

Jamaica's Opening Statement to the Committee on the Rights of the Child
Geneva, Switzerland
presented by
The Honourable Lisa Hanna M.P., Minister of Youth and Culture

January 19, 2015

Jamaica's Children

I bring you warm greetings from Jamaica, as I welcome the opportunity to speak with the Committee over the next two days, on the Rights of the Child.

Madame Chairman,

My intervention today builds upon a fundamental question that I asked myself when I first became Minister *"if I were to die today, would I be comfortable with the State caring for my child"*. I think it is a question that we should all ponder as policymakers, i.e. we should see children not as mere numbers to be reviewed but as our own children to be treated with love.

There is a natural mystic about my country which is why despite our size or economic status, we are able to mesmerize the world in so many ways with reggae music and Bob Marley, the fastest in the world on land and in water through the awesome talents of Usain Bolt, Shelly-Ann Frazer Pryce in track and Alia Atkinson in swimming!

You see our children come from a rich culture of excellence which propels them with ambition no matter their race or class. We have created avenues from the basic through to the secondary schools for them to hone these talents in sport, culture and academia. However, we still face challenges as they are exposed to domestic abuse, peer pressure and parental neglect which thwart the development of many of them from realizing their full potential. We recognize that these problems are universal and not exclusive to Jamaica. While we have not solved all the issues, we have been making consistent and productive strides towards eliminating the impact of these experiences on our children.

It is against this background that I make my statement today to tell you that since the tabling of the 2011 report we have intensified our strides in advancing their rights to access education, protection against violence and ensuring that those who come in conflict with the law are given equal rights and justice consistent with the provisions of the CRC. In framing our policies, we have not only paid attention to the provisions of this Convention, we have also been on the ground, spoken to our children in state care, in schools and in juvenile detention and heard what they had to say about our approaches and we have taken these views into account.

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Twenty five years after the Convention on the Rights of the Child came into existence; we have 809,600 children which make up 29.8 percent of our total population. At birth, our children have more than a 97% chance of surviving beyond age five, almost a 100% chance at enrolling in school up to the secondary level, and will go on to live, on average, over 73 years.

Legislative and Policy Frameworks

Our Child Care and Protection Act passed in 2004 defines a child as any person under the age of eighteen years and serves as one piece of legislation that sets universal standards for the care and treatment of children. This law acts in tandem with over ten other pieces of relevant legislation.

Importantly, the legislative and policy frameworks are done in response to a number of service provisions of the Convention and its Optional Protocol to which we are firmly committed.

As a country, we are always in search of ways by which we can strengthen our child rights provisions, as such, we embarked on a comprehensive review of the Child Care and Protection Act and its Regulations which saw a number of issues, some topical, being positioned in a policy paper which outlines recommendations for amendment to the law.

We are pleased to inform the Committee that a number of the issues that are before you today have been positioned for attention. One such is the matter of corporal punishment in the general population. Corporal punishment is abolished in all children's homes and places of safety and all early childhood institutions, and prohibited in correctional facilities. The review and revision exercise was far reaching and collaborative, pulling together individuals from both government and non-government organizations. We are now collating the data to present to our Cabinet.

Our Government approved legislative changes for the removal of the "uncontrollable behaviour" label ascribed to children who display extreme behavioral or mental health problems. These legal amendments will remove the option for Resident Magistrates to sentence such children to juvenile penal institutions. We will be constructing therapeutic facilities as alternatives for juvenile correctional

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centres. We are hoping to have the first one ready this year so that these children will get the therapeutic assistance necessary.

We currently have 4,370 children in our child protection sector, 203 of which are in custodial care (85 in Remand and 118 are housed in Correctional Centres). This represents 5.4 children per thousand in child protection and 0.25 per thousand in custodial care respectively. This shows a reduction over the same period last year.

We recognize that there are still benchmarks that need to be reached, yet confident that we are heading in the right direction in the best interest of our children. Recognizing the importance of the collaborative effort and to further inform and direct our initiatives going forward, we have taken into consideration the impact of violence, on their well being.

One such impact results in the unfortunate occurrence of children coming in contact with the police from time to time; either after committing an offence or after being removed from abusive circumstances. In such instances, children “in need of care and protection” as defined by Jamaican law, are immediately placed in the care and protection of the State within the Children’s Homes and Places of Safety. Every effort is being made to adhere to Jamaican law and international protocols which require that the children who are in perceived conflict with the law are placed before a Magistrate/Judge within 48 hours of being in the custody of the police.

At the same time, the Jamaican Government is keen to uphold international good practices for children being processed at Police Stations to be accommodated in quarters where they do not come in contact with adult detainees. As such five Police Stations are currently being retrofitted with children-only holding areas. The intention is to eventually provide one such facility in each of the country’s 14 Parishes.

We have also strengthened and added resources to our missing children’s unit to ensure the speedy and safe recovery of missing children. Preliminary statistics show that during the period of January to December 2014, one thousand nine hundred and eighty four (1,984) children were reported missing. This reflected a ten per cent (10%) decline in the number of children reported missing over the same

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period in 2013. Fortunately, we can report that approximately nine (9) out of every ten (10) children reported missing in the period have since returned home due in part to new initiatives introduced.

The Jamaican Government has embarked on new policies to interrupt the transmission of violence in communities by getting all players in the society involved in a deeper partnership between community members, churches, schools, Social Development Partners and the Police.

We have introduced the **UNITE FOR CHANGE** initiative as the platform which facilitates a coordinated approach to violence prevention across Government and including the wider society through an extensive Communications Campaign to support the changes required. This has resulted in over 30 communities choosing to Unite for Change. Added to this is our Anti-bullying initiative, expanding our Safe Schools programme and our **National Child Diversion Policy** to keep children who commit an offence out of the formal criminal justice system.

Recognizing that violence against children impacts several areas of national life and is cross cutting in policy implications, our country's activities are contained under the rubric of an emerging National Plan of Action for an Integrated Response to Children and Violence (NPACV) 2012 – 2017. The Plan of Action represents a coordinated approach to addressing the key issues pertaining to children as victims, perpetrators and witnesses of violence in all forms. It is unreservedly, one of the most far-reaching policies that cut across all sectors, and is undoubtedly a comprehensive instrument of protection for children.

Since 2012, the Government approved the **National Parenting Support Policy**, as part of its effort to strengthen parenting practices across the island. The National Parent Support Policy is Jamaica's first attempt at codifying a broad national understanding of parenting issues and at stating its commitments to strengthen and improve support services nationally.

Furthermore there is now a policy that ensures that girls are not denied opportunities of empowerment and self-sufficiency; thus minimizing the risk of possibly falling victim to other vulnerabilities such as trafficking, prostitution, or sexual abuse. Furthermore, we are far along in the building of new

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infrastructure and renovations to existing ones that will house girls for a transition period who have turned 18 and are exiting the child protection system. The new facility will house 40 girls initially.

Institutional Framework to Support Children in Jamaica

Outside of the key child-centred organization such as the Child Development Agency, there is the Office of the Children's Advocate, Office of the Children's Registry and the Children's Courts, which are established under the Child Care and Protection Act; services to our children are buttressed by the provisions of other institutions such as the Early Childhood Commission, the Centre for the Investigation of Sexual Offences and Child Abuse, the Trafficking in Persons Unit, The Broadcasting Commission, Youth Information Centres, the Victim Support Division, and the National Parenting Support Commission. Added to these, an Inter ministerial committee was convened in 2012 to ensure the effective coordination of the provisions of the CRC so as to align and prioritize decision making and policy implementation.

Children affected by violence may initially present to a health care facility, whether private or public, in order to ensure that their physical needs and in particular, any life threatening conditions can be addressed. The **public health care system** contains an extensive network of primary care health centres and the Accident and Emergency Departments of the secondary or tertiary care facilities (hospitals) where emergency intervention may occur. At the latter, a data collection instrument, the Violence-Related Injuries Surveillance System is in place. After attending to their urgent physical needs, and once their safety is ensured, they may be referred to the Child Guidance Clinics or other agencies for further management. The **Child Guidance Clinic system** was established in 1996 and operates as a sector of mental health services which offer services mainly through the primary health care system.

Children with Disabilities

We are proud to have recently passed the Disability Act which will help to advance the programmes seeking to ensure equal treatment for persons with disabilities. Proposed changes to the Child Care and Protection Act have also been developed (with input from the health, education sectors and

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representational groups addressing the rights of persons with disabilities) to mainstream special treatment for children with disabilities.

These include proposals to:

- Provide special regulations, training and support to residential child care institutions and foster parents who serve children with disabilities and special health needs (including those affected by HIV/AIDS).
- Provide training within the child protection, security and justice sectors to recognize, refer and interface with children with disabilities; including ensuring that they are informed of any child protection or criminal justice processes, in a form that they can understand.
- Improve physical accessibility of child protection facilities for persons in wheel chairs.

Right to Educational Services

Initiatives such as the School Feeding Programme, the Re-integration of Teen-age Mothers into the school system, the Career Advancement Programme and the Programme of Advancement through Health and Education (PATH) have helped to keep children in school.

One of the objectives of the Government of Jamaica is to ensure at least five years of secondary education for students. The number of secondary school places have been increased/or are being increased through the construction of new schools and expansion of existing ones.

In 2011 we had 4 children in our Child protection sector who qualified for university entry. Based on new policies, we are pleased to report that in 2014 we have moved that number to 45, some of whom have been awarded places in tertiary institutions including one child in medicine.

Promotion of Child Participatory Rights

Jamaica has a rich culture of child participation; one which is promoted from basic to the secondary school levels. This is evident through the involvement of Jamaican children in sports, church, national

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governance and musical and performing arts groups at the local, school/parish, national and international levels.

In furtherance of efforts to reinforce the principled belief that consulting with children and incorporating their views into programmes, plans and policies will create a better society, key child centred organizations such as the Child Development Agency established a Children's Advisory Panel, which is now in its third year of existence, the Office of the Children's Registry has engaged Child Ambassadors across the island who are utilized in bringing greater awareness on child abuse reporting and preventative practices.

In June 2012 the Government of Jamaica launched the Child Protection Database, to facilitate standardization of data indicators.

Closing Remarks

Jamaica has been focused, strategic and deliberate in implementing the convention. We are cognizant of the importance of measuring our performance against the provisions and principles of the Articles to ensure a robust and progressive system of child development where the inalienable rights of our children are promoted and protected.

This is consistent with Jamaica's deep and abiding commitment to the promotion and protection of human rights of all citizens under our Constitution.

With respect to this Convention, we are cognizant that we have more to do and we don't have the luxury of a lot of time in which to do it. Our world today appears so much smaller with the advances in technology and the speed in which information is carried that the graphic and gruesome effects on countries experiencing the ravages of wars and unimaginable turmoil become a daily diet for our children.

Bob Marley in his song "So much trouble in the world" suggested a solution in his plea that 'all **you** got to do is give a little, one more time ... give a little'!

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Let us continue to **give** always with the best Interest of our world's children in mind. **One Love.**

Thank you.