedule of the CCPA and Strategic Objective Five.

Sixty seven cases were brought forward from the previous reporting period. Of these, 27 were for sexual and physical abuse, 10 for educational matters, eight for custody matters, 10 for matters relating to children in need of care and protection, eight relating to uncontrollable children, and four relating to complaints against CDA.

During this reporting year, the OCA referred all 27 sexual and physical abuse cases to the Police for their attention, in which five arrests were made. Of the 10 education matters, six of the children were re-admitted into school and the remaining four were still being investigated. The eight custody matters are awaiting the courts' rulings. Cases related to care and protection were referred to the Child Development Agency. The complaints against the CDA were still being investigated.

For the period under review, the Office received 472 complaints directly from persons who walked in, called, wrote or attended public education sessions, and by way of media reports.

Table 3.7 shows the types of complaints that were received. All criminal matters were reported to the police, however, the OCA may at times conduct preliminary investigation before, or after a matter is referred to the police, where there exists a possibility for civil suit. In cases involving relevant authorities, full investigations were conducted and reports with recommendations sent to the relevant authorities for appropriate action.

Of the complaints made directly to the OCA, 190 were assigned to the Investigation Department with instructions from the Legal Department. Table 3.7 shows the distribution of complaints received. All the cases were recorded in the Register of Complaints. Most of the complaints assigned to the Investigation Department were related to abuse (44.2 %) followed by education related matters (20 %) and care and protection (10 %).

In compliance with the CCPA, 103 child abuse cases received directly by the OCA were sent to the office of the Children's Registry.

Table 3.7: Summary of Complaints Received for Investigation.

CASE TYPE	FREQUENCY	PERCENTAGE
Sexual Abuse	32	16.8
Physical Abuse	23	12.1
Education Matter	24	12.6
Care and Protection	19	10
Education Neglect	14	7.4
Abuse in Children's Home	9	4.7
Complaints re: the CDA	10	5.3
Uncontrollable Children	8	4.2
General Enquiry	6	3.2
Financial Assistance for health care	5	2.6
Child Abuse/Child neglect	10	5.3
Complaints against the Police	5	2.6
Children in Police Custody	5	2.6
Street Children	2	1.1
Other	18	9.5
TOTAL	190	100

Cases Received From the Office of the Children's Registry

Where child rights are infringed by relevant authorities, the CCPA empowers the Office of the Children's Registry to submit complaints received to the OCA for investigations. A total of 77 complaints were received by the OCA from the OCR for the period under review. Table 3.8 shows that the majority of the complaints related to abuse of children in the care of relevant authorities (71.4 %) followed by education matters and complaints against CDA (13 % each).

Table 3.8: Complaints Received from the OCR

Case Type	Frequency	Percentage
Physical Abuse	27	35.1
Sexual Abuse	28	36.3
Education Matter	10	13
Child in Police Custody	2	2.6
Complaints against CDA	10	13
Total	77	100

Of the 27 sexual and 28 physical abuse cases received by the OCA from the OCR, the main perpetrators were custodians of children, especially in the education system. Cases of sexual abuse were reported to the Police for their investigation. The 10 education matters were in relation to children's issues that had been dealt with inappropriately by teachers and principals when they were brought to their attention. The two cases of children in custody pertained to children who were physically abused by the police while in police custody. Of the 10 complaints against CDA, five were in relation to children being abused while in state care and the other five related to the Agency’s failure to act in circumstances that fell under its mandate.

The investigation team carried out their duties using various strategies including visits, collecting statements, interviewing and on several occasions providing counseling. Table 3.9 outlines some of the achievements of the two-person Investigation Department of the OCA.

Table 3.9: Investigations in Response to Complaints & some Outcomes

Indicators	Numbers
Cases brought forward from 2009	67
(Investigated) Complaints received (Direct)	472
Complaints received (OCR)	77
Schools visited for investigation	40
Children's homes visited	18
Correctional institutions visited to conduct investigations	5
Families assisted to receive additional benefits from Poor Relief	4
Children referred for counseling at the Victim Support Unit and with guidance counselors	25
Children and families who received preliminary counseling from the OCA	10
Parents referred to the Jamaica Council for Disability for assistance	4
Teachers removed from school for being abusive to children	5
Children removed from abusive situations and placed with other family members or in children's homes	15
Arrests by police as a result of OCA's interventions	12
Police stations visited	11
Children removed from lock-ups as a result of OCA's Investigations	22
Children re-entering school	7
Interventions for medical assistance	6
Families assisted in receiving PATH benefits so children could attend school	6
Children whose school attendance increased as a result of OCA's interventions	8
Children taken off the street by the police as a result of the OCA's interventions.	12

Some of the children who were locked up and had been granted bail, remained in lock-ups as they had no one to bail them. Others remained in lock-ups because of parents' failure to attend court. The OCA's concerns with the issue of children in lock-ups are addressed in the section of this Report which deals with Review and Monitoring of Existing Laws and Services.

The OCA acknowledges the collaboration of the police, which contributed to the removal of children off the street (see appendices 11 and 12).

The investigation team visited 40 schools, including early childhood institutions and nurseries, to investigate reports of abuse.

The OCA in previous reports highlighted the high number of children who were being brought before the courts by parents as being uncontrollable. Several parents during the reporting period brought their children to the Office and stated that they were uncontrollable. In an effort to ensure the best interests of these children, eight children were sent to the Mico Care Assessment Unit for an assessment instead of being brought before the court to be sent to a children's home or juvenile correctional centre. Children were returned to their parents and both counseled.

The Armadale Tragedy

On Friday night May 22, 2009 The Armadale Juvenile Correctional Centre in St. Ann was gutted by a fire which claimed the lives of seven girls who were in state care. Based on its investigative, legal and policy advisory roles, the OCA was involved in several activities relating to the Armadale tragedy.

The Children's Advocate and her staff visited the children and staff of the Centre the day after the fire, to determine what had happened and to offer support. The Children's Advocate visited some of the girls at the St. Ann's Bay Hospital, and visits were also made to those who had been transferred to the Kingston Public Hospital.

In addition, the following activities were carried out:

- **Investigative** – the OCA had to employ additional staff to meet additional needs relating to the Armadale Commission of Enquiry. Two Investigation Officers were based in St. Elizabeth to collect statements from the surviving girls who had been relocated to Diamond Crest. Fifty three statements were collected from the wards who were at Armadale at the time of the fire and submitted to the legal team. Two meetings were held with the parents of the wards who had died and of survivors of the fire with a view of seeking redress for the children and their families. This matter was still ongoing at the close of the review period.
- **Legal** – A legal counsel was hired to lead the OCA legal team at the Commission of Enquiry. Both OCA legal officers were required to attend the Commission of Enquiry daily to assist in cross examinations, note taking and other tasks.

The Children's Advocate appeared before the Commission for two days to give account and to make recommendations concerning juvenile correctional facilities. She brought to the attention of the Commission, the work of the OCA and the limitations in the facilities with respect to overcrowding, education and training, psychosocial support and life skills for these wards.

In the final Report prepared and submitted by the Commission, Retired Justice Paul Harrison, said in part:

The Children's Advocate, Mrs. Mary Clarke, occupying this newly created office since 2006, has demonstrated a mature grasp of the responsibilities of that office as it relates to the relevant institutions and persons concerned with the welfare and benefit of children islandwide. Her office is however somewhat handicapped by insufficient staff and resources.

- a. The staff of the Office of the Children's Advocate should be increased, particularly the investigating officers, with adequate travelling facilities. Regular visits to the juvenile institutions, routine examination of the facilities and interaction with the juveniles should be effected. This would complement the Board of Visiting Justices.**
- **Policy Advisory** – Several legal briefs and opinions were prepared for the Commission of Enquiry. The Deputy Children's Advocate prepared the following documentation:
 - 1. Brief for Legal Counsel contracted by the OCA
 - 2. The role of the Children's Advocate in the Enquiry
 - 3. Submission to the Commission of Enquiry on behalf of the Office of the Children's Advocate.
 - 4. The Rights of the Children's Advocate to represent children at the Enquiry
 - 5. The need to appoint inspectors for juvenile correctional centres, which was submitted to the Ministry of National Security (see Appendices 13 and 14).

The OCA started the preparation of cases for the compensation of the survivors and the estates of the children who died as a result of the Armadale fire and filed proceedings in the Supreme Court with respect to compensation for the Armadale victims. Further details will be forthcoming in the next Annual Report.

Following the Enquiry, the OCA continued to provide advice to the relevant authorities on the development of a new remand centre for boys to be retrofitted at Metcalfe Street in Kingston. The OCA provided technical advice to various agencies.

In March 2010, the Children's Advocate was invited by the Public Sector Transformation Unit in the Office of the Prime Minister to meet with stakeholders responsible for juvenile remand centres and correctional centres, to discuss the new regime and structure for these centres. Several sub-committees were subsequently formed, two of which were chaired by the Children's Advocate. The Children's Advocate also served on the Inter-disciplinary Committee for Wards of the State and the Legislative Review Sub-committee.

The OCA also served on sub-committees:

- Public Sector Modernization (PSM) Sub-Committee stakeholders responsible for physical facilities of juvenile correctional and remand facilities
- PSM Sub-Committee to develop terms of reference for a national child protection inter-agency committee (chair) (see Appendix 15)
- PSM Sub-Committee to define the role and responsibilities of the Child Development Agency and the Department of Correctional Services (DCS) under the modernized public sector (chair) (see Appendix 16)
- PSM Inter-Disciplinary Sub-Committee on Children in State Care

The OCA also made submissions on the proposed Remand Centre for Boys at Metcalfe Street (see appendix 16a).

Conclusion

The OCA continued to pursue its mandate to protect and safeguard the rights and best interests of children in Jamaica. Many challenges were encountered, however the Children's Advocate and her team made every effort to overcome these in the best interest of the country's children.

The OCA wishes to express thanks to its many partners who have assisted in the performance of its mandate. Special mention must be made of the United Nations Children's Fund which has provided technical and financial support, CUSO/VSO for the provision of a Volunteer who developed the Children in Court Programme, and the British High Commission for its continued financial and technical assistance in the undertaking of the Child Protection Audit.

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ACRONYMS

BCG	Bacillus Calmette-Guérin vaccine against tuberculosis (TB)
CARPIN	Caribbean Poison Information Network
CCN	Constabulary Communications Network
CCPA	Child Care and Protection Act, 2004
CDA	Child Development Agency
CISOCA	Centre for the Investigation of Sexual Offences and Child Abuse
CRC	United Nations Convention on the Rights of the Child
CUSO/VSO	An international development volunteer agency operated jointly by Canada and Great Britain
CXC	Caribbean Examinations Council
DCS	Department of Correctional Services
ECI	Early childhood institution
ESSJ	Economic & Social Survey of Jamaica, published by the Planning Institute of Jamaica
GSAT	Grade Six Achievement Test
IACHR	Inter-American Commission on Human Rights
IDB	Inter-American Development Bank
IDF	International Diabetes Federation
IDP	International Development Partner
ILO	International Labour Organization
IPEC	The ILO's International Programme on the Elimination of Child Labour
JCF	Jamaica Constabulary Force
KMA	Kingston metropolitan area
LIFE	The Child Development Agency's Living in Family Environments Programme
MDG	(United Nations) Millennium Development Goal
MLSS	Ministry of Labour & Social Security
MMR	Vaccine against measles, mumps & rubella
MOE	Ministry of Education
MOU	Memorandum of understanding
NCMC	National Child Month Committee
NGO	Non-governmental organization
OCA	Office of the Children's Advocate
OCR	Office of the Children's Registry
OPV	Oral Polio Vaccine
PATH	Government's Programme of Advancement Through Health & Education

PIOJ	Planning Institute of Jamaica
POS	Place of Safety
PSM	Public Sector Modernization Programme
PTA	Parent Teacher Association
SALISES	(UWI's) Sir Arthur Lewis Institute of Social & Economic Studies
SDC	Social Development Commission
SIMPOC	The ILO's Statistical Information & Monitoring Programme for Child Labour
UNICEF	United Nations Children's Fund
UTECH	University of Technology
UWI	University of the West Indies
VSU	Victim Support Unit