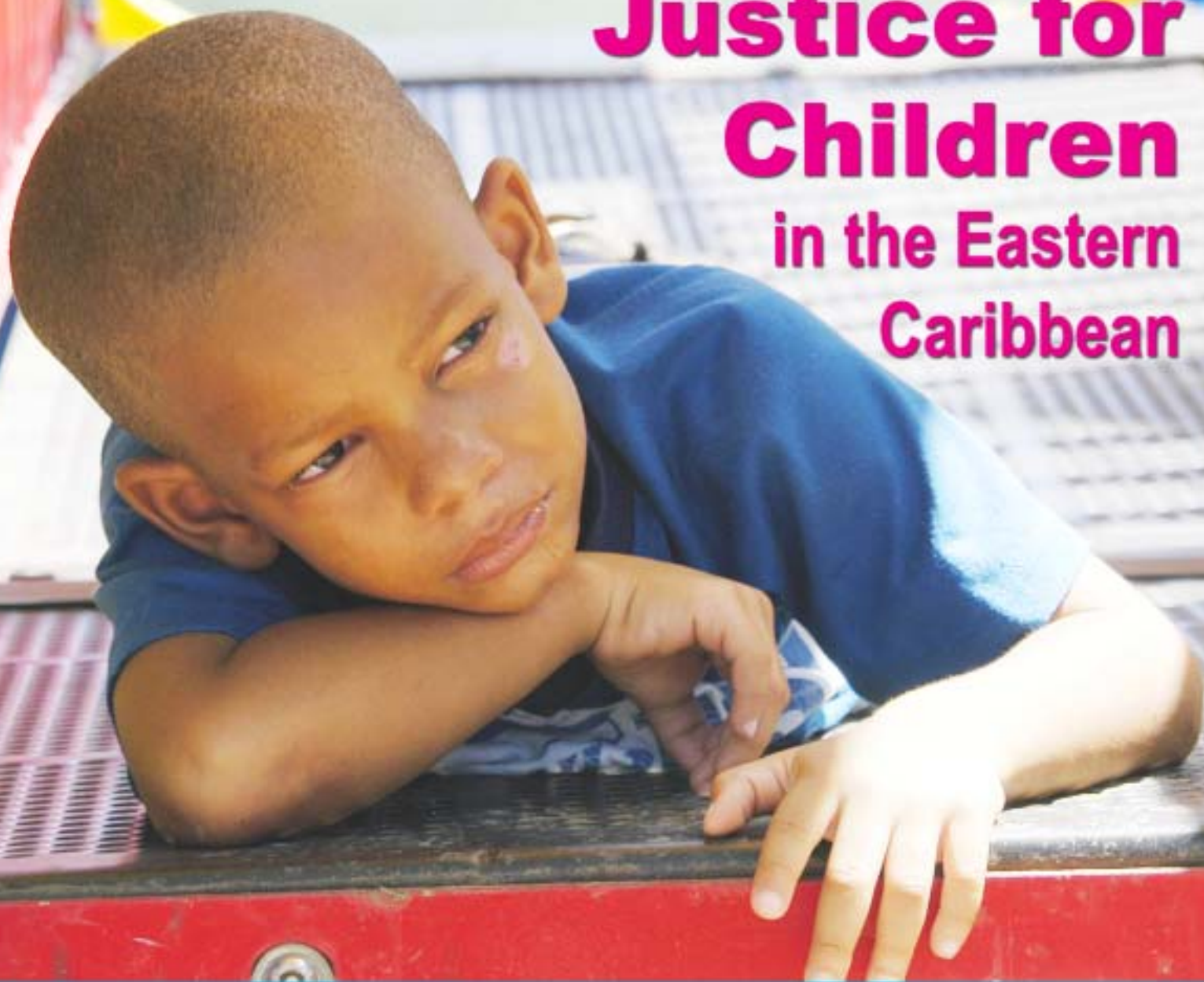


# Children

in FOCUS



## Justice for Children in the Eastern Caribbean



Vol 1, 2007

unicef 



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## FROM THE REPRESENTATIVE'S DESK



It is my delight to introduce you to the first issue of **Children in Focus** for 2007. This is a newsletter of the UNICEF Eastern Caribbean Office, which is geared towards highlighting issues relating to children's rights in the Eastern Caribbean that are challenging and still need to be addressed. This first issue deals with the topic of justice for children.

As news reports of young people being involved in anti-social behaviour continue to increase, bringing to fore this issue of **justice for children** is sometimes not very popular in the public domain as people tend to think only about juvenile offenders or those who have come in conflict with the law.

However, when we speak about **justice for children** we are considering not only issues pertaining to children and adolescents who offend, but also issues pertaining to children and adolescents under the age of 18, who are victims of crime or witnesses to crimes - regardless of their role in the offence or in the prosecution of the alleged offender or groups of offenders. We often feel uncomfortable discussing the details of children who are victims and an opinion piece in this newsletter poignantly reflects on actual case studies of such children

From a child protection perspective, the **justice for children** approach helps identify and address justice sector-specific approaches to **preventing** and **responding** to separation from family, as well as violence and exploitation.

It can also ensure more seamless responses to children who may enter the justice system as perceived offenders, but who are in fact in need of protection (e.g. trafficked children, children in prostitution, children used by adults to commit crimes, children under minimum age of criminal responsibility).

This approach is reflective of the articles of the UN Convention on the Rights of the Child (CRC), which all countries of the Eastern Caribbean region have signed and ratified. The Convention notes that all

children have rights, without discrimination and that in all cases the best interest of the child should be taken into account. In addition, its articles urge States to adopt preventative measures to stop children and young people from entering the justice system – whether as offenders or victims - and also to protect their rights while they are in the system. The Convention also calls for the reintegration of such children into the society.

The fact that the Convention deals with the issue of **justice for children** mandates UNICEF to advocate for the protection of the rights of young offenders, as well as child witnesses and victims of crime. In the Caribbean while legislation exists to detail how such children should be treated they are still a number of areas of concern as are reflected in the comments by the UN Committee on the Rights of the Child on our countries' CRC State Reports.

It is in this regard, that we feel it necessary to highlight this issue and to advocate for Caribbean governments to put the necessary measures in place to ensure that the rights of these children are protected and upheld. It is important to remember that in most cases children are victims and not offenders and we all are responsible for addressing their needs and concerns in line with the CRC.

We trust that you will find this issue of the newsletter interesting and also inspiring as we collectively seek to make the world better for ALL children.

Tom Olsen  
Representative

## JUSTICE FOR CHILDREN - THE CARIBBEAN REALITY



The following is an edited excerpt of a presentation made by Hazel Thompson-Ahye at the June 2007 seminar on Justice for Children in the Eastern Caribbean.

All of the States of the OECS, as well as all the other Caribbean States, have ratified the United Nations Convention on the Rights of the Child (the CRC) and are obligated to “undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention.” States must also report to the UN Child Rights Committee (the Committee) on “the measures they have adopted which give effect to the rights recognized (in the CRC) and on the progress made on the enjoyment of those rights.” These Reports must be submitted to the Committee: “Within two years of the entry into force of the Convention for the State Party concerned and thereafter every five years.”

The Committee, having reviewed the State Reports of some Caribbean States, in its Concluding Observations on those Reports, expressed many concerns and made several recommendations for reform of juvenile justice in every one of those Caribbean States.

### OBSERVATIONS OF THE COMMITTEE ON THE ADMINISTRATION OF JUVENILE JUSTICE IN SOME CARIBBEAN STATES.

#### Antigua and Barbuda

In 2004, the Committee in its Concluding Observations on the Report of Antigua and Barbuda, recommended, *inter alia* that the State reviews its legislation and policies to ensure full implementation of juvenile justice standards. The Committee recommended that the minimum age of criminal responsibility should be raised to an internationally accepted level, that the law should be amended so that juveniles were not brought before an adult court, to ensure separation of children from adults and that deprivation of liberty was a last resort and for the shortest possible time.

#### Barbados

The Committee, reviewing Barbados’ initial Report in 1999, revealed its “concerns regarding the administration of juvenile

justice.” Among the matters causing anxiety were the non-applicability of juvenile justice provisions to children over 16 years, the sentencing of children for status offences and the low age of criminal responsibility, notwithstanding that the State Party had increased the age to 11 years. The Committee recommended the State “ensure full compatibility of the juvenile justice system with the Convention, especially articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.” These standards are hereinafter referred to as “the international norms and standards in juvenile justice.”

#### St. Kitts and Nevis

While the Committee found that the administration of juvenile justice in St. Kitts and Nevis “conforms to some extent with article 40 of the Convention,” it concluded in its Observations on that State’s Report in 1999, that

the State's "Juvenile Act did not encapsulate the Beijing Rules."

### **Dominica**

The Committee, in its Concluding Recommendations made in 2004 on Dominica's initial Report, urged the State Party to "ensure the full implementation of juvenile justice standards and in particular articles 37, 39 and 40" of the CRC and the international norms and standards in juvenile justice and recommended that the State enhance training programmes on relevant international standards for all professionals involved with the system of juvenile justice, review the sentencing of children at the President's pleasure so that the decision is in the hands of the judge, abolish the sentences of whipping and life imprisonment and separate children from adults in detention, including pre-trial detention.

### **Grenada**

In its recommendations made in 2000 on Grenada's initial report, the Committee called for additional steps to be taken to implement a juvenile justice system in conformity with the CRC, in particular articles 37, 40 and 39 and of the standards and norms in juvenile justice. The Committee also recommended that deprivation of liberty be used only as a measure of last resort and for the shortest possible time, for the protection of the rights of children deprived of their liberty, including the right to privacy, for children to remain in

contact with their families while in the juvenile justice system, the prohibition and eradication of the use of corporal punishment in the juvenile justice system and for introduction of training programmes for all professionals involved with the system of juvenile justice.

### **St. Vincent and the Grenadines**

In its Concluding Observations on the Initial Report of Saint Vincent and the Grenadines in 2002, the Committee recommended, inter alia, that the State "significantly raise the age of criminal responsibility and ensure that all children under the age of eighteen benefit from the special protection measures recognized by juvenile justice standards; ensure that all children benefit from legal assistance in the context of juvenile justice proceedings; ensure that deprivation of liberty is used only as a last resort and that provision is made for adequate alternatives to deprivation of liberty, such as community service orders. The State was also urged to ensure protection of child detainees, such that children in detention or in prison are separated from adults, and urgently prohibit corporal punishment of children in the context of the juvenile justice system. The Committee enjoined the State to "develop mechanisms and provide adequate resources to ensure the full implementation of juvenile justice standards, in particular articles 37, 40 and 39" of the

CRC and the international norms and standards in juvenile justice.

### **Saint Lucia**

After considering Saint Lucia's Initial Report in 2005, the Committee recommended that that State "continues to strengthen its efforts to improve the juvenile system in order to ensure the full implementation of juvenile justice standards." It also recommended the "abolition of provisions which allow the imposition of a life sentence on children aged 16 or 17 at the time of the commission of the crime and ensure the children aged 16 and 17 ....are afforded the same protection as younger children under the justice system."

Other recommendations of the Committee included the abolition of status offences, the development of alternatives sanctions, such as community service or restorative justice in order to make deprivation of liberty a last resort, the establishment of a separate facility for female juvenile offenders, improvement in conditions at the Boys' Training Centre and a system of training for professionals dealing with juveniles in conflict with the law.

## **THE REALITY**

The Committee's Reports span the period 1995 to 2005. During that time and up to the present some efforts have been made to improve the administration of juvenile justice in the Caribbean.

This paper examines the status of the juvenile justice system in the Caribbean with particular reference to the Committee's concerns and with a view to determining the areas that still need to be addressed for the full implementation of the rights of the child in the administration of juvenile justice. It does so under the following specific heads:

- A. Age of criminal responsibility and age limits for juvenile justice protection;**
- B. Measures for the protection of the rights of juveniles;**
- C. Establishment of laws, procedures and institutions for children;**
- D. Privacy of proceedings, appropriate legal assistance;**
- E. Pre-trial diversion measures;**
- F. Disposition of juvenile cases and alternatives to custody;**
- G. Protection for child victims and witnesses;**
- H. Protection of rights in detention.**

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#### **A. AGE OF CRIMINAL RESPONSIBILITY AND UPPER AGE LIMIT FOR JUVENILE JUSTICE PROTECTION.**

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The CRC defines a child as "every human being below the

age of eighteen years unless, under the law applicable to the child, majority is attained earlier." The United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("the JDL Rules"), uses the term "juvenile" for "every person under the age of 18," while the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("the Beijing Rules") defines a juvenile as "a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult."

Under the CRC, States have a responsibility to "promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law..." Accordingly, juvenile justice laws and procedures must be extended to all children under the age of eighteen years.

The CRC mandates States to establish "a minimum age below which children shall be presumed not to have the capacity to infringe the penal law." Although no minimum age was fixed, States were to be mindful that the age should not "be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity."

The age of criminal responsibility is not uniform in the Caribbean.

*The range is as follows:*

- 7 years** - Trinidad and Tobago, Grenada, The Bahamas;
- 8 years** - St. Vincent and the

Grenadines, Turks and Caicos Islands, Antigua and Barbuda, St. Kitts and Nevis;

**10 years** - Guyana, British Virgin Islands, Suriname, Anguilla, Montserrat;

**11 years** - Barbados;

**12 years** - Dominica, Saint Lucia, Jamaica, Belize.

Participants at the Regional Symposium on Juvenile Justice held in Port of Spain in 2000 recommended in **The Caribbean 2000 Consensus on Juvenile Justice** that: "In all States within the Caribbean, legislation be enacted to the effect that the age of criminal responsibility shall not be less than twelve years of age." More recently, the Committee recommended that State Parties "increase their lower minimum age of criminal responsibility to the age of 12 years as the absolute minimum age and to continue to increase it to a higher age level."

The age of criminal responsibility has implications for the *doli incapax* rule. Under this common law rule, there is the irrebuttable presumption that a child below the age of criminal responsibility is incapable of committing a crime. This presumption is rebuttable in the case of a child above the age of criminal responsibility, but below age fourteen. Although now abolished in England, this rule remains part of our juvenile justice law.

Most Caribbean juvenile justice laws dissect the child into parts or categories. Thus, in different Caribbean jurisdictions, we have

a “child” who is “a person under the age of fourteen years”, or “under twelve years,” a “young person”, who is “under the age of sixteen” or “seventeen years” and then there is the collective term, “juvenile,” used for children and young persons as a group. Categories and definitions are important because of varying standards in the law’s treatment of children who come within the purview of the juvenile justice system. One such case is the provision in a number of Caribbean States that a “child” may not be sentenced to prison, but a “young person” may be so sentenced.

In general, the upper age limit for juvenile justice protection in the Caribbean is age sixteen. The exceptions are Dominica, the British Virgin Islands and Jamaica where the outer age limit is age eighteen, and Guyana, where it is age 17 years.

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## **B. MEASURES FOR PROTECTION OF THE RIGHTS OF JUVENILES.**

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### ***1. Court to have regard to welfare/ best interests of child***

Most jurisdictions provide for the court to be guided by the principle: “In dealing with a juvenile who is brought before it as being in need of care or protection or as an offender or otherwise, shall have regard to the welfare of the juvenile and shall, if it deems it necessary, take steps for removing the juvenile from undesirable surroundings.”

The principle of the welfare of the child in juvenile justice legislation

is in keeping with the CRC which provides: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration;” and the Beijing Rules which provides: “The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence.”

### ***2. Children to be separated from adults***

All Caribbean jurisdictions, as required by Article 37c of the CRC, make legal provision for children to be separated from adults, other than a relative, when being transported to and from court and when detained in police stations or waiting in court.

### ***3. Restrictions on punishment of juveniles***

Juvenile justice or other State legislation prohibit the sentence of death being imposed for a crime committed while the offender was under age eighteen at time of its commission and may also prohibit imprisonment of a child, and in some cases, of a juvenile.

Corporal punishment, generally termed “whipping,” and sometimes “caning,” is sanctioned by most Caribbean juvenile justice laws. It has been abolished as a sentence for juveniles in Belize, Jamaica, Saint Lucia and Trinidad and Tobago. The Committee has called for the abolition

of corporal punishment and the Report of the Independent Expert for the UN Study on Violence Against Children sets a target date of 2009 for the prohibition of all violence against children, including all corporal punishment.

### ***4. Juveniles to be granted bail except in specified circumstances***

Juvenile justice legislation generally provide for the juvenile to be granted bail except in a case of homicide or other grave offence, or when the interests of justice preclude this.

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## **C. ESTABLISHMENT OF LAWS, PROCEDURES AND INSTITUTIONS.**

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### ***1. Separate laws for juveniles***

The CRC, Beijing Rules and Riyadh Guidelines all advocate that juveniles be treated differently from adults. The Beijing Rules urge that efforts “be made to establish in each national jurisdiction, a set of laws, rules and provisions specifically applicable to juvenile offenders and institutions and bodies entrusted with the functions of the administration of juvenile justice...,” while the Riyadh Guidelines urge governments to “enact and enforce specific laws and procedures to promote and protect the rights and well-being of all young persons.”

### ***2. Special courts for juveniles – Juvenile or Family Courts***

Every jurisdiction provides for juveniles to be tried separately from adults and has established either juvenile courts or family courts for this purpose. Juvenile

courts are courts of summary jurisdiction. Where the court is not in a separate building, provision is made for juvenile matters to be heard on different days or at different times or in a separate room from the adult court. In the legislation establishing the court, the proceedings preliminary to trial and other provisions relative to the trial of juvenile offenders in the court are set out in some detail. The composition of the court, its powers and the penalties to be imposed also feature in juvenile justice legislation. In some juvenile courts, the magistrate sits alone, while in others, the magistrate sits with assessors, one of whom must be a woman. The magistrate and the assessors constitute a panel. In some cases, the magistrate, when he/she deems it necessary, sits without assessors being present.

### 3. Pre-sentence Reports

Probation officers are required to be present to assist the court and are generally expected to provide pre-sentence reports to guide the court so that the disposition would take into account the offender's situation and be "in proportion to the circumstances of both the offenders and the offence."

### 4. Appeals

Juvenile justice laws, in accordance with the CRC, make provision for appeal to the Court of Appeal of any decision or order made in the juvenile court.

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## D. PRIVACY OF PROCEEDINGS; APPROPRIATE LEGAL ASSISTANCE.

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Juvenile justice laws, in accordance with the CRC and Beijing Rules, provide for privacy of juvenile court proceedings with only members of the court, the parties and their legal representatives and other persons directly concerned with the case being present. Legislation also prohibits publication of the name, address, school photograph or anything likely to lead to the identification of the juvenile, save with the permission of the court.

Few States provide for free legal representation for juveniles. A recommendation in **The Caribbean 2000 Consensus** was that "juveniles be granted legal representation at the earliest stage of proceedings." In Trinidad and Tobago a juvenile can get free legal aid under the Legal Aid and Advice Act, and in Jamaica, the Children's Advocate can make arrangements for the juvenile to receive legal aid. All jurisdictions require parents to be notified when a juvenile is charged. Parents are sometimes compelled to attend court.

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## E. PRE-TRIAL DIVERSION MEASURES.

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States parties have a responsibility to seek to "promote the establishment, whenever appropriate and desirable, of measures for dealing with children who are alleged as, accused of or recognized as

having infringed the penal law without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected."

The Beijing Rules urge that: "Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority, "and recommend that "the police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these Rules.

Pre-trial diversion is not a notable feature of juvenile justice laws in the Caribbean. A call for its use was among the recommendations in the Caribbean 2000 Consensus on Juvenile Justice. Few States provide mediation as an alternative to trial for first-time offenders.

Although the police may warn an offender, it is done on an informal basis without legislative support. In some jurisdictions police and probation officers counsel juveniles for the purpose of rehabilitation. The Community Police in Trinidad and Tobago were giving yeoman service in this area until they were disbanded a few years ago. The Juvenile Liaison Scheme in Barbados continues to work well.

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## F. DISPOSITION OF JUVENILE CASES AND ALTERNATIVES TO CUSTODY.

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A fundamental principle of juvenile justice is that detention must be a last resort and legislation provides for a variety of dispositions in juvenile cases.

Legislation generally provides that after hearing the evidence the magistrate may:

- 1) dismiss the charge;
- 2) discharge the offender on his entering into a recognizance;
- 3) commit the offender to the care of a relative or fit person;
- 4) send offender to an orphanage, Reformatory and Industrial School;
- 5) order offender to be whipped; (increasingly being abolished in the Caribbean)
- 6) order offender to pay fine, damages, costs;
- 7) order parent or guardian to give security for offender's good behaviour;
- 8) commit offender to custody in a place of detention;
- 9) where offender is a young person, send offender to prison;
- 10) deal with the case in any manner that the court sees fit.

In their legislative reaction to juvenile offending, some States are providing greater variety in their laws, which are now wider than the ancient UK laws which pervade most Caribbean

statutes. Thus, in Barbados, on the menu of dispositions are: absolute and conditional discharge, suspended sentence, attendance centres, community service and curfew orders, curfew with electronic monitoring, combination orders and mediation.

New legislation in the British Virgin Islands now provide for: conditional discharge, attendance centre orders, care orders, detention in youth custody and training centre order, drug rehabilitation and after care order, fines, compensation and fine, probation order, curfew with additional specification, curfew with electronic monitoring, combination orders, community service order, drug rehabilitation and after care order, suspended sentence, placing on bond, parenting orders.

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## G. PROTECTION FOR CHILD VICTIMS AND WITNESSES.

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As a general principle, when a child under the age of fourteen years is called to give evidence in criminal proceedings the trial judge must satisfy himself by appropriate inquiry that the child has a sufficient understanding of the nature of an oath and the solemn obligation to tell the truth that it implies before allowing the child to give evidence. The Judge should also warn the jury of the danger of convicting on the uncorroborated evidence of a child witness.

Children may give unsworn evidence when they do not understand the nature of the oath

but understand the duty of telling the truth.

The law also provides for depositions of children to be taken on oath and used in evidence when the child's life or health would be at risk in attending court.

In cases of indecency and immorality where a child is a witness, the court hears the evidence in camera.

The present law in the U.K. (section 33 of the Criminal Justice Act 1988 as amended by section 52 of the Criminal Justice Act 1991) is that all children under the age of 14 shall give unsworn evidence in criminal proceedings. This law has been adopted in a few jurisdictions. Provision is also made in a few Caribbean jurisdictions for children to give evidence by video-link and through television.

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## H. PROTECTION OF THE RIGHTS OF JUVENILES IN DETENTION.

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Juvenile detention institutions in the Caribbean generally do not comply with international standards. The JDL Rules require that these facilities be consistent with respect for the child's human rights and dignity and that they take account of the child's age, needs, sex, type of offence, mental and physical health and the need to protect from harmful influences and risk. Sanitary installations should be such as to allow inmates to comply with their physical needs in privacy and in a clean and decent manner. Edu-

cation should be provided up to the compulsory school age. There should be opportunities for vocational training to prepare the juvenile for future employment. Medical care should be easily available. Juveniles should have the right to participate or to decline to participate in religious activities and should not be subjected to harsh disciplinary measures. Juveniles have the right to benefit from suitably qualified, trained and experienced personnel in institutions who have the correct disposition for the job.

To assist social reintegration and rehabilitation as required by article 39 of the CRC, regular and frequent visits from family, relatives and friends should be encouraged save when not in the child's best interests.

A Report on the Prison Services within the Organization of Eastern Caribbean States (The OECS Study) by Consultant, Wendy Singh, visits to institutions in the Caribbean, and anecdotal evidence paint a picture of a juvenile justice system characterized by dilapidated buildings, a lack of comprehensive programmes for education and vocational training and facilities for sports and recreation. Juvenile female offenders are not catered for in

most juvenile justice systems and may be housed in the women prisons.

The OECS Study revealed that in the British Virgin Islands, Anguilla, Montserrat, St. Kitts and Nevis, St. Vincent and the Grenadines and Grenada, there was no separate accommodation for juvenile offenders so juveniles were placed in a separate cell in the adult section. The consultant further stated that, although there was a Boys Training School in Antigua and Barbuda, juveniles who commit the more serious offences were remanded to the adult prison. She also revealed that although there was a separate cell block for juveniles, the mingling of juveniles with adult prisoners occurred at times. In Dominica and Saint Lucia juveniles were kept separate from adult prisoners.

## FINAL THOUGHTS

The Committee in its General Comments on Children's Rights in Juvenile Justice pointed out: *A comprehensive policy for juvenile justice must deal with the following core elements: the prevention of juvenile delinquency; interventions without resorting to judicial proceedings and interventions in the context of judicial pro-*

*ceedings; the minimum age of criminal responsibility and the upper age limits for juvenile justice; the guarantees for a fair trial; and deprivation of liberty including pre-trial detention and post-trial incarceration.*

Having examined these policy issues, and being mindful of the persistence of discriminatory status offences in our law, we conclude that the reality of juvenile justice in the Caribbean should be of concern, not only to the Committee, but should be for most of us, a matter of pain and shame. The fact that the flowers of our Caribbean nations have been raised in what James Garbarino calls a "socially toxic environment," and do not always come up smelling of roses, is no reason to bury them in the graveyard of our neglect, by denying them their human rights.

*Hazel Thompson – Ahye is a Child rights advocate/ Attorney-at-law/ mediator. She is presently the Senior Tutor, Eugene Dupuch Law School, Nassau, N.P. The Bahamas.*



# ALTERNATIVES TO CUSTODIAL SENTENCING - FROM OFFENDING TO ACHIEVING (FOTA)

A non-custodial programme for children who come into conflict with the law in Dominica.

The programme, *From Offending to Achieving (FOTA)*, started in October 2006, following a UNICEF sponsored-study tour to El Salvador and New York. The delegation included Mr. Martin Anthony, Assistant Chief Welfare Officer and Ms Gloria Augustus, Magistrate Juvenile Court. Other participating delegates came from Antigua and Barbuda and St. Lucia. While on tour, the delegation was able to see first-hand some of the effective non-custodial programmes being implemented for juveniles in those places.

Participating delegates were required by UNICEF to develop a national follow-up Plan and upon their return to Dominica, a small committee was put together to design and ensure the implementation of such a programme in Dominica. In the absence of a Training School for young offenders in Dominica, the project team was encouraged by UNICEF to develop a programme which utilized existing human and physical resources. Thus, the **From Offending to Achieving (FOTA)** Programme was born.

The programme, which is being administered by the Social Centre, is undertaken in collaboration with the Social Welfare Division of the Ministry of Community Development and Gender Affairs and the Magistrate's Court. It caters for

juveniles who are currently on probation and who live in and around Roseau. It is currently being supported by UNICEF.

**The goal of FOTA is to work with young offenders from the court system to integrate them into society through various treatments and service requirements.** Some of the objectives include: improving the academic and social skills of participants, enhancing emotional growth, learning basic life skills and developing group participation skills, among others.

FOTA is being regarded as an alternative to imprisonment and has been welcomed by parents and other interested stakeholders including the Youth Development Division of the Ministry of Community Development and Gender Affairs.

Participants come from various family backgrounds and most have difficult living conditions. Therefore, an integral part of the programme is home visitation by the FOTA staff and this enables them to gather specific information to assist them in working with participants. With some participants living in varying degrees of poverty, staff has found this to be a significant contributing factor to some of the negative activities in which these

young people engage.

The programme includes parents in the reconstruction of their children's lives through parenting sessions and support which directly targets the areas of challenge, faced by the participants.

FOTA has only been in existence for the past eleven months and strives to provide not only for the emotional and personal development of participants but for their physical development as well. From dialogue with participants it is evident that FOTA has impacted positively on the lives of some of the participants. FOTA has given them the opportunity to learn not only a skill, but to re-think and re-strategize their lives.

As with programmes of this kind, results are not immediate. Nevertheless, it is expected that participants of FOTA will be reintegrated into the normal routine of society over time. It is also hoped that they will be able to effect change in the lives of not only themselves and their families, but their peers as well.

*For further information on FOTA, please contact Mrs. Heather Stewart, Child Protection Specialist, UNICEF ECO at [hstewart@unicef.org](mailto:hstewart@unicef.org) or The Social Centre at email [social\\_centre@cwdom.dm](mailto:social_centre@cwdom.dm)*

## REFLECTIONS ON JUVENILE JUSTICE IN BARBADOS

By Modupe Sodeyi



According to psychologist G. Stanley Hall, youth is a time of hormonal tumult. It is usually at this stage of confusion that many youths become involved in crime and other general delinquent behaviour. It is a period characterized by uncertainty - the need to develop a personal identity and most importantly, the establishment of material and emotional independence and the status of adulthood.

Traditionally, the main goal of juvenile justice is rehabilitation rather than punishment. The doctrine of *parens patriae*

authorizes the state to legislate for the protection, care, custody and maintenance of children within its jurisdiction.

The juvenile justice system in Barbados consists primarily of the **Probation Service**, the **Juvenile Liaison Scheme in the Royal Barbados Police Force** and the **Government Industrial School**. Whilst these organizations are operating as effectively as they could, given limited budgets and resources, young people are still entering the criminal justice system at an alarming rate. This is cause for concern as 24 per cent of the population is between 15 and 30 years old. There continues to be limited resources, (public and private), devoted exclusively to understanding these problems and working toward their prevention and control.

As recent as June 2007, the Director of the Commonwealth Youth Programme Caribbean Centre, Mr. Henry Charles, called for a comprehensive review of juvenile justice systems in the Caribbean and this is certainly what is needed urgently.

As in the United Kingdom, the prevailing discourse around juvenile justice should be 'nipping crime in the bud'. They argue that the system should be a mix of principles of punishment and containment, rehabilitation, treatment and restoration. While similar efforts are being

practiced here, many juveniles are still rapidly graduating to an adult life of crime. Once they enter the criminal justice system, rehabilitation is not considered a primary goal, but deterrence is seen as a successful outcome of punishment.

An urgent examination of the juvenile justice system reveals areas that are lacking and need to be addressed. As discovered in the United Kingdom after the 1995 Misspent Youth Report, it can be found here also that where juveniles are concerned, the prosecution process is too slow, there is a lack of coordination among the social services involved, there is a lack of emphasis in addressing and preventing offending behaviour, the concept of early intervention is virtually absent and there is a dire lack of after care services.

Following such an in-depth examination, a model system of care in juvenile justice, as has been successful in other jurisdictions, can be carried out.

This should have elements of:

- **Unconditional care** where regardless of the complexity or difficulty of the problem, the juvenile should have the right to rehabilitation services and also to long term commitment of support.

- **Coordinated continuum** of care where a broad array of com-

(continued on page 14)

# ERADICATE POVERTY – REDUCE JUVENILE DELINQUENCY

*By the Mr. Hamilton Lashley, MP, Government of Barbados*



**P**overty in all forms is an issue that must be addressed by all Governments across the world. When one hundred and eighty-six world leaders signed onto the Millennium Development Goals, they signed on with the intent and commitment of delivering Goal 1, which is to eradicate extreme poverty and hunger by the year 2015.

Poverty impacts harshly on the society, especially on single women of large households and particularly the youth of these households. In Barbados, many of our juvenile offenders come from impoverished homes and communities many of which are headed by single females. Hence, there is an inextricable link between poverty and crime. Certainly, this is not a unique situation in Barbados but can be seen throughout the English speaking Caribbean and also in Haiti, which I might add has its own unique brand of poverty and youth violence.

## TOO MANY HUNGRY YOUNG PEOPLE

In my view, there are still too many young people going to sleep at night hungry and waking in the morning still hungry. This results in too many young, hungry, angry students who create a challenge to our educational system and to a greater extent, our juvenile justice system. This must be seen as a regional problem. What is needed is a serious and concentrated effort by the

“This results in too many young, hungry, angry students who create a challenge to our educational system and to a greater extent, our juvenile justice system.”

regional leaders through CARICOM to address this issue of poverty, youth and violence. A regional consultation on this pressing issue is long overdue and is much needed at this critical time in our regional development. The solution to our growing social youth challenges requires multi-faceted, multi-dimensional approaches and I believe that such a consultation would bring a level of awareness that is first needed to tackle these issues.

## ALLOCATE RESOURCES TO ERADICATION OF POVERTY

I believe that poverty and the link to juvenile crime could be effectively addressed if regional governments would transfer a larger percentage of their economic and

financial resources towards poverty eradication, the enhancement of juvenile programmes and the improvement and expansion of Community Based activities. This would be a practical intervention whereby governments would ensure that all programmes geared towards the youth, include a component on leadership.

The expansion of community based youth programmes including those which target children of poor families should also be implemented. The system of juvenile judicial sentencing must also be re-examined. Our youth must be made to feel they are a part of a society that cares for them, empowers them and includes them in the decision making processes of the country. A tragic mistake made by most governments in the region is not including the youth in the decision making processes. The lack of inclusion by most governments of young people in the national planning process too often results in apathy and social exclusion among some of our

*(continued on page 14)*

## ERADICATE POVERTY – REDUCE JUVENILE DELINQUENCY *(cont'd from page 13)*

“..if most leaders keep their promise of the Millennium Development Goals in relation to the Goal # 1, the problem of a troubled youth, would be eliminated...”

very talented young citizens.

I would encourage the United Nations agencies for this hemispheric area to host a regional youth conference where youth take the leading role to showcase their involvement, dedication, knowledge and passion for the upliftment of the region.

Perhaps if most leaders keep their promise of the Millennium Development Goals in relation to the Goal # 1, the problem of a

troubled youth, involved in criminal activities because of a lack of guidance, counseling and structured involvement in community organizations would be eliminated and youth not involved in crime would not remain a fleeting illusion, but most certainly would become a reality.

One of the most necessary mechanisms needed is for youth in the region to join the world wide movement to make poverty history.

Shifting resources and re-prioritizing resources is a critical pathway for our youth to be taken out of the deep morass of poverty and exclusion. The time is right for CARICOM and UN Agencies to host a conference for all youth in the region to address the issue of youth, poverty and violence.

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*Hamilton F. Lashley, M.P is the Government Advisor on Poverty Eradication & the Millennium Development Goals in Barbados*

## REFLECTIONS ON JUVENILE JUSTICE IN BARBADOS

*(continued from page 12)*

munity based programmes and service options are combined to create a range of intervention options that ensure the appropriate treatment, education, training and care compatible with their specific needs.

■ **Community based services** should impact the juvenile's total environment by addressing problems in the community where they develop by establishing long term support necessary to sustain progress.

■ **Treatment projects** should integrate juvenile offenders into situations of living that are

consistent with a healthy, stable and nurturing family life environment.

■ **After care and reintegration services**

where juveniles continue receiving the support of treatment services following their active rehabilitation in a confined facility to prevent the relapse or regression achieved during the recovery process.

When such a working system is in place then both the government and the public can re-commit themselves to the rehabilitation of our youth.

It should be noted that under the Justice Improvement Project (JIP) some of the foregoing recommendations are to be acted upon. However, work in this area is still very much in the initial stages. JIPS is currently sourcing a consultant to examine the institutional strengthening needs of the Probation Department and civil works for the construction of a Young Offenders Institution is in the embryonic stages. Meanwhile, children's needs are waiting!

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*Modupe Sodeyi is a Consultant with the National Task Force on Crime Prevention in Barbados – she holds a Masters in Criminal Justice Studies from the University of Leeds*

# CHILD SEXUAL ABUSE - ITS POTENTIAL IMPACT ON ADOLESCENTS – THE WAY FORWARD

By Clementia Eugene



Though the challenge of sexual abuse of children and young people are often significant, sections of society are still in denial of its impact. This article discusses the theory on effects of sexual abuse on adolescents. It makes reference to case studies from Saint Lucia and suggests actions to be taken.

Child sexual abuse affects children across their lifespan – from early childhood to later adulthood. While some children cope with dignity and some even go on to become activists against child abuse, others sometimes engage in what may be considered anti-social behavior.

For example, some adolescents may engage in a pattern of running away from home. In fact, running away is a strong indication that there is something terribly wrong in the home. Others may turn to a life of juvenile delinquency characterized by stealing, housebreaking, damage to property, assault, threats, involvement with gangs and the possession of weapons and drugs as evidenced by the Family Court statistics in Saint Lucia.

There are known cases of children who have slept with knives under their pillow with the intention of hurting their abuser. Yet, in other cases children have contemplated poisoning the food of their abuser. Such is the

relationship between child sexual abuse and crime and violence. In addition, some children have known to sexually molest others as a means of coping with their traumatic experience, which sometimes leads to a different kind of abuse. For example, in one of my clinical social work session, a young man recalled his childhood experience:

*“When I was about 9 years old, my uncle came to live with us and he began playing with my penis and told me not to tell anyone and gave me money... then I did the same thing to the little boys at school in the toilet and to my little brother at home. But he told my parents. My father gave me a beating.*

Poor judgment, irresponsible decision-making and inability to communicate feelings are all examples of the effects of sexual abuse on adolescents. Some children become so withdrawn and depressed that they attempt

suicide and engage in self-mutilation. Self mutilation, an expression of self-harm that involves inflicting pain on one’s own body, appears to be a common phenomenon with teenagers in Saint Lucia. Poor grades, school drop out, low self-esteem are all long term implications for children exposed to a life of sexual abuse.

During an intake interview with a sexually assaulted adolescent, she recounted her experience:

*“He was my boyfriend for about one year and we have been having sex in different places. Once he took me to his friend’s house and two of his friends had sex with me all at once... I was in a lot of pain and felt ashamed afterwards ...It was only then I realize he did not love me...the sister of the man who has been having sex with me teaches at my school ...every time I see the teacher, I feel so ashamed,*

(continued on page 16)

(continued from page 15)

*embarrassed and want to run away to kill myself... I cannot concentrate in my school work...I am in Form Four and my grades have gotten very low..."*

Some studies have shown the correlation between child sexual abuse and juvenile delinquency. A study conducted by Dr Johnny Decatoria in 1988 at the Boys Training Centre in Saint Lucia revealed that 32 per cent of the boys admitted that they had been sexually abused or assaulted by peer groups, friends, father's girl friend, uncle or stepfather. In 1999, I conducted a case study of four girls placed at Her Majesty's Prison for care and protection. This was deemed necessary in view of their high risk of antisocial and sexual behaviours. The study revealed that all four of the girls had experienced a long history of severe child abuse and neglect. Current statistical data from Probation Services also reveals a high correlation between juvenile female offenders on probation and their experience with sexual abuse. It is therefore not surprising that increasingly, social workers are diagnosing adolescents who were sexually abused during childhood with depression, and seeing the need to refer them to the Golden Hope Hospital for psychiatry assessment and treatment

Children who have been abused sometimes feel the effects when they become adults. Although

not all adults experience long-term psychological consequences, some experts estimate that 20 – 50 per cent of all adult survivors have some identifiable adverse mental health problems. The female adult may suffer from Obsessive Compulsive Disorder (OCD), particularly an obsession with cleanliness. Immediately after an incident of sexual abuse on the island, a child decided to flush her vulva with a hose, while another drunk a quantity of bleach. Others are known to have bathed frequently as a means of self-cleansing.

The trauma of childhood violation may persist into adulthood, manifesting itself in drug, alcohol dependency and eating disorders. Other signs are that a mother for example, may feel uncomfortable in allowing her partner to play with her children, thinking that her own sexual experience with her father or stepfather would be repeated. During one of my therapy sessions, a married man recalled his experience:

*"I always thought my wife was sexually abused by her father...we seldom have sex...I can hardly hold her and caress her, she pushes me away...we have two daughters...she would never allow me to bathe them...every time I hug them, kiss them or have them to sit on my lap... my wife gets upset and stares at me...I think we are heading for a divorce."*

Situations like the above have the potential of destroying family relationships resulting in divorce or separation, which can also impact negatively on children.

### *Initiatives and recommendations in Saint Lucia*

One major initiative aimed at reducing the scourge of child sexual abuse on the island is the '**Good Touch Bad Touch**' campaign of the Saint Lucia Medical and Dental Association. Another step in the right direction is the recent establishment of a **Vulnerable Persons' Unit** within the Police Force. There is need to expand this Unit to provide a special interviewing room with a one way mirror, video and audio facility as well as specialist training for law enforcement officers who work with sexual offences committed against children.

Other recommended strategies aimed at eliminating sexual abuse of children on the island include:

- Establishing a more effective reporting and referral system;
- Ensuring mandatory counseling for all persons suspected and convicted for child sexual abuse;
- Establishing programmes for psychological and physical recovery and social reintegration for victims of sexual abuse;
- Strengthening the Ministry of Health existing Adolescent Health Programme;

(continued on page 18)

Barbados is one of the jurisdictions in the Eastern Caribbean that offers community service as an option of sentencing. 18-year-old Christopher Spence who was sentenced to community service at the National Conservation Commission (NCC) in Barbados relates his story to Lisa McClean-Trotman, Communication Specialist, UNCEF ECO.

## A SECOND CHANCE

**F**or 18-year-old Christopher Spence life has not always been a bed of roses. Born in St. Vincent and the Grenadines, Christopher spent the early part of his childhood between his mother's home in St. Vincent and his aunt's home in Barbados. At the age of 14 he chose to quit school and find a job because he recognized that it was difficult for his mother to support him and his sister financially because of the high cost of school fees. It was in St. Vincent that he first got exposed to marijuana.



"In St. Vincent where I use to live, cannabis is very commonplace," he said. "It almost as if it is legal – everybody does have weed."

He noted that he first tried it when he was about 15-years old.

"I began smoking weed at 15 years old, but not on a regular basis. I use to have lots of Rasta cousins around so it was easy to get it in the village. I saw them using it and nothing happen to them so I decided to try it," he stated.

One year later he returned to Barbados and began working as an assistant with the servicing of cars. During the evening most of his past-time was spent hanging on the block and it was there one night that the police did a search of the "boys" and found him with marijuana in his pocket. Christopher then became a first time offender at 17 years old.

However, instead of serving time in prison, Christopher was given 180 hours of community service at the National Conservation Commissions (NCC) as a general worker. Although initially

he had concerns about having to work so many hours "for free" Christopher does not regret having been given the option of community service.

For him, it has given time to think about his offence and also to help him to focus on his goals.

"The community service is a much better option than sending someone to prison," he said. "If I had gone to prison I would not have been able to get employed here. I would have been hanging on the block doing nothing

*(continued on page 18)*

(continued from page 17)

because almost all jobs now ask for a police certificate of character and nobody wants to hire a criminal," added Christopher who has since then been hired as a fulltime general worker with the NCC.

"I learned a lot from being here. Above all I've come to my senses – I don't deal with cannabis anymore."

For Christopher, community

service has given him a second chance to turn his life around and he intends to use it to improve his life.

"I would like to move up the ladder at the NCC, or I would like to study auto mechanics," said Christopher.

He also has advice for judges and magistrates who may be faced with having to sentence juvenile offenders ●●●●

●●●● "If it is not a serious crime like murder, you should try them with Probation first," he said. "But make sure it is some place where they can learn something - like a skill – everyone deserves a second chance."

## CHILD SEXUAL ABUSE - ITS POTENTIAL IMPACT ON ADOLESCENTS – THE WAY FORWARD (continued from page 16)

- Developing mental health counseling services, as well as reproductive counseling and making them known and accessible to adolescents;
- Restructuring the Division of Human Services and Family Affairs, thereby improving its capacity to responding with urgency and greater efficiency with cases of child sexual abuse;
- Adopting the OECS Child Care and Protection Bill, thereby giving the Division Human Services and Family Affairs the

- legislative authority to function as the main agency responsible for child protection;
- Establishing ongoing training programmes for social workers, teachers, counselors, police officers and health care providers to better assist with prevention, assessment and treatment;
- Assigning social workers to primary schools to assist with early identification of children at risk;
- Establishing places of safety for children at risk

- particularly group homes for adolescent girls;
- Establishing a national parenting programme aimed at promoting and preserving healthy parenting practices; and last but not least
- Developing a well-organized, long term and sustainable child abuse educational campaign on the media.

*Clementia Eugene is the Director of Human Services and Family Affairs in Saint Lucia.*

## CHARLES - VICTIM OR OFFENDER?



SOME PEOPLE MAY ARGUE THAT MANY CHILDREN WHO ARE IN CONFLICT WITH THE LAW DO NOT BECOME OFFENDERS OVERNIGHT. FOR SOME OF THEM, CIRCUMSTANCES FORCE THEM TO MAKE BAD CHOICES – CHARLES\* FROM THE BOYS TRAINING CENTRE – A RESIDENCE FOR JUVENILE OFFENDERS AND FOR CHILDREN IN NEED OF CARE AND PROTECTION RELATED HIS STORY TO UNICEF COMMUNICATION SPECIALIST, LISAMcCLEAN-TROTMAN

Some may argue that 15-year-old Charles was destined to a stay at the Boys Training Centre in Saint Lucia – for he was 10 years when he first became in conflict with the law. By Form Two at the age of 12 years, he was expelled from school.

According to him, his first encounter with the law came when he broke the windshield of a car that belonged to the dad of one of his “friends” and the Police was called. Charles, however, was quick to emphasize that this was not a simple random act of lawless. He related that he was playing cricket with his friend when the ball accidentally struck him [his friend] in his eye– when the father found out he beat him “real bad” with a stick. Feeling that he was “unfaired”, Charles waited until night-time when he thought no-one was looking and broke the windshield of the car – the police was called and this became Charles’ first offence.

Since that first encounter there seem to be no turning back for Charles, who is presently on remand for breaking and entering. He related that at school – the bigger boys “use to get him to steal for them.” He used to fight with the other students,

curse the teachers and then he got involved with smoking weed.

Charles who admitted that he is addicted to smoking, said that smoking is the norm for him.

“From young, I see it (marijuana) in the house. I grew up seeing my step-mother and father smoking marijuana,” he said.

Because he was always in trouble his father decided to let him see how hard life was and refused to give him anything. He noted that he would ask his uncles for food but no-one would give him anything, except his Grandmother– so in order to “fend for himself” he “would just wait and snatch anyone’s handbag as they passed.”

But while some may want to give up on Charles, he still sees hope for himself if he can get the smoking under control.

“I wouldn’t say I am a criminal” he said. “I just got involved in bad company. I know that I have potential,” he added.

\* The name has been changed to protect the identity of the child

# VOICES OF YOUTH

The following dramatic piece was performed by youths at the Boys' Training Centre in Saint Lucia at the July 2007 Justice For Children Seminar. It was written by Hazel Thompson-Ahye and reflects the information received from her interviews with a focus group with some of the boys in June 2007. They spoke about their experience with law enforcement, with the judiciary and in residential care.

## 1.

Justice for children!  
JUSTICE for children!  
Justice for CHILDREN!  
The juvenile justice system  
Promotes the well-being of children.  
We are the juvenile justice children, you see  
Victims and offenders, we all live at BTC.  
Boys Training Centre for rehabilitation  
Reintegration, care and protection.

## 2.

Who cares to protect me?  
The juvenile justice system? Let's see.  
Police with government boots that kicks  
And batons used to share out licks.  
For weeks I was in police cell  
Before taken to court my story to tell  
The magistrate spoke in kindly tone  
But I was scared, felt so alone.  
The probation officer seemed to care  
And helped to remove some of my fear.

## 3.

Who cares and protects me?  
What kind of life at BTC?  
You get food, clean, drinking water,  
Bed with sheet, pillow, your own locker.  
Medical attention and dental care,  
Even glasses for you to wear.  
Since Mr. Faulkner come on the scene  
The place more orderly and clean  
We, the children of BTC

Shelter under four pillars of CRC  
That Child Rights Committee compiled  
Non discrimination! Best interests of child!  
Right to life survival and development!  
And right to be heard, even in confinement.

## 4.

**Non -discrimination is priority.**  
Yet for status offence I am in custody.  
You turn back my friends and family  
Say wrong day, wrong time to visit me.  
My family had to travel far  
Take bus, jitney, or pay a car  
For some, another tune is what you sing  
Anytime is visiting time, do your thing.  
When you important and have money  
Things for you happen, really funny.

## 5.

**Best interests of the child,** is what I hear  
For my well- being, you claim you care.  
Yet padlocks with keys  
For many gates of steel.  
Locked behind bars for my protection  
Safeguarded from danger and destruction.  
I smell smoke. Go get the key!  
I am suffocating, please, help me.  
This key? Which key? Panicky!  
I died, while you hunted the correct key.  
What fatal irony! You find it yet?  
I'll die again, I'll bet  
Before you find the key  
To open the heart to me.

**6.**

**Right to life, survival and development**

Smoking was my means to betterment.  
Weed soothed the pain of deprivation  
Selling drugs, an easy occupation.  
No prevention programmes in community  
My mistake was to follow bad company.  
Tired of singing poverty's song  
Need money to entertain, keep girl around.  
Now all I have to ease my pain  
Is music pounding through my brain.

**7.**

**Right to life, survival and development**

Includes education, a way to self-improvement  
Fighting, cursing, thrown out from school  
I have plenty potential. I am no fool.  
With no secondary education at BTC  
What does the future hold for me?  
I want to be a big star.  
Once I was caught on camera.  
Security camera, that is true,  
But for me, any camera would do.

**8.**

I have a bullet in my head.  
A policeman say he want me dead.  
A thief I am, so steel for steal.  
Who cannot hear, well, they must feel  
At nights, I feel the coldness of the bullet  
St. Lucia has no equipment to remove it  
We'll take him to Martinique, they said  
Heart without hope, head still with lead.  
Lock him up, he is likely to abscond  
And police waiting with their gun.

**9.**

Bullets for me, property protection  
No proportionality in the situation  
No chance for restorative justice  
But for misguided youth plenty prejudice  
So in my cell I lie and plot  
Reflecting on my unhappy lot  
Laughing at my secret yet untold  
I died years ago when they killed my soul.

**10.**

A child has a right to be heard,  
Listen, I'll explain what occurred.  
"Brethren, we have visitors at church today.  
Let's welcome boys from BTC," pastors say.  
Why should they publicly identify us  
When we'd rather be in church anonymous?  
Have we not the right to privacy?  
As part of our CRC legacy?  
If we must go to church for prayer  
Allow us to choose the clothes we wear  
BTC uniform among congregation  
Causes us humiliation  
Your intent I know is without blame  
We bow our heads, not in prayer, but shame.

**11.**

**We have a right to be heard**, to get early date  
For our case to be tried, to know our fate.  
We have the right to be treated fairly,  
Presumed innocent, not identified early  
As likely suspect because of history  
When something goes missing from BTC  
Past misdeeds thrown up in our face  
Does not help rehabilitate.  
This place too small for you, staff member say  
You should go five-star hotel at Boredelais.

**12.**

Corporal punishment you should abolish  
Find some other way to punish  
But do not place in a lonely cell  
Mentally and physically, that is hell.  
Consider more alternatives to detention  
But if you must place youths in institution  
Consider more recreational facility  
Greater contact with wider society  
Provide more staff with training and skill  
Counselling really helps to change our will  
We admit that some of us have done wrong  
And want to turn our lives around.  
But while preparing us to re-enter society  
Please recognize our worth and human dignity

## HIGHLIGHTS FROM THE SEMINAR ON JUSTICE FOR CHILDREN IN THE EASTERN CARIBBEAN



Participants of the Justice for Children Seminar  
@ UNICEF ECO/2007/LeCompte

The Seminar on Justice for Children in the Eastern Caribbean was held from 26-28 July at Sandals Grand Resort in Saint Lucia and was organised by the Eastern Caribbean Supreme Court in collaboration with UNICEF ECO. Its main objectives were to provide a forum for building a knowledge base on justice for children and to develop consensus on a sub-regional action plan for a sustainable process of reform in the sector, which is expected to be endorsed and promoted by the Heads of participating Member States.

Participants comprised of residents of the Boys Training Centre of St. Lucia; the judiciary, magistracy, police, probation, and social worker representatives from the Eastern Caribbean and regional and international partners from the High Commissions of Austria and Britain, development

agencies of Switzerland, Canada and the United Kingdom, the OECS, CARICOM and UNICEF.

### Day 1

During Day 1, participants were challenged to approach justice for children from a child-centered approach; they were also advised to consider workable alternatives to imprisonment and there was also a call to focus on the adult persons who were encouraging children into crime and to see children as victims rather than offenders. The concept of restorative justice was also discussed.

### Day 2

On day 2 the focus was on highlighting international trends in Justice for children and also focusing on best practices in the area of justice for children in the Caribbean. Reports were presented on the Juvenile liaison scheme in Barbados; the From Offending to Achieving Project in

Dominica; the Belize family Court.

### Day 3

Day 3 featured a presentation by Her Excellency Rosalind Hazelle, whose main emphasis was on the development of prevention strategies to help young offenders as well as child victims and child witnesses of crime. Deliberations were also held on the draft resolution which had been developed overnight by representatives from the participants. This draft resolution was presented to the then Acting Prime Minister of Saint Lucia – the Honourable Stephenson King during the closing ceremony, for discussion with his peers at the next OECS Authority Meeting.



The then Acting Prime Minister of Saint Lucia - the Honourable Stephenson King, accepting the draft Resolution at the Justice for Children Seminar  
@UNICEF ECO/2007/James

## UNICEF RESPONDS TO DISCIPLINARY CHALLENGES IN SCHOOLS

In light of the growing concern about disciplinary challenges in the primary and secondary schools, the Ministry of Education, Youth Affairs and Sports in Barbados, in collaboration with the Barbados Union of Teachers and the UNICEF Eastern Caribbean Office, hosted a series of training sessions for educators on positive behavioral management.



*Public primary school principals engage in group work at the symposium*

@ UNICEF ECO/2007/McClean-Trotman

The sessions were held from 22- 23 October and were facilitated by Dr. Kerry King, Clinical Psychologist in Barbados, along with Professor Sharon Oxenford, of Mount Vernon University in Ohio and included a symposium for Principals of all public secondary and primary schools and a training session for teachers of the St. Leonard's Boys School – the only all boy school in Barbados.

This symposium and the training for teachers are part of the broader approach being taken by UNICEF to respond to the challenges of behavioural issues

in classrooms across the island.

Other activities supported included a strategy meeting for members of the Caribbean Union Teachers held from 04-05 October. At this workshop, participants were exposed to the methodologies being employed in the *Changing Classroom Culture Project* at the Hillaby Turner's Hall Primary School in Barbados – a school that is being used to demonstrate the whole school approach to positive behavioral management

Another activity that was supported by UNICEF is a study tour of educational officials in Barbados to a school in Ohio to observe a whole-school behavioural management programme and classroom instructional differentiation techniques in practice.

It is expected that these activities will help provide educators with the tools not only to respond more holistically to behavioral problems, but to also reinforce and praise the positive behaviour of the overwhelming number of students in the system.

*Below: Teachers from the St. Leonards Boys School listening attentively to facilitator Professor Sharon Oxenford*



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