Sexual Abuse against Girls and Boys in the Caribbean
Child Sexual Abuse: Definition

*Child sexual abuse* is a pattern of behaviors with cumulative impacts on the victim/survivor as it continues, damaging the individual’s emotional well-being. *(Eldemire 1986, 1991)*

*Sexual abuse* is practiced against immature children through non-violent or violent molestation, pornography, prostitution and incest. *Non-violent* acts may include intimate kissing, touching, fondling of a child’s genitals with the fingers, penis or other objects, genital contact, voyeurism and exhibitionism of intimate parts. *(Caribbean studies)*

*Sexual abuse* is a violent molestation induced through threat or force including rape during which there is attempted or successful oral, anal, or vaginal penetration of the child. The issue of prostitution is classified under child sexual exploitation for the purpose of profit and may include use of the child for the creation of pornographic material. *(Eldemire 1991)*
Child sexual abuse is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation.

Forms of child sexual abuse include asking or pressuring a child to engage in sexual activities (regardless of the outcome), indecent exposure (of the genitals, female nipples, etc.) to a child with intent to gratify their own sexual desires or to intimidate or groom the child, physical sexual contact with a child, or using a child to produce child pornography. (American Pediatric Association)
CSA: Central characteristics

Victims: Children and adolescents (boys and girls)

Perpetrators: Male and female (adults) and abuse by peers (children)

Consensual or no consensual

Dominant position

Violent and non violent (force, coerce or deceit)

Physical contact (touching) and no physical (noncontact)

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Violation of children’s rights

Criminal justice system

Child protection system
CSA: Forms

Masturbation  oral-genital contact  digital penetration

Vaginal and anal intercourse

Touching and fondling of child’s body (genitals and anus) or touching the breasts of pubescent females, etc.

Child’s touching the sexual portions of a partner’s body

Sexual kissing

Penetration (penile, vagina mouth or anus, etc.)

Exposing children to sexual activity (pornographic movies and photographs)

Having children pose (exhibitionism)

Voyeurism

Grooming a child in preparation for abuse (including via the internet)
“Intra-familiar abuse is a **problem** in all CARICOM countries; incest seems to be endemic”

“Child sexual abuse is **rampant** in every CARICOM country, children are most at risks in settings where they are meant to be protected”

“Child sexual abuse is **endemic** in the Caribbean region and large numbers of children are believed to be affected”

“Child sexual abuse is a **cause of great concern** in the Caribbean region.”
Situation in the Caribbean: Statistics

- First sexual experience of young girls is frequently forced (42.8% of girls younger than 12)
- CSA occurs across all social, economic and age groups in homes, schools, other institutions and on the street
- CSA often begins when the child is below 10 and continues throughout a child’s adolescence
- Most reported victims are girls; in the region, there is a rise of CSA against boys
- Most children are abused by a trusted and known adult
- Most child sexual abuse is committed by adult men
- Children with disabilities have experienced higher levels of sexual abuse than children from the general population.
<table>
<thead>
<tr>
<th>What</th>
<th>Who</th>
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</thead>
<tbody>
<tr>
<td>Convention on the Rights of the Child</td>
<td>All countries</td>
</tr>
<tr>
<td>American Convention on Human Rights</td>
<td>Barbados, Dominica, Grenada, Haiti, Jamaica and Suriname</td>
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<tr>
<td>Convention Against Torture</td>
<td>Antigua and Barbuda, Belize, Guyana, St Vincent and the Grenadines</td>
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<tr>
<td>ILO Convention on worst forms of child labour</td>
<td>All countries</td>
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<tr>
<td>Optional Protocol to the CRC on Sale of children, child prostitution and child Pornography</td>
<td>Antigua and Barbuda, Belize, Guyana, St Vincent and the Grenadines</td>
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<tr>
<td>Optional Protocol to the CRC on the Involvement of Children in Armed Conflict</td>
<td>Belize, Guyana, St Vincent and the Grenadines</td>
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<tr>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
<td>All countries</td>
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<tr>
<td>Convention on the Rights of Persons with Disabilities</td>
<td>Belize, Haiti, Jamaica, St Vincent and the Grenadines</td>
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</table>
Legal framework: Harmonization

• Progressive and lengthily process

• Disparate and archaic laws (civil and penal)
  – Legislation to prohibit production, possession and dissemination of child pornography

• Slow reform of the Justice system
  – Complaints
  – Law of evidence not conducive to the protection of children – Often results in a denial of justice for children who have been abused
  – Court Testimony
  – Procedure (length etc.)
Legal framework: National legislation

• Laws prohibiting and sanctioning: incest, sexual offences (rape etc.)
  – Definition of childhood (age) – Difference for boys and girls
  – All forms of sexual abuse and incest
  – Definition (do not include biological parents, siblings etc. consent)
  – Anti-social behavior - Uncontrollable

• Establishment of institutions/entities responsible for enforcing laws on sexual offences (mechanisms for reporting, protocols etc.)
  – Reporting and enforcement mechanisms
  – Procedure
  – Status of a child
  – Perceptions
  – Parents-children communication (corporal punishment)
Legal framework: Who is a child?

- In vast majority of cases, the **age of majority** in CARICOM countries is 18 years.

- The **minimum age of criminal responsibility** is very varied in the region (7 to average 13).

- **Age of consent for marriage** is 18 in seven CARICOM countries (from 12 to 21) – distinction for boys and girls.

- The **age of consent for sexual activity** is 16 in eleven CARICOM countries (distinction for boys and girls).

- Varying definitions of “child”, “juvenile” and “young persons” throughout national legislation.
Access to justice

• Mandatory testing for cases for a sexual offence that can result in the transmission of a communicable disease.

• Defense of reasonable or honest belief (consent)

• Requirement that child’s evidence to be corroborated

• Exclusion of the public from hearings on child sexual abuse (limited cases)

• Video-recordings used only in few countries

• Protection and removal orders for children who are abused sexually

• No special procedures for child sexual abuse (not sensitive)
<table>
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<tr>
<th>Country</th>
<th>Situation</th>
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<tr>
<td>Trinidad and Tobago</td>
<td>Right to inflict “reasonable punishment”</td>
</tr>
<tr>
<td>Suriname</td>
<td>No clear prohibition of corporal punishment in the home</td>
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<tr>
<td>St Vincent and the Grenadines</td>
<td>Right to inflict “reasonable punishment”</td>
</tr>
<tr>
<td>St Lucia</td>
<td>Right to inflict «reasonable punishment»</td>
</tr>
<tr>
<td>St Kitts and Nevis</td>
<td>Right to inflict “reasonable chastisement”</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Right to inflict “reasonable and moderate” punishment on children</td>
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<tr>
<td>Country</td>
<td>Situation</td>
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<td>------------------------</td>
<td>---------------------------------------------------------------------------</td>
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<tr>
<td>Grenada</td>
<td>Use of “justifiable force” to correct a child, servant or similar person for misconduct</td>
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<tr>
<td>Dominica</td>
<td>Right to administer “reasonable punishment”</td>
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<tr>
<td>Belize</td>
<td>Right to punish</td>
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<tr>
<td>Barbados</td>
<td>Right to administer “punishment”</td>
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<tr>
<td>Bahamas</td>
<td>Right to “correct his or her legitimate or illegitimate child ... for misconduct or disobedience to any lawful command</td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td>Right “to administer reasonable punishment”</td>
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## Corporal punishment

<table>
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<tr>
<td>Haiti</td>
<td>No explicit prohibition of corporal punishment within the family home</td>
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<tr>
<td>Guyana</td>
<td>Right to “administer reasonable and proper punishment”</td>
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Violence in the home: Domestic Violence

All CARICOM countries have a law on the protection against domestic violence (except Haiti):

- However, three Caribbean countries are among the top 10 for reported incidences of rape.
- All Caribbean countries have higher than the global average for rape.
- Domestic violence is rampant and not acknowledged as a serious issue.
- Often considered as a women’s issue: something that women bring upon themselves for not dressing right or doing “the right things.”
Figure 1.10: Rape Rates in Caribbean and Comparison Countries

- Bahamas: 133
- Swaziland: 121
- St. Vincent and the Grenadines: 112
- Jamaica: 51
- St. Kitts and Nevis: 45
- Dominica: 34
- Barbados: 25
- Trinidad and Tobago: 18
- Worldwide Average: 15
- Saudi Arabia: 0

Source: Crime Trends Surveys – United Nations (various years).
Only 6 countries have a specific policy to protect children from violence:

However, programmes:
• Have insufficient human and financial resources to alleviate the growing problem of child sexual abuse;
• Lack public awareness on the issue of child sexual abuse
• Do not rely on adequate data collection system
CSA: Prevention mechanisms

- 24-hour hotlines for reporting child sexual abuse
- Shelters or Places of Safety for children
- Obligation to report child sexual abuse
CSA: Agencies and services

- Severely under-resourced
- Need for greater allocation of resources
- Ad-hoc training program
- Fragmentation of services
- Poor data collection mechanisms
- Dependency vis-à-vis line ministries

“One of the main challenges is the lack of co-ordinated response, the response is fragmented”

Practitioner in Grenada
Child Sexual Abuse in the Easter Caribbean
Few recommendations ....

- Ratification of human rights instruments
- Comprehensive legislative reform (civil and penal) – attention to gender dimension
- Child-friendly/child-sensitive justice system
- Prevention mechanisms (child helpline, protocols, codes of conducts, reporting mechanisms)
- National policy or plan on the prevention and elimination of violence against children
- Adequate complaint mechanisms
- Data collection management system
Few recommendations ....

- Adequate services and programs (accessible, available, adaptable and of good quality)

- Adequate human and financial resources (ratio social workers/child population, training, codes of ethics, etc.)

- Greater resources to agencies/institutions responsible for the protection of children

- Strengthened coordination, reporting, procedures and management

- Public awareness and social mobilization
Thank you