

Civil Society Consultation in relation to the Universal Periodic Review:

NOTES FROM GROUP 1: CHILDREN'S RIGHTS

What do you consider to be the most important rights of the child which need emphasis in terms of protection and what are the potential obstacles which can hinder the protection of these rights?

Topics for discussion:

1. Discrimination
2. Assistance to parents in relation to child rearing responsibilities
3. Children with disabilities
4. Access to health and health care services
5. Education
6. Children in conflict with the law.

Preamble:

The group believes that it is important for children's issues to be located in a wider context that considers the vision we have in TT about the kind of society we wish to build? What kind of citizens do we wish to have in TT? Is our society 'child friendly' (see the plight of 'barrel children', socially displaced children etc.)? How will we raise our children? What kind of ethics, morals and values should we instill in them? While children need to know their rights, they also need to know that they also have duties and responsibilities. The Preamble of our Constitution and international Human Rights instruments e.g. the Convention on the Rights of the Child and the Univ. Decl. on HR, will inform TT's vision for our society.

We should be concerned to promote integral human development, that is, the development of every dimension of the person and of each person. If we embrace this philosophy; if we put people at the center of our development, we will be more likely to develop policies and practices that meet the needs of our greatest assets, our people.

There currently exists a National Policy Paper on persons with disabilities. However, we need to move from policy to practice. Too often we fail at the levels of implementation and evaluation of our policies.

TT is a country in which there are numerous faith communities. They can and must play a more active role in all 6 areas outlined below, if they are to help build a just society.

1. Discrimination:

All children have the same rights. However, in TT many face discrimination and their rights are violated because of e.g. poverty and social exclusion. If we are to level the playing field for all children, then we must address issues affecting their

parents/guardians/families e.g. unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown. Issues adversely affecting children in rural and urban areas need to be identified and addressed e.g. some minors are employed in family businesses, in the agricultural sector etc and either drop out of school or miss many days of school.

Some children face discrimination because of the area in which they live. It is well known that those living in areas such as Beetham, Laventille, and Maloney face discrimination in terms of access to services, employment etc. on a daily basis due to perceptions about the kind of persons who live in these areas.

Examples were given of instances where children in poor families took turns in attending school since there was only 1 school uniform in the family. We can hardly boast of free universal education when conditions that exist in TT present obstacles to some children being able to access education.

TT has a Children's Authority that is still not fully functional. We need to speed up the process to ensure that this Authority has the infrastructure, including staff and other resources, to do its work.

Under this heading we can include issues such as child abuse, incest, and domestic violence. There have been a number of heinous crimes/murders perpetrated against children over the past 10 years and very few, if any, of the perpetrators have been caught.

All Government Ministries should examine their policies, procedures and practices to evaluate their impact on children.

Our 2005 poverty statistics of 16.7% (210,000 citizens approx) are out of date and hinders effective planning to address discrimination against children.

There is an urgent need for TT to establish a National Child Protection Policy and a National Child abuse register.

Stigma and discrimination against children with HIV/AIDS still abound in TT. Examples were given of the challenges faced in the early days and currently by children at the Cyril Ross Nursery, run by St Vincent de Paul Society.

Corruption discriminates against children in that the resources of the nation are wasted and not targeted where most needed. The effect of corruption – directly and indirectly – particularly on the poor, the vulnerable, the disabled etc. is well documented e.g. increased cost of public services, adverse impact on basic amenities such as water, health, education. Corruption siphons resources that could help reduce poverty and promote sustainable development and growth.

We must protect minors in our legal system and establish suitable facilities for juvenile offenders. TT has no YTC for boys in Tobago and no appropriate facility for minor

offenders in TT. Also, minors are currently kept in holding bays with adults. This is not appropriate. (See section 6 for more details).

The media has a crucial role in highlighting all forms of discrimination against children and in championing their cause.

2. Assistance to parents in relation to child rearing responsibilities:

It is an accepted fact that in order to strengthen family life in TT, we need to develop effective strategies to assist parents in meeting their child rearing responsibilities. Parenting classes are urgently needed and should be run in communities, libraries, schools, among faith communities etc. Such classes should include components that focus on ethics, morals, values, discipline etc.

If we embrace a Restorative Justice approach, we will embrace the children of the victims of crime and also the children of offenders. There should be more frequent opportunities for children in the latter group to visit their parents in prison. Also, communities should do more to reach out to both groups of children; to act as role models and mentors to them.

There is a need for more inter-generational interaction/communication between children and adults/the elderly. With the erosion of the extended family in TT, communities need to plan for such interaction. This should be seen as an essential part of building a caring society in which we engender respect for each other at all ages and in all circumstances.

To facilitate child-rearing, employers should be encouraged to provide workplace crèches/nurseries.

We must face reality that in TT there are children who are rearing children e.g. barrel children whose parents are abroad and an older child is responsible for rearing his/her younger siblings. There are also many single parents, particularly single mothers, who are struggling to rear their children in conditions that do not promote effective child-rearing practices. These are human rights issues that must be addressed.

Schools could also assist by extended-day activities, homework clubs/centres etc. This could also reduce violence in schools/after school.

Closer home/school/community links/partnerships are essential if we are to assist parents in rearing their children.

3. Children with disabilities:

Every child should have an opportunity to achieve his/her potential. Every child deserves a place at the table of life. We must create conditions that will allow all our children to live productive lives and to contribute to the development of our society.

About 10% of TT's children are disabled. We need to map out the nature of their various disabilities, determine what their needs are, budget for their needs, target use of resources to meet needs etc. This must also include consideration of the needs of the family, some of whom will need to look after relatives with disability for most of their lives. Services for the disabled are too fragmented – should be better coordinated.

Discrimination against children with disabilities should be eliminated.

Employers of persons who have children with disabilities should embrace workplace policies and practices that will support such employees in meeting their responsibilities towards their disabled children.

Disability and poverty/social exclusion are linked e.g. poor nutrition impacts adversely on children's physical, mental/cognitive, social development. Poor nutrition also affects pregnant mothers and their unborn children.

There should be screening at birth/early intervention/pre-natal and anti-natal care. There should be more testing for vision and hearing during early childhood, in schools and communities.

How is TT's Children's Life Fund benefitting children with disabilities – in rural communities and urban communities?

4. Access to health and health care services:

The entire health care system in TT needs to be evaluated to determine whether or not we are achieving our goals. Our aim should be to develop a health care system that promotes the well-being of our people; one that promotes first class services that is accessible and affordable; one that puts patients and the public first.

We need to enhance/improve the quality and delivery of health care services available to disabled children. What proportion of the budget is spent in this area? Are we getting value for money? Do we consult with families of disabled children and supporting agencies and organizations in order to improve services? The needs of children with disability are complex. Have we done a needs analysis – needs of disabled children, their families etc.? What are the areas for improvement e.g. provision of equipment in a timely manner; palliative care; financial support; clinical, social and educational needs etc.

What are the various forms of disability that exist in TT and how are we seeking to meet their needs? Are the various sectors working collaboratively to meet the needs of children with disabilities e.g. health, social services, education; transition from childhood to adulthood etc.?

Issues relating to maternal health care must also be addressed. Are we addressing maternal deaths in our health care system? See also issues relating to pre-natal and ante-natal care for persons with disabled children/

Is the Children's Life Fund being targeted effectively?

5. Education:

Children with disabilities have a right to education. We need to re-visit our mission and vision for education in TT.

If we embrace Howard Gardner's concept of Multiple Intelligences, we will recognize that in TT our education system is not geared to meeting the educational and other needs of our children in general, and children with disabilities in particular.

We need a national Education Policy that includes the needs of children with disabilities. The learning needs of boys and of girls must be addressed – see gender issues. The needs of our underachieving boys, including boys with disabilities, should be addressed. This will require us to look at issues relating to e.g. the curriculum on offer, class size, equipment, activities etc. The overt and hidden curriculum should aim to form consciences and promote moral and spiritual values.

What impact does SEA and other exams have on children with disabilities? Is any accommodation made for them e.g. the visually impaired?

The physical layout of many of our schools is often inadequate to meet the needs of our children. Too often teachers do not receive appropriate training, either at initial teacher training institutions, or via in-service, to meet the needs of children with disabilities.

Leadership at all levels in the education system must embrace a concern for children with disabilities and plan effectively to meet their needs. Educators must have high expectations of children with disabilities. Low expectations impact on children's self-esteem and on their performance.

What special educational services exist in TT to meet the needs of children with disabilities e.g. home tuition, teachers trained in the area of special education? Are our school counsellors, social workers, career guidance officers etc trained effectively to meet the needs of children with disabilities? Does Student Support Services have an inclusive Policy for meeting the needs of all our children? Do we have a "youth at risk" register that will include some children who have disabilities?

Do we have data on the various kinds of disabilities that exist in our education system – recognising that some children have multiple disabilities? Do we know how disabilities affect students' achievement? How many of our children with disabilities go on to higher education and enter the world of work? What about children whose parents have disabilities? How are we assisting such students to achieve their potential?

Do our educational institutions have appropriate technologies that will assist children with disabilities?

Children do not enter schools as empty vessels, therefore, their educational needs must be located within the context of what they are exposed to at home and in society. This is why it is essential for all schools to develop effective home/school/community partnerships.

To facilitate parents of children with disabilities, our schools/the Government should establish more homework centres, after-school activities etc.

Teacher absenteeism impacts on all children and needs to be addressed urgently.

Lessons after school - for which parents pay should be banned. Teachers should teach the syllabus during school hours.

Bullying/Violence towards and discrimination of children with disabilities must be addressed.

We must evaluate the effectiveness of programmes such as MUST, MYLAT etc.

6. Children in conflict with the law:

Too many of our children are in conflict with the law – including children with various forms of disabilities. The aim should be to ensure that those in conflict with the law are given the opportunity to turn their lives around, to live productive lives and to contribute to the development of TT. We need a plan to ensure that this could become a reality.

Too many of the facilities that we use to send children who are seen as ‘difficult’ are full e.g. St Jude’s, St Michael’s, St Dominic’s. Often some of these institutions do not have effective transitional programmes and some children, including those with disabilities, leave such an institution with inadequate life skills.

The plight of so-called ‘barrel-children’ whose parents go abroad and send them barrels of goodies, as well as the plight of socially displaced children must be addressed. There are children with disabilities among these groups.

A major scandal in TT is that we have no correctional facility for female minors. CCSJ understands that there are about 60 female minors housed on the site of the Women’s Prison. They sleep separately but mingle freely with adult female prisoners during the day. Also, there is no YTC in Tobago. CCSJ understands that some male minors are ‘housed’ with adult male prisoners in Remand in Tobago. This situation is unacceptable and violates the rights of these female and male minors. We must protect juveniles in our legal system and establish suitable facilities for juvenile offenders. This must be seen

within the context of inadequate/lack of facilities to which Courts can refer juveniles e.g. St Jude's home, St Dominic's etc often have no spaces.

The current system of holding juveniles in holding bays with adults is totally unacceptable.

CCSJ understands that at times juveniles are placed with certain families who receive funding from the state for 'taking in' youths at risk. What regulatory/inspection systems exist to ensure that the human rights of such youths are protected? At a *Youth At Risk* Seminar held by CCSJ a few years ago, issues relating to this were highlighted by participants. To date, CCSJ understands that there are still no appropriate systems in place.

The Police Service should establish special units to meet the needs of children who are in conflict with the law. Community policing will also assist in this area.

Our prisons are filled with people who are poor, uneducated and of African origin. Too often our prisons are just warehouses. The Task Force Report had recommended that the Prison Service should embrace a Restorative Justice approach – which the Commissioner of Prisons is seeking to implement. Such an approach should address the various needs of our children who are at YTC etc. so that they can turn their lives around. Such strategies must be linked to strategies to facilitate their effective reintegration into society/their families.

Such strategies must be located within a plan to deal with the "big boys", those bringing in the drugs and guns into TT and who are destroying the lives of our people, including those with disabilities.

More must be done to 'nip' things in the bud. School-based violence must be addressed e.g. by developing whole school policies on discipline, closer partnership between home, school and community etc. An effective crime prevention/reduction strategy for TT will also help create conditions that will enhance safety and create peaceful communities in TT.

'youths with disabilities at risk': those youths who fall within this category include socially displaced children/youths. Much more must be done to address the needs of our youths at risk. Government subventions to NGOs are not all that is required to meet the needs of vulnerable citizens.

We need homes for our socially displaced people – young and old, and Officers who will be charged with responsibility for seeking to re-integrate socially displaced people with their families, where possible; to seek treatment for those who need it etc. A survey conducted some years ago highlighted the fact that there are about 4/5 categories of socially displaced persons. Who is assessing their needs and arranging for these to be met? How many of these are children with disabilities? We need prevention, education, treatment, and rehabilitation activities targeted at socially displaced persons.